

DEPARTMENT OF THE ARMY
 U.S. ARMY ENGINEER DISTRICT, NORFOLK
 CORPS OF ENGINEERS
 FORT NORFOLK
 803 FRONT STREET
 NORFOLK, VIRGINIA 23510-1096
 OFFICIAL BUSINESS
 PENALTY FOR PRIVATE USE, \$300
 GENAO-RE

17

Dr. Dick Langman

DEPARTMENT OF THE AIR FORCE
 AMENDMENT OF 3 JANUARY 1983
 TO

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION PERMIT
 CONTRACT NO. DA-44-110-ENG-4299
 LANGLEY AIR FORCE BASE, VIRGINIA

07011988

WHEREAS, by permit dated 2 March 1939, permission, revocable at will by the Secretary of War, was granted to the National Advisory Committee for Aeronautics to use and occupy Plot No. 16 and other portions of Langley Field, Virginia (now known as Langley Air Force Base) for the purpose of constructing, using, operating and maintaining thereon, buildings, structures and utilities necessary in scientific research and experiments in the problems of flight; and

WHEREAS, by the National Security Act of 1947, Public Law 80-253, the Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army; and

WHEREAS, pursuant to Transfer Order No. 14, jurisdiction of the property involved was transferred from the Secretary of the Army and the Department of the Army to the jurisdiction of the Secretary of the Air Force and the Department of the Air Force, effective 1 July 1948; and

WHEREAS, the National Aeronautics and Space Act of 1958, Public Law 85-568, approved 29 July 1958, transferred all functions, powers, duties, obligations, real and personal property, funds and records of the National Advisory Committee for Aeronautics to the National Aeronautics and Space Administration; and

WHEREAS, subsequent amendments to the permit granted the use of additional land areas, deleted certain land areas, provided for utility connections and authorized construction of additional structures and facilities. The cost of all construction and/or relocation of roads, facilities, etc., to be borne by permittee; under the supervision of and subject to approval of the Commander, Langley Air Force Base, Virginia; and

WHEREAS, General Services Administration by letter dated 24 April 1975 and amended by letter dated 23 May 1975 transferred title to Allotments "A", "B", "B1", "B2", "C", "D", "E", "G", "H", "I" and "J" to the National Aeronautics and Space Administration, subject to certain reservations by the Department of the Air Force; and

WHEREAS, by Department of the Air Force Amendment of 15 September 1976, it was determined to be in the best interest of the Government to supplement, amend and restate the aforesaid permit in its entirety; and

ACTION OF _____

INFO OF *MSN/Langman* / *278* / *CCC* / *D-SE-7*

Ref 58071088

DUE DATE _____ ASSIGNED BY *elc*

WHEREAS, by Department of the Air Force letter dated 22 October 1979, it was requested that the aforesaid permit be amended and supplemented to include an additional 0.210 acre of land together with the right to construct, operate and maintain a replacement cooling tower; and

WHEREAS, by NASA Form 1046 dated 1 September 1977, the NASA Langley Research Center declared Building Nos. 586 and 587 together with approximately three (3) acres of land within Allotment No. 1 to be excess and transferred the building, land and all associated personal property to the Department of the Air Force; and

WHEREAS, by Department of the Air Force letters dated 3 December 1979 and 19 December 1979, it was requested that the aforesaid permit be amended and supplemented to include the abovementioned transfer; and

WHEREAS, by Department of the Air Force letter dated 19 December 1979, it was further requested that the aforesaid permit be amended and supplemented to show the revised locations and descriptions for Allotment Nos. 15 and 16; and

WHEREAS, by Department of the Air Force letter dated 1 December 1982, it was further requested that the aforesaid permit be amended and supplemented to include NASA's use of approximately four (4) square feet of space in Building No. 398 for direction finder electronics equipment, and the right to install two (2) telephone lines to the building and locate two (2) antennas on the roof of the building.

WHEREAS, it has been determined to be in the best interest of the parties hereto to further supplement, amend and restate the aforesaid permit in its entirety.

NOW, THEREFORE, National Aeronautics and Space Administration Permit Contract No. DA-44-110-ENG-4299, dated 2 March 1939, as amended, is further amended and supplemented as follows:

1. Delete all of the provisions, conditions, supplements, maps, exhibits and descriptions of the said permit and substitute in lieu thereof the following areas, rights, provisions and conditions.

2. The National Aeronautics and Space Administration is granted the following:

- a. The right to use and occupy the following allotment areas for the purpose of constructing, using, operating and maintaining thereon, buildings, structures and utilities necessary in scientific research and experiments in

the problems of flight: Allotment No. 1 - 1.80 acres (Plot 16), Allotment No. 2 - 0.66 acre, Allotment Nos. 4 and 10 - 4.93 acres, Allotment No. 5 - 3.20 acres, Allotment No. 6 - 4.50 acres, Allotment No. 7 - 0.24 acre, Allotment No. 8 - 1.44 acres, Allotment No. 9 - 2.30 acres, Allotment No. 11 - 0.46 acre, Allotment No. 12 - 0.21 acre, all being as shown in red on maps attached hereto and made a part hereof, entitled "Langley Air Force Base - Permit to N.A.S.A." dated 14 September 1976, marked Exhibit "A" and "Langley Air Force Base - N.A.S.A. Permit - East Area", marked Exhibit "B".

b. Allotment No. 13 - the right to install, operate and maintain the original underground power cable and a telephone cable over and across lands of the Langley Air Force Base at the location as shown in green on the aforesaid Exhibit "A".

c. Allotment No. 14 - the right to make a connection with the Government-owned Big Bethel Water Main by installing one 12"x12"x8" tee with an approved 8" valve and meter and to run an 8" water main from said valve over and across lands of the Langley Air Force Base at the location shown in yellow on the aforesaid Exhibit "A".

d. Allotment No. 15 - the right to construct, operate and maintain a 350 PSI underground air distribution system on a right-of-way being approximately 10 feet wide and 863 feet long. Said line beginning at NASA Building 640 located on Wind Tunnel Road, extending across the northwestern end ceiling and down the southwestern wall of Air Force Building 633, above ground across an Air Force storage shed and continuing southwesterly across Douglas Street; thence, behind Air Force Building 623 (Carpenter Shop) and across the Base Vehicle Maintenance (Building 621) parking lot and Plum Street to Allotment No. 1 area, containing 0.02 acre, more or less, at the location as shown in blue on the aforesaid Exhibits "A" and "B".

e. Allotment No. 16 - the right to use a plot of land for a local atmospheric test site, said plot being an area 15 feet by 20 feet, and located east of NASA, Building 720B, west of the Back River shoreline and approximately 70 feet north of the Langley Air Force Base Fuel Pier 723 entrance walkway, containing 0.007 acre, more or less, and being shown in orange on the aforesaid Exhibits "A" and "B".

f. The right to install, operate and maintain the following electrical cables: Allotment No. 17 - one 110 KV line; Allotment No. 18 - one 22 KV line; and Allotment No. 19 - one 22 KV line, all three lines being as shown in brown on Exhibit "A".

g. Allotment No. 20 - the right to use 0.210 acre of land located on the southeast corner of Andrews Street and Service Road, adjacent to Air Force Building 714 and being a portion of an existing parking lot, together

with the right to construct, operate and maintain a replacement 10,000 gallons per minute (GPM) cooling tower. Said location being as shown in red on the aforesaid Exhibits "A" and "B".

h. The right to use approximately four (4) square feet of space in Building No. 398, and permission to install two (2) telephone lines to the building and locate two (2) antennas on the roof of Building No. 398. The space requested is 7" high by 20" deep by 19" wide. One of the antenna is 68" high by 38" deep by 44" wide, and the other antenna is 14" high by 37" deep by 37" wide. NASA will be responsible for all installation, maintenance, and relocation costs. Building No. 398 is shown in black on Exhibit "A".

3. This permit is subject to the following provisions and conditions:

a. That the type of architecture for said buildings, structures and utilities shall conform as nearly as possible to the architectural type of existing buildings, structures and utilities on said reservation, and no work shall be commenced thereon until the plans for same have been submitted to and approved by the officer having immediate jurisdiction over the premises.

b. That the construction, operation and maintenance of said buildings, structures and utilities shall be accomplished without cost to the Department of the Air Force under the general supervision and subject to the approval of said officer.

c. That the station installed at the wind tunnel for transforming current from the subterranean electric power cable extending from low water mark on the north shore of Back River to said wind tunnel shall permit a connection therewith for standby service in the event a breakdown should occur in the Langley Air Force Base system or the transmission line leading thereto.

d. That the personnel and operations of the National Aeronautics and Space Administration shall, in connection with the exercise of the privileges herein authorized, be under the control of the said officer in all matters pertaining to discipline, fire, guard, police and sanitation.

* e. That, upon revocation or relinquishment of this permit, the National Aeronautics and Space Administration shall, within such reasonable time as the Secretary of the Air Force may indicate, remove its property from the reservation and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer.

f. That the quantities of water to be taken by the National Aeronautics and Space Administration through said connections for activities at Langley Air Force Base shall not exceed a total of 25,000,000 gallons each month, except in the event of fires or other emergencies which may demand a

greater amount of water than would normally be set up; provided, however, that in no event shall the supply of water authorized by this amendment interfere with or unduly diminish the water supply for Department of Defense activities served by the Big Bethel Water Development.

g. That the National Aeronautics and Space Administration shall furnish the Department of the Air Force its proportionate share, as determined by the said officer based upon the quantity of water used by said Administration, of labor and material required in the operation and maintenance of the Government-owned water supply system or at the option of the said officer, the Administration shall reimburse the Department of the Air Force in money for its proportionate share in accordance with existing law and regulations governing payments between departments of the United States for services rendered, the quantity of water consumed to be based upon meter readings or such other method as may be determined by the said officer.

h. That any damage to the Department of the Air Force property or interference with facilities on said reservation caused by the installation, operation and maintenance of said cables and air pipeline system on the reservation shall be immediately repaired or corrected by the permittee to the satisfaction of the said officer at no cost to the Air Force.

i. The National Aeronautics and Space Administration will also insure that the routing of the air pipelines will not interfere with or jeopardize existing Air Force utility systems or create additional operating costs as a result of the installation.

j. The atmospheric test site will be inclosed by an eight foot chain link fence and the racks on which the specimens of selected materials will be placed will be limited to a height of eight and one-half feet. In addition to the fence, screening is required and will be accomplished in a manner acceptable to the said officer.

IN WITNESS WHEREOF, in execution of this amendment of 3 January 1983 to National Aeronautics and Space Administration Permit Contract No. DA-44-110-ENG-4299, I have hereunto set my hand by authority of the Secretary of the Air Force this 25th day of Feb. 1983.


L. E. RICE, JR.
Chief, Real Estate Division