

43-200:TMO:dh
11330

80 DEC 1972

From: Commanding General
To: Commander, Atlantic Division, Naval Facilities Engineering
Command, Norfolk, Virginia 23511
Via: Commandant of the Marine Corps (Code COA-1)
Subj: Request for easement by City of Jacksonville, North Carolina
Ref: (a) MARCORSUPMAN, Vol V, Part D: Easements
Encl: (1) City Manager, City of Jacksonville ltr of 29 Nov 1972 w/10
copies of general site plan for proposed water line tie-in
w/Camp Geiger dtd 11/21/72

1. The City of Jacksonville, North Carolina has requested an easement for the installation and maintenance of a six-inch water line connecting the Camp Geiger water system at First and "D" Streets, Camp Geiger, across government property to the nearest point in the City of Jacksonville water system.

2. In compliance with reference (a), the following information is submitted:

a. Ten prints of the drawing approved by the City Engineer of the City of Jacksonville indicating the location of the proposed six-inch water main are transmitted herewith as enclosure (1) for your information.

b. The real property involved is the only property which can reasonably be used for the purpose.

c. The granting of the easement will not materially interfere with the government's present or foreseeable use of the property or with other government activities in the vicinity.

d. It is requested that the easement be granted without monetary consideration in that the government will derive benefits exceeding the value of the easement conveyed by assuring a source of potable water to the Camp Geiger area in case of failure of the Camp Geiger water plant. It will also provide a source of potable water to the City of Jacksonville in case of failure within its water plant.

J. F. MADER
By direction

Blind copy to:
AC/S, Fac (w/encl)
BMaintO (w/encl)

Return to PWD

Design



UNITED STATES MARINE CORPS
MARINE CORPS BASE
CAMP LEJEUNE, NORTH CAROLINA 28542

IN REPLY REFER TO
43-200:TMO:dh
11330

From: Commanding General
To: Commander, Atlantic Division, Naval Facilities Engineering
Command, Norfolk, Virginia 23511

Subj: Request for easement by City of Jacksonville, North Carolina

Encl: (1) City Manager, City of Jacksonville ltr of 29 Nov 1972 w/180
copies of general site plan for proposed water line tie-in
w/Camp Geiger dtd 11/21/72

1. The City of Jacksonville, North Carolina has requested an easement for the installation and maintenance of a six-inch water line connecting the Camp Geiger water system at First and "D" Streets, Camp Geiger, across government property to the nearest point in the City of Jacksonville water system.

2. The drawings approved by the City Engineer of the City of Jacksonville indicating the location of the proposed six-inch water main are transmitted herewith as enclosure (1) for your information.

3. This Command agrees with this proposal and requests the easement be granted.



OFFICE OF CITY MANAGER

City of Jacksonville

Jacksonville, North Carolina 28540

ROBERT F. WRAY

November 29, 1972

Brigadier General H. L. Wilkerson
Commanding General
Marine Corps Base
Camp Lejeune, North Carolina 28542

Dear General Wilkerson:

The City of Jacksonville, North Carolina presently has no plan for the furnishing of water in the event the City's well field, water plant or water towers become inoperative as a result of mechanical failure, hurricane, or national emergency. Jacksonville receives its water through six and one-half miles of a single transmission main and any interruption or malfunction along the transmission main would leave the City without water. I feel that it is of the utmost importance that plans be made in conjunction with the office of Civil Defense to provide water to the Jacksonville area should an emergency arise.

With the above information, the City Engineer has met with your Assistant Chief of Staff, Facilities and the Public Works Officer, and from these discussions, the City of Jacksonville requests an easement be granted for the installation of a connecting water line from Camp Geiger to the nearest point of the City water system. The water line will not be used to supplement the City's capacity, but will be used only in the event of serious emergency when the health and safety of our citizens are in jeopardy.

The connecting water line will be installed and maintained at the expense of the City. The water line is to include a meter and shut-off valve. The valve will be of a type that can be properly locked, and will be under the control of the Base Maintenance personnel. The City will request permission to enter the Base each time it becomes necessary to service the water line. The City will reimburse the Base for all water used in accordance with the contract rates that exist at the time of consumption. The installation will have a two way flow capability that would enable the Camp Geiger system to draw water from the City of Jacksonville if a need should arise.

The necessary prints properly annotated are enclosed in support of this request. Please review our proposal and we will provide any additional information you may deem necessary.

DEC 2 10 30 AM '72

ENCLOSURE (1)

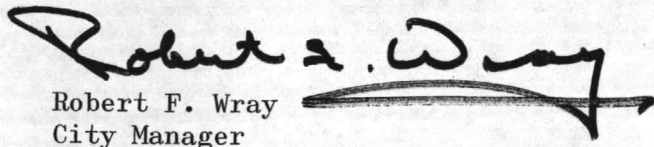
General Wilkerson

2

November 29, 1972

Thank you for your time and consideration in this matter.

Very truly yours,


Robert F. Wray
City Manager

RFW:mk

Enclosures

cc: Mr. Vance Kee
Civil Defense Director

Mr. C. W. Hargett, Jr.
City Engineer



UNITED STATES MARINE CORPS
MARINE CORPS BASE
CAMP LEJEUNE, NORTH CAROLINA 28542

IN REPLY REFER TO

4B/LD/mkc
5700
18 Dec 1972

MEMORANDUM FOR THE PUBLIC WORKS OFFICER

Subj: Proposed Easement with City of Jacksonville, N. C.

Encl: (1) Part D (Easements), Chapter 5, MARCORSUPMAN
(2) Proposed CG MCB CLNC ltr 43-200:TMO:dh 11330 to LantDiv

1. Enclosure (1) is forwarded for information and use in rewriting enclosure (2).
2. The following guidelines are provided:
 - a. Prints attached
 - b. Only property available
 - c. No interference with use of property
 - d. That the easement be granted without monetary consideration, in that the government will derive benefits from this easement exceeding the value of the easement conveyed, and
 - e. The granting of the easement will provide for the insurance of potable water in case of failure within the City water plant or Camp Geiger water plant aboard the Base.


J. F. MADER

Colonel, USMC
Assistant Chief of Staff, Facilities

Part D: Easements

5030 DEFINITION

1. Easement. An easement is a right to use real property for a limited purpose and differs from a license in that it is not revocable at will.

5031 POLICY DETERMINATIONS

1. Procedures. Pursuant to the authority of 10 USC 2668 and 2669, and 43 USC 961, the Secretary of the Navy may find that the granting of an easement for the purposes set forth in such statutes will be in the public interest and will not substantially injure the interest of the United States in the property when it is determined that:

a. The real property involved is the only property which reasonably can be used for the purpose.

b. An easement (as distinguished from a lease, license, or other interest) is most appropriate for the purpose (e.g., because revocation of a license cannot readily be effected).

c. The easement will not materially interfere with the Government's present or foreseeable use of the property or with other Government activities in the vicinity.

d. A cash consideration is paid equal to the fair value of the easement, except that no consideration or a lesser consideration may be charged when the easement is granted for purposes which will be of benefit to the Government.

2. Limitation. An easement shall not be granted when the sole purpose is to serve Marine Corps activities. In such case, the necessary right or privilege shall be provided in the contract for service or supplies or by a license.

5032 ACTION REQUIRED

1. General. Upon receipt of a request for grant of an easement when the estimated fair value is \$5,000 or less, activity commanders shall forward the request to the appropriate EFD of the NAVFACENGCOM, via the Commandant of the Marine Corps, with comments and recommendations, including the specific purpose for the easement. In addition, the following information is required for use in processing the proposed grant of easement:

a. Ten prints of a map delineating the proposed easement area and/or other descriptive data specifying acreage, to enable the Commandant of the Marine Corps, the commandant of the naval district, and other appropriate commands to easily determine the property and its relation to the activity involved.

b. A statement concerning whether or not the real property involved is the only property which can reasonably be used for the purpose.

c. A statement as to whether the granting of the easement will materially interfere with the Government's present or foreseeable use of the property or with other Government activities in the vicinity.

d. The estimated fair value of the easement that should be charged as a cash consideration. In the event the granting of the easement will be of benefit to the Government, a lesser consideration or no consideration may be charged when benefits derived by the Government exceed the value of the easement conveyed. A statement is required as to the benefit to be derived by the Government in granting the easement and whether such benefit is sufficient to grant the easement without a monetary consideration.

e. Any peculiar circumstances in connection with the proposed granting of an easement as well as complete justification for the granting of the easement.

2. Submission. Request for easements with a fair value in excess of \$5,000 shall be submitted to the Commander, NAVFACENGCOM, via the appropriate EFD and the Commandant of the Marine Corps. The submittal should include the same information as outlined herein and the estimated fair value of the proposed easement.

5033 DELEGATED AUTHORITY

1. General. The Commander, NAVFACENGCOM, has redelegated to each EFD the authority to make findings and approve easements having a fair value of less than \$5,000 and to administer and terminate easements thereunder in accordance with the appropriate following statutory authorities:

* a. The 10 USC 2668 authorizes easements for rights-of-way for roads and streets; oil pipe lines; railroad tracks; substations for electric power transmission lines, telephone lines, and telegraph lines; pumping stations for gas, water, sewer, and oil pipe lines; canals; ditches; flumes; tunnels; and dams and reservoirs in connection with fish and wildlife programs and other fish-culture improvements.

b. The 10 USC 2669 authorizes easements for rights-of-way for gas, water, and sewer pipe lines.

c. The Act of 4 March 1911 (36 Stat. 1253; 66 Stat. 95, 96; 43 USC 961) authorizes easements for rights-of-way for power and communication lines.

d. The 10 USC 2668 authorizes right-of-way easements and relinquishment of access rights for routes of the National System of Interstate and Defense Highways passing through Navy installations in accordance with 23 USC 107(d).

2. Action. The appropriate EFD of the NAVFACENGCOM will prepare a multiple letter addressed to the Commander, NAVFACENGCOM, the commandant of the naval district, and the Commandant of the Marine Corps, enclosing a map delineating the proposed easement area and/or other description thereof and any special circumstances, all in sufficient detail to enable intelligent appraisal of the effect of the proposed easement upon management responsibilities and military features connected with the local activity.

3. Findings. For granting easements having a fair value greater than \$5,000, the findings and approval of the Assistant Secretary of the Navy (Installations and Logistics) is required.

4. Acquisition of Property. Acquisition of property by easement for use of the Department of the Navy is governed by the provisions of 10 USC 2662. Acquisitions of real property in excess of \$50,000 require the prior approval of the Assistant Secretary of Defense (Installations and Logistics) and the armed services committees of the Congress.

43-200:TMO:dh
12 Dec 1972

From: Commanding General
To: Commander, Atlantic Division, Naval Facilities Engineering
Command, Norfolk, Virginia 23511

Subj: Request for easement by City of Jacksonville, North Carolina

Encl: (1) City Manager, City of Jacksonville ltr of 29 Nov 1972 w/5
copies of general site plan for proposed water line tie-in
w/Camp Geiger dtd 11/21/72

1. The City of Jacksonville, North Carolina has requested an easement for the installation and maintenance of a six-inch water line connecting the Camp Geiger water system at First and "D" Streets, Camp Geiger, across government property to the nearest point in the City of Jacksonville water system. See enclosure (1).
2. This Command agrees with this proposal and requests the easement be granted.
3. The drawings approved by the City Engineer of the City of Jacksonville indicating the location of the proposed six-inch water main are transmitted herewith as enclosure (1) for your information.

R. E. DAGGETT
By direction

Blind copy to:
AC/S, Fac (w/encl)
BMaintO (w/encl)



DEPARTMENT OF THE NAVY
ATLANTIC DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
NORFOLK, VIRGINIA 23511

TELEPHONE NO.
444-7411

IN REPLY REFER TO:
071:MLS:sp
EO-205

23 MAR 1973

Mr. Robert F. Wray
City Manager
City of Jacksonville
Jacksonville, North Carolina 28540

Dear Mr. Wray:

Thank you for your letter of 12 March 1973 concerning the City's acceptance of the proposed grant-of-easement covering construction of a water pipe line over Government-owned property at Camp Lejeune.

The easement has now been executed and the original thereof is forwarded for your records. Contract number NF(R)-18860 has been assigned for identification purposes.

As you will note, provision number one specifies that construction of the line may not commence until we have approved the City's construction plans and specifications. In this regard, please be assured that we will contact you promptly upon receipt and review of your plans.

Please acknowledge receipt of the easement and provide us with the recordation data when it has been recorded.

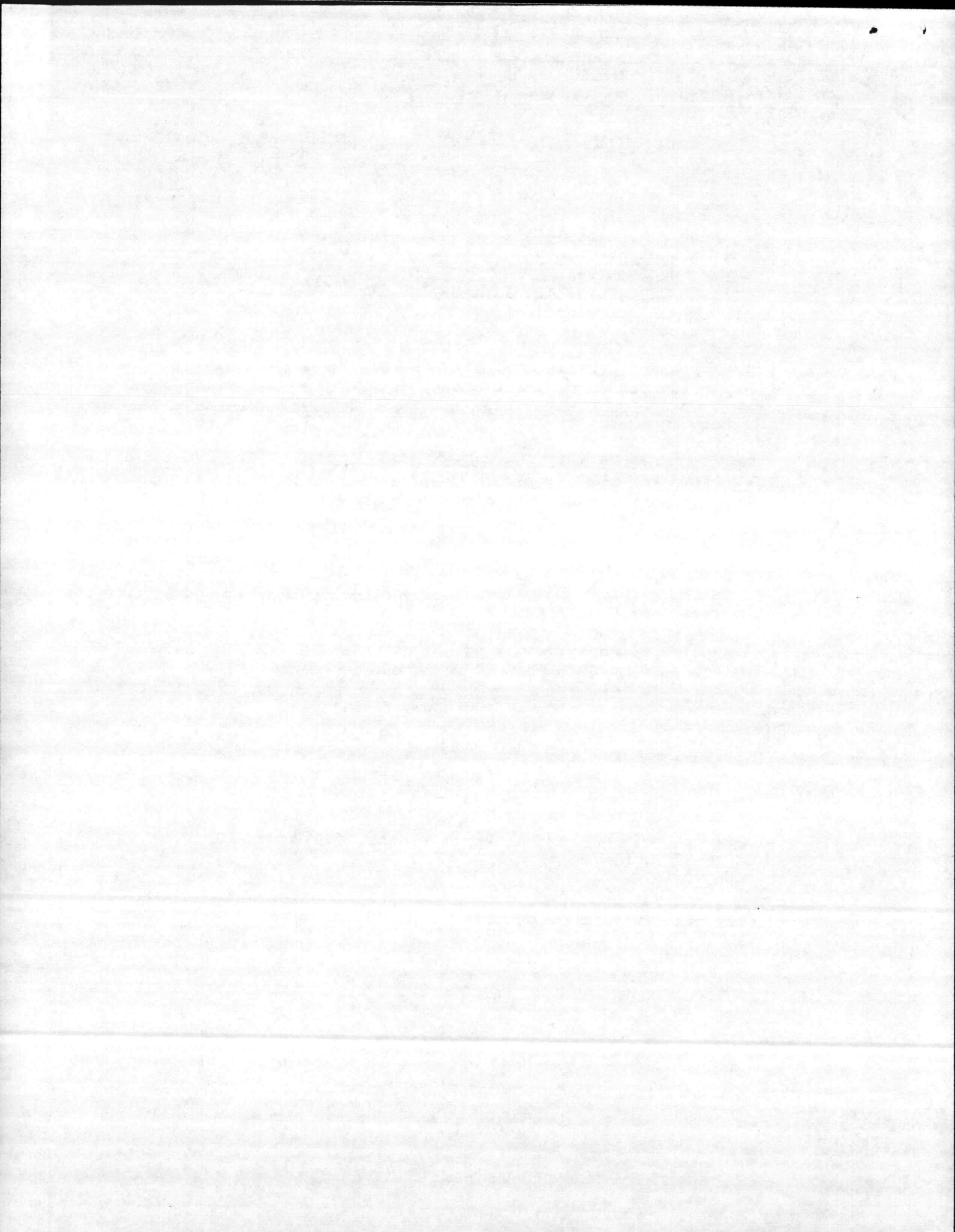
Sincerely yours,

R. J. BOND
Head, Operations Branch
Real Estate Division
By direction of the Commander

Encl:
(1) Grant of easement
NF(R)-18860

Copy to: (w/conf cy encl)
CMC
NAVFACENGCOM
→ MARCORB CAMLEJ

MAR 30 10 25 AM '73
СУМЬ ГЕТЕРАНЕ 'Н' С'
НАВИНЕ СОВЪЗ ВЪЗЕ
BYSE WAKHIFHANCE DIA
RECEIVED



GRANT OF BASEMENT

THIS INDENTURE, made the 23rd day of March, 1973, between the UNITED STATES OF AMERICA, herein called the GOVERNMENT, acting by and through the Department of the Navy, and the City of Jacksonville, North Carolina, herein called the GRANTEE.

W I T N E S S E T H

WHEREAS, the GOVERNMENT owns that certain real property situate in the County of Onslow, State of North Carolina, comprising a part of the lands under the cognizance of the Department of the Navy at the Marine Corps Base, Camp Lejeune, hereinafter referred to as the BASE; and

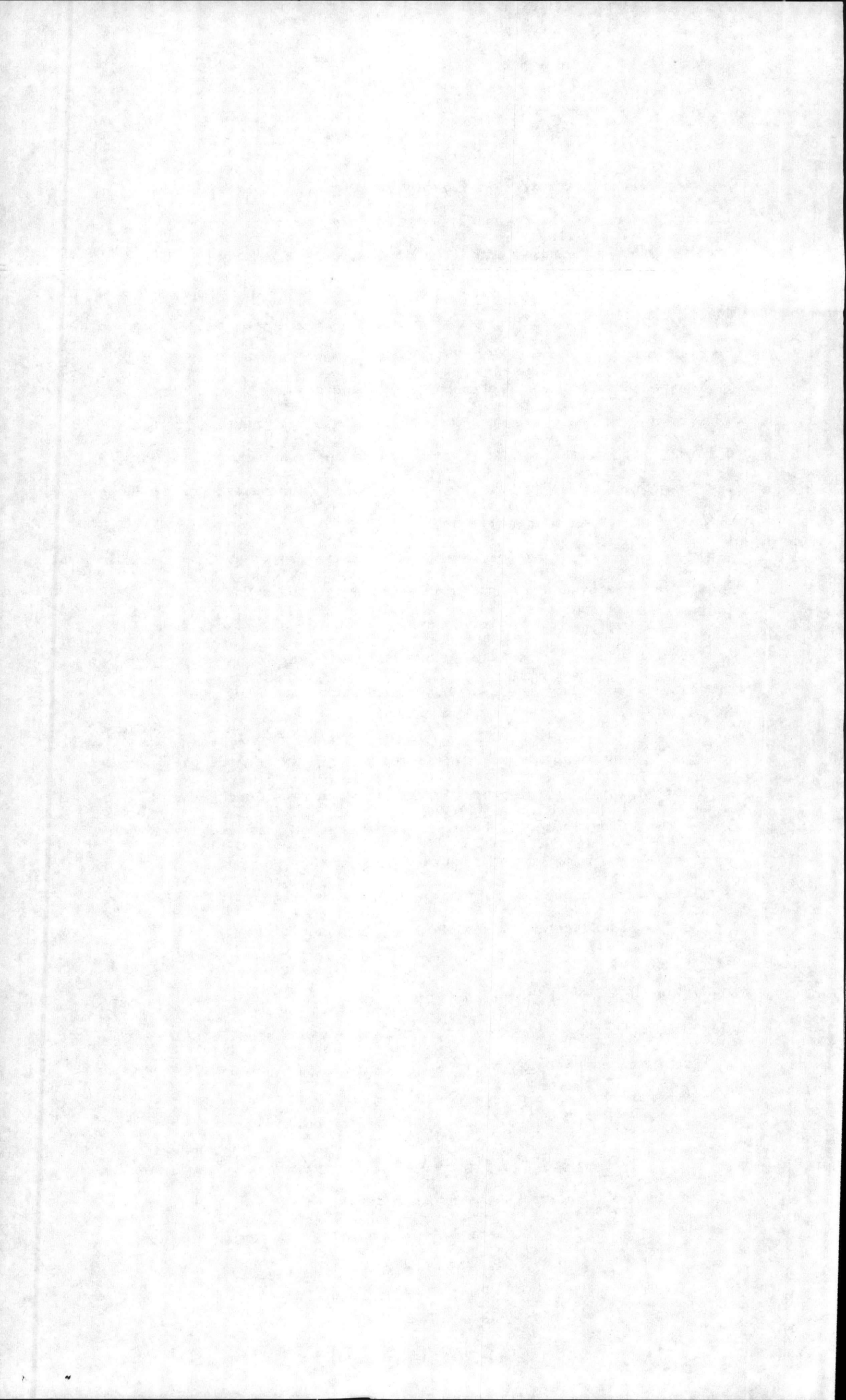
WHEREAS, the GRANTEE has requested the conveyance of an easement for the construction, installation, use, maintenance, operation, repair and replacement of an underground water pipeline under and across that portion of the BASE hereinafter described; and

WHEREAS, said pipeline will connect the GRANTEE'S water system with the GOVERNMENT'S water system for emergency use by either party; and

WHEREAS, the Secretary of the Navy has found that the grant of such easement on the terms and conditions hereinafter stated is not incompatible with the public interest:

NOW, this indenture witnesseth that in consideration of the premises and the mutual benefits to be derived therefrom, the GOVERNMENT, pursuant to the authority of Title 10, United States Code, Section 2669, hereby grants unto the City of Jacksonville, North Carolina, its successors and assigns, for a period of fifty (50) years from the date hereof, an easement for the construction, installation, use, maintenance, operation, repair and replacement of an underground water pipeline herein called the LINE, such easement to extend across, but under and be confined to that portion of the BASE hereinafter called the PREMISES, which is described as follows:

All of that strip or parcel of land situate, lying and being at the Marine Corps Base, Camp Lejeune in the County of Onslow, State of North Carolina as shown and delineated on a drawing entitled,



"Utility Basement For Water Tie In W/Camp Geiger, the City of Jacksonville Engineering Department", Dwg. No. 1973-102E-1, Revision B dated 2/13/73, attached hereto and made a part hereof as exhibit "A", more particularly described as follows:

Beginning at a point, near the intersection of First Street and "D" Street, said point being Grid Coordinates N364529.11, E2464368.81 and being located N87°36'E 2.83' from the centerline of a 6" water main along "D" Street; thence S66°36'E, 10.00' to a point; thence N23°-24'E 762'+ to the centerline of Brinson Creek; thence following the centerline of Brinson Creek as it meanders in a north-westerly direction 20'+ to a point; thence S23°-24'W 762'+ to a point in First Street; thence S66°-36'E, 10.0' to the point of beginning; containing .35+ acre.

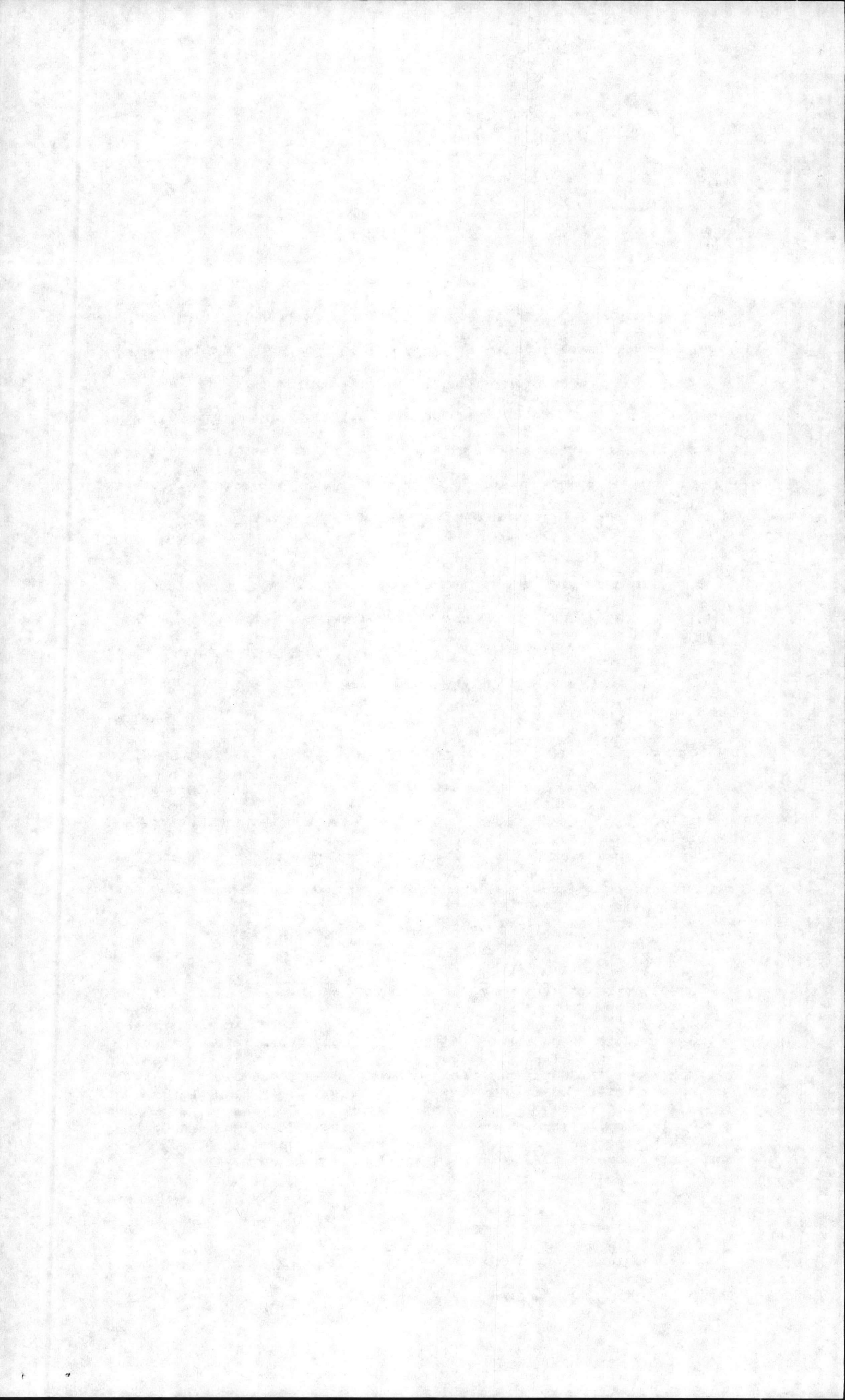
THIS BASEMENT is granted subject to the following terms and conditions:

1. All work in connection with the construction, installation, use, operation, maintenance, repair and replacement of the LINE shall be done without cost or expense to the Department of the Navy and all work in connection with the construction, installation or replacement shall be done in accordance with plans previously approved by the Commander, Atlantic Division, Naval Facilities Engineering Command.

2. The GRANTEE shall maintain the PREMISES and the LINE in good condition at all times and shall promptly make all repairs thereto which may be necessary for the preservation of the condition of the PREMISES and the continued operation and maintenance of the LINE.

3. The GRANTEE'S rights hereunder shall be subject to such reasonable rules and regulations as may be promulgated by the GOVERNMENT to insure that the exercise of such rights shall not interfere with the GOVERNMENT activities at the BASE.

4. Upon termination of the easement granted herein, if desired by the GOVERNMENT, the GRANTEE, at its expense, shall remove any and all improvements installed or constructed hereunder and restore the PREMISES to the same or as good condition as that which



existed prior to the exercise by the GRANTEE of its rights hereunder; such restoration to be effected to the satisfaction of the Commander, Atlantic Division, Naval Facilities Engineering Command.

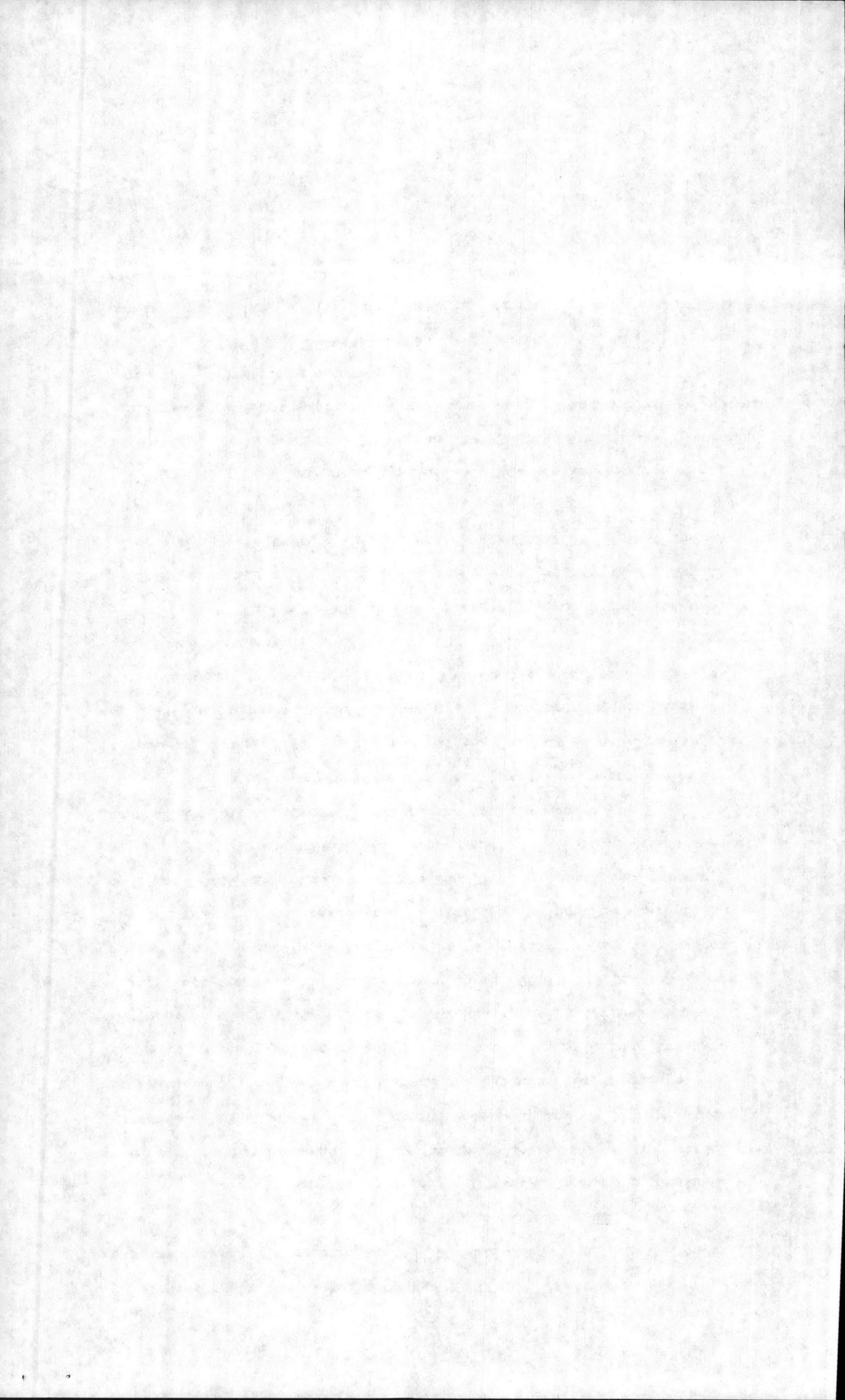
5. If at any future time the GOVERNMENT shall determine that continued maintenance and operation of the LINE, or any portion thereof, constitutes an undue interference with any of its activities, it shall have the right to terminate the easement herein granted, in whole or in part, to the extent necessary to eliminate such interference; provided that, unless the GOVERNMENT shall determine relocation is not feasible, it shall convey to the GRANTEE, without payment of any monetary consideration therefor, a substitute easement to permit the GRANTEE to effect relocation of the LINE, or portion thereof, on adjacent GOVERNMENT property at the GRANTEE'S own cost and expense, which substitute easement shall be coextensive in term with and subject to the same terms and conditions as that herein granted.

6. All or any part of the easement herein granted may be terminated upon failure on the part of the GRANTEE to comply with any of the terms and conditions of this grant; upon abandonment of the rights granted herein; or upon nonuse of such rights for a period of two consecutive years.

7. The GOVERNMENT may use the PREMISES which are the subject of this easement for any purpose which does not create an unreasonable interference with the use or enjoyment by the GRANTEE of the easement rights granted herein.

8. After said construction and installation are complete, the GRANTEE shall grade and landscape the PREMISES to match the surrounding areas to the satisfaction of the Commander, Atlantic Division, Naval Facilities Engineering Command.

9. A valve or other suitable flushing device shall be installed in the line at the point of line connection with the GOVERNMENT'S existing water main. The GRANTEE shall periodically flush the LINE



through said valve or flushing device to evacuate all sediments and stagnant water contained within the LINE. The frequency of flushing will be as mutually agreed upon by representatives of the GRANTEE and the BASE.

10. A two-way metering device shall be installed in the pipe line to facilitate metering of water flow to the BASE or to the GRANTEE's water system.

IN WITNESS WHEREOF, the GOVERNMENT, acting by and through the Department of the Navy, has caused this instrument to be executed the day and year first above written.

UNITED STATES OF AMERICA

By /s/ R. C. Williams
By direction of the Commander,
Naval Facilities Engineering
Command, acting under Direction
of the Secretary of the Navy

COMMONWEALTH OF VIRGINIA

CITY OF NORFOLK, to-wit:

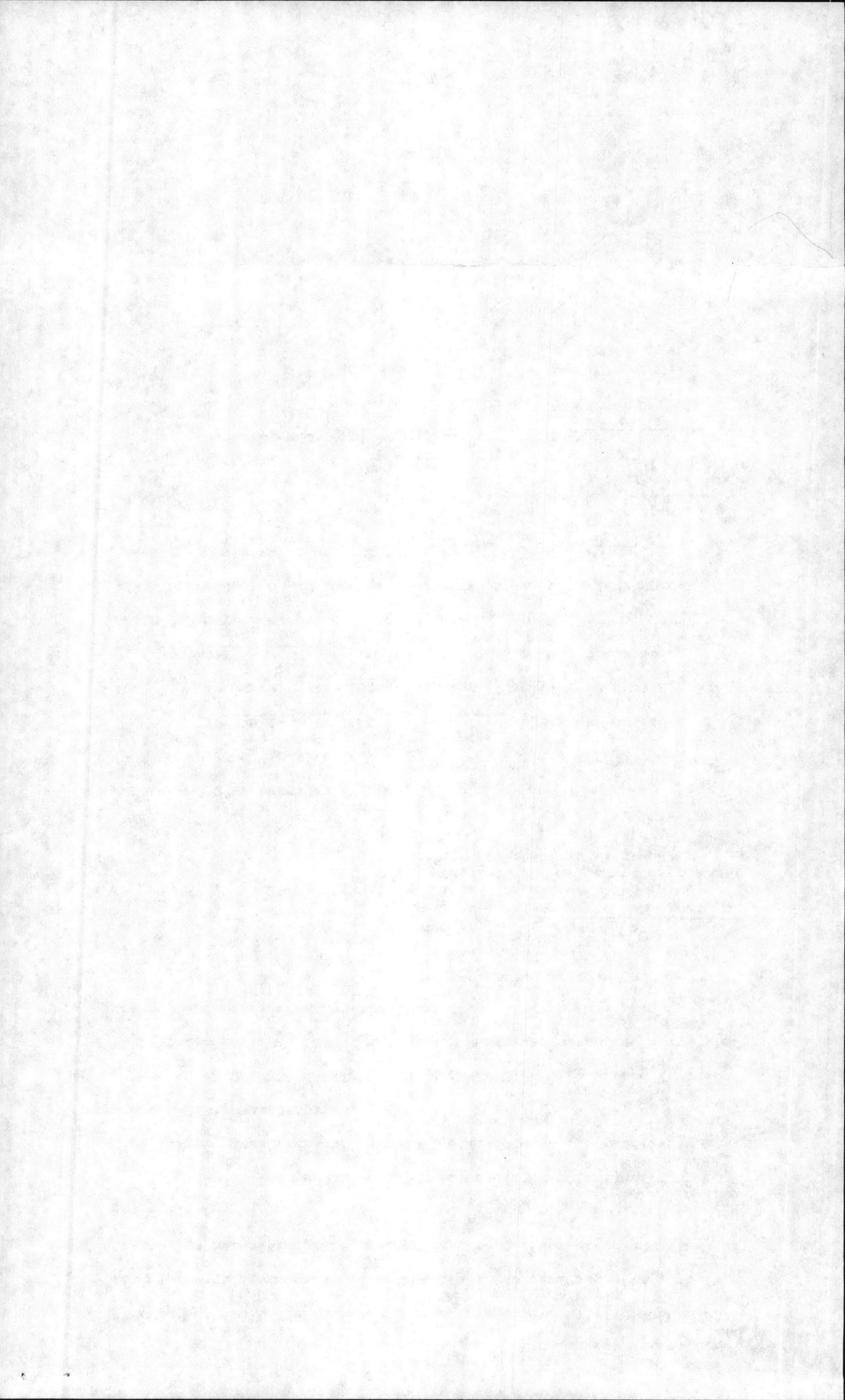
I, WILLIAM C. HUNT, a Notary Public for the City aforesaid in the Commonwealth of Virginia, do certify that R. C. WILLIAMS, whose name is signed to the writing annexed hereto bearing the date of the 23rd day of March, 1973, has acknowledged the same before me in my City aforesaid.

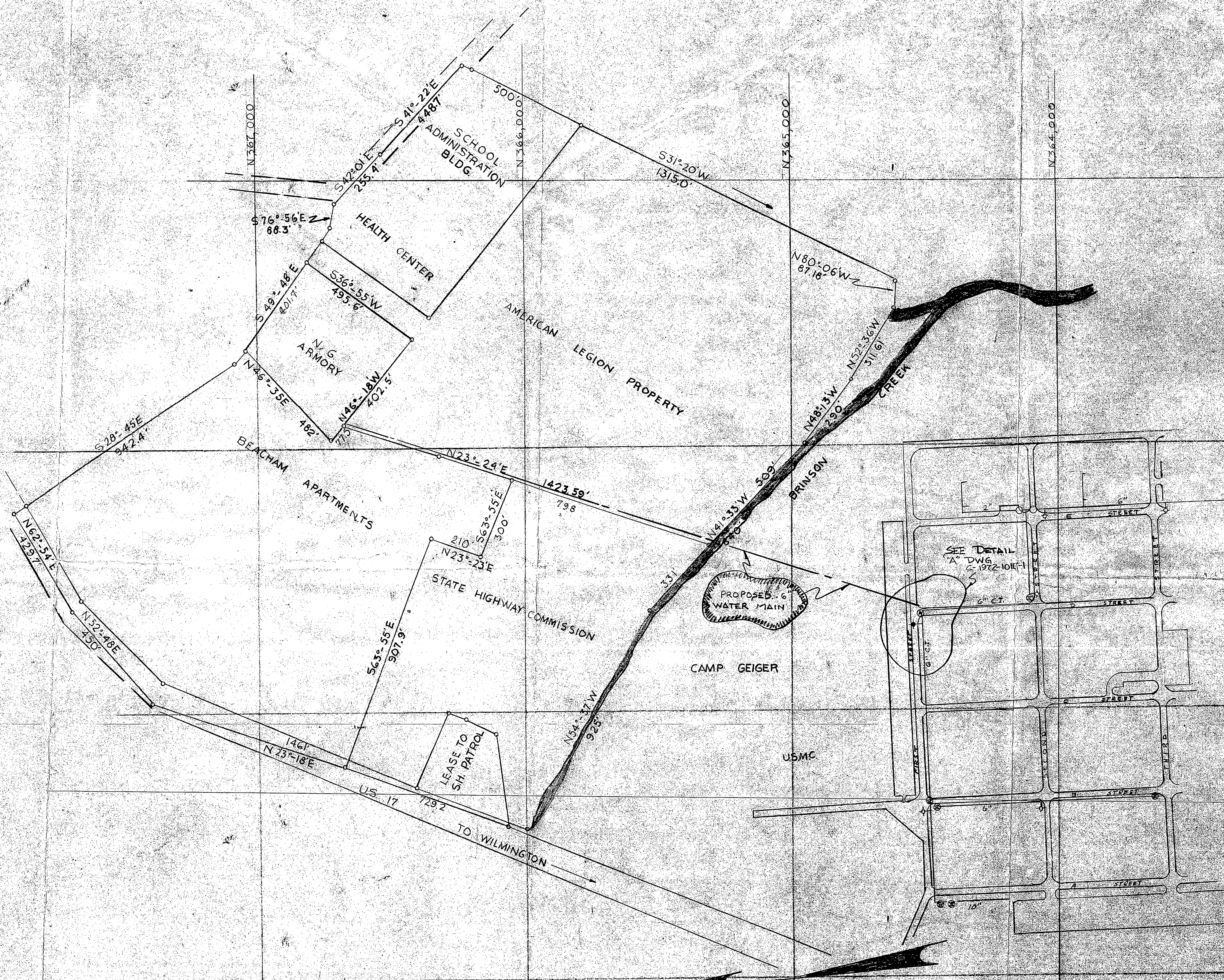
Given under my hand this 23rd day of March, 1973.

/s/ William C. Hunt
Notary Public

My commission expires 15 February 1975

(SEAL)





GENERAL SITE PLAN

APPROVED
 CITY OF JACKSONVILLE
Charles W. Williams
 CITY ENGINEER
 NOV 28 1972

DEED: BOOK 306 PAGE 182 AMERICAN LEGION PROPERTY
 MAP: BOOK 6 PAGE 54 PRISON PROPERTY
 DWG. NO. 12888 WATER DISTRIBUTION - CAMP GEIGER
 DWG. NO. 161793 WATER DISTRIBUTION SYSTEM FOR TENT CAMP AREA
 DWG. NO. 161794 TENT CAMP SITE PLAN
 DWG. NO. C-1972-10E-1 CITY OF JACKSONVILLE
 REFERENCE DRAWINGS

| NO. | DESCRIPTION | DATE | BY | CHK. | APP. | NO. | DESCRIPTION | DATE | BY | CHK. | APP. |
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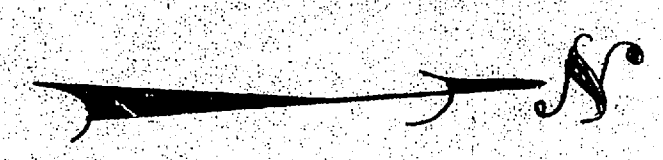
SCALE 1" = 500'
 DESIGN BY CWH
 DRAWN BY LLK
 PROJ. ENG. CWH
 CHECKED BY RFW

APPROVALS
 MECH.
 STRUCT.
 ELECT.
 SAFETY
 HOUSEKEEPING

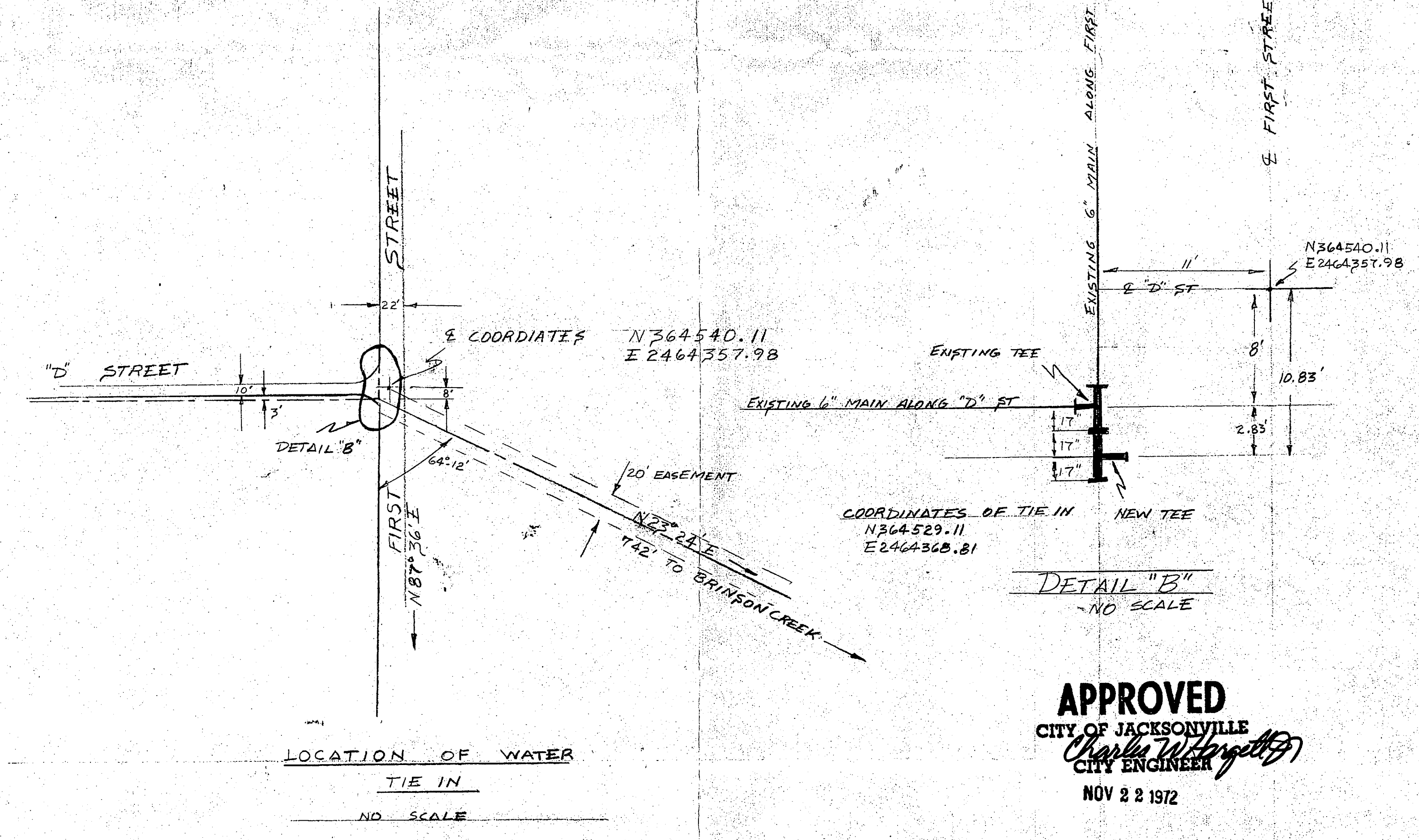
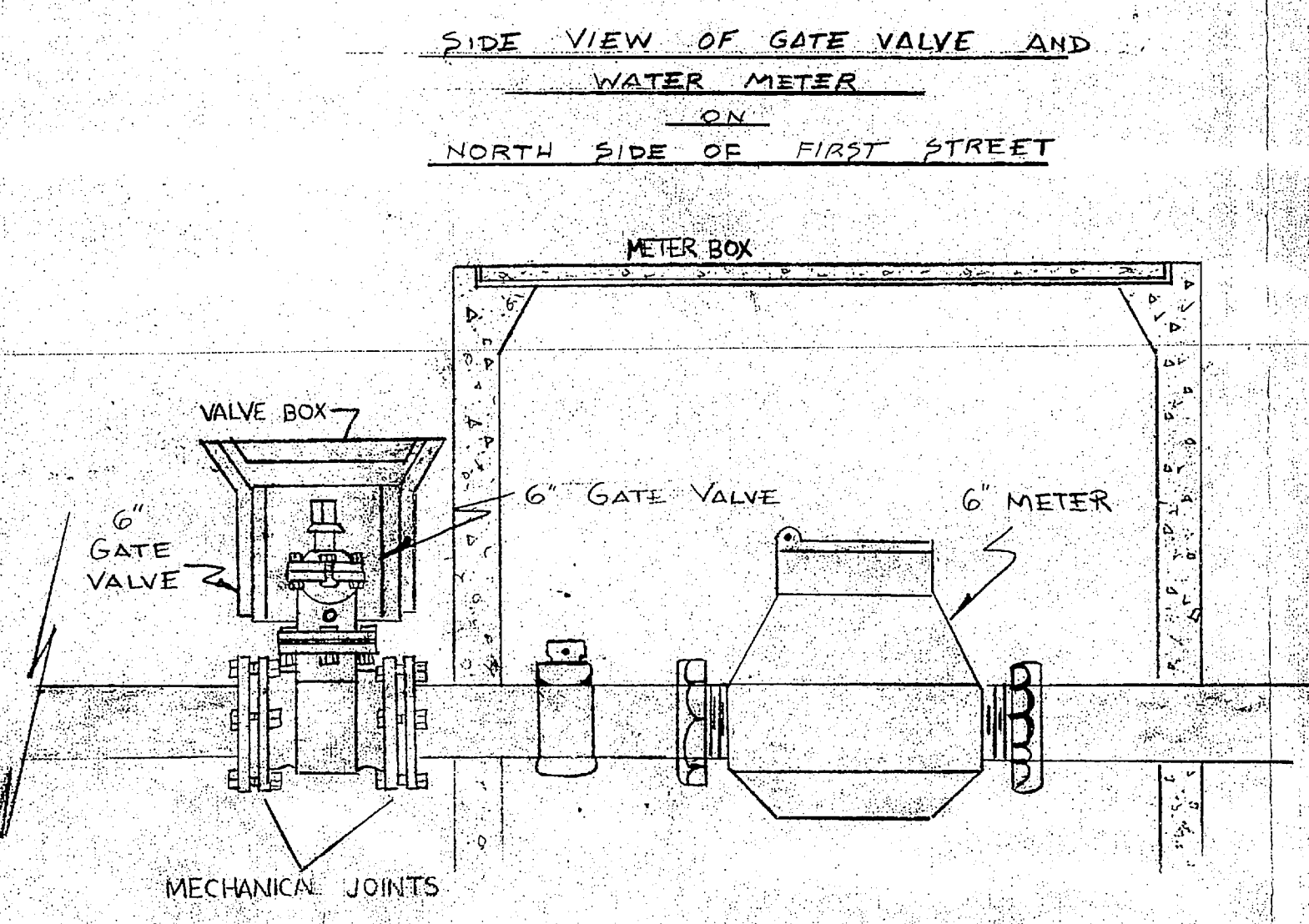
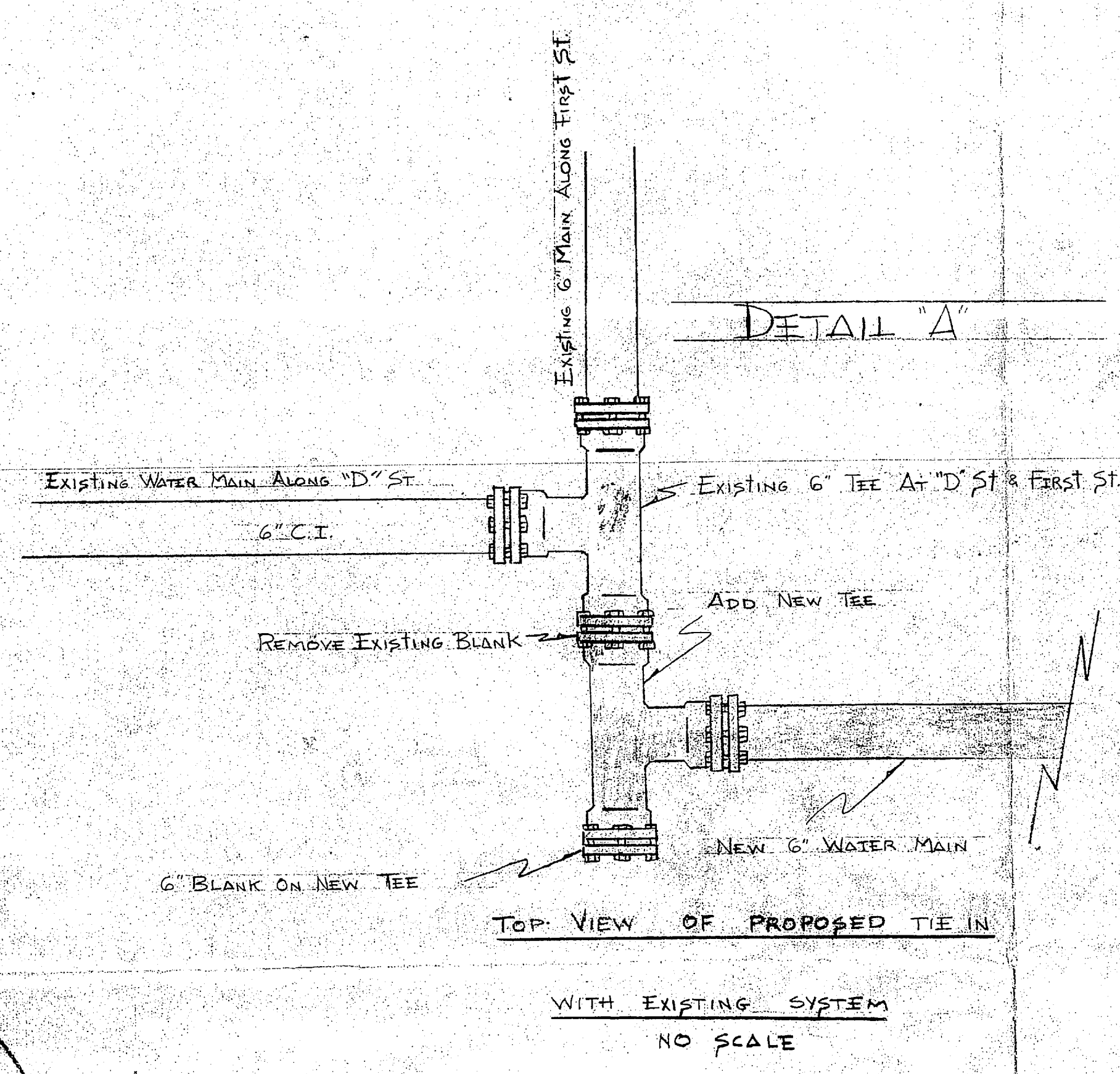
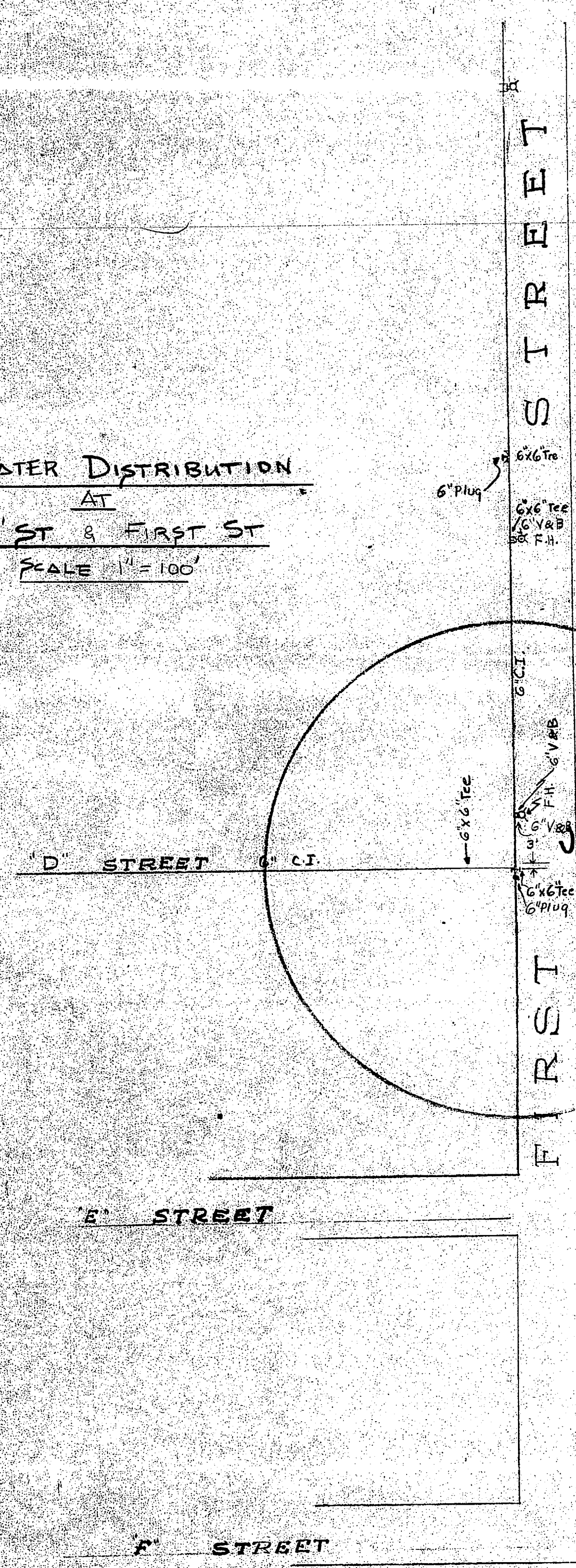
PROPOSED WATER TIE IN WITH
 CAMP
 GEIGER

CITY OF JACKSONVILLE
 DISTRIBUTION
 1-ENG. FILE
 2-CONTR.
 3-PAVING
 4-DEPT.
 5-POWER
 6-ELECT.
 7-OTHER





WATER DISTRIBUTION
AT
D' ST & FIRST ST
SCALE 1" = 100'



APPROVED
CITY OF JACKSONVILLE
Charles W. Geiger
CITY ENGINEER
NOV 22 1972

DEED: BOOK 306 PAGE 182 AMERICAN LEGION PROPERTY
MAP: BOOK 6 PAGE 54 PRISON PROPERTY
DWG: N° 12888 WATER DISTRIBUTION - CAMP GEIGER
DWG: N° 161793 WATER DISTRIBUTION SYSTEM - TENT CAMP AREA
DWG: N° 161799 TENT CAMP SITE PLAN
DWG: N° C-1972 100E-1 CITY OF JACKSONVILLE

| NO. | DESCRIPTION | DATE | BY | CHK | APP. | NO. | DESCRIPTION | DATE | BY | CHK | APP. |
|-----|-------------|------|----|-----|------|-----|-------------|------|----|-----|------|
| J | | | | | | E | | | | | |
| I | | | | | | D | | | | | |
| H | | | | | | C | | | | | |
| G | | | | | | B | | | | | |
| F | | | | | | A | | | | | |

SCALE AS SHOWN
DESIGN BY C.W.H.
DRAWN BY L.L.K.
PROJ. ENG. E.W.H.
CHECKED BY E.F.W.

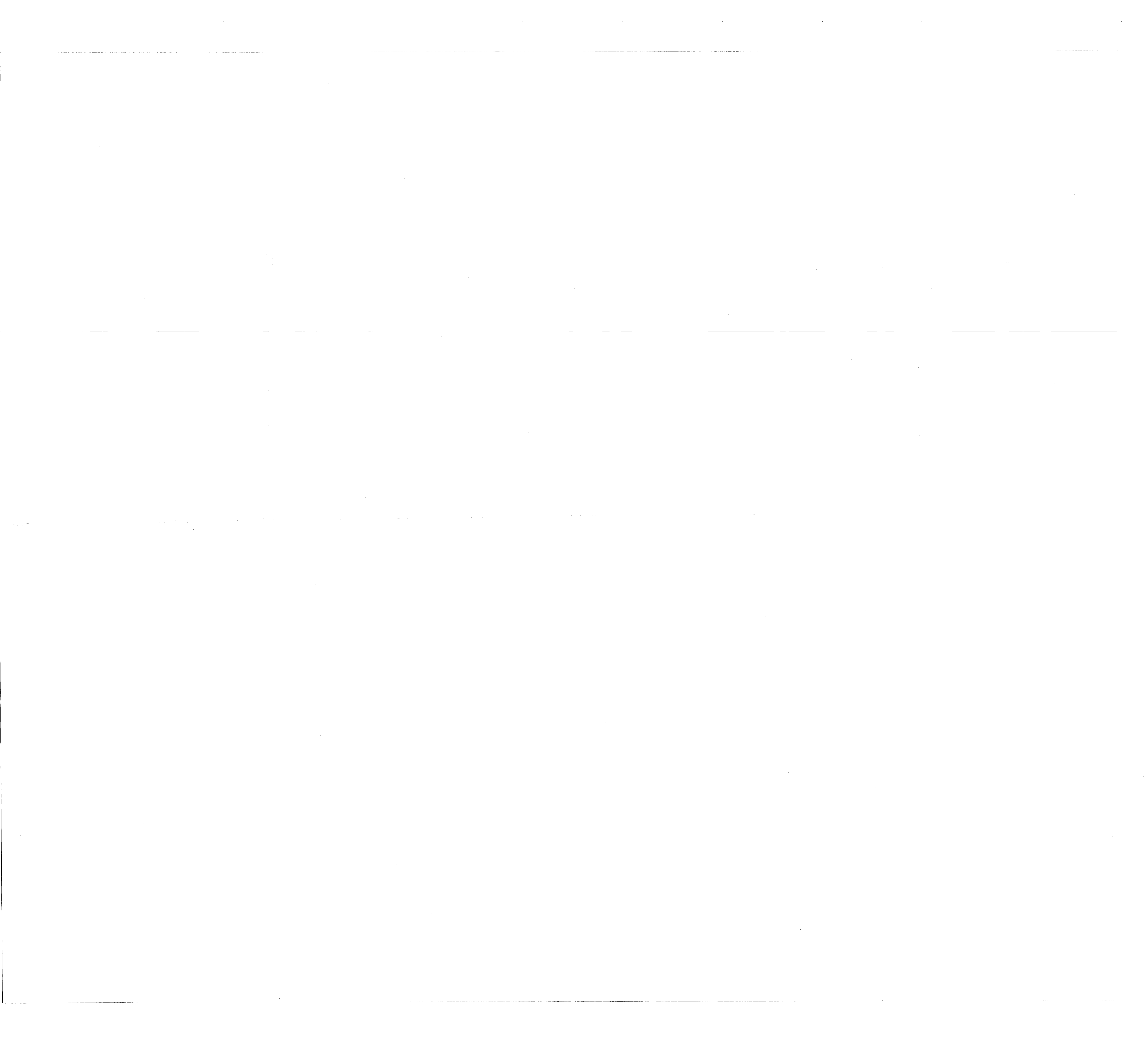
APPROVALS
MECH.
STRUCT.
ELECT.
SAFETY
HOUSEKEEPING

PROPOSED
WATER TIE-IN WITH
CAMP GEIGER

CITY
OF
JACKSONVILLE

DISTRIBUTION
1-ENGR. FILE
6-CONST.
1-MAIN
1-DEPT.
1-POWER
1-ELECT.
1-OTHERS

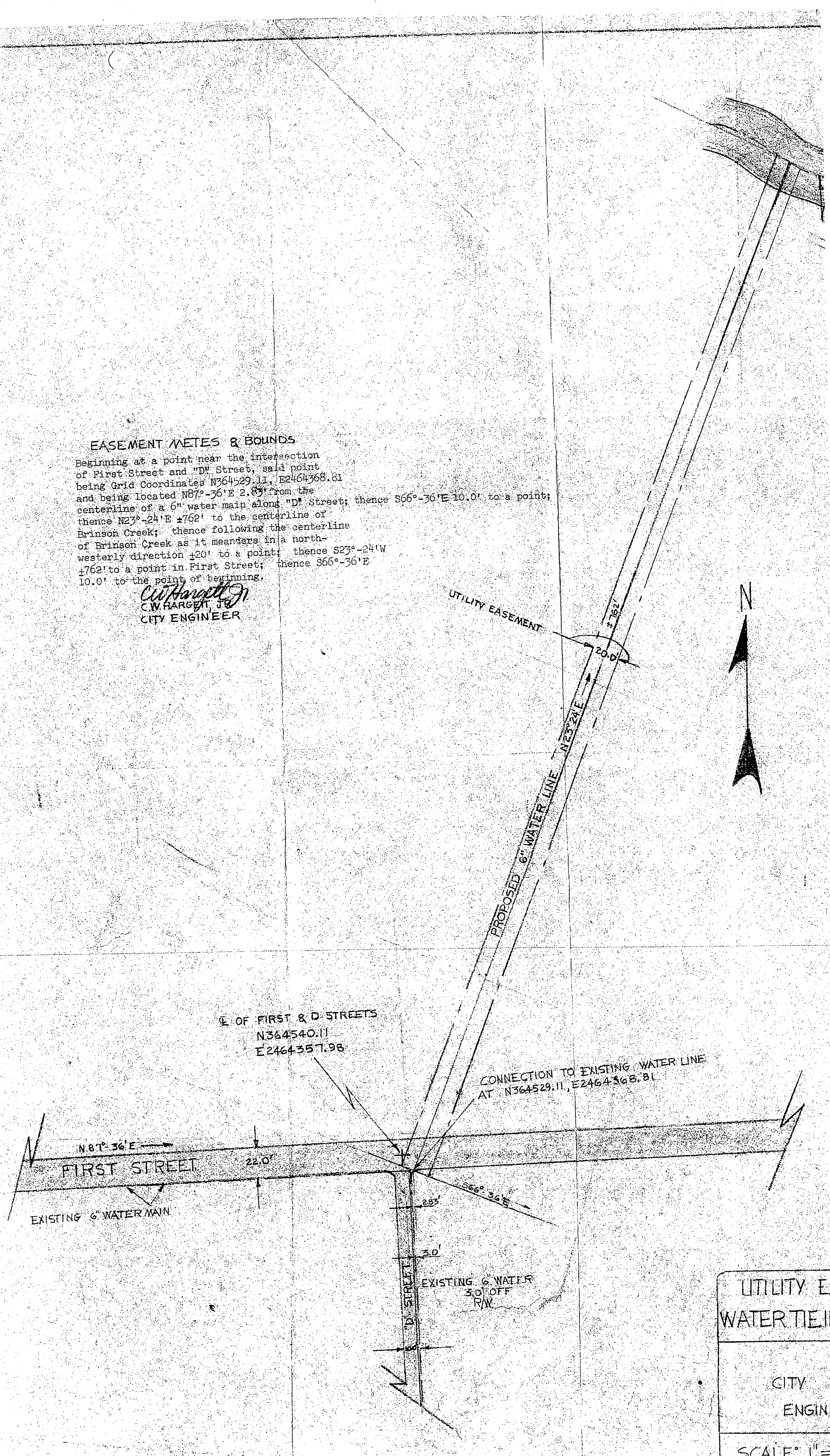
JOB C- 1972-10
RELEASED FOR CONSTRUCTION
BY ENGINEERING DEPARTMENT
DATE 11-21-72
No. C-1972-101E-1



EASEMENT METES & BOUNDS

Beginning at a point near the intersection of First Street and "D" Street, said point being Grid Coordinates N364529.11, E2464368.81 and being located N87°-36'E 2.87' from the centerline of a 6" water main along "D" Street; thence S66°-36'E 10.0' to a point; thence N23°-24'E ±762' to the centerline of Brinson Creek; thence following the centerline of Brinson Creek as it meanders in a north-westerly direction ±20' to a point; thence S23°-24'W ±762' to a point in First Street; thence S66°-36'E 10.0' to the point of beginning.

C.W. Hargett, Jr.
 C.W. HARGETT, JR.
 CITY ENGINEER



| |
|----------------------------|
| UTILITY EA WATER TIE IN |
| CITY O ENGINEER |
| SCALE: 1" = 5' |

