

C O P Y

JBJ:stp
N1-1
Ser 1112
2 Jul 1958

From: Naval Administrator, U. S. Naval Administration Unit, Saipan
District, Saipan, Mariana Islands
To: Land and Claims Administrator, Area Public Works Office, Marianas
Subj: BPM Camp Site Area; Saipan; comments concerning

1. Reference (a) forwarded a draft agreement for use of the old BPM Camp site area, Saipan and requested the Naval Administrator to review same and comment thereon.

2. The following changes to the draft agreement are suggested:

(a) Amend line 1. to read: "This Agreement made as of the 1st day of July 1958, by and between the Government of the Trust Territory" etc.

(b) Amend. Section 2.B to read: "On or about 1 July 1963, and on a similar date each five year period thereafter, the agency of Grantee having the use and occupancy of the Premises or the Department of the Navy as the representative thereof, and the Grantor, shall jointly review and determine the need for continuing the use and occupancy granted hereby."

D. N. MOREY, JR.

USE AND OCCUPANCY AGREEMENT FOR LAND IN THE TRUST TERRITORY OF THE PACIFIC ISLANDS,
SAIPAN DISTRICT

This agreement made as of the 1st day of July, 1958, by and between THE GOVERNMENT OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS, SAIPAN DISTRICT, hereinafter called "Grantor", and THE UNITED STATES OF AMERICA, hereinafter called "Grantee":

WITNESSETH:

WHEREAS, Grantor is the owner of a certain parcel of land hereinafter called the "Premises", situated on the Island of Saipan, Mariana Islands, more particularly described as follows:

Beginning at a point designated as Corner No. 1 being South 65-53-34 West and 1738.25 meters (5702.91 feet) from triangulation station "Garapan";
thence S 67-29-41 E for 355.19 meters (1165.31 feet) to Corner No. 2;
thence along the arc of curve for 56.84 meters (186.47 feet) to Corner No. 3, curve data being central angle 65-04-26 and radius 50.04 meters (164.18 feet);
thence S 02-25-15 E for 64.01 meters (210.02 feet) to Corner No. 4;
thence along the arc of curve for 177.04 meters (580.84 feet) to Corner No. 5, curve data being central angle 72-41-01 and radius 139.56 meters (457.87 feet);
thence S 01-32-18 E for 58.81 meters (192.96 feet) to Corner No. 6;
" S 04-30-51 E " 205.64 " (674.66 ") " " 7;
" N 89-21-40 W " 436.78 " (1432.99 ") " " 8;
" N 89-08-19 W " 145.67 " (477.93 ") " " 9;
" N 00-03-04 E " 64.85 " (212.75 ") " " 10;
thence along the arc of curve for 566.90 meters (1859.89 feet) to Corner No. 11, curve data being central angle 19-31-19 and radius 1663.81 meters (5458.68 feet);
thence N 19-34-23 E for 9.54 meters (31.20 feet) to Corner No. 1 which is the point or place of beginning. The total area contained herein is 278620.0 square meters (68.848 acres), more or less.

WHEREAS, Grantee desires to use and occupy the Premises for an indefinite period of time; and

WHEREAS, Grantor is agreeable to Grantee's use and occupancy of the Premises for an indefinite period of time, subject to certain conditions:

NOW, THEREFORE, in consideration of the mutual agreements hereinafter set forth and the mutual benefits to be derived therefrom, it is agreed as follows:

1. Grantor hereby grants and conveys to the Grantee at no cost the right to use and occupy the Premises for an indefinite period of time, to continue so long as Grantee has a use for the same.

2. (A) The use to which the Premises is put by Grantee shall be consistent with the provisions and purposes of the Trusteeship Agreement relating to the Administration of the Trust Territory of the Pacific Islands.

(B) On or about 1 July 1963, and on a similar date each five year period thereafter, the agency of Grantee having the use and occupancy of the Premises or the Department of the Navy as the representative thereof, and the Grantor, shall jointly

review and determine the need for continuing the use and occupancy granted hereby.

(C) In the event the said review does not result in agreement as to the need for continuing Grantee's use and occupancy, the matter shall be presented to the President of the United States for final decision.

(D) In the event of a decision pursuant to paragraphs (B) or (C) that a need for the continued use and occupancy of the Premises does not exist, the estate granted hereby shall terminate thirty days from the date of such decision, and revert to the Grantor.

(E) During the existence of this agreement, the Grantee shall have the right to make alterations, to attach fixtures or signs, and to erect additions or structures upon said Premises; such alterations, fixtures, signs, additions or structures shall be and remain the property of the Grantee and may be removed therefrom, in whole or in part, prior to the termination of this agreement, or within a reasonable time thereafter, or, at its election, the Grantee may abandon any or all of them in lieu of any obligation to remove any of such improvements and restore the land affected thereby. In the event the Grantee elects to remove any of such alterations, fixtures, signs, additions or structures, and only in such event, it shall restore that part of the Premises affected by such removal to the same condition as that existing at the time of entering upon the Premises under this agreement: Provided that the Grantee shall be obligated to so restore the Premises only if the Grantor requires it to do so by giving written notice thereof to the Grantee within twenty (20) days after receiving written notice from a duly authorized representative of the Grantee that the Grantee has elected to remove its alterations, fixtures, signs, additions or structures, or any of them.

In Witness Whereof, the parties hereto have executed this agreement as of the day and year first above written.

GOVERNMENT OF THE TRUST TERRITORY OF THE
PACIFIC ISLANDS, SAIPAN DISTRICT

By: /s/ J. P. Roulett,
J. P. ROULETT, CAPT, CEC, USN
LAND AND CLAIMS ADMINISTRATOR

THE UNITED STATES OF AMERICA

By: /s/ J. P. Roulett
J. P. ROULETT, CAPT, CEC, USN
AREA PUBLIC WORKS OFFICER, MARIANAS
By direction of the Chief of the Bureau
of Yards and Docks, acting under the
direction of the Secretary of the Navy

Filed this 18th day of July 1958.

/s/ Tomas S. Villagomez
Tomas S. Villagomez
Asst. Clerk of Courts
Saipan District