



**FILE  
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TRUST TERRITORY OF THE PACIFIC ISLANDS--ARCHIVES SURVEY FORM

Primary Branch, Department, Bureau, or Office producing materials:

R&D

Subgroup of the above:

LAN

Author/Title/Date of publication (if any) of specific materials:

Subject of materials: (See schedule in TTPI Files System Manual)

LANC-2, TRA 2, POW 3-6-1

Brief description:

LAND for port operation, YAP (Ulithi & Colonia), CIP & Determinations of

Geographic area dealt with in materials: ownership

TTPI at large:

Individual districts:

Individual governments:

Individual islands:

Other:

Span of years covered by materials: 1970-1980

Format of information:

Correspondence:

Reports:

Clippings:

Other:

Physical arrangement of materials: (How are they organized within the file?)

Geographically:

Chronologically:

By subjects:

By organization:

Other:

Physical location of materials: (Area where presently located)

Office: R&D

File cabinet number: 97816 Subgroup: LAN

Drawer number: 5

File folder number: 178, 26, 5

Estimated quantity of materials: 1 folder

Recorded by: *JK*

Date: 15 Oct 1981

Disposition of originals: retain

Microfilm roll No.: 15

Frame #:

Computer # \_\_\_\_\_

TRUST TERRITORY OF THE PACIFIC ISLANDS--ARCHIVES SURVEY FORM

Primary Branch, Department, Bureau, or Office producing materials:

R4D

Subgroup of the above:

LAN

Author/Title/Date of publication (if any) of specific materials:

Subject of materials: (See schedule in TTPI Files System Manual)

LANC-2, TRA 2, RUW 3-6-1

Brief description:

LAND for port operatin. VAP (Ulithi & Coonan), CIP & Determinations of

Geographic area dealt with in materials: ownership

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Span of years covered by materials: 1970-1980

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Chronologically:

By subjects:

By organization:

Other:

Physical location of materials: (Area where presently located)

Office: R4D

File cabinet number: 97816 Subgroup: LAN

Drawer number: 5

File folder number: 178,76,5

Estimated quantity of materials: 1 folder

Recorded by: *JL*

Date: 15 Oct 1981

Disposition of originals: return

Microfilm roll No.: 15

Frame #:

See Addresses Below

September 6, 1980

Governor, Yap

Certification of Ulithi Dock, Yap State

Enclosed are final certification documents for the Ulithi Dock, submitted in accordance with the Manual of Administration Section 425.1.

John Mangafal

Enclosures:

1. Copy of Certification of Title & Title Opinion
2. Copy of Abstract of Title w/drawings

Addresses:

Officer in Charge of Construction, Marianas  
Director of Public Works, Headquarters  
Chief of Lands  
State Land Management Officer, Yap  
Attorney General, Yap

Rec'd 8/9/80

6

8/19/80

September 6, 1980

OPINION OF TITLE TO REAL PROPERTY

I, ELON PLACE, Attorney General for the State of Yap, certify that I have reviewed the attached abstract of title prepared by the State Land Management Officer. It is my legal opinion, based on said abstract of title, that as of June 20, 1980, the State of Yap was vested with Grant Deeds on the three parcels of land contained within the proposed Ulithi Dock site.

September 5th, 1980

*Elon Place*  
\_\_\_\_\_  
ELON A PLACE  
Attorney General, Yap State

CERTIFICATION OF SUFFICIENT INTEREST

I, JOHN A MANGEFEL, Governor of the State of Yap, buy and under the authority vested in me by Part 3, Section 385.1(h) of the Trust Territory Manual of Administration, do hereby certify that the State of Yap possesses a sufficient interest in the Ulithi Dock site, as more particularly described in the attached maps and documents, and based upon the findings contained in the State Land Management Officer's Abstract of Title, and Attorney General's Opinion of Title hereby certify said sufficient interest so that construction may proceed.

September 5th, 1980

*John A. Mangefel*  
\_\_\_\_\_  
JOHN A MANGEFEL  
Governor, Yap State

ABSTRACT OF TITLE  
ULITHI DOCK

The subject of this abstract is the proposed marine dock located on Falalop Island of Ulithi Atoll. The dock site is situated on the westerly shoreline of Falalop Island and includes portions of land of Lot 73 and Lot 74 and a small sandy beach area which lies between these two lots and the marine water. This entire site is more particularly described as outlined in red on the map that is included in this abstract.

Ownership of Lot 73 and Lot 74 was originally determined in 1958 by Yap District Land Title Officer. This determination and Release No. 3, dated March 21, 1958, finds that Soh was the landowner of Lot 73. The land name of this parcel of land is known as "Rafang". Determination and Release No. 5, also dated March 21, 1958, finds Rusulmal, the landowner of Lot 74. The land name of this parcel is "Walfal". Both of these landowners have since died. Through traditional rightful inheritance, John Yatch and Teresita Haros have become owners of Lot 74, and Nicholas Rahoy is now landowner of Lot 73. By traditional inheritance, Ligipa Lineage is the owner of the beach property, fronting these two lots, and included within the dock site.

The Determination of Ownerships, that were done in 1959 and the drafting of Map No. YUF-3 by the Yap Land Management's Office was in preparation for a land use agreement to be between the landowners of Falalop Island and the Trust Territory Government. On February 10, 1960, the Land Settlement Agreement was signed. Within this Agreement, a lump sum payment of \$19,839.28 was paid out by Trust Territory Government for an indefinite land use of some 115 lots. These parcels of land were concentrated on the northern and the western part of Falalop Island, and which today contains the Ulithi High School, the Public Works area, the Airstrip, and a road right of way to the presently used small boat docking area. All of these areas are shown on Map No. YUF-3, 5th Revision, made for the record of the agreement, and on file in the Yap Land Management Office.

The Land Use Agreement of 1960 gives an indefinite use agreement to the Trust Territory Government with the stipulation that every 5 years, the government has to review in writing the need for the land.

A portion of the lands involved in this agreement passes through the land area of Lot 73 and Lot 74. This portion is the road right-of-way to the small boat docking area.

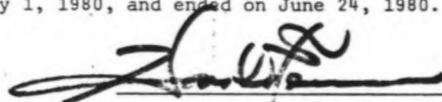
The landowners of the three parcels of land involved have signed Grant Deeds, all of which, warrant that they are the owners of the properties, and grant to the State of Yap the land area needed for the dock. These areas are portions of Lot 73, Lot 74, and the adjoining beach area, all of which is shown in red outline on a copy of the before mentioned, map attached.

The Grant Deed for a portion of Lot 74 to the State of Yap was signed by Cyril Halchik, for John Yatch and Teresita Haros, on June 20, 1980. The Grant Deed for a portion of Lot 73 to the State of Yap, was signed by Nicholas Rahoy on June 19, 1980. The Grant Deed which gives the adjacent beach fronting these two lots to the State of Yap, was signed on June 24, 1980 by Jesse Marehalau, for Ligipa Lineage. All three documents were filed with the Clerk of Courts, Yap State June 24, 1980.

I, Harold O. Temme, State Land Management Officer of Yap State, Federated States of Micronesia, do hereby certify that I have personally made, or under my personal supervision, certain members of the Land Management Office of Yap, have made a thorough search of title, including a study of records, and have caused copies of same to be incorporated herein, and have made a physical inspection of the premises, and have questioned all particularly knowledgeable persons concerning title to that parcel of real property, the subject of this abstract, and have reduced to writing and incorporated herein. My title search began on May 1, 1980, and ended on June 24, 1980.

DATED

June 26, 1980



Harold O. Temme  
Land Management Officer, Yap State

Attachments: Copies of Grant Deeds (3) w/map

Federated States of Micronesia, do hereby certify that I have personally made, or under my personal supervision, certain members of the Land Management Office of Yap, have made a thorough search of title, including a study of records, and have caused copies of same to be incorporated herein, and have made a physical inspection of the premises, and have questioned all particularly knowledgeable persons concerning title to that parcel of real property, the subject of this abstract, and have reduced to writing and incorporated herein. My title search began on May 1, 1980, and ended on June 24, 1980.

DATED June 26, 1980  

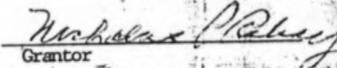

Harold O. Temme  
Land Management Officer, Yap State

Attachments: Copies of Grant Deeds (3) w/map

GRANT DEED

For value received, I Nicholas P. Rahoy  
name of Grantor (s)  
do hereby grant unto the State of Yap, that portion of the real property contained within Lot Number 73 outlined in blue on the attached map, for so long as said land is used for Ulithi Dock purposes.

DATED: June 19, 1980

  
Grantor

Filed and recorded at 3:00 P.M., this 24 day of June 1980  
in Book Vol 1 page 921

1 M. 1  
Clerk of Courts  
Yap State



GRANT DEED

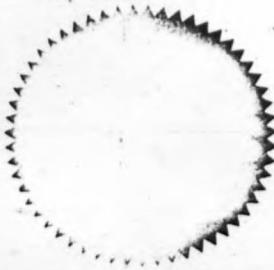
For value received, I Nicholas P. Rahoy  
name of Grantor (s)  
do hereby grant unto the State of Yap, that portion of the real  
property contained within Lot Number 73 outlined in blue on the  
attached map, for so long as said land is used for Ulithi Dock  
purposes.

DATED: June 19, 1980

Nicholas P. Rahoy  
Grantor

Filed and recorded at 3:00 P.M., this 24 day of June 1980  
in Book Vol 1 page 921

1 M. I.  
Clerk of Courts  
Yap State



GRANT DEED

For value received, I Cyril Halchir - for Teresita Haros  
name of Grantor (s)  
do hereby grant unto the State of Yap, that portion of the real  
property contained within Lot Number 74 outlined in blue on the  
attached map, for so long as said land is used for Ulithi Dock  
purposes.

DATED: June 20, 1980

Cyril Halchir  
Grantor

Filed and recorded at 2:00 P.M., this 24<sup>th</sup> day of June 1980  
in Book Vol 1 page 93

Asse Alitkwa  
Clerk of Courts  
Yap State



GRANT DEED

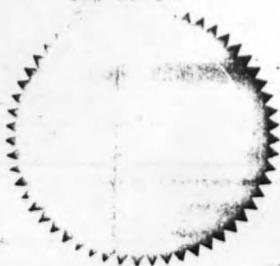
For value received, I John Yatch & Cyril Halchir - for Teresita Haros  
name of Grantor (s)  
do hereby grant unto the State of Yap, that portion of the real  
property contained within Lot Number 74 outlined in blue on the  
attached map, for so long as said land is used for Ulithi Dock  
purposes.

DATED: June 20, 1980

Cyril Halchir  
Grantor

Filed and recorded at 2:00 P.M., this 24<sup>th</sup> day of June, 1980  
in Book Vol 1 page 93.

Jesse Alibuk  
Clerk of Courts  
Yap State



GRANT DEED

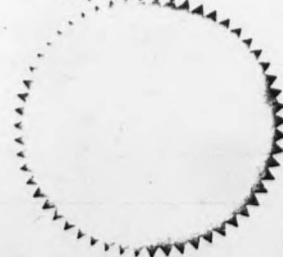
For value received, I Jesse B. Marehalau - for LIGIPA LINEAGE  
name of Grantor (s)  
warrant that I am the owner of the real property herein conveyed,  
and I do hereby grant unto the State of Yap, all of that real  
property outlined in green on the attached map, for so long as  
said land is used for Ulithi Dock purposes.

DATED: June 17, 1980

Jesse Marehalau  
Grantor

Filed and recorded at 2:00 P.M. this 24<sup>th</sup> day of June, 1980  
in Book Vol 1 page 94.

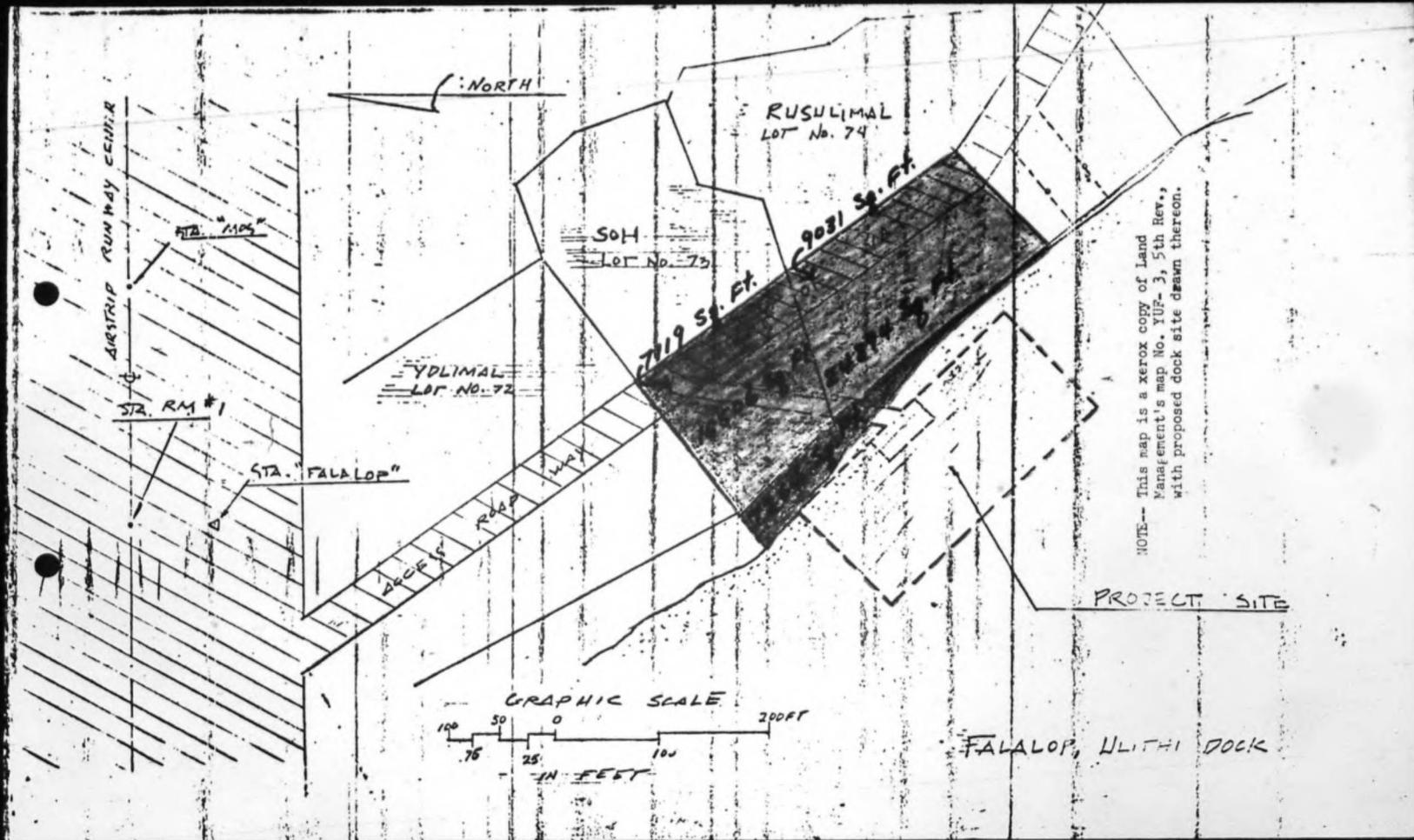
Jesse Alibuk  
Clerk of Courts  
Yap State



PA LINEAGE

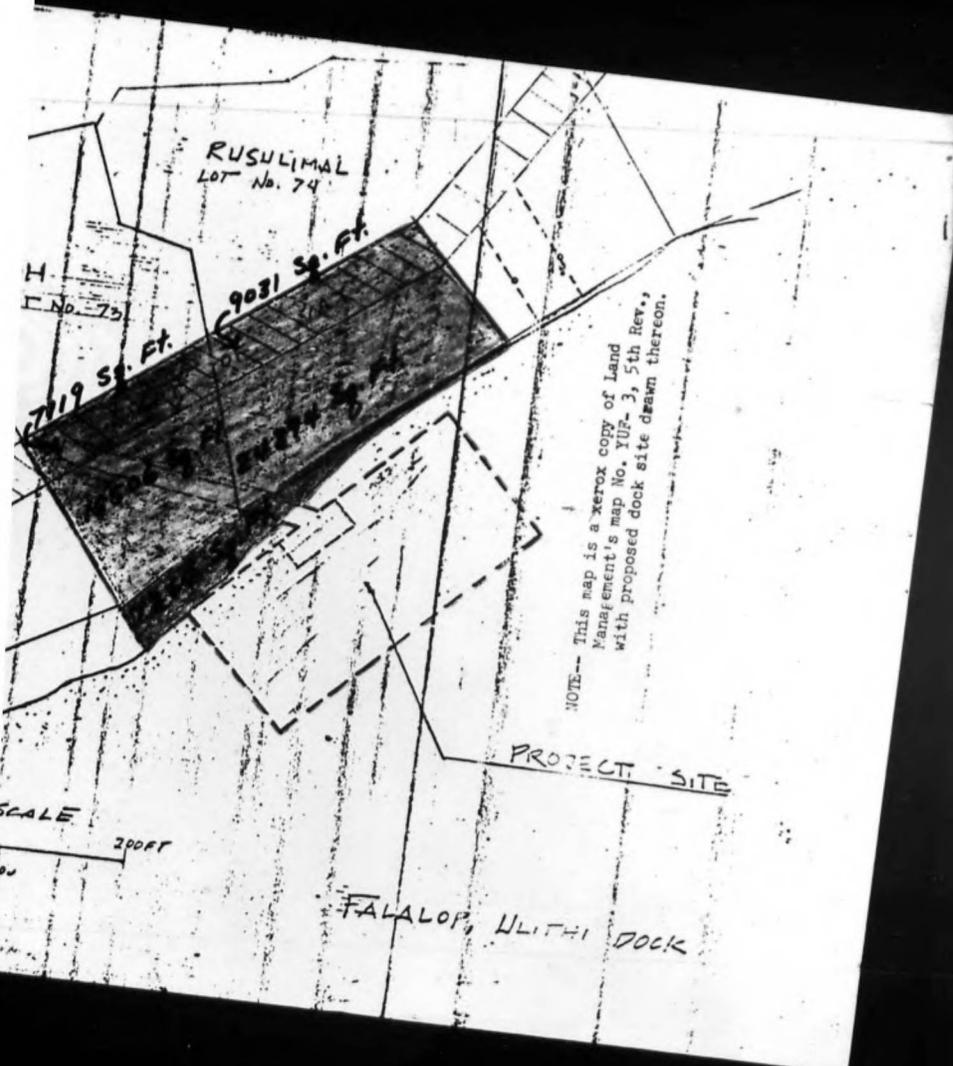
1.

1980



NOTE-- This map is a xerox copy of Land Manager's map No. YUF-3, 5th Rev., with proposed dock site drawn thereon.

FALALOP, ULITHI DOCK



*Chas. L. ...*  
*Seipen*

District Fisheries Officer, Yap  
District Administrator, Yap

March 21, 1977  
Serial: LMY 01001

Act. Land Management Officer, Yap  
Area around Present Dock site

Reference your memorandum, concerning subject above, dated March 11, 1977. I will try to answer your questions as listed in numerical order of your memo.

1. The dock and all land surrounding that immediate area, and including the area between the WAAB Transportation Company's Office and the present hospital is government land.
2. WAAB Transportation Company is operating in the area under a Revocable License issued in 1974. The structures and grounds as covered by this license are east of Supply Division warehouse and south of the public street running in an east-west direction between the Yap Hospital and the Yap District Administrator's Office.
3. It would be highly desirable to have a more suitable lease agreement with WAAB and any other private and government businesses within the area. However, this cannot be done until the new dock location is a reality and something of its impact and effect with the surrounding area is known. Scheduling of the dock construction is not firm because of the need for a new environment impact statement for the Corp of Engineers, but most likely construction will begin around the end of this year.
4. Because of the foregoing mentioned uncertainties at the present time, the possibility of reserving part, or all of the existing dock site and any surrounding area, if needed, is difficult, if not impossible at this time to say. It is my understanding that the Planning Office is presently attempting to upgrade the Master Plan for the Colonia Center Area. I would think that any large important area, such as this appears to be, should have to agree with some kind of Master Plan.



178 76.5

*Chief, Lands and Surveys  
Saipan*

District Fisheries Officer, Yap  
District Administrator, Yap

March 21, 1977  
Serial: JMY 0104

Act. Land Management Officer, Yap

Area around Present Dock site

Reference your memorandum, concerning subject above, dated March 11, 1977. I will try to answer your questions as listed in numerical order of your memo.

1. The dock and all land surrounding that immediate area, and including the area between the NAAB Transportation Company's Office and the present hospital is government land.
2. NAAB Transportation Company is operating in the area under a Revocable License issued in 1974. The structures and grounds as covered by this license are "east of Supply Division warehouse and south of the public street running in an east-west direction between the Yap Hospital and the Yap District Administrator's Office."
3. It would be highly desirable to have a more suitable lease agreement with NAAB and any other private and government businesses within the area. However, this cannot be done until the new dock location is a reality and something of it's impact and effect with the surrounding area is known. Scheduling of the dock construction is not firm because of the need for a new environment impact statement for the Corp of Engineers, but most likely construction will begin around the end of this year.
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178.76.5



In this regard, consideration also would have to be given for the needs and effect on District Supply. The Acting District Supply Officer has informed me that they plan their office and warehouse to remain at their present location regardless of the change of dock location. Thus, any reservation of future space for a trans-shipping facility for the District Fisheries would need some arrangement and agreement worked out between all parties involved with a final concurrence with the District Administrator.

Harold O. Teame

Chief, Lands and Surveys  
Chief, Marine Resources  
District Planner, Yap

*TEAME*

In this regard, consideration also would have to be given for the needs and effect on District Supply. The Acting District Supply Officer has informed us that they plan their office and warehouse to remain at their present location regardless of the change of dock location. Thus, any reservation of future space for a trans-shipping facility for the District Fisheries would need some arrangement and agreement worked out between all parties involved with a final concurrence with the District Administrator.

Harold O. Teano

cc: Chief, Lands and Surveys  
Chief, Marine Resources  
District Planner, Yap

178.76.5

MEMORANDUM, FORM TT-500

2

TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : District Land Management Officer, Yap DATE: 3/11/77  
THRU : District Administrator  
FROM : District Fisheries Officer, Yap

SUBJECT: Present Dock Area, Property and Supply Warehouse and Yard  
WAAB Transportation Office area, Transit Warehouse and Yard

After discussions with the District Planner, Chief of Marine Resources and other government people in the district, we have come to the following conclusions:

1. The area set aside for new dock construction will be unsuitable for a possible fish trans-shipment facility because of (a) excessive costs in enlarging the proposed new dock and (2) a possibility that the area will become congested with conflicting activities present and proposed.
2. The area now utilized as a dock in Yap, including the present Property and Supply warehouse area, Waab transportation transit warehouse and storage area, and container storage yard placed between the Waab office and the hospital is the best site for any potential income-producing fish trans-shipment facility; if such a facility is built on Yap.

We are in the preliminary stages of investigating the economic feasibility and potential of this site. To assist us in our preliminary planning, I would like to know the following:

1. Is all land as described above government land?
2. What sort of lease agreements, if any, are now in effect?
3. How will these lease agreements be affected by the construction of a new dock facility?
4. Should the District Administrator concur, is it possible to establish a policy which would enable us to reserve the described area for a fish trans-shipment facility until a feasibility analysis can be completed and all the facts assembled?

  
Mike A. McCoy

cc: Chief, Marine Resources



TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : District Land Management Officer, Yap DATE: 3/11/77  
FROM : District Administrator  
FROM : District Fisheries Officer, Yap

SUBJECT: Present Dock Area, Property and Supply Warehouse and Yard  
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How will these lease agreements be affected by the construction of a new dock facility?  
Should the District Administrator concur, is it possible to establish a policy which would enable us to reserve the described area for a fish trans-shipment facility until a feasibility analysis can be completed and all the facts assembled?

W.A. McCoy  
Chief, Marine Resources



TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : District Fisheries Officer, Yap  
THRU : District Administrator, Yap  
FROM : Act. Land Management Officer, Yap

DATE: March 21, 1977  
Serial: LMY 01042

SUBJECT: Area around Present Dock site

Reference your memorandum, concerning subject above, dated March 11, 1977. I will try to answer your questions as listed in numerical order of your memo.

1. The dock and all land surrounding that immediate area, and including the area between the WAAB Transportation Company's Office and the present hospital is government land.
2. WAAB Transportation Company is operating in the area under a Revocable License issued in 1974. The structures and grounds as covered by this license are "east of Supply Division warehouse and south of the public street running in an east-west direction between the Yap Hospital and the Yap District Administrator's Office."
3. It would be highly desirable to have a more suitable lease agreement with WAAB and any other private and government businesses within the area. However, this cannot be done until the new dock location is a reality and something of its impact and effect with the surrounding area is known. Scheduling of the dock construction is not firm because of the need for a new environment impact statement for the Corp of Engineers, but most likely construction will began around the end of this year.
4. Because of the foregoing mentioned uncertainties at the present time, the possibility of reserving part, or all of the existing dock site and any surrounding area, if needed, is difficult, if not impossible at this time to say. It is my understanding that the Planning Office is presently attempting to upgrade the Master Plan for the Colonia Center Area. I would think that any large important area, such as this appears to be, should have to agree with some kind of Master Plan.

TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : District Fisheries Officer, Yap

DATE: March 21, 1977

THRU : District Administrator, Yap

Serial: LMY 01042

FROM : Act. Land Management Officer, Yap

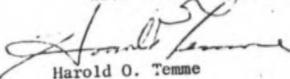
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In this regard, consideration also would have to be given for the needs and effect on District Supply. The Acting District Supply Officer has informed me that they plan their office and warehouse to remain at their present location regardless of the change of dock location. Thus, any reservation of future space for a trans-shipping facility for the District Fisheries would need some arrangement and agreement worked out between all parties involved with a final concurrence with the District Administrator.

  
Harold O. Temme

cc: Chief, Lands and Surveys  
Chief, Marine Resources  
District Planner, Yap





TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : Chief, Lands and Surveys  
THRU : District Administrator, Yap  
FROM : Act. Land Management Officer, Yap

DATE: October 20, 1976  
Serial: LMY 01010

SUBJECT: Exposed film of Yap Dock Site

Enclosed is one roll of film taken of the proposed Yap Dock Site.  
Could you develop and return the prints and negatives for our files.

The Yap Micronesian Legal Service has a possible client claiming  
destruction of fish traps (or fishing areas) if the dock is built on  
the proposed site. For this reason I feel it is important to have  
photos on record taken before the construction.

*[Signature]*  
Harold O. Temme

Enclosed: One roll b/w film, 20 exposure



mm. ~~Print~~

178. <sup>5</sup> 29. 5

TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : See Addresses Below

DATE: October 5, 1976  
Serial: LMY 01004

FROM : District Administrator, Yap

SUBJECT: Certification of Proposed Yap Dock Site

Enclosed are final certification document for the new Yap District  
Dock site submitted in accordance with the Manual of Administration  
Section 485.1.

*[Signature]*  
Edmund Prima

Enclosures:

1. Copy of Certification of Title signed by District Administrator
2. Copy of District Attorney's Title Opinion
3. Copy of Abstract of Title as prepared by District Land Management Officer
4. Copy of Division of Lands and Surveys Drawing No. 5015/76

Addresses:

Chief, Land and Surveys, Saipan w/encl.  
District Director of Public Works, Yap w/encl.  
Act. Land Management Officer, Yap w/encl.  
District Attorney, Yap w/encl.  
District Planning Officer, Yap w/encl.  
Director, of Public Works, Headquarters w/encl.

DATE: October 5, 1976  
Serial: LW 01004

New Yap District  
of Administration

District Administrator  
District Land Management Officer  
No. 5015/76

CERTIFICATE OF TITLE  
TO REAL PROPERTY  
(Yap Dock Site)

TRUST TERRITORY OF  
THE PACIFIC ISLANDS }  
YAP ISLANDS DISTRICT } SS

I, EDMUND GILMAR, District Administrator of Yap District, by and with the authority vested in me under Part 3, Section 485.1 (H) of the Trust Territory Manual of Administration, after reviewing Attorney's Opinion together with Abstract of Title submitted to me and are attached herewith, do hereby certify that at the last mentioned date in the Abstract of Title, October 1, 1976, the Title of Record in fee simple to Tract No. 50791 which consist of approximately 13,875 square meters, and is fully described in Survey Drawing No. 5015/76 dated December 11, 1972, was in the Trust Territory of the Pacific Islands.

Dated this 5 day of October, 1976.

  
Edmund Gilmar  
District Administrator  
Yap District

Enclosures:

1. Copy of District Attorney's Title Opinion
2. Copy of Abstract of Title as prepared by District Land Management

cc: Chief, Lands and Surveys, Saipan w/encl.  
District Director of Public Works, Yap w/encl.  
Act. District Land Management Officer, Yap w/encl.  
District Attorney, Yap w/encl.  
District Planning Officer, Yap w/encl.  
Director, of Public Works, Headquarters w/encl.

the Title of Record in fee simple to Tract No. 50791 which consist of approximately 13,875 square meters, and is fully described in Survey Drawing No. 5015/76 dated December 11, 1972, was in the Trust Territory of the Pacific Islands.

Dated this 5<sup>K</sup> day of October, 1976.

  
Edmund V. Linay  
District Administrator  
Yap District

Enclosures:

1. Copy of District Attorney's Title Opinion
2. Copy of Abstract of Title as prepared by District Land Management

cc: Chief, Lands and Surveys, Saipan w/encl.  
District Director of Public Works, Yap w/encl.  
Act. District Land Management Officer, Yap w/encl.  
District Attorney, Yap w/encl.  
District Planning Officer, Yap w/encl.  
Director, of Public Works, Headquarters w/encl.



TRUST TERRITORY OF THE PACIFIC ISLANDS  
OFFICE OF THE DISTRICT ADMINISTRATOR  
YAP DISTRICT  
YAP, WESTERN CAROLINE ISLANDS 96943

CABLE ADDRESS  
DISTAD YAP

October 4, 1976

Attorney's Opinion On The Title To Real Estate  
District Attorney  
Yap District

TO: Yap District Land Management Officer:

At your request I have examined the title to Yap Dock Site situated in Colonia, Weloy Municipality in Yap Islands District, Western Caroline Islands, which consists of approximately 13,875 square meters, and is fully described in Survey Drawing No. 5015/76 dated December 11, 1972, as Tract No. 50791, attached hereto, and as indicated by the Abstract of Title thereto, which you have delivered to me, and which consists of one (1) entry, and is certified by you, the Acting Land Management officer, Yap District, as complete to October 1, 1976.

Assuming said abstract to be accurate and complete, I am of the opinion, from my examination of the records therein referred to, that at the last mentioned date the title of record in fee simple to the above described property was in the Trust Territory of the Pacific Islands.

  
John K. Beschauer

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ABSTRACT OF TITLE

Yap Dock Site, Colonia, Yap District

The parcel of land the subject of this abstract lies within Colonia, Weloy Municipality District of Yap, Western Caroline Islands, and consists of approximately 13,875 square meters as described in Tract No. 50791 of Lands and Surveys Drawing No. 5015/76, dated October 4, 1976 and attached hereto.

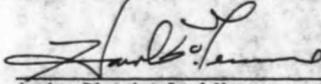
Land area of subject parcel was acquired by the Trust Territory by the authority vested in Trust Territory Code, Title 27, Section 1 "Alien Property". Water area of subject parcel is acquired by the Trust Territory through the authority vested in the Trust Territory Code, Title 67, Section 2 which define "Rights in Area Below High Water Marks"

90% of the parcel is within water area, extending north of the shoreline between the present Yap Hospital and the District Legislature buildings. Accounting for the remaining 10% of the site, the western boundary extends into landfill area between shoreline and east of the hospital building. This boundary crosses through a wood-frame building housing Marine Resources, Community Development, and Head Start Offices, and also, encompasses a wood-frame garbage disposal shed for the hospital. The buildings are government-owned and removal of these buildings will not effect implication of the Uniform Relocation Act. The small land area of the site and the area south of the site, between the hospital and the Legislature, is fill land created during the time of the German Administration and was used as Public land both by the German and Japanese Administration.

The Yap Land Commission conducted Preliminary Inquiry Hearings on the site from March 15th to 19th, 1976. The only ownership claims for the site and adjacent areas to the site were submitted by the Trust Territory of the Pacific Islands. The ownership claim was made by using the authority as defined in Trust Territory Code, Title 27, Section 1. No private claims were submitted and no anticipated conflicts are foreseen. Final Formal Land Hearings are scheduled for November 2, 1976.

- Location : District Center, Colonia, Weloy Municipality Yap District
- Land Area : 13,875 square meters (3.4 acres)
- Existing Use : Occasional small boat harborage
- Ownership : Trust Territory of the Pacific Islands
- Date of Claims : March 15, 1976 "Application for Registration of Land Parcels" Weloy Municipality Land Hearings
- Parcel Number : Yap Land Commission Hearing Index Map, Parcel No. 776
- Attachments : Land & Surveys Drawing No. 5015/76. Dated Oct 4, 1976  
Application for Registration of Land Parcel, Weloy Municipality, dated March 15, 1976

I, Harold O. Temme, Acting District Land Management Officer of Yap District certify that I personally researched, or members of my staff under my immediate supervision researched, all pertinent documents relating to, in the office of the Land Commission, the District Land Management Office, the office of the Clerk of Courts, and in the office of the District Registrar for Yap District and have caused copies of the same to be incorporated herein. I have also made personal inquiry to be reduced to writing and incorporated herein. My title search began on September 28, 1976, and ended on September 30, 1976. This abstract does not cover any matter not of record for the results of personal inquiry in affidavits included. The period of time covered by said abstract and by this certificate began on March 15, 1976, and ended on October 1, 1976.

  
Acting District Land Management Officer

Date: October 4, 1976

Yap District

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Date: October 4, 1976



Acting District Land Management Officer

Yap District

District Attorney, Yap

October 4, 1976  
Serial: 187 01802

Act. Land Management Officer, Yap

Abstract of Title - Yap Book

Abstract of Title for Yap's Book Site are forwarded herewith to you in accordance with Certification process as set forth in Manual of Instructions 425.1

Harold O. Temme

Attachment no/s

cc : Chief, Lands and Survey  
District Administrator, Yap

Attachments given to AC/E&D, PW  
on 6 Oct 76  
D.





October 1, 1976  
10:00 AM

File: 178.76.5

Subj: Gap Dock + Harbor Project,  
land certification for

Dennis,

10/1/76

3:15 p.m., Saigon  
Time

Harold Temme called you inquiring about the status of the Gap Dock + Harbor Project. Wanted to know if you talked to Public Works and what P.W. reply to not being able to submit land certification documentation for subject project today, Oct. 1, 1976, as DICE wishes to let the bid for construction to commence today.

He will try to submit documentation Wednesday, Oct. 6, 1976, to Hq. and to expect its arrival by pouch.

Wants you to call him on Monday re subject project.

Mike

1. W. reply to not being able to submit land certification documentation for subject project today, Oct. 6, 1976, as OICC wishes to let the bid for construction to commence today.

He will try to submit documents Wednesday, Oct. 6, 1976, to Hq. and to expect its arrival by Ranch. Wants you to call him on Monday re subject project.

Unkch

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TO DISTAD YAP CAROLINE ISLANDS

BT  
PLEASE PASS COPY TO LAND MANAGEMENT, DISTRICT ATTORNEY AND DISTRICT PLANNER. DIRECTOR OF PUBLIC WORKS, HQ, INFORMED THIS DIVISION ON MORNING OF 28 SEP THAT OICC WISHES TO BID OUT CONSTRUCTION CONTRACT FOR YAP DOC PROJECT NO LATER THAN OCT 1, 1976. HOWEVER, THEY CANNOT DO SO UNTIL WE HAVE RECEIVED LAND CERTIFICATION. PLEASE ADVISE IF NECESSARY APPLICATION HAS BEEN FILED BY DISTRICT PLANNER BASED ON FINAL PROJECT BOUNDARIES AND IF SO WHERE WE ARE IN CERTIFICATION PROCESS. IT IS DESIRABLE THAT CERTIFICATION BE AVAILABLE BY OCT 1 OR PROJECT MAY BE DELAYED. HOLS SENDS  
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178. 76. 5

TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : District Administrator, Yap

DATE: FEBRUARY 10, 1975

FROM : Planning Commission, Yap Proper

SUBJECT: Yap Dock and Harbor

Unfortunately when the proposed site of the new Yap Dock and Harbor was being evaluated and reviewed we, the members of the Yap Proper Planning Commission, were not afforded an opportunity to make our review and comments on the site known. During the time the proposed site was being presented the planning staff was incomplete and/or conducting business off the island. While we were initially by-passed, we still feel it incumbent upon ourselves to review the proposed site and to record our recommendations accordingly.

The proposed dock and harbor site is described as being "located north of the existing Legislative Building and in line with the end of the Mobil Oil Pier." (1) This would place it contiguous to areas designated, in the adopted Yap District Plan, as recreational and for related public use. It was this particular site that was recommended for the following reasons:

1. Adjacent to the proposed Legislative Building site, there is a natural deep water channel;
2. The site provides a natural channel for shipping;
3. This area enjoys shelter from storms provided by its surrounding reefs.
4. It should not be difficult for dock construction;
5. There is plenty of room for future expansion;
6. The whole area would be isolated for security." (2)

There was some initial interest expressed in locating the dock and harbor off of Bonitsch Island (refer to Scheme III of the Northrop report). However, this site was quickly eliminated because of the high projected costs required for developing this area. The reason(s) for the accelerated costs of Scheme III were never adequately detailed in the Northrop report.

- (1) Item 3-5, of Exhibit "A", Contract Number TT-175-10
- (2) Memo from Director, Transportation and Communications, dated August 5, 1974.



178. 76. 5

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5. There is plenty of room for future expansion.
6. The whole area would be isolated for security." (2)

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Item 4-5, of Exhibit "A", Contract Number TT-175-10  
Memo from Director, Transportation and Communications, dated  
August 5, 1974.



178.76.5

Ecologically the whole Tomil Harbor has been described as devoid of significant marine life and grossly polluted with minimal visibility because of particulate matter in the water. While this adequately describes the ecosystem south of the hospital-legislative peninsula it tends to be excessive when describing that water-area north of the peninsula. There seems to be ample evidence of marine life and marine support systems in the northern area and visibility is normally in excess of twenty feet. While potentially the northern area is likely to become dormant and polluted, particularly if the currently proposed site is maintained, such a result need not occur and can, in fact, be circumvented by initiating a positive course of action directed at improving the present circumstances. Such action is described in the Austin Smith and Associates report.

Unfortunately, the tidal and current flushing action inadequately serves the Tomil Harbor area. This is evidenced by the collection of debris along the island causeway and similar indented shoreline areas. This condition is likely to continue and to worsen with the introduction of a significant generator of solid and particulate waste. The proposed dock and harbor will be such a generator and it will compound the problem creating more of an environmental and visual pollutant.

The above described result would be particularly inappropriate north of the peninsula because of the development trends and potential that now exist in that area. Certification is presently being sought for the construction of a public market and fish chill, plans are being developed for a proposed tourist and entertainment facility, a "tot-lot" and park have been proposed for development, the Colonia center plan proposes the development of a community center and with the eminent relocation of the hospital the Spanish fort foundation can be reclaimed and refurbished as a point of local historical value and interest. In addition there presently exists a public theater and the seat of District Legislation and Government.

Any and all of the above are unlikely neighbors to an industrialized dock and harbor area in that there will be a blighting effect that will result from the use of the dock and harbor. In addition, the conduction of legislative activities requires all of the dignity and respect it can muster, and that dignity and respect will be wanting if the legislators are forced to conduct their deliberations either directly contiguous to or incorporated within a noisy and visually unattractive industrial area.

Although the potential sites for the proposed dock and harbor have been thoroughly investigated, however, we feel there needs to be further investigation of other alternatives considered. One such site is related to the Donitsch Island area. At one time this area was considered as a potential recreational site. However, since that time the Island has become the site for a sewerage treatment facility and that facility is now under construction.

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This change in use will so alter the character of the island that a concurrent use as a recreational facility will be completely incompatible, indefensible and contrary to good community design. This new use would more readily adapt itself to the more appropriate industrial use.

This "new" area that is being proposed has the following previously enumerated advantages:

1. Adjacent to a natural deep water channel
2. Provides a natural channel for shipping
3. Enjoys shelter from storms provided by its surrounding reefs
4. It should not be difficult for dock construction
5. Plenty of room for future expansion
6. The whole area would be isolated for security

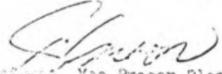
In addition to the above, this newly proposed site has the following attributes:

1. Greater design flexibility
2. Ecologically less disruptive
3. Greater "flushing" capability
4. Berths can be designed to lessen the broadside ill effects of wind and current.
5. Less disruptive to current and proposed development
6. More readily accessible and familiar to in-coming ships
7. More in keeping with objectives cited in the Yap District Plan.

Therefore, we, the members of the Yap Proper Planning Commission, do hereby recommend the relocation of the newly proposed Yap Dock and Harbor from that area north of the Legislative Building to an area south of the Donitsch Island causeway (as shown on the accompanying drawing). While it is clearly understood that the design contract has been awarded and initiated, it is further understood that the design has not progressed further than preliminary data collection and that that data collected includes information from our recommended area.

We hope that this recommendation will be received in the positive manner in which it is intended and that you will see your way clear to propose and implement the relocation of the new Yap Dock and Harbor to that area south of the Donitsch Island causeway.

Respectfully submitted,

  
Chairman, Yap Proper Planning Commission

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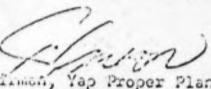
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TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : District Administrator

DATE: October 25, 1973  
Serial: LMY0659

FROM : District Land Management Officer

SUBJECT: Proposed Transpac Terminal Lease Arrangement

This office has received your handwritten memo concerning the development of a lease arrangement for terminal space for Transpacific Lines Inc.

I have made a review of the subject with the District Planner and herewith submit our comments on the subject. (Please refer to the attached sketch map.)

The ground areas available and apparently intended for transpac use as per your sketch have been numbered areas I, II, and III.

Area I is presently in use by Transpac and I believe any lease for this area should begin as of the first date of use thereof.

The eastern strip of area I alongside building A is not useable and would not be so without extensive and expensive construction. Therefore a right of way running from the barge to the roadway will be required to the west of building A between it and the supply warehouse. It is proposed that the existing gates at this area of the fence be reopened for use and a non-exclusive right of way be given to Transpac for movement along this area. They can not be expected to move all off-loaded items through building A. The terms of this right of way would include the provision to Transpac that the right of way would always be open to their use but that the Government reserves its right and that of the general public to use this same right of way simultaneously. The District Supply office would be left a strip along the eastern edge of their building for parking or some outside storage but could no longer block the straight thru right-of-way to the barge as is the present case. Transpac will no doubt wish to fence off area I and should be allowed to do so.

Access to area II from area I is not available except via the public road. Area II, if leased to Transpac, will probably be used for container storage and will not require fencing. The shoreline of Area II is rapidly eroding and will continue to do so if not given a properly protective sea wall. If Transpac is to be given a long term lease for the use of this site (say more than 5 years) it would seem reasonable to require that they construct the sea wall, to specifications and plans provided by the Government. This area additionally must be raised in elevation with a suitable durable surface before any use is made of it and such should be a term of the agreement if executed before any such improvement.

File: 178.76.5

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TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

District Administrator

DATE: October 25, 1973  
Serial: LMY0659

District Land Management Officer

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File: 178.76.5

Page Two  
District Administrator

Entry to Building C requires a right of way arrangement similar to that near area I as public and Government access is required to the present sunken barge behind building C. The placement of the above ground oil pipeline prevents access to this area except in the area required for entry into the building as well. Transpac should not be granted use of the area east of building C for storage as is being presently done.

I recommend that no options on future fill in the area be given to Transpac. Such can be the subject of future negotiations if eventually available and needed by Transpac. At the present scale of operations the areas shown should be more than sufficient for their operations.

No improvements or additions or additional construction of any kind or cost should be allowed in the areas unless of a design approved by the Government and the District Planning Commission. Building C must be completed before occupancy by Transpac, or provisions for immediate completion by Transpac if desired included in the agreement.

Comments herein have been essentially confined to the issue of real estate. By copies hereof I am requesting that the District Supply Officer and Acting District Economic Development provide you with comments from their particular view points with regards to the overall subject and specifically the proposed draft of an "Agreement for the Operation and Lease of the Yap Sea Transportation Terminal."

Before any lease can be arranged it will be necessary to advertise and allocate the areas as per TTC 67-13, as well as meeting certain other provisions of this chapter of the code. With your specific authorization I will begin to implement the required steps to be taken prior to any leasing of Public Land.

*Michael H. Allen*  
Michael H. Allen

cc: District Planning Officer  
District Supply Officer  
District Economic Development Officer  
Chief, Lands & Surveys



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OCT 29 1973

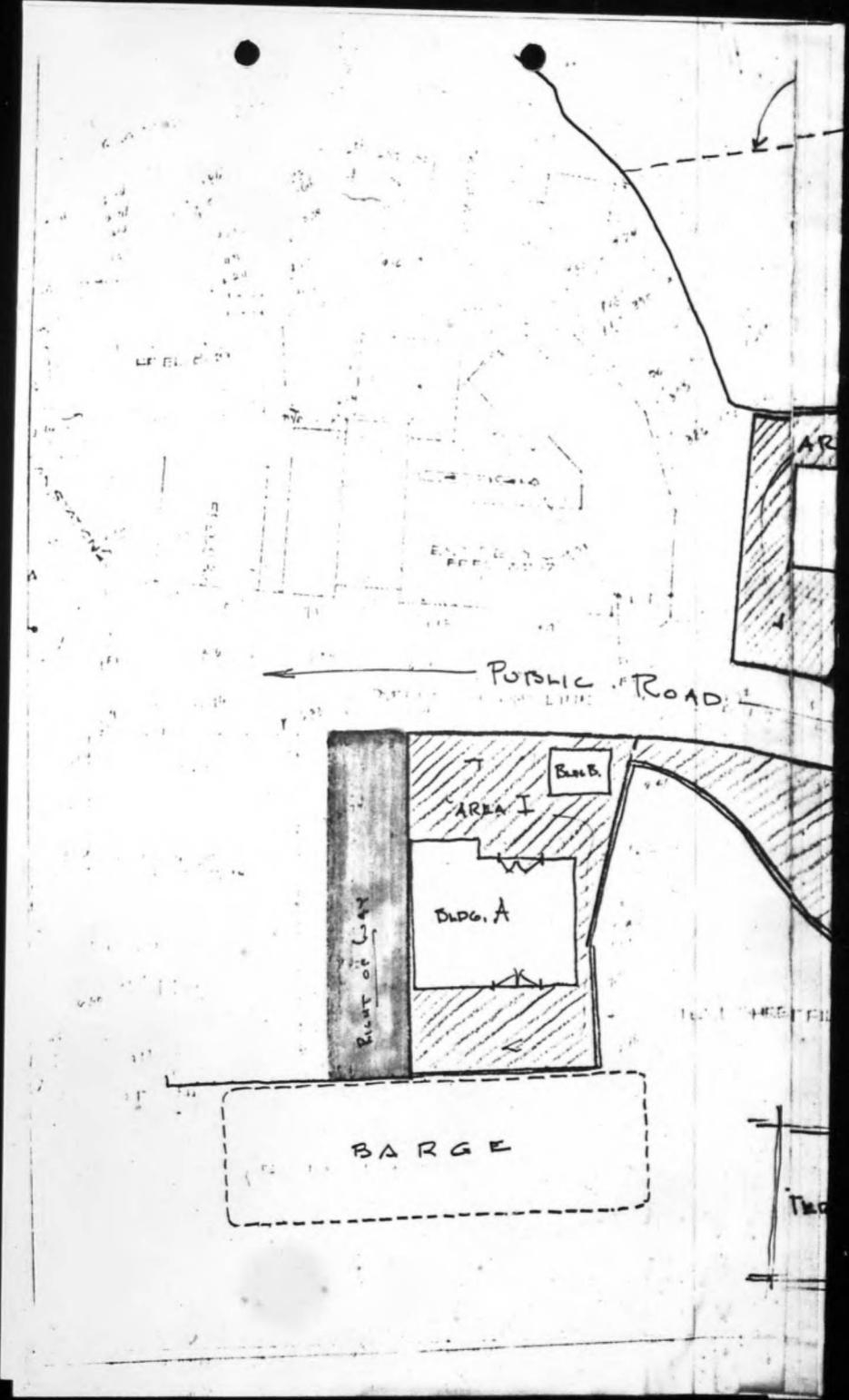
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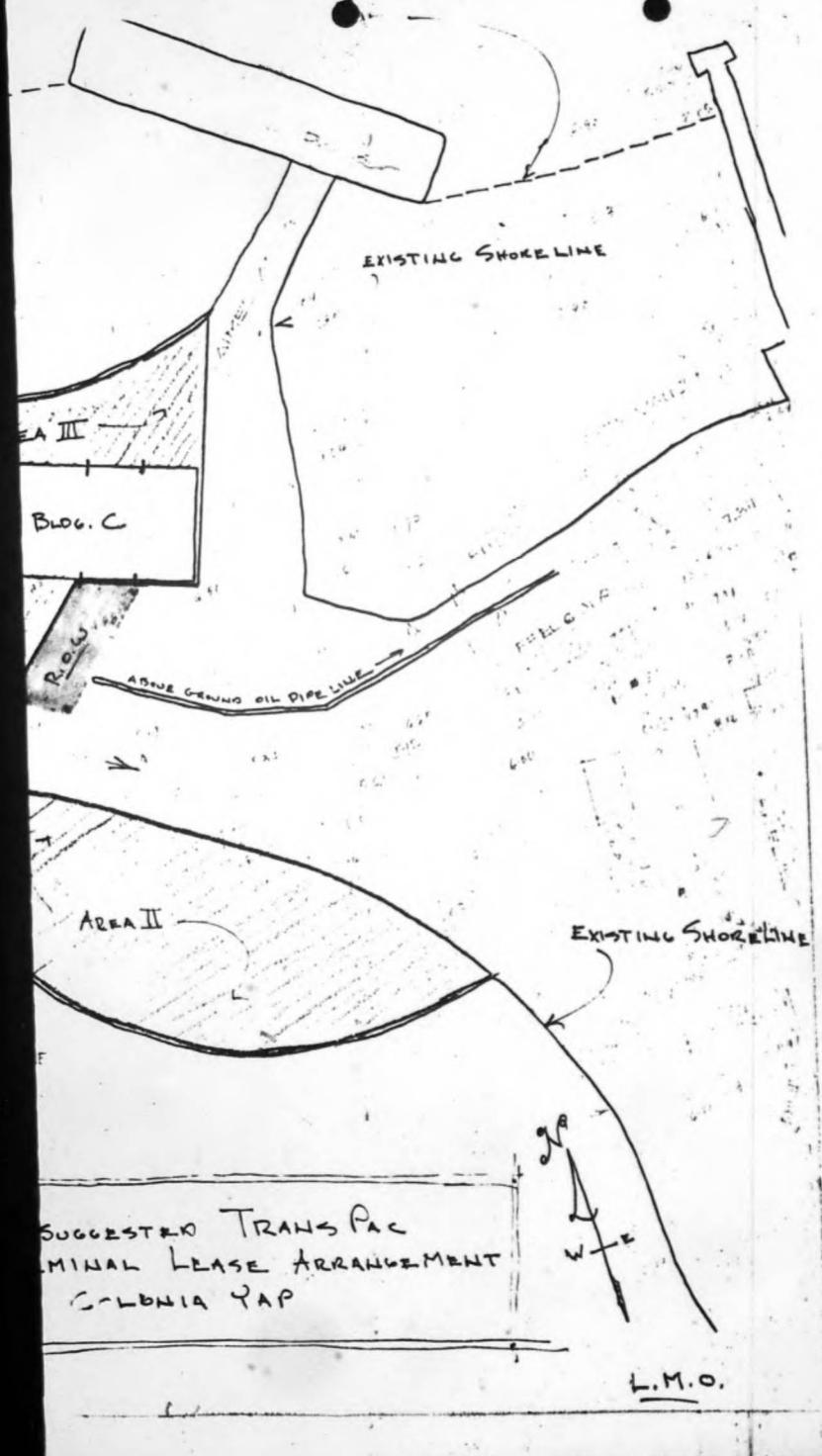
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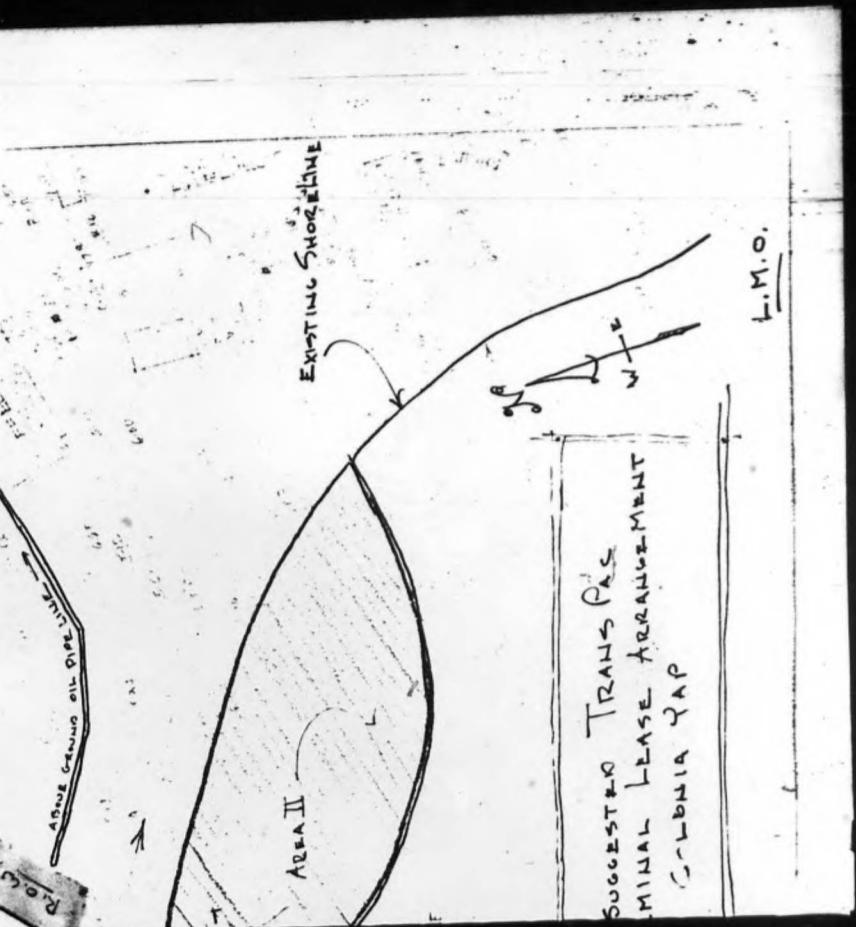
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TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : District Planning Officer

FROM : District Land Management Officer

SUBJECT: Airport Control Data Requested by Parsons Co.

DATE: November 12, 1973  
Serial: LMY0662k

Attached herewith please find control data as requested by the Parsons Co. for their use in the vicinity of the airfield.

*M. H. Allen*  
Michael H. Allen



178-76-5





June 28, 1972

Don L. Beck  
Vice President & General Manager  
Air Micronesia  
Box 198  
Saipan, Mariana Islands  
96950

Dear Mr. Beck:

This letter is to confirm arrangements we have made for the temporary use of space next to the existing Yap terminal facility for storage of equipment required by Air Micronesia in ground operations at Yap.

At this time I am authorizing you to immediately use a ground area approximately 30 feet by 30 feet directly West of the existing terminal building as shown on the attached Division of Lands and Surveys drawing no. 5036/70. The area to be used is outlined in red.

In the absence of any written agreement, I must advise you however, that if the site is later required for Government purposes any structures placed there by Air Micronesia will have to be removed at their own expense. This does not appear to be a likely development however.

In order to finalize any continued long term use of this site it will be necessary to comply with existing Trust Territory regulations regarding use of Public Lands by non-citizen corporations. This will involve a properly executed lease agreement approved by the High Commissioner and by our District Land Advisory Board.

We will advise you further regarding the essentials of a written and authorized agreement for any extended use of the site.

Sincerely,

*Leonard G. Apudgnil*  
Leonard G. Apudgnil  
District Administrator, Yap

cc: HMO

*Requires consideration  
by DLAB - not  
"approval"  
MM*



128.76.5

District Administrator, Yap District  
District Land Management Officer

Chief, Lands & Surveys

Land Use FY 1972 Funded Construction of Yap Harbor Improvement

Reference is made to the recent submission of an "Application for the Capital Improvement Project" - Form T1000 (copy attached), by the Chief of Planning, for the FY 1972 funded construction of improvements to the existing Yap Harbor. The exact scope of work is not known at this office and the District Director of Public Works should be contacted to determine land requirements.

Before construction of these facilities may begin, the Chief, Lands & Surveys must certify as to the Government's interests in the subject land. Accordingly, the following information is required on which to base certification:

- (a) the "District Land Title Officer's Opinion as to the Title Status" based on a "title abstract" which outlines all relative information concerning the required land; and
- (b) an actual property survey of the site if one has not been accomplished in the past.

Please advise us of any difficulties you envision as soon as possible.

Best regards

Enclosure:  
Copy of Form T1000

cc:  
District Land Management Officer, Yap District

*Dalt*

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SIGNATURE





**WHEN COMPLETED, SUBMIT ORIGINAL TO THE DIRECTOR OF LAND MANAGEMENT**

380

FORM TT 985  
PAGE 1

FORM TT 985  
PAGE 2.

10. **ALTERNATIVE SITES:** Attach sketches.

Alternative Site 1 (give explanation): N/A

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alternative Site 2 (give explanation): N/A

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. **SURVEYING AND MAPPING SERVICES REQUIRED:** The following survey information is desired - Specify in detail (indicate dates surveys required by):

(1) **PROPERTY** (approximate site boundaries required should be indicated on sketch under number 3): Done

(2) **TOPOGRAPHIC** (include desired contour interval): \_\_\_\_\_

(3) **AS BUILT SURVEYS:** \_\_\_\_\_

(4) **UTILITIES SURVEYS:** \_\_\_\_\_

(5) **OTHER SURVEYS:** (specify): \_\_\_\_\_

12. **FUNDS FOR SURVEYING AND MAPPING SERVICES AND REAL ESTATE SERVICES:** Funds have been set aside as follows:

Account	Amount \$

13. **(FORM TT-901):** Job Order Request for estimates is attached which reflects services required as described above.

14. **ENTRY PERMITS:** An entry permit will/will not be required for purposes of engineering surveys. Specify types of surveys or exploration work to be undertaken by non-Division of Land Management personnel:

15. **MANAGEMENT:** The Trust Territory Government Department or activity responsible for the administration of the facility to be situated on the land is:

Public Works

Signed:   
(Commissioner/Department head only)

Title: Chief of Planning

Date: 14 April 1972

**WHEN COMPLETED, SUBMIT ORIGINAL TO THE DIRECTOR OF LAND MANAGEMENT**

FORM TT 985  
PAGE 2



TRUST TERRITORY OF THE PACIFIC ISLANDS Office of the High Commissioner, Saipan

TO : Chief, Lands and Surveys DATE: May 25, 1971

FROM : Attorney General

SUBJECT: (a) Allocation of Land for various FY 1970, 1971 and 1972 funded Capital Improvement Projects, Colonia, Yap Island, Yap District  
(b) Manual of Administration Part 485.1 - Land for Capital Improvement Projects

This is in response to your memorandum of April 13, 1971, your Serial LS8693, concerning the title status of three separate parcels of land in Colonia, Yap Island, Yap District, on which three capital improvement projects are proposed to be constructed. You indicate that title to the three parcels of land is still vested in the Alien Property Custodian and that as soon as the boundaries of the Catholic Mission land are resolved, you will seek release of all three parcels of land to the Trust Territory Government.

We have no objection to this administrative procedure, and we are approving the documentation submitted by the Acting District Land Title Officer for legal sufficiency. You may now issue your certification to the Director of Public Works indicating that construction may proceed and otherwise set aside this land for public purposes.

*Richard I. Miyamoto*  
Richard I. Miyamoto

Attachments

cc: District Administrator, Yap  
Acting Land Title Officer, Yap  
Director, Public Works



Action Mr. Pacht

178.76.5  
Yap 0061  
Yap 0062

TRUST TERRITORY OF THE PACIFIC ISLANDS Office of the District Administrator, Yap

TO : Chief, Lands and Surveys DATE: March 5, 1971

FROM : District Administrator, Yap

SUBJECT: Certification of Adequate Government Title Interests:  
1. Yap Telephone Exchange Project  
2. Yap Courthouse Project  
3. Yap Terminal Warehouse Project

Attached for your action is the District Land Title Officer's opinion that the sites selected for the above projects are located on land belonging to the Alien Property Custodian and that the Government has sufficient title interest to release construction funds pursuant to procedures outlined in Part 485.1 of the Manual of Administration.

*for Leonard O. Apujgui*  
Leonard O. Apujgui

Attachment: a/s

cc: Attorney General  
Chief, Planning



Action Mr. Pacht

TO : Chief, Lands and Surveys

DATE: March 5, 1971

FROM : District Administrator, Yap

SUBJECT: Certification of Adequate Government Title Interests:

1. Yap Telephone Exchange Project
2. Yap Courthouse Project
3. Yap Terminal Warehouse Project

Attached for your action is the District Land Title Officer's opinion that the sites selected for the above projects are located on land belonging to the Alien Property Custodian and that the Government has sufficient title interest to release construction funds pursuant to procedures outlined in Part 485.1 of the Manual of Administration.

*Leonard Q. Aguiqui*  
Leonard Q. Aguiqui

Attachment: a/s

cc: Attorney General  
Chief, Planning*John Ma Pacht*OPINION AS TO PUBLIC LAND OWNERSHIP

1. Yap Telephone Exchange Project
2. Yap Courthouse Project
3. Yap Terminal Warehouse Project

The sites for these projects are shown outlined in red on the attached drawing--the telephone exchange facility is located in the new Yap Records Vault building (former communications center), the courthouse improvements will be made in the existing courthouse building, and the terminal warehouse site is a lagoon area which abuts land between the hospital and the Yap Shipping office and which is now being filled.

On August 12, 1970 (Serial LS7432), the Chief, Lands and Surveys expressed the opinion that the telephone exchange site (Land Records Vault Building) is the property of the Alien Property Custodian and that the Government had sufficient title interest to proceed with the release of construction funds for the record vault improvements.

All three sites are within an area which was determined to be the property of the Alien Property Custodian by Yap District Land Title Determination No. 5 dated November 21, 1956 and filed with the Clerk of Courts, Yap, on December 6, 1956. Land Title Determination No. 5 was modified by Yap District Civil Action No. 14 and 15 which held on October 26, 1961, that two triangular shaped parcels within the area determined to be Alien Property Custodian land were the property of the Catholic Mission. The Catholic Mission lands are shown outlined in blue on the attached drawing.

Land Title Determination No. 5 also excluded "Y.T.C. land"--land presently owned by Yap Cooperative Association. The boundary of these lands are shown outlined in yellow on the attached drawing.

It is the opinion of the Land Title Officer, Yap District, that the Trust Territory Government, through its Alien Property Custodian, possesses sufficient land title interests in the above-described sites for the Chief, Lands and Surveys to certify adequate Government title pursuant to Manual of Administration Part 485.1.

*Fran DeFngin*  
Fran DeFngin  
Acting Land Title Officer,  
Yap District

OPINION AS TO PUBLIC LAND OWNERSHIP

1. Yap Telephone Exchange Project
2. Yap Courthouse Project
3. Yap Terminal Warehouse Project

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Fran Defgin  
Acting Land Title Officer,  
Yap District

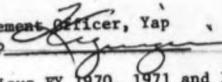
MEMORANDUM FORM TT-170C

TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : Chief, Lands and Survey

DATE: April 21, 1971

FROM : Acting District Land Management Officer, Yap  
THRU : District Administrator, Yap 

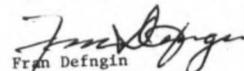
SUBJECT: Allocation of Land for various FY 1970, 1971 and 1972 funded Capital Improvement Projects, Yap

This is in reference with the memorandum dated March 5, 1971, from the District Administrator, Yap, and your memorandum to Attorney General on April 13, 1971, regarding the subject above.

To my understanding, the Trust Territory government has a full right to fill and build a Terminal Warehouse on the particular area (marine area) located between Yap Cooperative Association Office building and Mobil Oil Fuel Pier for the listed below reasons:

1. The particular area is legally owned by government pursuant to Trust Territory Code, Title 67, Section 2.
2. All land adjacent to or abutting the particular area, other than YCA land, are owned by the government of the Trust Territory of the Pacific Islands, as shown in Determination of Ownership and Release No. 6, made by former Yap District Land Title Officer D. W. LeGoolen on November 21, 1956.

I hope the above information will assist you and the Attorney General to certify the government's full title to that particular area in order to release the money for the proposed Terminal Warehouse.

  
Fran Defgin

cc: Attorney General

Attachment: Drawing No. 5048/70



Action: Mr. Pachet



Attorney General

Chief, Lands and Surveys

- (a) Allocation of Land for various FY 1970, 1971 and 1972 Funded Capital Improvement Projects, Colonia, Tap Island, Tap District
- (b) Manual of Administration Part 400.1 - Land for Capital Improvement Projects

Pursuant to Article IV, Section 4 and Article V, Section 3 of Part 400.1 of the Trust Territory Manual of Administration, the Chief, Lands and Surveys is required to certify the title or interest of the Government of the Trust Territory of the Pacific Islands in the land on which the FY 1970 Funded Tap Technical Services project; the FY 1971 Funded Tap Courthouse project; and the FY 1972 Funded Tap Technical Services project are to be constructed. Upon my request, the Acting District Land Title Officer, Tap, has submitted a document entitled "Opinion as to Public Land Ownership" upon which I feel certification can be based.

I find from the information presented and from the Judgment Order for Civil Action Numbers 14 and 15, Catholic Mission vs. Trust Territory, that title to the subject land is vested in the Alien Property Custodian. The Judgment Order modified Land Title Determination No. 3 to exclude all the land involved in Land Title Determination No. 3 and further vested the remaining portion in the Alien Property Custodian. The subject projects are clearly some distance from "Claim No. 3" and are shown on the attached copy of Division of Land Management Drawing No. 5066/70.

The portion of land covered by the Judgment Order and Land Title Determination No. 3 was released to the Trust Territory Government by the Alien Property Custodian on March 20, 1970. However, the remaining portion of "Claim No. 3", including the sites for the subject projects, was not released.

As you know, the Government is now in the process of finally determining the boundaries of the Catholic Mission land. Hopefully, the matter will be concluded in the next few months.

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In view of the above, I do not recommend a release, at this time strictly for these projects. One will be sought however when the Catholic Mission land question is finalized.

We are anxious to work on the statement made by the "Alien Property Custodian" of the land which the Tap Corporation has previously conveyed. Accordingly, we have requested the Tap District to provide further information concerning the reported ownership of the land shown outlined in yellow on the attached drawing. One view from the fact that "Determination of Ownership and Release of Land" is the property of the Trust Territory Government. However, as the status of this land is not related to the subject we wish to proceed without classification of the title of this land.

Then, pursuant to Article V, Section 3 of Part 400.1 of the Trust Territory Manual of Administration, I am requesting that the Attorney General advise the above opinion for legal sufficiency before I certify and set this land aside.

Paul D. Dennis

- (a) Copy of "Opinion"
- (b) Copy of Division of Land Management Drawing No. 5066/70

cc: District Administrator, Tap District

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TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the District Administrator, Yap

TO : Chief, Lands and Surveys

DATE: March 5, 1971

FROM : District Administrator, Yap

SUBJECT: Certification of Adequate Government Title Interests:  
1. Yap Telephone Exchange Project  
2. Yap Courthouse Project  
3. Yap Terminal Warehouse Project

Attached for your action is the District Land Title Officer's opinion that the sites selected for the above projects are located on land belonging to the Alien Property Custodian and that the Government has sufficient title interest to release construction funds pursuant to procedures outlined in Part 485.1 of the Manual of Administration.

*for Leonard Q. Aguiqui*  
Leonard Q. Aguiqui

Attachment: a/s

cc: Attorney General  
Chief, Planning

*See Yap Courthouse file for maps  
File: Yap 0061*



*Action Mr Pacht*

In view of the above, I do not recommend a release, at this time, of the land shown in yellow on the attached drawing. Our opinion is based on the fact that the Government of Yap has not yet established the land to be the property of the Trust Territory Government. However, as the status of this land is not related to the subject, we wish to proceed without clarification of the title of this land.

These, pursuant to article V, Section 7 of Part 485.1 of the Trust Territory Manual of Administration, I am requesting that the Attorney General advise the above opinion for legal sufficiency before I certify and set this land aside.

Paul B. Pacht

- (a) Copy of "Opinion"
- (b) Copy of Division of Land Management Drawing No. 0061/70

cc: District Administrator, Yap District

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Chief, Lands and Surveys

DATE: March 5, 1971

District Administrator, Yap

Certification of Adequate Government Title Interests:

1. Yap Telephone Exchange Project
2. Yap Courthouse Project
3. Yap Terminal Warehouse Project

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 ing to the Alien Property Custodian and that the Government has  
 ent title interest to release construction funds pursuant to  
 res outlined in Part 485.1 of the Manual of Administration.

Q. Aguiqui

ent: a/s

Attorney General  
 Chief, Planning

Yap Courthouse file for mg

File: Yap 0061



Mr. Pacht

OPINION AS TO PUBLIC LAND OWNERSHIP

1. Yap Telephone Exchange Project
2. Yap Courthouse Project
3. Yap Terminal Warehouse Project

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*Fran Defingia*  
 Fran Defingia  
 Acting Land Title Officer,  
 Yap District

OPINION AS TO PUBLIC LAND OWNERSHIP

1. Yap Telephone Exchange Project
2. Yap Courthouse Project
3. Yap Terminal Warehouse Project

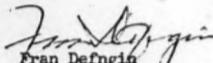
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 Fran Defngin  
 Acting Land Title Officer,  
 Yap District

10/2/70  
 District Administrator, Yap  
 For: Acting District Land Management Officer  
 Chief, Lands & Surveys

Land for FY 1970 Scaled Construction of Hospital Building  
 Facilities, Yap Island, Yap District

Reference is made to the recent submission of an "Application for Land Title Determination" - Form TT-222 (copy attached) by the Chief of Planning for the FY 1970 Scaled Construction of Hospital Building in Colonia. The attached sketch indicates the proposed location to be on filled land.

Before construction of these facilities by the Chief, Lands and Surveys can proceed as to the Government's interest in the land of filled land. Accordingly, the following information is required on which to base certification--

- (a) the "District Land Title Officer's Opinion on the Land Title Status" based on a "title abstract" which contains all relative information concerning the land adjacent to the filled site; and
- (b) an actual accurate survey of the site if one has not been accomplished in the past.

Please advise me of any difficulties you envision as soon as possible.

Paul S. Lewis

Enclosures:

- (a) Copy of Form TT-222
- (b) Sketch

cc: Acting District Land Management Officer, Yap

10/2/70	
DISTRICT ADMINISTRATOR, YAP	
FOR: ACTING DISTRICT LAND MANAGEMENT OFFICER	
CHIEF, LANDS & SURVEYS	
LAND FOR FY 1970 SCALED CONSTRUCTION OF HOSPITAL BUILDING FACILITIES, YAP ISLAND, YAP DISTRICT	
REFERENCE IS MADE TO THE RECENT SUBMISSION OF AN "APPLICATION FOR LAND TITLE DETERMINATION" - FORM TT-222 (COPY ATTACHED) BY THE CHIEF OF PLANNING FOR THE FY 1970 SCALED CONSTRUCTION OF HOSPITAL BUILDING IN COLONIA. THE ATTACHED SKETCH INDICATES THE PROPOSED LOCATION TO BE ON FILLED LAND.	
BEFORE CONSTRUCTION OF THESE FACILITIES BY THE CHIEF, LANDS AND SURVEYS CAN PROCEED AS TO THE GOVERNMENT'S INTEREST IN THE LAND OF FILLED LAND. ACCORDINGLY, THE FOLLOWING INFORMATION IS REQUIRED ON WHICH TO BASE CERTIFICATION--	
(a) THE "DISTRICT LAND TITLE OFFICER'S OPINION ON THE LAND TITLE STATUS" BASED ON A "TITLE ABSTRACT" WHICH CONTAINS ALL RELATIVE INFORMATION CONCERNING THE LAND ADJACENT TO THE FILLED SITE; AND	
(b) AN ACTUAL ACCURATE SURVEY OF THE SITE IF ONE HAS NOT BEEN ACCOMPLISHED IN THE PAST.	
PLEASE ADVISE ME OF ANY DIFFICULTIES YOU ENVISION AS SOON AS POSSIBLE.	
PAUL S. LEWIS	
ENCLOSURES:	
(a) COPY OF FORM TT-222	
(b) SKETCH	
CC: ACTING DISTRICT LAND MANAGEMENT OFFICER, YAP	
SIGNATURE	
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Sheet

TRUST TERRITORY OF THE PACIFIC ISLANDS  
Department of Resources and Development  
Division of Land Management

APPLICATION FOR LAND FOR CAPITAL IMPROVEMENT PROJECT

146

(submitted in accordance with Part 485.1 of the Manual of Administration)  
Answer all questions fully. Use additional sheets as necessary.

1. PURPOSE: A parcel of land is required for the following purposes:  
Terminal Warehouse
2. CONSTRUCTION SCHEDULE: As construction of this facility is to begin by not scheduled, 19\_\_\_\_, it is requested that the land be set aside by the Director of Land Management by As soon as possible, 19 71.
3. PROJECT FUNDING: The project is programmed to be funded in FY 70 and is expected to be completed at a cost of \$ 100,000.
4. LOCATION: This facility is to be constructed at:
  - (a) District Yap
  - (b) Island \_\_\_\_\_
  - (c) Municipality \_\_\_\_\_
  - (d) Village Colonia

NOTE: Locality sketch is to be attached to this application.

5. AREA REQUIRED: The amount of land needed is (in acres): 1 acres ±

NOTE: Attach reconnaissance engineering report of HQ Public Works Project Engineer/Architect or District Director of Public Works along with sketch showing proposed boundaries of site.

6. STATUS OF LAND: The site proposed is situated on:  
 Private land  Public land  Unknown
7. TITLE INTEREST IN LAND REQUIRED: What is the minimum interest proposed to be acquired in the land (for guidance see appendix B to Manual Chapter 485.1):  
Fee simple

8. FUNDS FOR ACQUISITION OF PRIVATE LAND: Funds for the acquisition of private land have been allocated in the following amount:

Project Account C1-1411-08 Amount \$ as needed  
Provided funds are prevalidated

9. PLANNING: The project conforms/does not conform to the District Master Plan. The siting has been approved by:
  - (a) District Administrator: YES  NO
  - (b) District Land Management Officer: YES  NO
  - (c) Planning Coordinator: YES  NO
  - (d) District Planning Commission: YES  NO



WHEN COMPLETED, SUBMIT ORIGINAL TO THE DIRECTOR OF LAND MANAGEMENT

146

(c) Planning Coordinator: YES  NO   
(d) District Planning Commission: YES  NO



WHEN COMPLETED, SUBMIT ORIGINAL TO THE DIRECTOR OF LAND MANAGEMENT

146

FORM TT 985  
PAGE 1

FORM TT 985  
PAGE 2.

10. ALTERNATIVE SITES: Attach sketches.

Alternative Site 1 (give explanation): None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alternative Site 2 (give explanation): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
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11. SURVEYING AND MAPPING SERVICES REQUIRED: The following survey information is desired - Specify in detail (indicate dates surveys required by):

(1) PROPERTY (approximate site boundaries required should be indicated on sketch under number 3): XXXX Yes

(2) TOPOGRAPHIC (include desired contour interval): \_\_\_\_\_

(3) AS BUILT SURVEYS: \_\_\_\_\_

(4) UTILITIES SURVEYS: \_\_\_\_\_

(5) OTHER SURVEYS: (specify): \_\_\_\_\_

12. FUNDS FOR SURVEYING AND MAPPING SERVICES AND REAL ESTATE SERVICES: Funds have been set aside as follows:

Account Cl-1411-08 Amount \$ as needed

13. (FORM TT-901): Job Order Request for estimates is attached which reflects services required as described above.

14. ENTRY PERMITS: An entry permit will/will not be required for purposes of engineering surveys. Specify types of surveys or exploration work to be undertaken by non-Division of Land Management personnel:

15. MANAGEMENT: The Trust Territory Government Department or activity responsible for the administration of the facility to be situated on the land is:

Transportation

Signed: [Signature] 146  
(Commissioner/Department head only)

Title: Chief of Planning

Date: February 17, 1971

WHEN COMPLETED, SUBMIT ORIGINAL TO THE DIRECTOR OF LAND MANAGEMENT

FORM TT 985  
PAGE 3

- (3) AS BUILT SURVEYS: \_\_\_\_\_
- \_\_\_\_\_
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- (4) UTILITIES SURVEYS: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- (5) OTHER SURVEYS: (specify): \_\_\_\_\_

12. FUNDS FOR SURVEYING AND MAPPING SERVICES AND REAL ESTATE SERVICES:  
 Funds have been set aside as follows:

Account Cl-1411-08 Amount \$ \_\_\_\_\_ as needed  
 Provided funds are prevalidated  
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 Date: February 17, 1971

WHEN COMPLETED, SUBMIT ORIGINAL TO THE DIRECTOR OF LAND MANAGEMENT  
 FORM TT 985  
 PAGE 3

Respectfully Submitted, The  
 Hon. Acting District Land Management Officer  
 Chief, Lands & Surveys

March 2, 1971  
 District Office  
 P.O. Box 100, Ngerulmud

Re: Land for FY 1970 Budget Construction of Technical Workshop  
 Facilities, Yap Island, Yap District

Reference is made to the recent submission of an "Application for Land for Capital Improvement Project" - Form TT-985 (copy attached) to the Chief of Planning for the FY 1970 Budget construction of a Technical Workshop in Colonia. The attached sheets indicated the proposed location to be on filled land.

Before construction of these facilities may begin, the Chief, Lands and Surveys must verify as to the Government's interest in this tract of filled land. Accordingly, the following information is required so that a true verification:-

- (a) the "District Land Title Officer's" opinion as to land title status based on a "title abstract" which outlines all relative information concerning the land adjacent to the filled area; and
- (b) an actual traverse survey of the site if one has not been accomplished in the past.

Please advise us of any difficulties you envision as soon as possible.

Paul B. Dennis

- Enclosures:  
 (a) Copy of Form TT-985  
 (b) Sketch

cc: Acting District Land Management Officer, Yap

171.76.5

TRUST TERRITORY OF THE PACIFIC ISLANDS  
Department of Resources and Development  
Division of Land Management

**APPLICATION FOR LAND FOR CAPITAL IMPROVEMENT PROJECT**

146

(submitted in accordance with Part 485.1 of the Manual of Administration)  
Answer all questions fully. Use additional sheets as necessary.

1. **PURPOSE:** A parcel of land is required for the following purposes:  
Terminal Warehouse
2. **CONSTRUCTION SCHEDULE:** As construction of this facility is to begin by not scheduled, 19    , it is requested that the land be set aside by the Director of Land Management by As soon as possible, 19 71.
3. **PROJECT FUNDING:** The project is programmed to be funded in FY 70 and is expected to be completed at a cost of \$ 100,000.
4. **LOCATION:** This facility is to be constructed at:  
(a) District Yap  
(b) Island \_\_\_\_\_  
(c) Municipality \_\_\_\_\_  
(d) Village Colonia

**NOTE:** Locality sketch is to be attached to this application.

5. **AREA REQUIRED:** The amount of land needed is (in acres): 1 acres

**NOTE:** Attach reconnaissance engineering report of HQ Public Works Project Engineer/Architect or District Director of Public Works along with sketch showing proposed boundaries of site.

6. **STATUS OF LAND:** The site proposed is situated on:  
 Private land     Public land     Unknown
7. **TITLE INTEREST IN LAND REQUIRED:** What is the minimum interest proposed to be acquired in the land (for guidance see appendix B to Manual Chapter 485.1):  
Fee simple

8. **FUNDS FOR ACQUISITION OF PRIVATE LAND:** Funds for the acquisition of private land have been allocated in the following amount:

Project Account CI-1411-08 Amount \$ As needed  
Provided funds are prevalidated

9. **PLANNING:** The project conforms/does not conform to the District Master Plan. The siting has been approved by:

- (a) District Administrator: YES  NO
- (b) District Land Management Officer: YES  NO
- (c) Planning Coordinator: YES  NO
- (d) District Planning Commission: YES  NO



WHEN COMPLETED, SUBMIT ORIGINAL TO THE DIRECTOR OF LAND MANAGEMENT

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- (c) Planning Coordinator: YES  NO   
 (d) District Planning Commission: YES  NO



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PAGE 1

FORM TT 985  
PAGE 2.

10. ALTERNATIVE SITES: Attach sketches.

Alternative Site 1 (give explanation): None

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Alternative Site 2 (give explanation): \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

11. SURVEYING AND MAPPING SERVICES REQUIRED: The following survey information is desired - Specify in detail (indicate dates surveys required by):

(1) PROPERTY (approximate site boundaries required should be indicated on sketch under number 3): None Yes

(2) TOPOGRAPHIC (include desired contour interval): \_\_\_\_\_

(3) AS BUILT SURVEYS: \_\_\_\_\_

(4) UTILITIES SURVEYS: \_\_\_\_\_

(5) OTHER SURVEYS: (specify): \_\_\_\_\_

12. FUNDS FOR SURVEYING AND MAPPING SERVICES AND REAL ESTATE SERVICES: Funds have been set aside as follows:

Account CI-1411-08 Amount \$ as needed

Provided funds are prevalidated

13. (FORM TT-901): Job Order Request for estimates is attached which reflects services required as described above.

14. ENTRY PERMITS: An entry permit will/will not be required for purposes of engineering surveys. Specify types of surveys or exploration work to be undertaken by non-Division of Land Management personnel:

15. MANAGEMENT: The Trust Territory Government Department or activity responsible for the administration of the facility to be situated on the land is:

Transportation

Signed:  **146**  
 (Commissioner/Department head only)

Title: Chief of Planning

Date: February 17, 1971

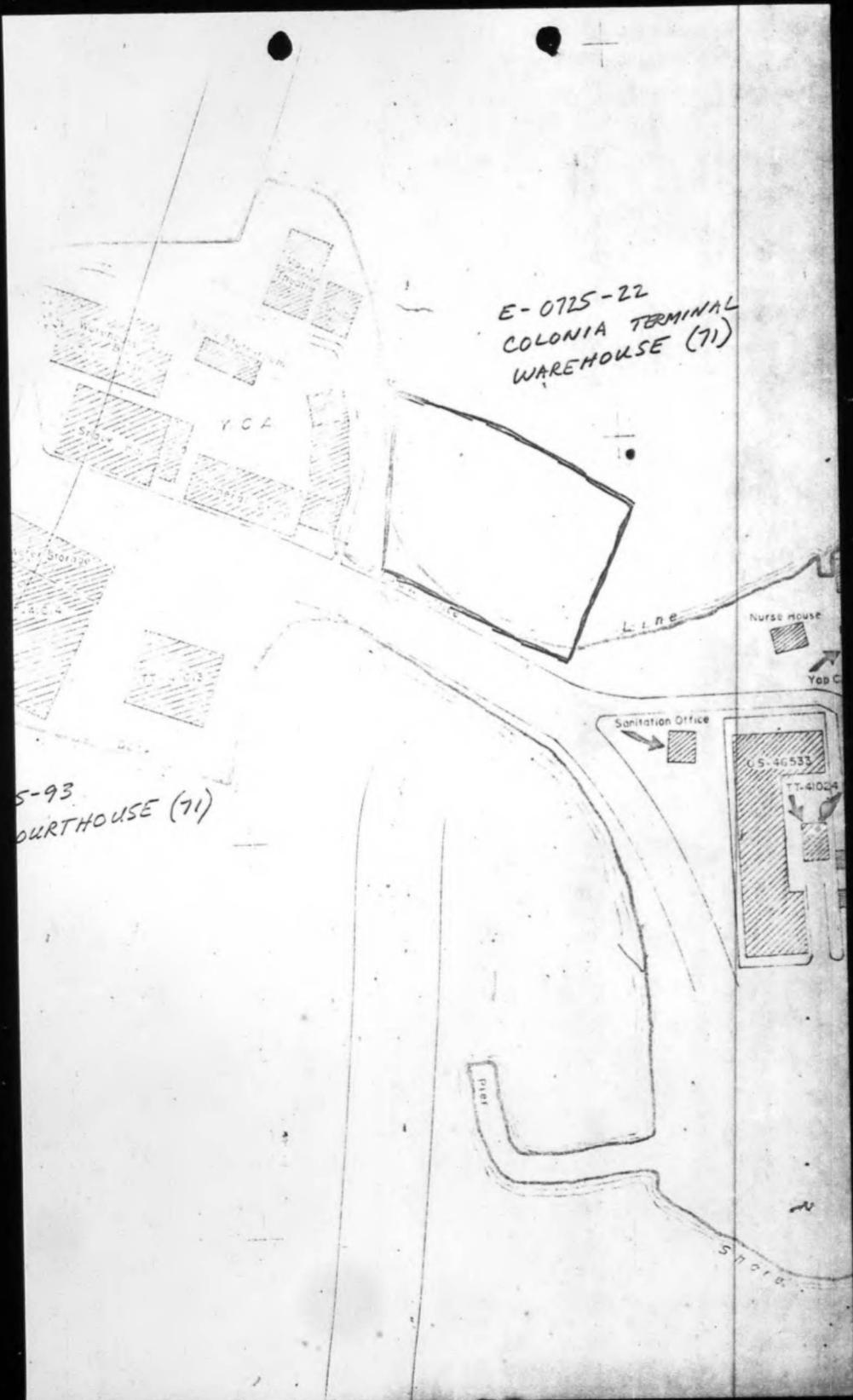
WHEN COMPLETED, SUBMIT ORIGINAL TO THE DIRECTOR OF LAND MANAGEMENT

FORM TT 985  
PAGE 2

Date : February 17, 1971

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FORM TT 985  
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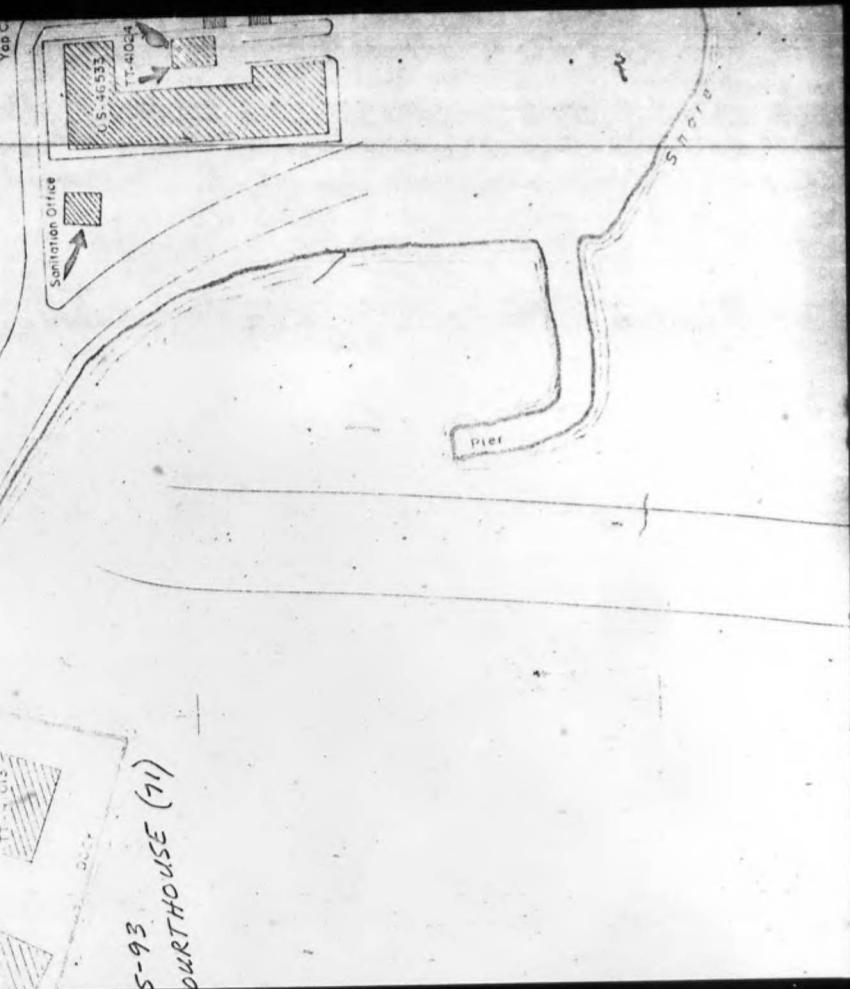
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COLONIA TERMINAL  
WAREHOUSE (71)

S-93  
COURTHOUSE (71)

Line  
Nurse house  
Yod C

Sanitation Office  
U.S. 46533  
TT-41024

River  
Shore



MEMORANDUM - TT-5706

TRUST TERRITORY OF THE PACIFIC ISLANDS *Office of the High Commissioner, Saipan*

TO : District Administrator, Yap District DATE: August 21, 1970

FROM : Director, Transportation & Communications

SUBJECT: Lease of Commercial Port Facilities (In-Transit Warehouse, Open Storage Area and Dock Area) to \_\_\_\_\_

This office has developed a draft lease agreement for the operation of your port terminal facility at Yap by \_\_\_\_\_

The lease mainly revolves around the operation and use of the In-Transit Warehouse used in Terminal Warehouse operations. The main flow of cargo is through this Warehouse. However, other cargoes are received from, and delivered to, the ship's hook from certain shippers and do not pass through the Warehouse. An "Open Storage Area" may be needed for this cargo which can be stored outside (for example container cargo motor vehicles, equipment, etc.). A percentage of cargo does not pass through the "In-Transit Warehouse" or the "Open Storage Area" but is delivered directly from, or to, the ship's hook to the consignee's (or consignor's) vehicle.

The terminal warehouse company will be granted the use of the dock area but it may not be an exclusive use. In most cases the "terminal warehouse company" and the Stevedoring Company" (loading and unloading the ship) will be the same company. This is not necessarily the case. Other Stevedoring Companies, including those operated by various warehouse common carriers, could work on the dock. Ships such as IT Government administrative ships, Inter-island trading ships, U.S. Navy ships. Foreign fishing ships on mercy calls, etc., may require the use of the dock but not the terminal cargo storage facilities.

It will be necessary to attach a property plat to the lease agreement. Accordingly, will you provide this Office with one certified property plat of the following areas you wish to make available to the terminal warehouse company:

- (a) In-Transit Warehouse (show the precise location of the building providing covered cargo storage to be used exclusively by the terminal warehouse);

TRUST TERRITORY OF THE PACIFIC ISLANDS *Office of the High Commissioner, Sojapan*

District Administrator, Yap District

DATE: August 21, 1970

Director, Transportation & Communications

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It will be necessary to attach a property plat to the lease agreement. Accordingly, will you provide this Office with one certified property plat of the following areas you wish to make available to the terminal warehouse company:

- (a) In-Transit Warehouse (show the precise location of the building providing covered cargo storage to be used exclusively by the terminal warehouse);

- (b) Open storage area (show precise locations of open storage area fenced or unfenced - to be used exclusively by the terminal warehouse for storing cargo, cargo handling equipment, etc. You may make a requirement in the lease that the terminal warehouse company provides industrial fencing and security lighting for the open storage area);
- (c) Dock area (show precise areas of dock where the terminal warehousing company has priority use. It is presumed you will not wish to grant the terminal warehousing company an exclusive use of the dock area);
- (d) Roads providing ingress and egress to the dock area. The use of this road may have to be controlled by the terminal warehousing but it should be available for all vehicles authorized by the port manager.

The property plat showing your signatory approval should be transmitted to the Chief, Lands and Surveys in the first instance for survey examination and approval. He will then forward copies to this Office and return the original to you.

Upon receipt of the approved property plat, the description of the area will be written into the draft lease. The draft lease will be forwarded to you for review and approval. In the meantime, I would appreciate your comments about the areas to be used by the terminal warehouse and any suggestions you may have concerning joint use of the dock area and access roads. Rental will be based on a percentage of the cargo volume that passes across the dock.

Sincerely yours,

*Paul L. Winsor*  
Paul L. Winsor



**FILE  
END**

- (b) Open storage area (show precise locations of storage area fenced or unfenced - to be used exclusively the terminal warehouse for storing cargo, cargo handling equipment, etc. You may make a requirement in the lease that the terminal warehouse company provides industrial fencing and security lighting for the open storage area);
- (c) Dock area (show precise areas of dock where the terminal warehousing company has priority use. It is presumed you will not wish to grant the terminal warehousing company an exclusive use of the dock area);
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Sincerely yours,

*Paul L. Winsor*  
Paul L. Winsor

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ROLL  
PLEASE REWIND