FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

ISIDOR KRUMHOLZ

Claim No. PO-2636

Decision No. 182

Under the Polish Claims Agreement of 1960 and the International Claims Settlement Act of 1949, as amended

Counsel for Claimant: Nicholas R. Doman, Esq.

PROPOSED DECISION

This claim, in the amount of $25,000, is based upon the asserted ownership and loss of a house, 2201 square meters of land, and 100 fruit trees in Andrychow, Poland. Claimant, ISIDOR KRUMHOLZ, has been a national of the United States since his naturalization on December 8, 1952.

Under the Polish Claims Agreement of 1960, claims by nationals of the United States for "(a) the nationalization or other taking by Poland of property and of rights and interests in and with respect to property. . . " are settled and discharged. (Agreement with the Government of the Polish People's Republic Regarding Claims of Nationals of the United States, July 16, 1960, 11 U.S.T. & O.I.A. 1953, T.I.A.S. No. 4545 /1960/, Article II.)

The Agreement further defines "claims of nationals of the United States" as including

> "rights and interests in and with respect to property nationalized, appropriated or otherwise taken by Poland which, from the date of such nationalization, appropriation or other taking to /July 16, 1960/, have been continuously owned. . . : (a) directly by natural persons who were nationals of the United States. . . " (Polish Claims Agreement of 1960, supra, at Annex, Paragraph A. See also 14 FCSC Semiann. Rep. 186 /Jan.-June 1961/.)

The Commission finds, on the basis of official Polish documentation, that claimant was the owner of a house, 2201 square meters of land and 100 fruit trees in Andrychow, Poland, and that his property was taken by the Government of Poland on May 29, 1953 pursuant to the Order of the National Voivodeship Council at Krakow.

On the basis of the area of the land, the claimant's description, photographs of improvements, chart of values of Fruit Trees, and Bushes prepared by the Institute of Pomiculture in Skiermiewice, Poland, and the Commission's independent investigation of the value of the property, it is found that said value at the time of taking was $21,325; and it is concluded that claimant is entitled under the Agreement to an award in that amount.

The Commission has determined that the amount of an award in a claim under the Polish Claims Agreement of 1960 shall be increased by interest thereon at the rate of 6% per annum from the date of loss of property to July 16, 1960, the effective date of the Agreement. (See the Claim of John Hedio Proach, Claim No. PO-3197).

A W A R D

An award is hereby made to ISIDORE KRUMHOLZ in the principal amount of Twenty-One Thousand Three Hundred Twenty-Five Dollars ($21,325.00), with interest thereon at 6% per annum from May 29, 1953, to July 16, 1960, the date of the Polish Claims Agreement, in the sum of Nine Thousand One Hundred Twenty-Three Dollars and Forty-Seven Cents ($9, 123.47).

Dated at Washington, D. C.
and entered as the Proposed
Decision of the Commission
27 DEC 1962

Edward D. Re, Chairman

Theodore Jaffe, Commissioner

LaVern R. Dilweg, Commissioner

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NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed upon the expiration of 60 days after service or receipt of notice of this Proposed Decision, and unless the Commission otherwise orders, this Proposed Decision will be entered as the Final Decision of the Commission. (FCSC Reg., 45, C.F.R. § 531. 5(g)(1961).)