

DIVISION OF LANDS AND SURVEYS — OFFICIAL FILE

**PART**  
**OPENED**  
**CLOSED**

**1**  
MAR 3 1971

Division of Land Management  
CASE / PROJECT FILE

YAP DISTRICT

THIS FILE WAS PREVIOUSLY NUMBERED

Tap 0061

AND WAS TRANSFERRED TO ITS PRESENT NUMBER

DESIGNATION ON

April 30, 1975.

Director of Public Works

Chief, Lands and Surveys

May 29, 1971  
Serial:LS8892  
File:178.76.5  
Yap 0061  
Yap 0062

- (a) Allocation of Land for:-
1. Yap Terminal Warehouse (Project No. E-0725-22)
  2. Yap Courthouse Renovation (Project No. E-0415-93)
  3. Yap Telephone Exchange (Project No. E-0765-42)
- (b) Manual of Administration Part 485.1 - Land for Capital Improvement Program

Pursuant to Article IV, Section 4 and Article V, Section 6 of Chapter 485.1 of the Trust Territory Manual of Administration, the Chief, Lands and Surveys hereby certifies to the Director of Public Works that the Government of the Trust Territory of the Pacific Islands possesses sufficient title and interest in the following tracts of land for the subject FY 1970, 1971 and 1972 funded construction to proceed:-

- (a) Yap Terminal Warehouse (Project No. E-0725-22) - All that land and marine area as shown marked in yellow on the attached copy of Division of Land Management Drawing No. 7048/70;
- (b) Yap Courthouse Renovation (Project No. E-0415-93) - That portion of Building No. TT-41014 as shown marked in red on the attached copy of Division of Land Management Drawing No. 7048/70;
- (c) Yap Telephone Exchange (Project No. E-0765-42) - That portion of Building No. U.S. 46549 as shown marked in orange in the attached copy of Division of Land Management Drawing No. 7048/70.

Further, pursuant to Article V, Section 2 of the same chapter, the Chief, Lands and Surveys allocates these parcels of public land for the above described projects and for no other purpose and authorizes the Director of Public Works to enter and construct the subject buildings and other related facilities on this land set aside for public purposes.

Paul D. Dennis

Enclosure:  
Marked copy of Division of Land Management Drawing No. 5048/70

cc: District Administrator, Yap  
Acting District Land Management Officer, Yap  
Chief, Planning

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 LS8695, 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

SEE 178.76.5 FOR ATTACHMENTS



Action Mr. Pacht

178.76.5  
yap 0061  
yap0062

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 *[Signature]*

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.

*[Signature]*  
Fran Defngin

cc: Attorney General

Attachment: Drawing No. 5048/70



Action: Mr. Pacht

178.9.15

DPACTH:dbs

Attorney General

April 13, 1971  
 Serial:LS8695  
 File:178,76.5

Chief, Lands and Surveys

- (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 435.1 - Land for Capital Improvement Projects

DHC	Yap 0061
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AG	
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PPB	
MGT	
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ECON	
LAND	X <i>Paul</i>
TRAN	
COMM	
P/D	
PID	
CDD	
RO	(1) <i>NO</i>
ACLS	(2) <i>key</i>
SIGNATURE	
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Pursuant to Article IV, Section 4 and Article V, Section 6 of Part 435.1 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 Yap Terminal Warehouse project; the FY 1971 funded Yap Courthouse project; and the FY 1972 funded Yap Telephone Exchange project are to be constructed. Upon my request, the Acting District Land Title Officer, Yap, 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. 5 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. 5043/70.

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.5", 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 entire matter will be concluded in the next few months.



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

Action Mr Pacht

OPINION AS TO PUBLIC LAND OWNERSHIP

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

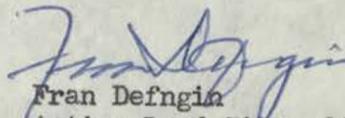
The sites for these projects are shown outlined in red on the attached drawing--the telephone exchange facility is located in the new Yap Records Vault building (former communications center), the courthouse improvements will be made in the existing courthouse building, and the terminal warehouse site 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 Defngia  
Acting Land Title Officer,  
Yap District

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

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**APPLICATION FOR LAND FOR CAPITAL IMPROVEMENT PROJECT**

(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:  
Yap Courthouse
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 70.
3. PROJECT FUNDING: The project is programmed to be funded in FY 71 and is  
expected to be completed at a cost of \$ 20,000.
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): Renovation of existing structure

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

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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): 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:

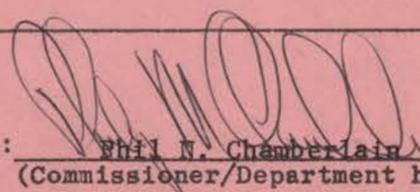
Account \_\_\_\_\_ Amount \$ \_\_\_\_\_

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:

Judiciary

Signed:  Phil N. Chamberlain  
(Commissioner/Department head only)

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Title: Chief of Planning

Date: February 17, 1971

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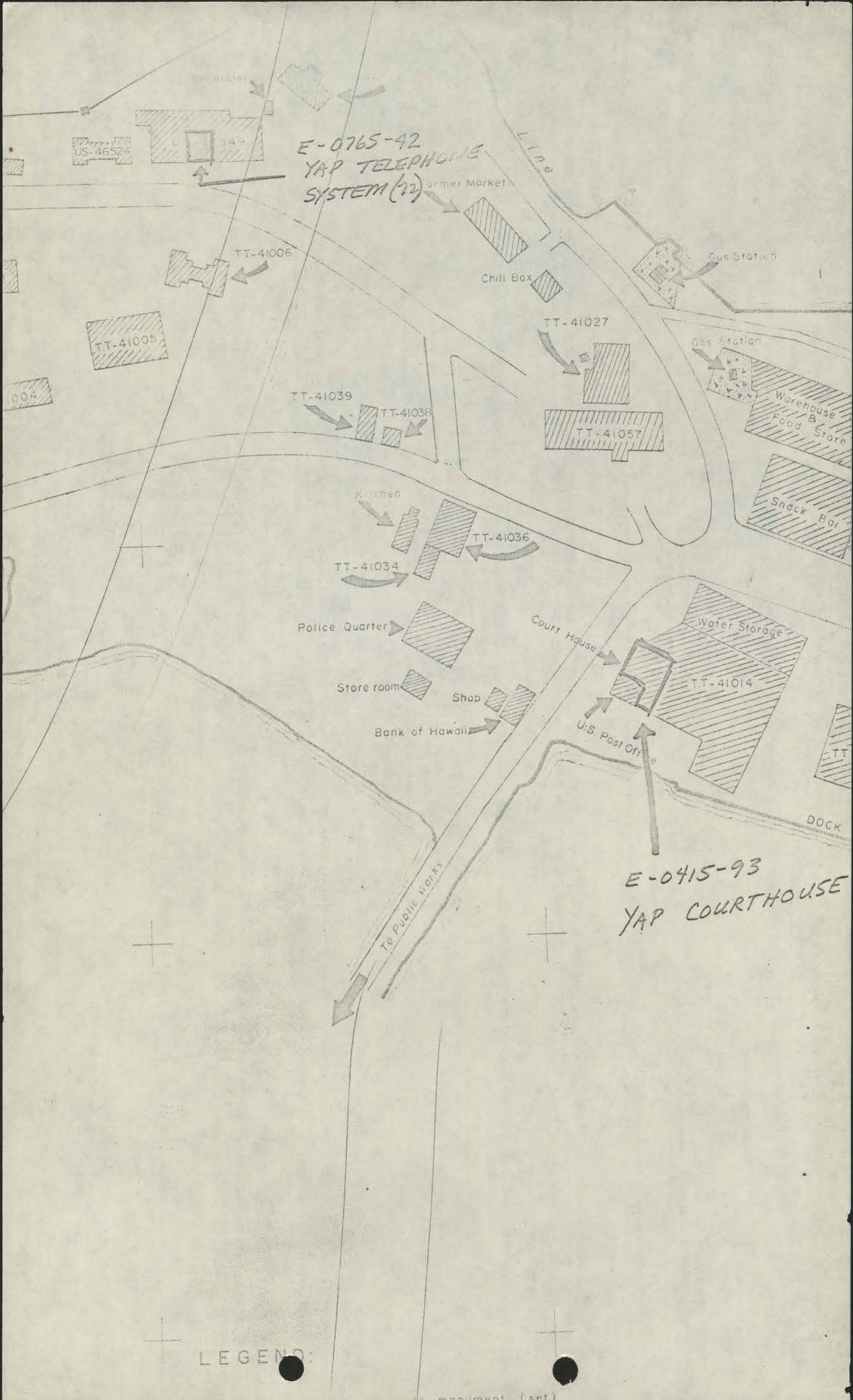


E-0765-42  
YAP TELEPHONE  
SYSTEM (72)

E-0415-93  
YAP COURTHOUSE

LEGEND:

□ 6" x 6" concrete monument (set)



E-0765-42  
YAP TELEPHONE  
SYSTEM (12)

E-0415-93  
YAP COURTHOUSE

LEGEND:

monument (set)