

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

IN THE MATTER OF THE CLAIM OF

SUSAN RAGAN

Claim No. CZ-2-0044

Decision No. CZ-2-0923

PROPOSED DECISION

This claim in the amount of \$18,644 against the Government of Czechoslovakia under subsection 5(a) of the Czechoslovakian Claims Settlement Act of 1981 (Public Law 97-127, 95 Stat. 1675) is based upon the loss of unimproved real property in Secovce, district of Trebisov, Slovakia.

The claim was originally filed by Joseph Ragan, who was born a United States citizen in Swoyersville, Pennsylvania on March 22, 1916 and died on July 25, 1983. The record indicates that his wife, SUSAN RAGAN, has succeeded to his entire interest in this claim. The Commission therefore substitutes SUSAN RAGAN as the claimant herein.

Under subsection 5(a) of the Czechoslovakian Claims Settlement Act of 1981, the Commission is given the following jurisdiction:

"The Commission shall receive and determine, in accordance with applicable substantive law, including international law, the validity and amount of claims by nationals of the United States against the Government of the Czechoslovak Socialist Republic for losses resulting from the nationalization or other taking of property owned at the time by nationals of the United States, which nationalization or other taking occurred between August 8, 1958, and [February 2, 1982]."

The record indicates that the parents of Joseph Ragan, John and Anna Ragan, purchased various parcels of land in

Secovce, district of Trebisov, during the 1920's and 1930's. Anna Ragan died in 1939, whereupon her son, Joseph Ragan, inherited her 50% share of the properties which she had jointly purchased with her husband. Based on the evidence of record, which includes a court ruling from the town of Kosice, dated July 21, 1982 and a report to the Commission from the Czechoslovakian Government dated May 27, 1983, the Commission concludes that the property co-owned by Joseph Ragan and his father, John Ragan, consisted of nine parcels recorded in the land register for Secovce--nos. 1073, 1571, 1652, 1787, 2033, 1707, 1709, 1742, and 1525--with a total area of 6.5364 hectares (approximately 16 acres).

The aforementioned report to the Commission from the Czechoslovakian Government, dated May 27, 1983, states that all of the property involved in this claim has been in the use of a socialist organization since January 10, 1960. The Commission therefore finds that the subject property was taken by the Czechoslovakian Government on that date.

Since Joseph Ragan was a lifelong United States citizen, the 1/2 interest he owned in the property at the time of loss represents a compensable claim under subsection 5(a) of Public Law 97-127. John Ragan, who owned the other 1/2 of the subject property at the time of loss, acquired United States citizenship upon his birth in 1890 and died intestate in Pennsylvania on April 27, 1964. Under the law of intestate succession in the state of Pennsylvania, Joseph Ragan, as his father's only child, inherited his entire estate and with it John Ragan's 1/2 interest in the instant claim. Accordingly, the loss of John Ragan's 1/2 interest in the subject property also constitutes a compensable claim under subsection 5(a) of Public Law 97-127. Therefore, SUSAN RAGAN, as successor in interest to Joseph Ragan, is entitled to an award for the loss of the entire property.

In determining the value of the subject property, the Commission has considered such evidence as prices in the original contracts of purchase, the size of the parcels, and a brief description of the land by Joseph Ragan. The record indicates that the nine parcels of land totalled some 6.5 hectares (approximately 16 acres), were situated on the outskirts of the town of Secovce in eastern Slovakia, and contained no improvements. Based on the entire record in this claim, the Commission determines that the subject property had a total value of \$6,600 at the time of its taking in 1960. Claimant SUSAN RAGAN is therefore entitled to an award in the principal amount of \$6,600.

The Commission has concluded that in granting awards under subsection 5(a) of Public Law 97-127, for the nationalization or other taking of property, interest shall be allowed at the rate of 6% simple interest per annum from the date of loss to February 2, 1982, the date the claims settlement agreement between the United States and Czechoslovakia entered into force.

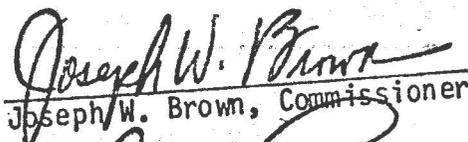
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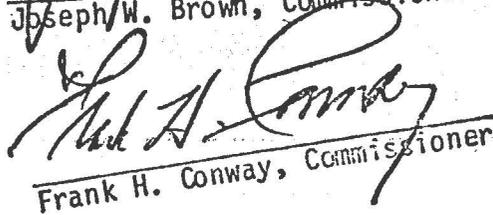
AWARD

Claimant, SUSAN RAGAN, is therefore entitled to an award in the principal amount of Six Thousand Six Hundred Dollars (\$6,600.00), plus interest at the rate of 6% simple interest per annum from January 10, 1960 to February 2, 1982 in the amount of Eight Thousand Seven Hundred Thirty-Seven Dollars and Twenty-Eight Cents, (\$8,737.28), for a total award of Fifteen Thousand Three Hundred Thirty-Seven Dollars and Twenty-Eight Cents (\$15,337.28).

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

NOV 17 1983


Joseph W. Brown, Commissioner


Frank H. Conway, Commissioner

This is a true and correct copy of the decision
of the Commission which was entered as the final
decision.

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.)

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