

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

UNITED STATES OF AMERICA,
Petitioner,

Vs.

0.255 ACRES OF LAND, MORE OR
LESS, SITUATE IN THE BOROUGH
OF EATONTOWN, COUNTY OF MONMOUTH
AND STATE OF NEW JERSEY, AND
BENJAMIN ADLER, ET ALS.

Defendants.

DECLARATION
OF TAKING

Civil M484-A
FILED 3-4-43

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, HENRY L. STIMSON, Secretary of War 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 18, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241), April 11, 1918 (40 Stat. 518; 50 U.S.C. sec. 171) and March 27, 1942 (Public Law 507 - 77th Congress), which Acts authorize the acquisition of land for military or other war purposes, and the Act of Congress approved April 28, 1942 (Public Law 528 - 77th 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 for an entrance road to Fort Monmouth. The said lands have been selected by me for acquisition by the United States for use in connection with the construction of an entrance road for use by Fort Monmouth, New Jersey, and for such other uses as may be author-

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ized 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 full 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 land, 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 War, thereunto authorized, has caused this Declaration to be signed in its name by said
HENRY L. STIMSON, Secretary of War, this the ^{FEB 17 1943} day of
February, A.D. 1943, in the City of Washington, District of Columbia.

HENRY L. STIMSON
Secretary of War of the
United States.

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking and of this condemnation aggregates 0.255 acres, more or less, situate and being in the County of Monmouth, 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 1

DESCRIPTION:

All that certain lot, tract or parcel of land and premises situate, lying and being in the Borough of Eatontown, in the County of Monmouth, and State of New Jersey, more particularly described as follows:

Beginning at the point of intersection of the southerly limits of lands of the United States of America, known as Fort Monmouth, New Jersey, with the easterly limits of Route No. 35, thence eastwardly along the southerly limits of lands of the United States of America forming an interior angle of 64° 31' 8" with the easterly limits of the said Route No. 35, a distance of 190 feet to a point; thence southwestwardly and forming an interior angle with the last mentioned course 41° 23' 15" a distance of 176 feet along other lands of the Estate of H. Adler to a point in the easterly limits of the aforesaid Route No. 35; thence northwestwardly along the easterly limits of the said Route No. 35 and forming an interior angle of 74° 5' 37" with the last mentioned course a distance of 130 feet to the point or place of beginning.

CONTAINING 0.255 acres of land, more or less.

BEING a part of the same premises conveyed by Samuel Grenadier, et als, to Hyman Adler and Benjamin Adler by deed bearing date June 23, 1928, and recorded in Book 1443 of Deeds for Monmouth County at page 402; and by the said Benjamin Adler and Hannah Adler, his wife, to the said Hyman Adler by deed bearing date November 29, 1932, and recorded in Deed Book 1616, page 353.

Name of Purported Owner: May Adler, et als.
Address of Purported Owner: 58 Washington Street, Redbank, N. J.
Estimated Compensation: \$1,500.00

The gross sum estimated to be just compensation for the lands hereby taken is \$1,500.00.

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