

Public Law 85-258

AN ACT

September 2, 1957
[H. R. 499]

To direct the Secretary of the Navy or his designee to convey a two thousand four hundred seventy-seven and forty-three one-hundredths acre tract of land, avigation, and sewer easements in Tarrant and Wise Counties, Texas, situated about twenty miles northwest of the city of Fort Worth, Texas, to the State of Texas.

Tarrant and Wise
Counties, Tex.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this Act, together with all buildings, improvements thereon with related personal property, all appurtenances, runways, and utilities belonging or appertaining thereto, of the former United States Marine Corps Air Station, Eagle Mountain Lake, Texas, as shown on maps on file with the Department of the Navy, Bureau of Yards and Docks, in and to a 2,235-acre tract of land out of and comprising lands acquired by the United States in condemnation proceedings in civil actions numbered 432, and numbered 461, in the United States District Court for the Northern District of Texas, Fort Worth division, and judgments rendered therein by said court as recorded in the deed records of Tarrant County, Texas, on January 21, 1943, in volume 1548, page 452; February 11, 1943, in volume 1552, page 348; May 10, 1943, in volume 1566, page 347; and May 11, 1943, in volume 1567, page 73; also judgment rendered and deed recorded on March 1, 1956, in volume 204, page 107, in the deed records of Wise County, Texas; plus an additional 241.46 acres of land with avigation easements conveyed to the United States by the Tarrant County Control and Improvement District 1, through exchange of lands made December 21, 1954, the deeds being recorded on March 16, 1955, in volume 2837, page 195; volume 2836, page 581, and volume 2837, page 183, of the deed records of Tarrant County, Texas. The complete 2,477.43-acre tract of land, the avigation easements, and a sewer easement, to be conveyed to the State of Texas are more particularly described as follows:

Beginning at a concrete monument which is the southeast corner of the former United States Marine Corps Air Station, Eagle Mountain Lake, Texas, which monument is south 0 degrees 18 minutes east 3900 feet from the southeast corner of the P. H. Pope survey; thence north 0 degrees 18 minutes west 10,407.4 feet to a corner in the south right-of-way line of the C. R. I. and P. Railroad for the most easterly northeast corner of this tract; thence north 63 degrees 15 minutes west 1990.9 feet to the Wise and Tarrant County line, for the northerly corner of this tract; thence north 89 degrees 20 minutes west 4766.3 feet along the boundary of Wise and Tarrant Counties, to the west line of the Dewees and the east line of the C. R. Huff survey; thence north 0 degrees 30 minutes west, along the east line of the C. R. Huff survey, a distance of 646 feet to a point; thence north 38 degrees 16 minutes east, 1338 feet to a point; thence along the arc of a curve, concave to the right, having a radius of 930.34 feet, a distance of 1196 feet to the west right-of-way line of the C. R. I. and P. Railroad; thence north 54 degrees 17 minutes west, 185 feet along said right-of-way line to a point; thence south 89 degrees 20 minutes west 654 feet to a point; thence south 38 degrees 16 minutes west 1741 feet to a point on the east line of the C. R. Huff survey; thence north 0 degrees 30 minutes west, along said east line of the Huff survey, 40 feet to a point; thence south 38 degrees 16 minutes west 967

feet to a point on the north boundary line of the former United States Marine Corps Air Station, said boundary being identical with the Wise and Tarrant County line, and north 89 degrees 20 minutes west 606 feet from the southwest corner of the C. R. Huff survey; thence westerly along the Wise and Tarrant County line north 89 degrees 20 minutes west 3467.9 feet, to a concrete monument, for the northwest corner of the T. Harvey survey; said concrete monument being set at elevation 649 feet on the east shore of Eagle Mountain Lake; thence along the east shore of Eagle Mountain Lake with the contour line of elevation 649 feet the following courses and distances:

South 0 degrees 15 minutes west 660.4 feet;
South 38 degrees 51 minutes east 559 feet;
South 72 degrees 42 minutes west 192 feet;
South 88 degrees 23 minutes west 212 feet;
North 48 degrees 35 minutes west 223 feet;
North 50 degrees 05 minutes west 370 feet;
South 75 degrees 25 minutes west 172 feet;
North 37 degrees 51 minutes west 181.5 feet;
North 84 degrees 42 minutes west 119 feet;
South 3 degrees 39 minutes east 321 feet;
South 50 degrees 18 minutes west 304.7 feet;
South 37 degrees 18 minutes east 654.9 feet;
South 15 degrees 31 minutes west 289 feet;
South 11 degrees 50 minutes east 425.5 feet;
South 67 degrees 20 minutes west 111 feet;
South 25 degrees 47 minutes west 261 feet;
South 20 degrees 45 minutes east 199.4 feet;
South 26 degrees 56 minutes east 246.6 feet;
South 83 degrees 10 minutes west 325 feet;
South 31 degrees 24 minutes west 326 feet;
South 16 degrees 39 minutes east 220 feet;
South 63 degrees 44 minutes west 244 feet;
South 7 degrees 52 minutes west 232 feet;
South 24 degrees 42 minutes west 196 feet;
South 22 degrees 34 minutes west 278 feet;

Thence south 23 degrees 13 minutes west 58 feet to a $\frac{3}{4}$ -inch iron pipe for the southwest corner of area "A" of the Tarrant County Water Control and Improvement District Numbered 1, the O. T. Funk survey; thence leaving the contour of elevation 649 feet, south 86 degrees 25 minutes east 1729.8 feet to a 1-inch iron pipe; thence south 3 degrees 35 minutes west, 2369 feet to a 1-inch iron pipe in the south line of the D. T. Flores survey; thence north 89 degrees 40 minutes west 280 feet to a point; thence south 25 degrees 40 minutes east 1701.95 feet to an iron pipe; thence north 89 degrees 00 minutes east 625.6 feet to an iron pipe; thence south 63 degrees 50 minutes east, 599 feet to an iron pipe; thence south, 550 feet to a point; thence east 1020 feet to an iron pipe; thence north 305 feet to a $\frac{3}{4}$ -inch iron pipe in the north line of the D. T. Flores survey; thence south 89 degrees 40 minutes east, 3044.17 feet along the north line of the D. T. Flores survey passing the northeast corner of the D. T. Flores survey and the west line of the W. G. King survey abstract numbered 900, to a 1-inch iron pipe for corner; thence south 55 degrees 00 minutes east 834.43 feet with a line parallel to the Texaco pipeline and distant 100 feet in a southwesterly direction from the centerline of said pipeline, to an iron pipe; thence south 2074.73 feet to an iron pipe for the most easterly southeast corner of Area "D" section numbered 1 of the Tarrant County Water Control and Improvement District Numbered 1, in the O. T. Funk survey;

located in the south property fence of the former United States Marine Corps Air Station and the south line of the W. G. King survey, said corner being north 89 degrees 00 minutes east 2101.60 feet from the centerline of the Newark-Dido paved road; thence north 89 degrees 0 minutes east 4321.6 feet along the south line of the W. G. King survey and the T. Chubb survey to the point of beginning, containing in all 2477.43 acres more or less, 8.89 acres being located in Wise County, and 2468.54 acres in Tarrant County, Texas.

AVIGATION EASEMENTS: Being perpetual avigation easements for the full unobstructed passage of aircraft over and through the airspace above glide angle situated in Tarrant and Wise Counties, Texas, contiguous to the ends and in direct continuation of the runways of the former Marine Corps Air Station, Eagle Mountain Lake, and being more particularly described in deed from the Tarrant County Water Control and Improvement District Numbered 1, dated December 21, 1954, and recorded March 16, 1955, in volume 2837, page 195, of the deed records of Tarrant County, Texas.

SEWER EASEMENT: An easement for a sewer over a strip of land 25 feet wide, being 121½ feet on each side of described centerline and its meanders situated in Wise County, Texas, within the J. W. Dewees survey and being within the same tract of land conveyed from R. L. Donald and others, to W. M. Fleming on December 18, 1939, recorded on January 5, 1940, in volume 1416, page 111 of the deed records of Tarrant County, Texas, and being more particularly described as follows: Beginning at a point that is south 89 degrees 20 minutes east 1,871.5 feet from the intersection of the Tarrant-Wise County line with the centerline of the Newark-Dido Road. Said point of beginning being on the Tarrant-Wise County line, thence north 32 degrees 02 minutes east 365.5 feet to a point; thence north 74 degrees 06 minutes east 900.0 feet to a point; thence south 87 degrees 12 minutes east 963.0 feet to a point; thence south 53 degrees 41 minutes east 537.0 feet to a point; thence south 37 degrees 13 minutes east 278.4 feet to a point in the Tarrant-Wise County line, said point being north 89 degrees 20 minutes west 319.8 feet from a concrete monument at the intersection of the Tarrant-Wise County line with the west right-of-way line of the C. R. I. & P. Railroad, and being described in a judgment of the United States District Court for the Northern District of Texas, Fort Worth division on the third day of May, 1943 in civil action numbered 432 and recorded May 4, 1943, in volume 1567, page 73, of the deed records of Tarrant County, Texas.

Mineral rights.

SEC. 2. All mineral rights, including oil and gas, in the lands authorized to be conveyed by this Act shall be reserved to the United States.

Outstanding easements.

SEC. 3. The conveyance shall be subject to all outstanding easements and rights-of-way for public roads and highways, railroads, water lines, sewer lines, telephone and telegraph lines, oil pipelines, and such other utilities as now exist.

Conditions.

SEC. 4. The conveyance of the property authorized by this Act shall be upon condition that such property shall be used primarily for training of the National Guard and the Air National Guard and for other military purposes, and on condition that the aviation potential of the station shall be maintained in a condition equivalent to the condition of the property at the time of its conveyance, ordinary wear and tear excepted, and that if the State of Texas shall cease to use the property so conveyed for the purposes intended, or fails to maintain such property in the condition aforesaid, then title shall immediately revert to the United States, and in addition, all improvements made by the State of Texas during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 5. Nothing in this Act shall prevent the State of Texas from disposing of or salvaging buildings and improvements now located on the land to be conveyed, or leasing, licensing or granting easements into and on the lands and improvements, except that the exercise of such rights shall not impair the use of the lands and improvements for the purpose set forth in section 4 of this Act, including preservation of the aviation potential of the property and that any revenues derived from such disposal, salvaging, leasing, licensing, or granting of easements shall be expended solely by the State of Texas for the protection, maintenance, and operation of the facility as a training center.

Disposal of
buildings, etc.

SEC. 6. The conveyance of the property authorized by this Act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this Act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Texas, for the duration of such state of war or of such emergency. Upon termination of such state of war or of such emergency plus six months such property shall revert to the State of Texas, together with all appurtenances and utilities belonging or appertaining thereto.

National emer-
gency.

SEC. 7. In executing the deed of conveyance authorized by this Act, the Secretary of the Navy or his designee shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, 5, and 6 of this Act and such other terms and conditions, including joint use by the Government on a noninterference basis, not inconsistent with the provisions of this Act, as the Secretary of the Navy deems necessary in the interest of the United States.

Execution of
deed.

SEC. 8. The cost of any surveys necessary as an incident to the conveyance authorized herein shall be borne by the State of Texas.

Cost of surveys.

Approved September 2, 1957.

Public Law 85-259

AN ACT

To amend section 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors.

September 2, 1957
[H. R. 3367]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1867 of title 28, United States Code, is amended to read as follows:

Jurors.
62 Stat. 953.

"§ 1867. Summoning jurors

"When the court orders a grand or petit jury to be drawn the clerk shall issue summons for the required number of jurors and deliver them to the marshal for service.

"Each person drawn for jury service may be served personally or by registered or certified mail addressed to such person at his usual residence or business address.

"Such service shall be made by the marshal who shall attach to his return the addressee's receipt for the registered or certified summons, where service is made by mail".

Approved September 2, 1957.