

December 06, 1956

**EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN
THE REPUBLIC OF THE PHILIPPINES AND THE UNITED STATES
OF AMERICA RELATING TO THE RELINQUISHMENT OF TITLE TO
CERTAIN UNITED STATES MILITARY BASES IN THE PHILIPPINES**

Note: The Agreement entered into force, December 6, 1956.

**THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA**

EMBASSY OF THE UNITED STATES OF AMERICA

Manila, December 6, 1956.

No. 0634

Excellency:

I have the honor to refer to the joint statement issued on July 3, 1956, by President Magsaysay and Vice-President Nixon and in particular to numbered paragraphs 1 and 2 thereof, in which were expressed the undertakings of both Governments concerning certain land adjustments related to the strengthening of the bases system in the Philippines and to numbered paragraph 3 thereof, in which the Government of the United States additionally undertook to transfer and turn over to the Government of the Republic of the Philippines all title papers and title claims held by the United States to all land areas used either in the past or presently as military bases, except those areas which may not or will be used by the United States for its diplomatic and consul establishments. Negotiations agreed to in that statement concerning the land adjustments have been under way for some time between representatives of our two Governments and will be continued at a later date. For its part, the United States has now completed the necessary administrative processing of the title papers and is prepared at this time to fulfill its undertaking concerning the transfer and turnover of title claims and title papers.

Accordingly, the United States hereby relinquishes to the Philippines all claims to title which the United States may have to the military bases located in the Philippines that have been or are now being used by the United States, and herewith delivers all title papers thereto presently held by the United States, which papers are described in Annex 1 hereto.

In effecting this transfer it is the understanding of the United States that the Philippines for its part in acknowledging such relinquishment of claims to title and receipt of title papers:

(A) Agrees that United States makes no warranty of any kind relative to those claims to title, and releases and will hold the United States harmless from any claims or liabilities arising out of any claim to title which the United States may have had to such bases.

(B) Confirms that rights granted United States in the Agreement between the United States and the Republic of the Philippines concerning Military Bases, dated March 14, 1947, are not in any respect impaired or affected by the foregoing relinquishment and transfer, and

(C) Agrees and undertakes to grant to the United States by appropriate deed fee simple title, together with access rights and utility easements, to a parcel of land of approximately twenty-five acres located at Fort William McKinley, said parcel and improvement therein to constitute a part of the diplomatic and consular establishment of the United States. There is attached hereto as Annex 2 a map setting forth the approximate boundaries of said parcel of land.

It is recognized that none of the foregoing will affect title held by United States to that parcel of land, established as diplomatic and consular property of the United States by Proclamation of the President of the United States No. 2694 dated July 3, 1946, promulgated pursuant to and in implementation of Public Law 300, 76th Congress of the United States, on which is located the residence of the Ambassador of the United States at the John Hay Leave and Recreation Center, Baguio, shown as the American Embassy Reservation on Philippine Bureau of Lands Map, Plan II 5958 AND and II-595A and further identified as Lot 58-A delineated and described by specific meter and boundary on Subdivision Plan RSD-19696, of Lot 58, Residential Section "J" Baguio Townsite, situated in the City of Baguio, Luzon.

I am authorized by my Government to state that an acknowledgment of the receipt of this note, which- acknowledgment contains Your Excellency's assurance that the terms and conditions of this note are acceptable to Your Excellency's Government, will, on the date of receipt of such acknowledgment, constitute an agreement between our two Governments.

Accept, Excellency, the renewed assurances of my highest consideration-

(SGD.) **HORACE H.
SMITH**

His Excellency

CARLOS P. GARCIA

Secretary of Foreign Affairs for
the Republic of the Philippines

.DEPARTMENT OF FOREIGN AFFAIRS

No. 3385

Manila, December 6, 1956

Sir :

I am pleased to acknowledge receipt of your note No. 0634 of December 5, 1956, and its enclosures, which note reads as follows:

"No. 0634

Embassy of the United States of
America

Manila, December 5, 1956.

Excellency:

I have the honor to refer to the joint statement issued on July 3, 1956, by President Magsaysay and Vice-President Nixon and in particular to numbered paragraphs 1 and 2 thereof, in which were expressed the undertakings of both Governments concerning certain land adjustments related to the strengthening of the bases system in the Philippines and to numbered paragraph 3 thereof, in which the Government of the United States additionally undertook to transfer and turn over to the Government of the Republic of the Philippines all title papers and title claims held by the United States to all land areas used either in the past or presently as military bases, except those areas which may now or will be used by the United States for its diplomatic and consular establishment. Negotiations agreed to in that statement concerning the land adjustments have been under way for some time between representatives of our two Governments and will be continued at a later date. For its part, the United States has now completed the necessary administrative processing of the title papers and is prepared at this time to fulfill its undertaking concerning the transfer and turnover of title claims and title papers.

Accordingly the United States hereby relinquishes to the Philippines all claims to title which the United States may have to the military bases located in the Philippines that have been or are now being used by the United States, and herewith delivers all title papers thereto presently held by the United States, which papers are described in Annex I hereto.

In effecting this transfer it is the understanding of the United States that the Philippines for its part in acknowledging such relinquishment of claims to title and receipt of title papers:

(A) Agrees that United States makes no warranty of any kind relative to these claims to title and releases and will hold the United States harmless from any claims or liabilities arising out of any claim to title which the United States may have had to such bases.

(B) Confirms that rights granted United States in the Agreement between the United States and the Republic of the Philippines concerning Military Bases, dated March 14, 1947, are not in any respect impaired or affected by the foregoing relinquishment and transfer, and

(C) Agrees and undertakes to grant to the United States by appropriate deed fee simple title, together with access rights and utility easements, to a parcel of land of approximately twenty-five acres located at Fort William McKinley, said parcel and improvement therein to constitute a part of the diplomatic and consular establishment of the United States. There is attached hereto as Annex 2 a map setting forth the approximate boundaries of said parcel of land.

It is recognized that none of the foregoing will affect title held by United States to that parcel of land established as diplomatic and consular property of the United States by Proclamation of the President of the United States No. 2694 dated July 3, 1946, promulgated pursuant to and in implementation of Public Law 300, 76th Congress of the United States, on which is located the residence of the Ambassador of the United States at the John Hay Leave and Recreation Center, Baguio, shown as the American Embassy Reservation on Philippines Bureau of Lands Map, Plan II 5958 AND and II-595A and further identified as Lot 58-A delineated and described by

specific metes and bounds on Subdivision Plan BSD-10698, of Lot 58, Residential Section "J", Baguio Townsite, situated in the City of Baguio, Luzon.

I am authorized by my Government to state that an acknowledgment of the receipt of this note, which acknowledgment contains Your Excellency's assurance that the terms and conditions of this note are acceptable to your Excellency's Government, will, on the date of receipt of such acknowledgment, constitute an agreement between our Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

His Excellency

CARLOS P. GARCIA

Secretary of Foreign Affairs for
the Republic of the Philippines

I am pleased to inform you that an agreement in the sense described in the foregoing note is acceptable to the Government of the Philippines; and that this Government agrees to consider the Embassy's note No. 0635 of December 5, 1956, and its enclosures, together with the present reply thereto as constituting an agreement arrived at between our two Governments.

Accept, Sir, the renewed assurances of my highest consideration.

(SGD.) **CARLOS P. GARCIA**
Secretary of Foreign Affairs

The Honorable **HORACE H. SMITH**

Charge d'Affairs, s.i.
Embassy of the United
States of America Manila
Manila

ANNEX 1

TITLE PAPERS PRESENTLY HELD BY THE UNITED STATES

ANNEX "A" BASES

1. CLARK FIELD AIR BASE, PAMPANGA

T.C.T.	4919	T.C.T.	5431
"	4918	"	6426
"	5433	"	6425
"	5907	"	2184
"	5906	"	2923
"	2511	"	2925
"	2510	"	2926
"	5909	"	2927
"	5908	"	5431
"	4917	"	6427

"	5003	"	2671
"	5911	"	5431
"	5910	"	2670
"	5912	"	2666
"	3107	"	2509
"	4916	"	4998
"	4915	"	2496
"	3106	"	2672
"	3105	"	2500
"	5691	"	1779
T.C.T	4914	"	2668
"	5429	"	2669
"	4985	"	5583
"	4989	"	2185
"	4988	"	5082
"	5692	"	6910
"	4987	"	3109
"	4986	"	2663
"	4913	"	4510
"	7436	"	2665
"	5002	"	2499
"	4999	"	5570
"	5081	"	2664
"	5078	"	5432
"	5079	"	5475
"	5077	"	2667
"	5690	"	2502
"	5001	"	8840
"	5434	"	12590
"	5000	"	12591
"	5080	"	12589
"	4528	"	18161
"	5572	"	13749-A
"	5571	"	13489
"	5430	"	T-5705

"O.C.T. No. O-525

Originals of the following T.C.T,'s are missing, but photostat copies are available:

T.C.T.	8476	T.C.T.	6815
"	8477	"	6813
"	2924	"	6812
"	6427	"	6811
"	6429	"	6810
"	6428	"	6809
"	8482	"	6816
"	6817	"	16778
"	6814		