

FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

FRANCES VUNAK

Claim No. Y2- 0259

Decision No. Y2-

211

Under the Yugoslav Claims Agreement of 1964  
and Title I of the International Claims  
Settlement Act of 1949, as amended

PROPOSED DECISION

This claim, in the amount of \$2,200.00, is based on the asserted ownership and loss of unimproved real property located in Samobor, Croatia, Yugoslavia. Claimant, FRANCES VUNAK, has been a national of the United States since her naturalization on December 8, 1933.

Under Section 4(a) of the International Claims Settlement Act of 1949, as amended (64 Stat. 13 (1950), 22 U.S.C. §1623(a) (1958)), the Commission is given jurisdiction over claims of nationals of the United States included within the terms of the Yugoslav Claims Agreement of November 5, 1964 and the Commission is directed to apply the following in the following order:

(1) The provisions of the applicable claims agreement as provided in this subsection; and (2) the applicable principles of international law, justice and equity.

Among other things, the Agreement provides as follows:

Article I. (a) The Government of Yugoslavia agrees to pay, and the Government of the United States agrees to accept, the sum of \$3,500,000 United States currency in full settlement and discharge of all pecuniary claims of nationals of the United States, whether natural or juridical persons, against the Government of Yugoslavia, on account of the nationalization and other taking of property and of rights and interests in and with respect to property which occurred between July 19, 1948 and the date of this Agreement.

Article II. The claims of nationals of the United States to which reference is made in Article I of this Agreement refer to claims which were owned by nationals of the United States on the date on which the property and rights and interests in and with respect to property on which they are based was nationalized or taken by the Government of Yugoslavia and on the date of this Agreement. (Agreement between the Government of the United States and the Government of the Socialist Federal Republic of Yugoslavia Regarding Claims of United States Nationals, November 5, 1964, which entered into force on January 20, 1965, 16 U.S.T. & O.I.A. 1965, T.I.A.S. No. 5750 (1964).)

Based upon an extract from the land register of the cadastral district of Samobor, land record No. 120, and other evidence of record, the Commission finds that claimant was the owner of eight parcels of land, numbers 407, 408/1, 408/2, 408/3, 408/4, 409/1, 409/7, and 410, consisting of a total of 1,180 square fathoms, on August 15, 1959, when the property was nationalized by Decision No. 7734/59 of the Secretariat of Finances of the County of Samobor pursuant to the Law on Nationalization of Buildings for Rent and of Building Lots of December 26, 1958 (Sl. List (Yugoslavia), No. 52, Item No. 890, December 31, 1958).

On the basis of the Commission's knowledge of the value of unimproved land in the area in which claimant's lots were located, the Commission finds that the total value of the eight nationalized parcels was \$2,130.00 at the time of nationalization, and it is accordingly concluded that claimant is entitled to an award in that principal amount pursuant to the terms of the Yugoslav Claims Agreement of 1964.

The record further indicates that pursuant to the aforementioned decision of August 15, 1959 of the Secretariat of Finances of the County of Samobor, an amount of 614,880 old dinars has been deposited, as contingent compensation, in a blocked account of "individual foreign dinar claims" to the credit of claimant. The Commission finds, however, that this amount has not been paid to claimant to date, and it is therefore not being deducted from the proposed award.

The Commission has decided that in granting awards on claims under the Yugoslav Claims Agreement of 1964, interest shall be allowed at the rate of 6% per annum from the date of loss to January 20, 1965, the effective date

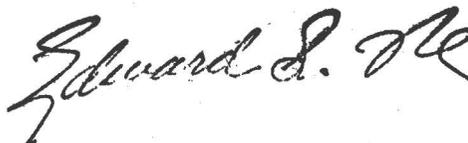
of the Agreement. (See the Claim of Alexis G. Bacic, Claim No. Y2-0522, Decision No. Y2-1.) Accordingly, the amount of the award will be increased to that extent.

A W A R D

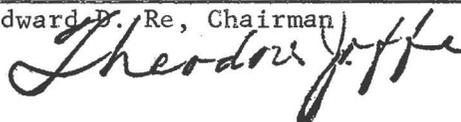
An award is hereby made to FRANCES VUNAK in the principal amount of Two Thousand One Hundred Thirty Dollars (\$2,130.00) with interest thereon at 6% per annum from August 15, 1959 to January 20, 1965, the date on which the Agreement entered into force, in the sum of Six Hundred Ninety-Four Dollars and Two Cents (\$694.02).

Dated at Washington, D. C.  
and entered as the Proposed  
Decision of the Commission

JAN 10 1968



Edward D. Re, Chairman



Theodore Jaffe, Commissioner

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. §531.5(e) and (g) as amended, 32 Fed. Reg. 412-13 (1967).)