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DEPARTMENT OF THE NAVY
 BUREAU OF YARDS AND DOCKS
 WASHINGTON 25, D. C.

IN REPLY REFER TO

R-212/LS/ejk
 ND6/N1-1
 T10-2-KW

From: Chief, Bureau of Yards and Docks
 To: Chief of Naval Operations

31 AUG 1956

Subj: U. S. Naval Station, Key West, Florida; Information concerning island formed by dredge deposit in the vicinity of

Encl: (1) U. S. Coast and Geodetic Survey Map showing Key West area

1. As the result of joint efforts by the Department of the Army and the Department of the Navy in 1943 an island containing approximately 39 acres was created in Frankfort Bank as a result of the deposit of spoil from dredging operations. This work was accomplished by the use of Navy funds. Enclosure (1) delineates the location of this island with respect to the Naval Station, Key West, Florida. In September 1951, the State of Florida through its Trustees of Internal Development Fund, advertised this island for sale although the Department of the Navy by letter to the Trustees objected to the sale upon the basis of Federal ownership. Nevertheless, the State of Florida conveyed the island to a private individual for the sum of \$71.00 per acre.

2. By previous correspondence the Commanding Officer of the Naval Base, Key West and the Commandant, Sixth Naval District have advised the Bureau that this island is strategic in the operations of the subject facility and that private ownership thereof is extremely undesirable for security reasons. In previous years this Bureau has endeavored to ascertain the ownership of the island by correspondence with the Department of the Interior, Bureau of Land Management, and the Trustees of Internal Development Fund of Florida.

3. It is the opinion of this Bureau that: (1) if this island was built up for Federal use title to such land remains in the United States; or (2) if it cannot be established that the island was built up for Federal use the end result will be that the Navy is left without a strong argument on which to claim the island, and therefore, action to acquire this

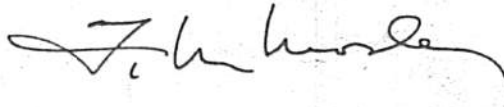
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island by condemnation proceeding should be considered. It would appear that under provision (1) above the Navy would have a difficult time in proving that this island was built up for Federal use, inasmuch as the records indicate that the only reason for the establishment of the island in 1943 was a site for the deposit of spoil. It appears, therefore, that it will be necessary to acquire this island by condemnation proceedings.

4. The proposed Fiscal Year 1958 MCON program includes an item for the acquisition of this island (39 acres) at an estimated cost of \$12,000 as a site for a Navy Fuel Supply Depot. However, this Bureau has been informally advised that this item may have a low priority and that it may be dropped from this proposed program.

5. In view of the foregoing information it is recommended that the item for the acquisition of the subject island at a cost of \$12,000 be retained in the proposed Fiscal Year 1958 MCON program.



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CO U. S. Naval Station, Key West

F. M. MOSLEY
Ass't Chief for Real Estate

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