



DEPARTMENT OF THE NAVY

BUREAU OF YARDS AND DOCKS

WASHINGTON 25, D. C.

IN REPLY REFER TO

R-320A/fc
ND3/W1-1
W31-3-MO-11

20 SEP 1956

From: Chief, Bureau of Yards and Docks
 To: Office of Chief of Engineers, Real Estate Division,
 Department of the Army, Washington 25, D. C.

Subj: U. S. Naval Ammunition Depot, Earle, N. J.; Transfer
 of rights to use of 14.4 acres, to the Department of
 the Army for NIKE N.Y. Site No. 53.

Ref: (a) C.O.E., U. S. Army ltr NAIRO of 24 Feb 1955 to
 COMDT 3ND

Encl: (1) Map - N.Y. Defense Area - Battery 53CL

1. By reference (a) the Department of the Army requested the right to use 14.4 acres of land at the subject Depot for NIKE N.Y. Site No. 53. On 3 February 1956 the Secretary of the Navy approved that request. Accordingly and pursuant to the authority of the Act of Congress of June 30, 1949, as amended, (40 U.S.C. 471 et seq.) and Department of Defense Directive No. 4165.6 dated September 15, 1955, and subject to the terms and conditions of use provided hereinafter, there are hereby transferred to the Department of the Army as of the date of this letter, the necessary rights of use in the following described property for the purpose of construction, maintenance and operation of a NIKE installation, N.Y. Site No. 53, at the Naval Ammunition Depot, Earle, New Jersey for so long as the property is used for that purpose:

Parcel No. 1 14.2 acres

Beginning at a point in the southerly boundary line of lands of the United States of America (Department of the Navy) at the northeasterly corner of lands of Robert R. Ceres. Running thence S 78° 24' W, along said lands of Ceres, 583 feet more or less, thence N 67° 51' W, along said lands of Ceres and along lands of Lowell C. Bellingham, 828 feet more or less; thence through lands of the United States of America (Department of the Navy) the eight (8) following courses and distances; (1) N 22° 09' E 20 feet more or less; (2) N 65° 15' E 505 feet more or less; (3) S 67° 51' E 300 feet more or less; (4) N 22° 09' E 155 feet more or less; (5) S 63° 15' E 484 feet more

Incl (4)

or less; (6) S 11° 36' E 105 feet more or less; (7) N 78° 24' E 60 feet more or less; (8) southerly, 160 feet more or less to the point or place of beginning.

Parcel No. 2

0.2 acres

Being a strip of land 50 feet in width, the center-line of which begins at a point on the easterly boundary of lands of the United States of America (Department of the Navy) distant 1430 feet more or less southerly along said boundary from its intersection with the southerly side of Mountain Hill Road. Running thence westerly, through said lands of the United States of America (Department of the Navy), crossing Normandy Road and existing railroad tracts, a distance of 150 feet more or less to lands now or formerly of Antoinette Schilge.

Together with the co-use of Normandy Road and the south Patrol Road between Parcel No. 1 and Parcel No. 2 above described.

both
Containing 14.4 acres of land, more or less, and defined on enclosure (1).

2. The following terms and conditions shall govern the use and occupancy of the above described land:

- (a) The Department of the Army shall maintain the subject area in good condition to the satisfaction of the Department of the Navy;
- (b) The installation, maintenance and operation of NIKE installation shall be without cost to the Navy;
- (c) Upon termination of the use of the premises by the Army all construction on the premises shall be removed at the option of the Department of the Navy and any fencing or other improvements now existing which may be removed or changed to conform with the requirement of the Army during its use of the premises shall, at the option of the Department of

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the Navy, be restored to their original condition and the site shall be otherwise restored to the satisfaction of the Department of the Navy;

- (d) The use and occupancy of the premises shall be subject to such rules and regulations of the Department of the Navy as it may from time to time prescribe, provided that such rules and regulations shall not interfere with the purpose for which the premises are being occupied by the Army; and
- (e) Upon termination of use of the land for the purpose specified herein, full and complete custody and control of the above described parcels shall revert to the Department of the Navy.

3. In all matters of administration arising hereunder the Commanding Officer, U. S. Naval Ammunition Depot, Earle, N. J., is hereby designated local representative of the Department of the Navy.

4. It is requested that receipt of this letter and acceptance of the premises on the terms and conditions herein stated be acknowledged.

(b)(6)

Copy to:
BUORD
COM3
DPWO 3ND

By direction

ACCEPTED BY: NOV 27 1956

(b)(6)

-3-

Contracting Officer
New York District, Corps of Engineers
111 East 16th Street
New York 3, New York