

CE 601.53 SPELE  
Pinecastle, Florida (Turret,  
Rifle, & Air To Ground Gunnery Range)  
U. S. vs. W. F. Benua, et al.

JUN 29 1945

The Honorable,  
The Attorney General,  
Washington, D. C.

Dear Mr. Attorney General:

It is necessary that certain land in Orange County, Florida, be acquired by the United States for use in connection with the Pinecastle Turret, Rifle, and Air to Ground Gunnery Range, Pinecastle, Florida. The land is described as follows:

All of Sections 11, 14, 23, 26, 35, 15, 22, 27, 34, 16, 21, 28, 33, 17, 20, 29, 18, 19, 30; the North half of Section 32 and the South half of Section 10, Township 23 South, Range 31 East, Orange County, Florida. Also all of Section 2 and the North half of Section 3, Township 24 South, Range 31 East, Orange County, Florida. Containing in the aggregate 13,660 acres, more or less.

The land is further defined on the inclosed map entitled Exhibit "B". The parties claiming an interest in this land are listed in Exhibit "B".

Therefore, pursuant to the provisions contained in the Act of Congress approved August 12, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241), April 11, 1918 (40 Stat. 512; 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 July 2, 1942 (Public Law 649 - 77th Congress), which act appropriated funds for such purposes, it is requested that you cause the necessary proceedings to be instituted for the condemnation of a term for years ending June 30, 1944, in the land referred to above, subject, however, to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines, together with the right to extend said term for additional yearly periods thereafter during the existing national emergency at the election of the United States, notice of which election shall be filed in the proceeding at least 30 days prior to the end of the term hereby taken, or subsequent extensions thereof, together with the right to remove within a reasonable time after the expiration of the term or extensions thereof, any and all improvements and structures placed thereon by, or for, the United States.

You are advised that the above mentioned land is necessary to provide adequately for training facilities and for related military purposes. You are also advised that it is vital to the successful prosecution of the war that this project be expedited with utmost haste and that the United States be given the immediate right to the possession and use of the land above referred to. Consequently, it is requested that you cause the necessary action to be taken to procure an order from the Court granting immediate possession and use pursuant to the provisions of the Act of Congress approved March 27, 1942 (Public Law 507 - 77th Congress), supra.

A check is inclosed in the amount of \$800.00, payable to the order of the Clerk of the United States District Court in and for the Southern District of Florida, which amount is estimated to be just compensation for taking said land for the term commencing 1 July 1943 and ending 30 June 1944, computed on the basis of \$66.66 per month. It is requested that this check be deposited in the Registry of the Court for the use and benefit of the persons entitled thereto.

It is further requested that you try this case unless settlement can be effected in an amount not exceeding \$800.00 per annum, without interest, and that you procure entry of judgment in the proceeding decreeing that the United States has condemned and is entitled to the exclusive use and possession of the subject land for the term set out above.

Appraisals and title evidence are being obtained under the supervision of Lt. Col. E. J. Ellingson, Division Real Estate Officer, South Atlantic Division, 50 Whitehall Street, Atlanta, Georgia, and the probable date of availability of appraisal reports and title evidence can be obtained by your field representatives from the Division Real Estate Officer. It is requested that you instruct your field representatives to furnish a copy of the petition and possession order directly to the Division Real Estate Officer. A copy of the petition and possession order should also be forwarded to this Department.

The money deposited in the Court Registry may be distributed to the parties entitled thereto in advance of judgment, upon order of the Court and application of proper credit being made against the ultimate award, provided that no distribution be made in excess of \$66.66 for each month that the United States has occupied the premises at the time such distribution is made. This amount should be allocated to the parties entitled thereto on a per acre basis.

Three additional copies of Exhibit "B" are also inclosed.

Sincerely yours,

W. L. STAMSON  
Secretary of War.

SECRETARY OF WAR

Mr. Miller  
77884

- 2 Inclosures:  
1 - Exhibit "B" (quad.)  
2 - Check

dcb

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MAY 23 1943