

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,
Petitioner,

Vs.

1.29 ACRES OF LAND, MORE OR LESS,
SITUATE IN THE TOWNSHIP OF WALL,
COUNTY OF MONMOUTH, STATE OF NEW
JERSEY; CALUDE W. BIRDSALL, ET AL.,
Defendants.

DECLARATION OF TAKING

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, KENNETH C. ROYALL, Secretary of the Army of the

United States, do hereby declare that:

1. (a) The lands hereinafter described are taken under and in accordance with the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. sec. 258a) and acts supplementary thereto and amendatory thereof, and under the further authority of the Act of Congress approved August 1, 1888 (25 Stat. 357, 40 U.S.C. 257) and the Act of Congress approved August 18, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241) and April 11, 1918 (40 Stat. 518, 50 U.S.C. se. 171), which acts authorize the acquisition of land for military or other purposes, and the Act of Congress approved July 30, 1947 (Public Law 267 - 80th Congress), which act appropriated funds for such purposes.

(b) The public uses for which said lands are taken are as follows: The said lands are necessary adequately to provide a site for research and development and other military purposes. The said lands have been selected by me for acquisition by the United States for use in connection with Evans Signal Laboratory, Belmar, New Jersey, and for such other uses as may be authorized by Congress or by Executive Order, and are required for immediate use.

2. A general description of the lands being taken is set forth in Schedule "A" attached hereto, and made a part hereof, and is a description of the same lands described in the petition in the above entitled cause.

3. The estate taken for said public uses is the fee simple title thereto, subject, however, to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines.

4. A plan showing the lands taken is annexed hereto as Schedule "B" and made a part hereof.

5. The sum estimated by me as just compensation for said lands with all buildings and improvements thereon, and all appurtenances thereto, and including any and all interests hereby taken in said lands is set forth in Schedule "A" herein, which sum I cause to be deposited herewith in the Registry of said Court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said lands will probably be within any limits prescribed by law as the price to be paid therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of the Army, thereunto authorized, has caused this declaration to be signed in its name by said KENNETH C. ROYALL, Secretary of the Army, this the _____ day of 29 OCT 1948 A. D., 1948, in the City of Washington, District of Columbia.

KENNETH C. ROYALL

Secretary of the Army of
the United States

A true copy:

A. T. King

Certifying Officer, G.C.E.

SCHEDULE "A"

The land which is the subject matter of this declaration of taking aggregates 1.29 acres, more or less, situate and being in the Township of Wall, County of Monmouth, and State of New Jersey. A description of the lands taken, together with the name of the purported owner thereof, and a statement of the sum estimated to be just compensation therefor, is as follows:

TRACT NO. 101

DESCRIPTION:

ALL that tract or parcel of land situate in the Township of Wall, County of Monmouth, State of New Jersey, being the northeasterly half of Block 61 and including Lots 1 to 8A, inclusive, as shown on "Amended Map of Imperial Park, Wall Township, Monmouth County, New Jersey," surveyed by Claude W. Birdsall, June 1926. Said parcel of land being more particularly described as follows:

BEGINNING at the intersection of the center line of Cleveland Avenue with the center line of Taft Street; running thence along the center line of Cleveland Avenue S 53° West 125 feet to the center of Block 61; thence N 37° W along the center of Block 61, 450 feet to the center line of Lincoln Avenue; thence N 53° E along the center line of Lincoln Avenue 125 feet to the center line of Taft Street; thence S 37° E along the center line of Taft Street 450 feet to the point or place of beginning.

CONTAINING 1.29 acres of land, more or less.

NAME OF PURPORTED OWNER:	Claude W. Birdsall
ADDRESS OF PURPORTED OWNER:	R.D. #1, Box 141, Farmingdale, N. J.
ESTIMATED COMPENSATION:	\$1,600.00

The gross sum estimated to be just compensation for the taking of this land is \$1,600.00

WAR DEPARTMENT, O. C. E.
CONSTRUCTION DIVISION -- REAL ESTATE BRANCH
TRACT MAP (WITHOUT GRID)

R. E. DIRECTIVE NO. 4774

Project Symbol No. Evans Signal Laboratory Tract No. 101

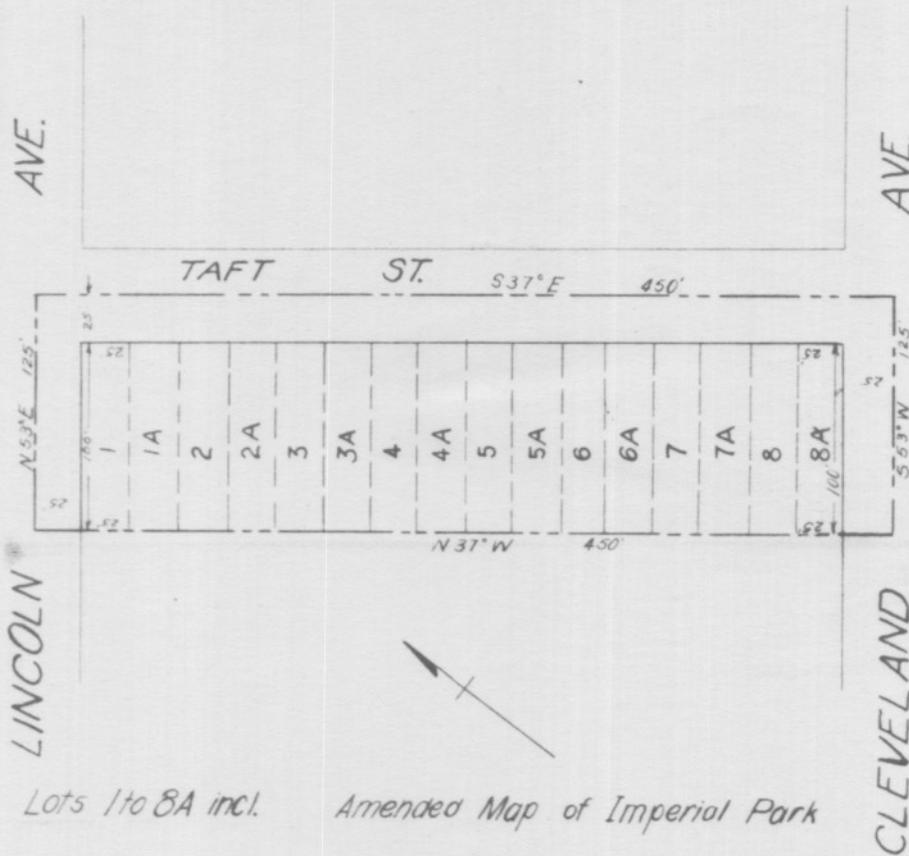
Name of Owner Claude W. Birdsall

Field Work by _____ Date _____

Description of Tract _____

Township of Wall County of Monmouth State of New Jersey

(Scale: 1" = 100')



I certify that this is an accurate map of tract 101, based on Amended Map of Imperial Park, which shows this tract to contain 1.29 acres, more or less, and I further certify that the above described land is substantially the same land as that described in a deed from Claude W. Birdsall et al Trustees to Claude W. Birdsall dated August 30, 1939 and recorded in Deed Book 1810, Page 186, in the Monmouth County Records.

Lincoln B. Ray
(Name)

Engineer
(Title)

21 May 1948
(Date)

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SCHEDULE "B"