

## **ADMINISTRATIVE DIRECTIVE NO. 3-98**

To Delegate Authority to Execute Compact Road Easements  
To the Director of the Bureau of Lands and Surveys

WHEREAS, pursuant to Section 212(a) of the Compact of Free Association, the United States Government has agreed to plan, design, and construct a 53-mile-long road encircling Babeldaob Island (“Compact Road”) according to specifications to which the National Government of the Republic of Palau (“Republic”) has agreed; and

WHEREAS, pursuant to the “Agreement Regarding Construction Projects in Palau Concluded Pursuant to Section 212(a) of the Compact of Free Association”, the Republic is responsible for obtaining permanent easements for the construction, maintenance, repair, and path of the Compact Road; and

WHEREAS, Article VIII of the Constitution of the Republic of Palau in Section 7, confers upon the President of the Republic of Palau all the inherent powers and duties of a national chief executive; and

WHEREAS, one of the President’s inherent powers is the power to enter into contracts, subject to appropriations and other governing laws, on behalf of the Republic, including contracts by which the Republic obtains interests in land; and

WHEREAS, the Republic is prepared to enter into over 2000 agreements with landowners that will grant the Republic permanent easements and rights-of-way for the construction, maintenance, repair, and path of the Compact Road; and

WHEREAS, 2 PNC § 203 authorizes the President to designate the head of any government agency to perform any function that is vested in the President, provided that the President does so by a document made available to the Olbiil Era Kelulau and the Judiciary; and

WHEREAS, the Director of the Republic of Palau Bureau of Lands and Surveys is experienced in matters relating to real property and is familiar with the types of easements that the Republic must obtain in order to facilitate the construction and maintenance of the Compact Road;

NOW, THEREFORE, IT IS HEREBY ORDERED that the President of the Republic of Palau delegates to the Director of the Bureau of Lands and Surveys the authority to execute, on behalf of the Republic, any agreements to obtain easements and rights-of-way that the Director deems necessary for the construction, maintenance, repair, or path of the Compact Road. The Director may execute such agreements with public or private entities or persons. However, the Director may not execute any agreements that would require the Republic to pay or commit Republic funds in order to obtain an easement or right-of-way.

IT IS FURTHER ORDERED that this Administrative Directive shall take effect

immediately upon issuance, and shall remain in effect until amended or repealed.

IN WITNESS HEREOF, I have hereunder set my hand and affixed my official seal this 20<sup>th</sup> day of November 1998, in Koror State, Republic of Palau.

/s/

Kuniwo Nakamura  
President of the Republic of Palau