



**FILE
START**

TRUST TERRITORY OF THE PACIFIC ISLANDS--ARCHIVES SURVEY FORMPrimary Branch, Department, Bureau, or Office producing materials:
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LAW

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Subject of materials: (See schedule in TTPI Files System Manual)
LEG 13-4, LEG 6, LAN 4

Brief description:

Case law hand (Yap)

Geographic area dealt with in materials:

TTPI at large:

Individual districts: ✓

Individual governments:

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Other:

Span of years covered by materials: 1976

Format of information:

Correspondence: ✓

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Geographically:

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TRUST TERRITORY OF THE PACIFIC ISLANDS
TRIAL DIVISION OF THE HIGH COURT

YAP DISTRICT

CIVIL ACTION NO. 66

-----x

TRUST TERRITORY OF THE :
 PACIFIC ISLANDS, :
 Plaintiff, :
 -vs- :
 LUKAN, et al, :
 Defendants. :

-----x

CERTIFICATE OF TITLE

Jesse Thinfan, the Clerk of Courts for the Yap District,
pursuant to 10 TTC §56, hereby issues his Certificate of Title
as follows:

The Government of the Trust Territory of the Pacific
Islands is the owner and holder of easement and right of way
rights over, across, under, and through that certain real
property described on Exhibit A attached hereto and as more
particularly described on Division of Lands and Surveys Drawing
No. 5010/71.

The particular interest of the Government and how each
parcel described in Exhibit A, is affected as further described
in paragraphs 3 and 4 of the Judgment granted in this case, which
Judgment was entered on March 26, 1976. Said Judgment is
referred to for further particulars.

Dated: March 26, 1976

Jesse Thinfan

 Jesse Thinfan
 Clerk of Courts

I, Joseph Moon, hereby declare I am the Assistant Clerk of

178.56.5



I, Joseph Moon, hereby declare I am the Assistant Clerk of

178.56.5



YAP DISTRICT

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CIVIL ACTION NO. 66

Courts and certify that on March 26, 1976, Jesse Thinfan was the Clerk of Courts, Yap District, and he executed the above Certificate of Title.

Dated: March 26, 1976

Joseph Moon
Assistant Clerk of Courts



TRUST TERRITORY OF THE PACIFIC ISLANDS
TRIAL DIVISION OF THE HIGH COURT

YAP DISTRICT

CIVIL ACTION NO. 66

-----X
TRUST TERRITORY OF THE :
PACIFIC ISLANDS, :
Plaintiff, :
-vs- : JUDGMENT
LUKAN, et al, :
Defendants. :
-----X

This matter was called for trial on March 24, 1976. The Government was represented by the District Attorney and the defendant by Richard Ross of MLC.

Both counsel stipulated in open court that the judgment hereinafter set forth may be entered.

Good cause appearing;

IT IS ADJUDGED and DECREED that:

1. The Government of the Trust Territory of the Pacific Islands is hereby awarded an interest, hereinafter described in paragraphs 3 and 4, in the land described in Exhibit A which is attached hereto and incorporated by reference herein.

2. The Government of the Trust Territory of the Pacific Islands shall pay to the defendants the total sum of \$47,770 for the interest awarded herein. Said sum shall be paid no later than April 25, 1976. The funds shall be paid to "Richard Ross, as trustee for the defendants in Civil Action No. 66," and Richard Ross shall deposit said funds in a trust account in the Bank

of Hawaii, Yap Branch. The signatures of Richard Ross and the Clerk of Courts, Jesse Thinfan shall be required for any withdrawals. In order to facilitate distribution, the funds shall be placed in a checking account. However, if a dispute occurs or a delay results in the distribution of the funds, they shall be placed in a trust savings account. A copy of this judgment shall be provided the Bank of Hawaii.

Upon distribution of the funds, Richard Ross and the Clerk of Courts shall file with the court a list of payees and the amounts paid.

3. The interest awarded herein to the Government is an easement and right of way over, across, under, and through each of the parcels of land hereinafter described in this paragraph and as more specifically and particularly described by the same parcel numbered on Exhibit A and as shown and described on Division of Lands and Surveys Drawing No. 5010/71, for the installation, construction, operation, maintenance, repair, placement, replacement, relocation, and reconstruction of sewer and/or water pipelines and/or mains, manholes, lift and pump stations, sewer and/or water lateral pipelines and power, telephone or utility lines and/or poles and for the construction and maintenance of highways and roads, and drainage facilities and all other structures incidental to aforesaid facilities, together with the perpetual right to remove buildings, structures, trees, bushes, undergrowth

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CIVIL ACTION NO. 66

and any other obstructions interfering with the use
of said easements and rights of way. The owners of the
parcels so effected by such easements and rights of way
are hereafter set forth with the corresponding parcel
number to be found on Exhibit A:



<u>PARCEL NO.</u>	<u>OWNERSHIP</u>	<u>AREA (Sq. Ft.)</u>
<u>Sheet 3 of 25 (SW-1 To SW-29)</u>		
SW-2	Bishop of the Caroline and Marshall Islands, A Corporation Solo	8,175
SW-3	Lukan	1,209
SW-4	Fanoway	902
SW-5	Bugulrow	575
SW-6	Rubothin	293
SW-7	Ngurun	371
SW-8	Gimnang	838
SW-9	Falan	3,333
SW-10	Goomtam	725
SW-11	Falmad	286
SW-12	Ngurun	1,867
SW-13	Falmad	251
SW-14	Ruotnang	1,538
SW-15	Kabetnam	1,489
SW-16	People of Nimar	1,617
SW-17	Lukan	3,485
SW-18	Kabetnam	354
SW-19	Falmad	609
SW-20	Gamow	2,458
SW-21	Goomtam	3,278
SW-22	Kabetnam	3,804
SW-23	Falan	385
SW-24	Falmad	973
SW-25	Lukan	1,425
SW-26	Nuan	1,423
SW-27	Ngurun	273
SW-28	Kabetnam	7,954
SW-29	Lukan	7,600

Sheet 5 of 25 (SW-31 To SW-32)

SW-31	Lukan	875
SW-32	Rolad	4,355

Sheet 5 & 6 of 25 (SW-33)

SW-33	Roboman Lubuwan	10,659
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Sheet 6 of 25 (SW-34 To SW-39 and SW-41 To SW-47)

SW-36	People of Nimar	10,391
SW-37	Tanangirou, Lawrance Pong	3,357
SW-38	Ngurun, Thomas A. Faimau	861
	Faimau	
SW-39	Ngurun	947
SW-40	(See Sheet 8 of 25)	
SW-41	Ngurun	1,677
	N.T.C.	
SW-41-A	Bodorang	901
	N.T.C.	
SW-42	Bodorang	2,762
SW-43	Torwan	2,790
SW-43-A	Nuan	762
	Ngurun	
SW-44	Chugrad	780
	Fanoway	

SW-45	Giltawag	1,632
SW-46	Fanechoor	995
SW-47	Ngurun	1,535

Sheet 7 of 25 (SW-48 To SW-63 To SW-67)

SW-48	Giliganaangin	1,031
SW-49	Fanechoor	1,411
SW-50	Ayin	1,777
SW-51	Lukan	2,363
SW-52	Minginfel	3,348
SW-52-A	People of Keng	2,068
SW-53	Falagorong, Falagarong Toluk	3,850
SW-54	Bapilung	6,719
SW-55	Tamangmad	7,548
SW-56	Falan	1,942
SW-57	Ruamau	3,741
SW-58	Lukan	1,900
SW-59	Ruamau	937
SW-60	Untaman	1,641
	Tamangmad	
SW-61 ^U	Tamangmad	2,206
SW-62	Falan	13,723
SW-63	Luktan	681
SW-64	(See Sheet 8 of 25)	
SW-65	R. Faimau	4,578
SW-66	Falan	1,811
SW-67	Begruw	1,901

Sheet 8 of 25 (SW-40 and SW-64)

SW-40-A	N.T.C.	464
	Ngurun	
SW-40-B	Bogruw	30
	N.T.C.	
SW-40-C	N.T.C.	71
	Bogruw	
SW-40-D	N.T.C.	406
	Nuan	
	Bogruw	
SW-64	Luktun	1,088

Sheet 9 of 25 (SW-68 and SW-70)

Sheet 10 of 25 (SW-71 To SW-87 and SW-89 To SW-91)

SW-74	Bishop of the Caroline and Marshall Islands, A Corporation Sole	2,064
SW-75	Tareg	6,351
SW-76	Falawaath	2,350
SW-77	Fintinag	1,780
SW-78	Tamangmad	3,867
SW-79	Gufos, Appollinaris T Thall	7,098
SW-80	Madrid Catholic Mission	1,913
SW-81	Gustim	1,175
SW-82	Gaangin	1,507
SW-83	Boyou	1,921
SW-84	Boyou	3,476
SW-85	Gisog	1,964
SW-86	Johanas	928

SW-87	Gaangin	1,638
SW-88 (See Sheet 15 of 25)		
SW-89	Gufos, Appollinaris T. Thall	2,606
SW-90	Boyou	1,519
SW-91	Gufos, Appollinaris T. Thall	1,024

Sheet 10 and 11 of 25 (SW-92)

SW-92	Gaangin	6,658
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Sheet 11 of 25 (SW-93 To SW-126)

SW-93	Ranganbai	2,186
SW-94	Guntin	1,735
SW-95	Ranganbai	1,425
SW-96	Gaangin	8,122
SW-97	Sogon	1,408
SW-98	Tareg	4,904
SW-99	Robonan	921
SW-100	Gomad	1,645
SW-101	Ruepong	2,041
SW-102	Miyu	1,453
SW-103	Miyu	6,771
SW-104	Ruepong	1,379
SW-105	Gufos, Appollinaris T. Thall	2,241
SW-106	Miyu	828
SW-107	Gufos, Appollinaris T. Thall	574
SW-108	Tamag Tamdad	2,012
SW-109	Moorow	682
SW-110	Tamag Tamdad	993
SW-111	Moorow	1,178
SW-112	Tamag Tamdad	1,898
SW-113	Gilmatan	1,108
SW-114	Tareg	1,359
SW-115	Gilmatan	2,610
SW-116	Tamag Tamdad	844
SW-117	Figrad	1,778
SW-118	Tareg	663
SW-119	Faimau	2,681
SW-120	Gargog	1,310
SW-121	Morou	187
SW-122	Namnag	1,948
SW-123	Tareg	12,192
SW-124	Faimau	575
SW-125	Ranngen	570
SW-126	Gugle	3,280

Sheet 12 and 16 of 25 (SW-127)

SW-127	Foruw	8,285
SW-128	Tiningmow	10,720
	Gilmatan	

Sheet 12 of 25 (SW-129 To SW-131 and SW-133 To SW-140)

SW-129	Tol	2,402
SW-130	Sogon	10,889
SW-131	Farapin	3,083
SW-132 (See Sheet 13 of 25)		
SW-133	Moorow	3,931
SW-134	Tareg	7,336
SW-135	Protestant Mission	10,711
SW-136	Alex	5,042
SW-137	Ruepong	6,124
SW-138	Gisog	8,552
SW-139	Fattun	2,786
SW-140	Falmog	5,237

Sheet 13 of 25 (SW-133 and SW-141)

SW-132-A	Farapin	849
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Sheet 14 of 25

SW-142 (See Sheet 18 of 25)

Sheet 14 and 18 of 25 (SW-143)

SW-143	Falagorong	10,218
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Sheet 14 (cont.) of 25 (SW-144 to SW-149)

SW-145	Mar	116
SW-146	Goobeeg	2,014
SW-147	Filcpin	4,974
SW-148	Bishop of the Caroline and Marshall Islands, A Corporation Sole	15,387

Sheet 15 of 25 (SW-89, SW-88 and SW-149)

SW-88	Gufos	1,216
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Sheet 16 of 25 (SW-150 to SW-154)

SW-150	Gargog Niga	1,034
SW-151	Gilnamgar	2,265
SW-152	Tareg	6,981
SW-153	Yoruw and Giltinag	2,364
SW-154	Naftin	3,115

Sheet 16 and 17 of 25 (SW-155)

Sheet 16 (Cont.) of 25 (SW-156 to SW-174)

SW-156	Tareg	4,418
SW-157	Moothin	4,865
SW-158	Tamag W.	5,646
SW-159	Sogon	2,740
SW-160	Falawaath Niga	2,555
SW-161	Moothin	4,648
SW-162	Naftin	4,219
SW-163	Tamag W.	5,321
SW-164	Pugurwag	831
SW-165	Tamag W.	2,264
SW-166	Roupong Nigitir	2,225
SW-167	Laarow	2,566
SW-168	Fattun	2,606
SW-169	Laarow, Berngun	913
SW-170	Gomad	847
SW-171	Kabetmsg	1,545
SW-172	Falawaath	876
SW-173	Sawayog	1,068
SW-174	Tamag W.	3,486

Sheet 17 and 18 of 25 (SW-175)

SW-175 Younifmed 50,336

Sheet 18 of 25 (SW-142 to SW-183)

SW-142 Tamagtamdad 16,277
 SW-176 Masan, D. Yanruw 4,092
 SW-177 Tamag Tamadad 342
 Kabetinam
 Tun
 Gurovog (Lessors, Agriculture Station)
 SW-178 Tun 1,606
 SW-179 Ken D. B., Guruwag 1,457
 SW-180 Mowog 5,527
 SW-181 Leo Giltamag 921
 SW-182 Moongilmar 6,523
 SW-183 Tun 7,392

Sheet 19 of 25

84 Kaganngeg 73,112
 85 Boyou 52,192
 SW-18C Guag Niga 72,793

Sheet 20 of 25

SW-228 Kaganngeg 25,458
 SW-229 Kafin 12,266

SW-229-A Kafin Easement 3: All that land within seven and one-half (7.5) feet on either side of the center line designated and depicted as "Easement 3", on Sheet 20 of 25 of said Exhibit A (Drawing No. 5010/71), containing 4,853 square feet.

SW-229-B Kafin Easement 4: All that land within seven and one-half (7.5) feet on either side of the center line designated and depicted as "Easement 4", on Sheet 20 of 25 of said Exhibit A Drawing No. 5010/71, containing 3,152 square feet.

SW-231 Ructnam 5,029
 SW-232 Gaag Niga 10,400
 SW-233 Kafin 15,811
 SW-234 People of Yinuf 8,423

Sheet 21 of 25

SW-235 Kaganngeg 20,866
 SW-236 Kaganngeg 7,227

SW-236-A Kaganngeg Easement 6: All that land lying within ten (10) feet on either side of the center line designated and depicted as "Easement 6", on Sheet 21 of 25 of said Exhibit A (Drawing No. 5010/71), containing 5,584 square feet.

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CIVIL ACTION NO. 66

4. The interest awarded herein to the Government is an easement over, across, through and under each of the parcels of land hereinafter described in this paragraph and as more specifically and particularly described by the same parcel numbers on Exhibit A and as shown and described on Division of Lands and Surveys Drawing 5010/71 for the construction, maintenance, reconstruction, and operation of water reservoirs, storage tanks, water treatment plant and roads and all structures incidental thereto together with the right to fence any or all of said area and to exercise sole and exclusive control over any or all of said property subject to said easement if deemed necessary by the Government for the proper operation of said land for such uses, or any facilities located thereon, or otherwise, and together with the perpetual right to remove buildings, structures, trees, bushes, undergrowth and any other obstructions interfering with the use of said easement. The owners of the parcels so effected by such easements are hereafter set forth with the corresponding parcel number to be found on Exhibit A:



RESERVOIR AND WATER TREATMENT PLANT SITES

<u>Parcel Number</u>	<u>Owners</u>	<u>Square Feet</u>
237 (Reservoir No. 1)	XXXXX Frank Flounug	26,696
30 (Reservoir No. 2) (Gitam Reservoir)	Lukan	37,023
187	Gaag Niga	216,147 (Excludes Taro patch)
187-A (Taro Patch)	Kafin, Flagan	31,848
	Gaaninug	
	Boyou	
	Kaganngeg	
	Ruetnam	
	Pinoroy	
	Gaag Niga	
	Lungun	
	Mangarfir	
	Gaakuw	
	Younifmed	
	Wag Niga	
	Mafthin	
	Limou	
	Ganngir	
	Kaganngeg Nibitir	
	Pulwog	
	Folbuw	
	Kigli	
188	Kafin	56,081
189	Kaganngeg Niga	19,597
190	Kafin	11,505
191	Gaanin'ng	139,674

<u>Parcel Number</u>	<u>Owners</u>	<u>Square Feet</u>
191-A	Ruetnam	25,580
192	Kafin	8,210
193	Kaganngeg Niga	40,294
194	Gaog Niga	80,705
195	Ruetnam	90,224
196	Kafin	74,091 (Excludes Taro patch)
197 (Taro Patch)	Kaganngeg Niga	9,116
198	Kafin	1,588
199	Ruetnam	410
200	Kaganngeg Niga	363
201	Mangarfir, Berngun	401
202	Kafin	459
203	Pinoroy	1,981
204	Folbuw	828
205	Boyou	1,215
206	Pinoroy	3,383
207	Kaganngeg Niga	311
208	Kafin	2,556
209	Pulwog	1,029
210	Kaganngeg Niga	1,592
211	Kaganngeg Nibitir	772
212	Gangir	1,819
213	Limou	1,668
214	Ruetman	2,972
215	Gaakuw	1,003
216	Kigliq	253
217	Kaganngeg Niga	2,559
218	Mangarfir, Berngun	2,319

<u>Parcel Number</u>	<u>Owners</u>	<u>Square Feet</u>
219	Ganninug	1,442
220	Pinoroy	851
221	Lungun	1,548
222	Kafin	756
223	Boyou	558
224	Ruitingin	2,469
225	Lungun	2,001
226	Ganninug	2,675
227	Tizin	325

WATER TREATMENT PLANT

<u>Parcel Number</u>	<u>Owners</u>	<u>Square Feet</u>
SW 230	Kafin	23,225

NOTE: Parcel S.W. 230 is subject to an existing
 lease to Trust Territory dated June 23, 1952
 as amended March 1, 1967.

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CIVIL ACTION NO. 66

5. The Clerk of Courts, Yap District, shall issue a
Certificate of Title in accordance with this judgment.

ROBERT A. HANCOCK

Entered: March 26, 1976

Approved as to form:

Counsel for the Government

Counsel for the Defendants



**FILE
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