



**FILE
START**

**Some pages
unreadable
and/or missing**

More info on why

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)

Le9 62, PSD 7-3, LAN 1-5

Brief description:

Boundaries between municipalities in Palau, court cases &

Geographic area dealt with in materials: Conflicts

TTPI at large:

Individual districts: ✓

Individual governments:

Individual islands:

Other:

Span of years covered by materials: 1959 - 1976

Format of information:

Correspondence: ✓

Reports: ✓

Clippings:

Other: ✓ maps

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: 75354 Subgroup: LAN

Drawer number: 3

File folder number: 178, 54, 4

Estimated quantity of materials: 1 folder

Recorded by: *JK*

Date: 10/16/87

Disposition of originals: *none*

Microfilm roll No.: 17

Frame #:

TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the High Commissioner, Saipan

TO : Director, Resources & Development *AR*
ATTN : Chief, Lands & Surveys Division
FROM : Director, Public Affairs

DATE: 16 Nov. 1976

(SUBJECT: Incongruity of municipal boundary lines between Ngiwal and Ngaraard Municipalities, Palau District)

In response to inquiries from Palau District, this Office has had occasion to review the municipal charters for Ngiwal and Ngaraard Municipalities as approved, respectively, on July 9 and November 26, 1958. Our cursory review of the two municipal charters indicates overlapping of boundary lines between Ngiwal and Ngaraard Municipalities on the eastern shore of Babelthaup where the two municipalities meet. Our opinion is based on the U.S.G.S. Army map (AMS W856) of 1954 which utilized the horizontal and vertical control established by the Corps of Engineering, 1951. Copies of the geographic boundaries of the two municipalities in question as set forth in the respective charters are enclosed for your comparative analyses and information).

If you will note, the Ngaraard Municipal Charter describes the southern boundaries of that municipality as running "...south along the eastern limit of territorial waters to a point known as Ngeit; on the South, westerly from Ngeit to the eastern shore of Babelthup at Bkul Ngerair and thence westerly following the Kedidiul Ngerair ridge to Ongelullial Peak ..." (emphasis supplied).

In the Charter for Ngiwal Municipality, a document approved some five months later, the northern geographic boundary of that municipality is stipulated to run from a "...concrete marker located at Brsechel, thence to the concrete marker located on Bkul Ngerair Point and proceeding northeast along the high water mark to the estuary known as Taach era Idelui, continuing east down that estuary to a point on the eastern limit of territorial waters opposite the channel known as Ngeit; on the East, proceeding southward along the eastern limit of territorial waters from the point opposite Ngeit channel to a point opposite the channel known as Meteultowachel; ..." (emphasis supplied).

For historical and practical reasons, municipal boundaries for municipalities in Palau District can be quite sensitive and politically explosive, and this Office is interested in eliminating possible conflicts

178.54.4

Action - Mayo



TRUST TERRITORY OF THE PACIFIC ISLANDS

Office of the High Commissioner, Saipan

TO : Director, Resources & Development *AR*
ATTN : Chief, Lands & Surveys Division
FROM : Director, Public Affairs

DATE: 16 Nov. 1976

(SUBJECT: Incongruity of municipal boundary lines between Ngiwal and Ngaraard Municipalities, Palau District)

In response to inquiries from Palau District, this Office has had occasion to review the municipal charters for Ngiwal and Ngaraard Municipalities as approved, respectively, on July 9 and November 26, 1958. Our cursory review of the two municipal charters indicates overlapping of boundary lines between Ngiwal and Ngaraard Municipalities on the eastern shore of Babelthau where the two municipalities meet. Our opinion is based on the U.S.G.S. Army map (AMS W856) of 1954 which utilized the horizontal and vertical control established by the Corps of Engineering, 1951. (Copies of the geographic boundaries of the two municipalities in question as set forth in the respective charters are enclosed for your comparative analyses and information).

If you will note, the Ngaraard Municipal Charter describes the southern boundaries of that municipality as running "...south along the eastern limit of territorial waters to a point known as Ngeit; on the South, westerly from Ngeit to the eastern shore of Babelthau at Bkul Ngerair and thence westerly following the Kedidiul Ngerair ridge to Ongelulliwal Peak ..." (emphasis supplied).

In the Charter for Ngiwal Municipality, a document approved some five months later, the northern geographic boundary of that municipality is stipulated to run from a "...concrete marker located at Brsechel, thence to the concrete marker located on Bkul Ngerair Point and proceeding northeast along the high water mark to the estuary known as Taoch era Idelui, continuing east down that estuary to a point on the eastern limit of territorial waters opposite the channel known as Ngeit; on the East, proceeding southward along the eastern limit of territorial waters from the point opposite Ngeit channel to a point opposite the channel known as Metelutowachel; ..." (emphasis supplied).

For historical and practical reasons, municipal boundaries for municipalities in Palau District can be quite sensitive and politically explosive, and this Office is interested in eliminating possible conflicts



178.54.4
Action - Mayo

2

between municipalities due to boundary disputes. In this particular instance, it is obvious to us that through some oversight the boundaries between Ngaraard and Ngiwal Municipalities appear to be overlapping. We therefore think that this should be rectified to preclude future friction between the two municipalities.

In this regard, we are advised that the cadastral survey of Babelthau is presently underway, and we would like to request that your office furnish us with the technical description of the geographic boundaries of both municipalities insofar as they overlap on the ocean side at the points bound by the Bkul Ngerair Point to the estuary of Taoch era Idelui to the eastern limit of Territorial waters off Ngeit point and back to Bkul Ngerair. Please also furnish us with an appropriate map (detailed enough to show physical characteristics of the area) showing the overlapping boundaries in two different colors.

Please let us know if you require further clarification of our request.

B83 andius
Bonifacio Basilius
for Strik Yoma

Evidently there is confusion between the 2 stations and the actual points in the ground before the post. says.
DM

Assumed 11/18/76
DM

CHARTER

MUNICIPALITY OF NGIWAL

PREAMBLE

WHEREAS by unanimous vote of their Municipal Council, the people of Ngwal have expressed their desire for representation in the government of their land in accordance with principles proclaimed in the Trusteeship Agreement and under the laws of the Trust Territory of the Pacific Islands, and

WHEREAS we have confidence in the ability of these people to discharge certain responsibilities of government under our laws and the provisions of this Charter,

NOW THEREFORE, I, Delmas H. Mucker, High Commissioner of the Trust Territory of the Pacific Islands, pursuant to Section 42 of the Code of the Trust Territory of the Pacific Islands and the authority vested in me, do hereby Charter the people of Ngwal to exercise the authority of government over the areas herein-after described in accordance with the following Articles and do hereby proclaim that their government shall be known as

THE MUNICIPALITY OF NGIWAL, the geographic boundaries of which are described as: On the North from Ngelsun mountain proceeding easterly along with the ridge immediately south of the point known as Uchulaisan and passing through Ulebuteltitlol, Aleblong and Ngclairang, thence to the top of Ongedulirward mountain and continuing over the peak of Ongeduliwal down the kedidiul-Ngerair to the concrete marker located at Ercechel, thence to the concrete marker located on Ekul Ngerair Point and proceeding northeast along the high water/mark to the estuary known as Taach era Idelui, continuing east down that estuary to a point on the eastern limit of territorial waters opposite the channel known as Ngeit; on the East, proceeding southward along the eastern limit of territorial waters from the point opposite Ngeit channel to a point opposite the channel known as Metsultowachel; on the South, westerly from the point on the eastern limit of territorial waters opposite Metsultowachel, entering this channel south of Ikes islet and continuing to the shore at the point known as Imolech, thence west through Kltalbtaches to the peak of Oidabeluochel; on the West, from Oidabeluochel peak northward across Ngel mountain to the top of Ngelsun mountain.

ARTICLE I

This Charter and all amendments hereto constitute a part of the Laws of the Trust Territory of the Pacific Islands.

ARTICLE II

Organization

The Municipal Government shall be composed of:

Section 1. A Magistrate who shall be the chief executive officer of the Municipality, whose duties shall include but not be limited to:

CHARTER
MUNICIPALITY OF NGARAARD

PREAMBLE

WHEREAS by unanimous vote of their Municipal Council, the people of Ngaraard have expressed their desire for representation in the Government of their land in accordance with principles proclaimed in the Trusteeship Agreement and under the laws of the Trust Territory of the Pacific Islands, and

WHEREAS we have confidence in the ability of these people to discharge certain responsibilities of government under our laws and the provisions of this Charter,

NOW THEREFORE, I, Delmas H. Nucker, High Commissioner of the Trust Territory of the Pacific Islands, pursuant to Section 12 of the Code of the Trust Territory of the Pacific Islands and the authority vested in me, do hereby Charter the people of Ngaraard to exercise the authority of government over the areas hereinafter described in accordance with the following Articles and do hereby proclaim that their government shall be known as

THE MUNICIPALITY OF NGARAARD, the geographic boundaries of which are described as: on the North from point known as Masech on the western limits of territorial waters on the Philippine Sea, southeasterly to a point in the lagoon known as Rsaol thence easterly across Ngarhelong (Arekalong) peninsula at its narrowest point which is known as Rrenged, and continuing to the eastern limits of territorial waters on the Pacific Ocean at a point known as Ongesachel; on the east from Ongesachel south along the eastern limit of territorial waters to a point known as Ngeit; on the South, westerly from Ngeit to the eastern shore of Babelthaup at Ekul Ngerair and thence westerly following the Kedidul Ngerair ridge to Ongedullival Peak thence across Ongedullrard Peak to the top of Ngelsum mountain; on the west from Ngelsum mountain proceeding in a northerly direction along the ridge passing over the peak of Uchulsaisan and east of Ikeyam mountain to the source of and thence down the river Ralmraitoi to a point known as Ngchewang, thence, northwest along Towachal Ongekiul passage to the western limits of the territorial waters in the Philippine Sea to a point known as Ngemechii and thence north along these western limits to the point known as Masech.

Amendment - Municipal Ordinance 4-58
Approved by H.C., 11/4/58

ARTICLE I

This Charter and all amendments hereto constitute a part of the Laws of the Trust Territory of the Pacific Islands.

ARTICLE II

Organization

The Municipal Government shall be composed of:

Section 1. A Magistrate who shall be the chief executive officer of the Municipality, whose duties shall include but not be limited to:

- a. Enforcing the Laws of the Trust Territory.

Amendment - Municipal Ordinance 4-58

TREAT

1

83

6

1

cc: High Commissioner, Saigon
Attorney General, Saigon
Police Inspector, Saigon

**Metropolitan District
Chief
Hazardous Materials**

178.54.4 / 178 33

OPTIONAL FORM NO. 10

786
UNITED STATES GOVERNMENT

Memorandum

TO : Deputy High Commissioner
Attn: Attorney General
Thru: Acting District Administrator, Palau
FROM : Land Title Officer, Palau

DATE: July 5, 1962
Serial No: 781

SUBJECT: Trust Territory vs. Koror, Palau Civil Action No. 240, action to reform
September 9, 1960, deed of municipal office site to Koror Municipality

Reference is made to your memorandum of December 4, 1961, requesting that the above action be filed and that the recorded deed be corrected interlinearly.

The appropriate copies of the deed have been corrected by interlineation. Attached for your files are copies of the motion for judgment on the pleadings and the judgment in the above action.

Charles B. Hughes
Charles B. Hughes
Land Title Officer

Attachment
cc: District Attorney, Terpacis

KOROR MUNICIPALITY

File: 178. 54. 4

TRUST TERRITORY OF THE PACIFIC LANDS

TRIAL DIVISION OF THE HIGH COURT

PALAU DISTRICT

CIVIL ACTION NO. 240

TRUST TERRITORY OF THE
PACIFIC ISLANDS and
CHARLES B. HUGHES
Land Title Officer,
Palau District

vs.

KOROR MUNICIPALITY

DEFENDANT

MOTION FOR JUDGMENT
ON THE PLEADINGS

COMES NOW, Charles B. Hughes, Land Title Officer, Palau District, and, on the grounds that the Defendant in the above-captioned action has filed its answer agreeing with the allegations of Plaintiffs' complaint and admitting thereby all essential allegations in this action, requests the Court to enter in favor of the Plaintiffs judgment on the pleadings herein, order reformation of the deed referred to in Plaintiffs' complaint in the manner requested in Plaintiffs' complaint and grant such other relief in the premises as the Court deems just and proper.

Dated: March 22, 1962

Charles B. Hughes
Charles B. Hughes
Land Title Officer
Palau District

Received and filed this 5th day of July, 1962.

Cliff
Clerk of Courts
Palau District

Att. Gen.

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

PALAU DISTRICT

CIVIL ACTION NO. 240

TRUST TERRITORY OF THE
PACIFIC ISLANDS and
CHARLES E. BUNNET, Land
Title Officer, Palau,

Plaintiffs,

vs.

JUDGMENT ORDER

KOROR MUNICIPALITY,

Defendant.

This cause having come on for hearing on motion of the attorney for the plaintiff for judgment on the pleadings, and it appearing that the defendant, Koror Municipality, has filed its answer admitting the allegations contained in the complaint and that the defendant has failed to appear in the above-captioned action within the term in which it was called, and it further appearing from the complaint and the deed referred to in the complaint that the plaintiff is entitled to the relief requested and that the ends of justice would be served thereby,

Now, it is this 20th day of June, 1962, ORDERED, ADJUDGED and DECREED that the deed dated September 9, 1960, and recorded in the Office of the Clerk of Courts, Palau District, at pages 65, 66, 67 and 68 of Palau Deed Book I, whereby the Trust Territory of the Pacific Islands conveyed to Koror Municipality 2090.00 square meters of land in Koror Municipality be and is hereby corrected, nunc pro tunc September 9, 1960, by striking on page 1, line 35, the word "miles" immediately following the phrase "2090.00 square" and in lieu thereof substituting the word "meters".

PAUL F. KINNAH
Associate Justice

Entered June 20, 1962

Return to the Com
1961

QUIT CLAIM DEED

Know All Men By These Presents that I, D. E. Nucker, High Commissioner of the Trust Territory of the Pacific Islands, pursuant to authority granted to me as such High Commissioner, in consideration of the promise of Koror Municipality to utilize the within described land for municipal purposes, do hereby release and forever quit claim unto the Municipality of Koror all the right, title and interest of the Government of the Trust Territory of the Pacific Islands in and to the following parcel of land located in Koror Municipality, Palau District, further described as follows:

DESCRIPTION OF BOUNDARY OF KOROR MUNICIPAL SITE AREA
Map PK-18 Serial No. 115, Palau District

Beginning at a mark on concrete which is the southwesterly corner of the land hereby conveyed, the coordinates of which monument is referred to the Palau District coordinate system are $x = 52384.15$ meters, $y = 48820.92$ meters; known as corner #1,

thence, N $46^{\circ}-39'-07''$ W 6.34 meters along the Main Road to a cross mark on concrete drain; corner #2

thence, N $06^{\circ}-42'-33''$ E 39.27 meters to a cross mark on concrete drain; corner #3

thence, N $40^{\circ}-51'-23''$ E 3.34 meters to a cross mark on concrete drain; corner #4

thence, S $86^{\circ}-13'-58''$ E 47.46 meters to a cross mark on concrete ditch; corner #5

thence, S $05^{\circ}-33'-51''$ W 39.93 meters to a cross mark on concrete drain; corner #6

thence, N $85^{\circ}-47'-53''$ W 0.93 meters to a concrete monument; corner #7

thence, westerly on the arc of circle 155.91 meters in radius, concave to the left an arc distance 45.01 meters along the northerly line of Koror Main Road, the chord of said arc running S $85^{\circ}-55'-55''$ W, 44.85 meters to a mark on concrete which is the point of the beginning, containing an area of 2090.00 square miles and as shown in Map PK-18, Serial No. 155.

All bearings are based on the 1955 Land and Claim triangulation surveys.

The above description was written on December 10, 1958 by Taro Ngiraingas, Assistant Surveyor and Cartographic Engineer, Palau District, from data secured by a survey made by said Taro Ngiraingas in November-December 1958.

Reserving therefrom, however, the right, title and interest in and to all areas of said land which may be required for public roads, rights-of-way, easements, mineral rights, and uses essential for the public welfare.

To Have and To Hold the same, together with all the hereditaments and appurtenances thereunto belonging or in any wise appertaining to the said Municipality of Koror, its successor and assigns, forever.

In Witness Whereof, I have hereunto set my hand this 9th day of September, 1960.

D. H. Nucker

D. H. Nucker, High Commissioner
Trust Territory of the Pacific Islands

Witness:

John J. [unclear]
Robert J. [unclear]

Palau District:

Recorded Book I, page 65, 66, 67, 68

Date 9/13/60

W. [unclear]
Asst. Clerk of Courts

December 4, 1961

Memorandum

To: District Administrator, Palau
Attn: District Land Title Officer

From: Acting Attorney General

Subject: Quitclaim Deed dated September 9, 1960, to
Koror Municipality

A review of the above Deed reveals a typographical error which should be corrected.

At the bottom of page one, the area is described as 2090.00 square miles... Obviously, it should read 2090.00 square Meters.

It is suggested that the proper officials of Koror Municipality be advised of the error and that the same be corrected by interlineation and initialling on the grantee's copy of the Deed and on the copy filed in your office. A short Petition should then be filed in the Court setting out the error, the correction made by agreement of the parties, and requesting that the Court approve correction of the copy recorded in the Office of the Clerk of Courts.

A file-stamped copy of the Court order will be sufficient for our files.

R. K. Shoecraft

ORIGINATOR:RESHOECRAFT:dcd
LLC 15-1-1
XR LLC 12-4

R/S none

ORIGINATOR	
RKS	
ROUTING	
HC	<input checked="" type="checkbox"/>
DHC	<input checked="" type="checkbox"/>
L	<input checked="" type="checkbox"/>
AN	<input checked="" type="checkbox"/>
AGR	<input type="checkbox"/>
F	<input type="checkbox"/>
P	<input type="checkbox"/>
AUD	<input type="checkbox"/>
FW	<input type="checkbox"/>
S	<input type="checkbox"/>
R	<input type="checkbox"/>
LC	<input type="checkbox"/>
PS	<input type="checkbox"/>
ASD	<input type="checkbox"/>
PH	<input type="checkbox"/>
SIGNATURE	
HC	<input type="checkbox"/>
DHC	<input type="checkbox"/>

August 24, 1960

Serial: 0509

Memorandum

To: Deputy High Commissioner
Attention: Acting Land & Claims Advisor

From: District Administrator, Palau

Subject: Inquiry as to Status of the Requests of the Olhail era
Kelulau and Koror Municipality for Title to Certain Tracts
of Public Land

Many months ago requests were forwarded to the High Commissioner on behalf of the Palau Congress (OEK) and Koror Municipality for title to certain parcels of land located in Koror upon which their buildings were located. These included the Community Center area, "old Congress Building" and Asahi ballfield for the Olhail Era Kelulau and for Koror Municipality, the site of their new office opposite the Administration building. It is my understanding that both requests were approved by the High Commissioner with my one recommended proviso that in the case of the "Old Congress Building" the OEK be granted a homestead rather than a quitclaim deed, the transfer of title contingent on their rehabilitating the large concrete ruin located on the site. The Cartographic Engineer visited Palau last year to instruct our survey crew in the surveying and preparation of the technical description of the parcels.

Here the record fades altogether. I believe the maps and descriptions are in Guam and have been for some time. I seem to recall your once saying that "all the papers" were on your desk. Do you have any knowledge of this matter, or where it now rests?

Francis B. Mahoney
District Administrator

cc: Land Title Officer

building" and Asahi ballfield for the Old Mill Era Melulan and for Koror Municipality, the site of their new office opposite the Administration building. It is my understanding that both requests were approved by the High Commissioner with my one recommended proviso that in the case of the "Old Congress Building" the OEK be granted a homestead rather than a quitclaim deed, the transfer of title contingent on their rehabilitating the large concrete ruin located on the site. The Cartographic Engineer visited Palau last year to instruct our survey crew in the surveying and preparation of the technical description of the parcels.

Here the record fades altogether. I believe the maps and descriptions are in Guam and have been for some time. I seem to recall your once saying that "all the papers" were on your desk. Do you have any knowledge of this matter, or where it now rests?

Francis B. Mahoney
District Administrator

cc: Land Title Officer

ZCZC RSAS015/84

ZNY

P 000000Z NOV 88

FM HICOMTERPACIS SAIPAN
TO DISTAD PALAU

CRSE

BT

UNCLAS X PASS TO LAND MANAGEMENT FOR ACTION BY WEST SAISKE X PLEASE
FORWARD FOR XEROX COPYING AT NOLMO COPIES OF ALL CORRESPONDENCE IN
YOUR FILES REGARDING THE TEACHERS HOUSE AT NCIVAL MUNICIPALITY ON
LAND OWNED BY NCIRAIKAL X INSURE THAT PERSONAL LETTER DATED LATE
1966 FROM US TEACHER INCLUDED X MAKE ONE SET OF SCM COPIES ON YOUR
COPYING MACHINE BEFORE FORWARDING TO NOLMO X RETAIN THESE IN PALAU X
ALSO FORWARD COPIES OF ALL SURVEYS OF THIS PROPERTY X YOUR FILES
WILL BE RETURNED AFTER COPYING X NOLMO

DEC 88 ORIG.....DIR LM
INFO.....G/NSD
INFO.....LEGAL

60K
5 Nov 89

TRUST TERRITORY OF THE PACIFIC ISLANDS
Land Office, Palau District

December 30, 1959

Memorandum:

To: Deputy High Commissioner
Attention: Chief Surveyor & Cartographic Engineer

From: Palau District Land Title Officer

Subject: Status of three parcels of land on Koror

The Magistrate of Koror has inquired about three parcels of land which the Trust Territory has agreed to either gratuitously give or permit the Municipality of Koror to homestead. The parcels of land are:

- a. The Community Center
- b. The Old Congress Building, and Baseball Field,
- c. Site of New Koror Municipal Office,

1. Do you know the present status of the parcels of land?
i.e. Are they to be given to the Municipality of Koror or must the Municipality homestead them?

2. If the land is to be an outright gift, who is to prepare the deed? Who has the legal description to the property?

Any information you can give will be appreciated.

George B. Harris, Jr.
George B. Harris, Jr.
District Land Title Officer

*1/2 chs
descriptions being
submitted - land
title office preparing
deeds
for K&S inc*



**FILE
END**