

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (Second) Regular Session

Bill No. 355-32 (cop)

Introduced by:

T.C. Ada 

**AN ACT TO AUTHORIZE THE DEPARTMENT
OF PUBLIC WORKS, GOVERNMENT OF GUAM,
TO ACQUIRE LOT NO. 150-R3-1R/W, MERIZO,
GUAM FOR THE PIGUA BRIDGE
RECONSTRUCTION PROJECT.**

2014 JUN 17 PM 4:05 CF

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

3 finds the Department of Public Works (DPW) on behalf of the Government
4 of Guam, has prepared plans for the reconstruction and widening of the Bile
5 and Pigua bridges in Merizo. These bridges are an integral part of the island-
6 wide road improvement plan funded by the Federal Highway Administration
7 (FHWA). *I Liheslatura* further finds the bridges will be for public use.

8 *I Liheslatura* further finds DPW has successfully negotiated the
9 purchase of required lots from all private landowners required of the
10 Bile/Pigua Bridge Reconstruction Project (the Project), with the exception of
11 a portion of Lot No. 150-R3. The portion needed for public right of way has
12 been designated as Lot 150-R3-1R/W and represents 240sm (or 4.9%) of Lot
13 150-R3 which has a total area of 4,897sm.

14 *I Liheslatura* therefore intends to authorize the exercise of the power
15 of eminent domain, pursuant to 21GCA Ch. 15 §15105(b) to wit "*the power*
16 *of Eminent Domain may be exercised by the government of Guam upon the*
17 *authorization and appropriation of funds by the Congress of the United*

1 *States for public use within Guam ... the appropriation by the Congress of*
2 *the United States for a specific public use must also include a corresponding*
3 *authorization by the Guam Legislature via duly enacted legislation”.*

4 **Section 2. Authorization to condemn Lot No. 150-R3-1R/W.**

5 DPW is hereby authorized to condemn Lot No. 150-R3-1R/W,
6 Merizo, Guam, containing an area of 240 square meters, as shown on
7 Drawing No. DCA1-S-11-26 (Exhibit A) and in further detail in the
8 document labeled Guam Department of Public Works Road Plan (Pigua
9 Bridge) (Exhibit A-1), appended hereto, a copy of which was recorded with
10 the Department of Land Management, Government of Guam, on October 9,
11 2013, under instrument No. 857237; provided, however, that as a condition
12 to this approval, Lot No. 150-R3-1R/W the property shall be used for the
13 Project and, subject further to FHWA providing 100% of the condemnation
14 funds needed to fund the condemnation.

15 **Section 3. Interest Condemned.**

16 Upon confirmation of belief, based on appraisals of the property, the
17 sum of money estimated to be just compensation for the fee simple interest
18 taken in Lot No. 150-R3-1R/W is Twenty Three Thousand six hundred and
19 00/100 dollars (\$23,600.00).

20 **Section 4. Severability.** *If any provision of this Law or its*

21 *application to any person or circumstance is found to be invalid or contrary*
22 *to law, such invalidity shall not affect other provisions or applications of this*
23 *Law which can be given effect without the invalid provisions or application,*
24 *and to this end the provisions of this Law are severable.*

25 **Section 5. Effective Date.** This Act shall become effective upon its

26 enactment.

ADDITIONAL NOTES:

- THE LOT 150-R3 IS SUBJECT TO UTILITIES SHOWN ON THE ATTACHED RECORD DRAWING NOS. 292710, 8028 AND 8029.
- THE CENTERLINE ALIGNMENT AND RIGHT OF WAY LINES AS SHOWN IS BASED ON THE FIELD LOCATION OF THE CENTERLINE OF THE EXISTING AC ROAD PAVEMENT.
- ROAD CENTERLINE ROAD STATIONINGS ARE TEMPORARY AND ARE IN FEET AND ARE BASED FROM THE ROAD CENTERLINE DRAWING PROVIDED BY TRENHARD & ASSOCIATES, INC. DESIGN CONSULTANTS OF THE DISTRICT OF COLUMBIA FOR BROADENING AND ROAD IMPROVEMENTS.

ADDITIONAL REFERENCE:

- RE-SURVEY SURVEY OF LOT 150-R3, L.M. NO. 229 BY F.T. PREPARED BY PLS # 44 DOC. NO. - NONE

ADDITIONAL NOTE:

II. ELEVATIONS OF CORNER MARKERS AS SHOWN ARE IN FEET. EXCEPT FROM THE U.S.G.S. NAVY (TRIMBLE) QUADRANGLE OF 15 MINUTE (1917) QUADRANGLE.

REFERENCES:

- DOCUMENT NO. 4343
- RE-SURVEY SURVEY OF LOT 149-2-1, PREPARED BY PLS # 73, L.M. NO. 229, DOC. NO. 815651

NOTES:

- SURVEY WAS BASED ON LEAD PROPERTY CORNERS AS SHOWN ON THIS MAP.
- ALL DISTANCES ARE IN METERS.
- BEARINGS & DISTANCES IN PARENTHESES ARE RECORDED DATA. ALL OTHERS ARE 1983 GRID VALUES.
- EXISTING LOT 150-R3 ZONED "A" AGRICULTURAL PER 1947 OPTICAL ZONING MAP.
- SUBJECT LOT IS OUTSIDE THE NEIGHBORHOOD.
- AS-BUILT ARE AS SHOWN AS OF APPROVAL OF THIS MAP.
- RIGHT OF WAY ROAD CENTERLINE STATIONING IS IN FEET.

SYMBOLS:

- CENTER MARKHOLE (SMH)
- TURNED CORNER MARKER SET
- ROAD & HOT SET
- 1/4" NO. 4 REPAIR WORK CAP MARKER PLS # 73, DOC. NO. 815651
- 1/4" NO. 4 REPAIR WORK CAP MARKER PLS # 73, DOC. NO. 815651
- END NO. 4 REPAIR WORK CAP MARKER PLS # 73, DOC. NO. - NONE

CERTIFICATE OF GUAM CHIEF SURVEYOR

THIS MAP HAS BEEN COMPILED FOR CONFORMANCE WITH TITLE 21, GUAM CODE AND REGULATIONS THEREUNDER ON 10/28/2011 BY *[Signature]* GUAM CHIEF SURVEYOR / DIRECTOR OF SURVEYS

CERTIFICATE OF GUAM CHIEF PLANNER

APPROVAL PURSUANT TO TITLE 21, GUAM CODE AND REGULATIONS, CHAPTER 82, SUBDIVISION LAW § 2.12.1

CERTIFICATE OF SURVEYOR

RESTORIO G. GONZALEZ, I hereby certify that this map was prepared by me or under my direct supervision and that I am a duly licensed Professional Land Surveyor in Guam in accordance with applicable laws and regulations. That I am responsible for the accuracy of all data and information shown hereon and that I have caused the instruments used in the preparation and execution of the measuring operations indicated on this map.

Professional Land Surveyor No. 83
 Registered Civil Engineer No. 1294
 Registered Professional Planner No. 1000
 Registered Professional Surveyor No. 1000
 Registered Professional Engineer No. 1000

REVISIONS:

NO.	BY	DESCRIPTION	DATE
1	ASB	REVISIONS TO ROAD CENTERLINE	10/28/2011

REVISIONS TO ROAD CENTERLINE

1. PARAGRAPH 10 PL 28-126 SECTION 10, AS REQUIRED UNDER SUBDIVISION LAW, THE DESCRIPTION OF LOT 150-R3-R1, AS SHOWN ON THIS MAP ARE RECORD DATA AND NOT FIELD CONDITION.

SPECIAL NOTES

1. PARAGRAPH 10 PL 28-126 SECTION 10, AS REQUIRED UNDER SUBDIVISION LAW, THE DESCRIPTION OF LOT 150-R3-R1, AS SHOWN ON THIS MAP ARE RECORD DATA AND NOT FIELD CONDITION.

APPROVED BY: *[Signature]* DATE: 11/13/11

SATISFACTORY TO AND APPROVED BY: *[Signature]* DATE: 10-8-13

REVISIONS:

NO.	BY	DESCRIPTION	DATE
1	ASB	REVISIONS TO ROAD CENTERLINE	10/28/2011

State of Guam, Government of Guam
 Department of Land Management Office of the Recorder
 File for Record: 857237
 On this 13th day of November 2011, I, *[Signature]* Recorder
 certify that the foregoing is a true and correct copy of the original as recorded.

GRAPHIC SCALE: 1:400

REVISIONS TO ROAD CENTERLINE

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SPECIAL NOTES

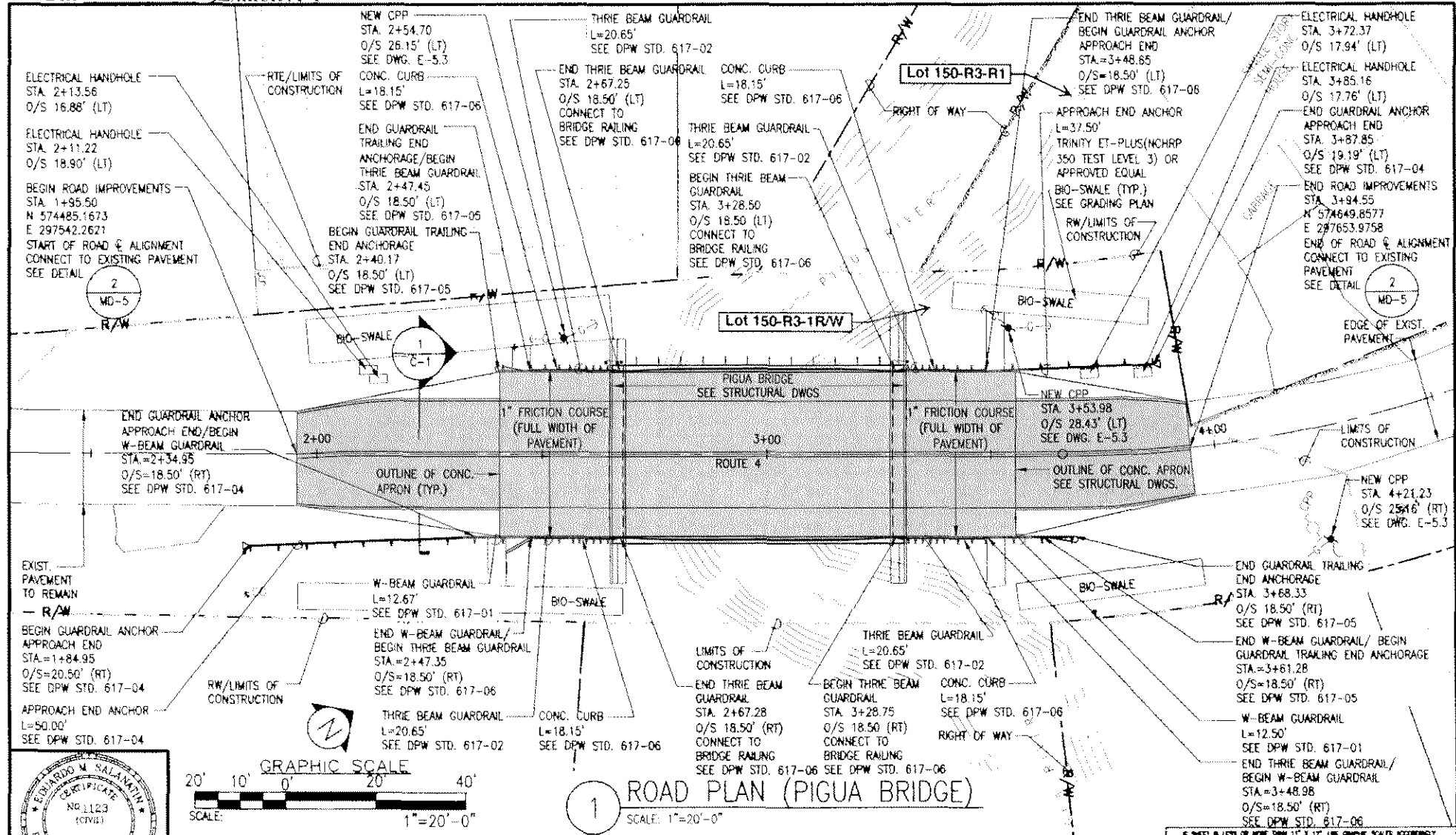
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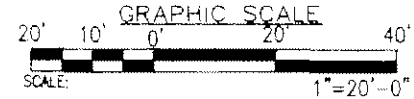
SATISFACTORY TO AND APPROVED BY: *[Signature]* DATE: 10-8-13

REVISIONS:

NO.	BY	DESCRIPTION	DATE
1	ASB	REVISIONS TO ROAD CENTERLINE	10/28/2011



1 ROAD PLAN (PIGUA BRIDGE)
SCALE: 1"=20'-0"



DRAWING REVISIONS			
REVISION	DATE	BY	DESCRIPTION

DESIGNER	JWC
DRAWER	CAD/PCP/MS
CHECKER	EMS/JWC
DATE	11-25-13



BILE / PIGUA BRIDGE REPLACEMENT (CONSTRUCTION PHASE)
OPTION 1 (BRIDGE)

ROAD PLAN (PIGUA BRIDGE)

GUAM DEPARTMENT OF PUBLIC WORKS					
VILLAGE	TERRITORY	PROJECT NO.	DRAWING	SHEET	TOTAL SHEETS
MERIZO	GUAM	GU-11-NH-BIS(007)	C-5	17	133

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.