

Licda. Claudia Ma. Agüero Ch.
Official Translator
English-Spanish
Spanish-English

Claudia María Agüero Chacón
Official Translator
English-Spanish/Spanish-English
Agreement N° 006-98 DJ of November 16, 1998
La Gaceta N° 249 of December 23, 1998
San José Costa Rica

Legal stamps affixed at the end.

Exhibit C-21h

English Translation
followed by original

OFFICIAL TRANSLATION

I, **Claudia Ma. Agüero Chacón**, identity card number 1614-520, Official Translator of the Ministry of Foreign Affairs and Worship of the Republic of Costa Rica, named by Agreement N° 006-98 DJ of November 16, 1998, published in La Gaceta N° 249 of December 23, 1998, hereby CERTIFY that the pertinent parts of the document "notification" to be translated from Spanish into English reads as follows: -
*Information Folder, File "08-000139-0163-CA, Rec. 611-TA-12, **Keeping Track Limitada** against the State.*

No.713-2012 -----

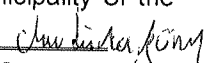
TAX CIVIL AND ADMINISTRATIVE COURT OF APPEALS, FIRST SECTION. Courtroom II of Annex A of the Second Judicial Circuit of San José, Calle Blancos, at eleven hours twenty-eight minutes of December fourteenth of two thousand and twelve. -----

Appeal filed in **Expropriation** proceedings, file No. **08-000139-0163-CA**, submitted before the Tax Civil and Administrative Court of Appeals by the **State**, represented by its Attorney General, Bernardo Lara Flores, attorney, license number 8009; against: **Keeping Track Limitada**, represented by its judicial representative, Rafael Cañas Coto, attorney license number 6562. -----

Judge in Charge: Yazmín Aragón Cambronero -----

THEREFORE: -----

The resolution appealed is amended as follows: The amount of fair compensation is established in the total sum of: **six hundred ninety seven million, six hundred twenty five thousand, nine hundred colones** (¢ 697,625,900. 00), that are distributed in the following manner: for the indemnification of the strip of land of 3955.86 square meters to be expropriated the following sum is established: **four hundred ninety four million four hundred eighty two thousand five hundred colones** (¢494,482,500.00); for the remaining affected, the following sum is established: **two hundred and three million, one hundred and forty-three thousand, four hundred colones**, for the total already indicated. Also, the ruling is revoked since it absolved the payment of interest and costs, and it is replaced with the order to organize the payment of interest over the difference between the amount decided by the administration and that established by the jurisdictional court, and this interest should be settled as from the date of dispossession of the good that occurred on December 09, 2008, until its effective payment. The State is condemned, to the payment of personal and legal costs. In conformance with Article 42, of the Law of Expropriations, the resolution of the appeal is added, in the understanding that the Municipality of the



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Legal stamps affixed at the end.

area and the Taxation Department must be informed, with regard to their responsibility in determining the national and local taxes involved.-----

Illegible signature -----

Yasmín Aragón Cambronero -----

Illegible signature ----- **Illegible Hubert Fernandez Argüello** ----- **Otto González Vilchez**

(Ink seal) -----

Administrative Court-----

2nd Judicial Circuit of San José-----

Judicial Branch, Costa Rica-----

(By hand)-----

Date: January 11th, 2013-----

Illegible -----

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----- LAST LINE -----

In witness whereof at the request of the interested party, I issue the present Official Translation from Spanish into English, consisting of two pages, and I sign and seal it in San José, Republic of Costa Rica, on the twenty-fifth day of March in the year of the Lord two thousand thirteen. The stamps required by law are affixed and cancelled. I affix my raised seal at the foot of the translation. The two pages of the translation are written only on the obverse and the reverse has been annulled. -----



[Type text]

Nº 713-2012

TRIBUNAL DE APELACIONES DE LO CONTENCIOSO ADMINISTRATIVO Y CIVIL DE HACIENDA, SECCIÓN PRIMERA. Sala II del Anexo A del Segundo Circuito Judicial de San José, Calle Blancos, a las once horas veintiocho minutos del catorce de diciembre de dos mil doce.

Recurso de apelación interpuesto en proceso de **Expropiación**, expediente número **08-000139-0163-CA**, establecido ante el Juzgado Contencioso Administrativo y Civil de Hacienda por el **Estado**, representado por su procurador, Bernardo Lara Flores, carné de abogado número 8009; contra: **Keeping Track Limitada**, representada por su mandatario judicial, Rafael Cañas Coto, carné de abogado número 6562.

Juez Ponente: Yazmín Aragón Cambroneró

POR TANTO:

Se modifica la resolución venida en alzada en los siguientes extremos: El monto del justiprecio se fija en la suma total de: **seiscientos noventa y siete millones seiscientos veinticinco mil novecientos colones** (¢ 697, 625, 900. 00), que se desglosa de la siguiente forma: por la indemnización de la franja de terreno expropiar de 3955,86 metros cuadrados, se fija la suma de: **cuatrocientos noventa y cuatro millones cuatrocientos ochenta y dos mil quinientos colones** (¢ 494, 482, 500. 00); por la afectación al remanente se fija la suma de: **doscientos tres millones ciento cuarenta y tres mil cuatrocientos colones**, para el total ya indicado. Además, se revoca el fallo dispuesto en cuanto absolvió el pago de intereses y costas, para en su lugar ordenar el pago de intereses sobre la diferencia entre el monto dado

en sede administrativa y lo fijado en sede jurisdiccional, los cuales deberán de ser liquidados a partir de la fecha de desposesión del bien que se dio 09 de diciembre del 2008, hasta su efectivo pago. Se condena al Estado, al pago de las costas personales y procesales. De conformidad con el artículo 42, de la Ley de Expropiaciones, se adiciona la resolución venida en alzada, en el entendido que deberá comunicarse a la Municipalidad de la zona y a la Dirección de Tributación para lo de su cargo en cuanto a la fijación de los impuestos nacionales y locales del caso .-

EXPEDIEN
PROCESO
ACTOR/A
DEMAND.

JUZ

SEGUNDO

dos minuto

Es

expropiar

0800013'

TRECE

a la dif

Rodrigo

Yazmín Aragón Cambronero

Hubert Fernández Argüello

Otto González Vilchez



Fecha: 11 enero 2013
H. Ene del T. Apal
AS