

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (Second) Regular Session

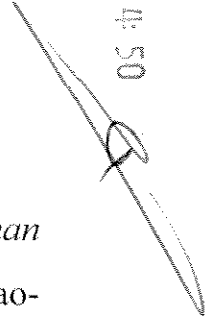
Bill No. 270-33 (COR)

Introduced by:

T.C. Ada 

**AN ACT TO TRANSFER LOT 5138-2-R3 NEW-1-2
AND LOT 5138-2-R3 NEW-1-R2, *IPAO-TUMON*,
MUNICIPALITY OF DEDEDO TO THE CLTC
LAND INVENTORY FOR COMMERCIAL
LEASING, AND TO PROVIDE FOR LEASE
REVENUE SHARING WITH DISID, AND TO
IDENTIFY LAND FROM THE CLTC LANDS
INVENTORY FOR THE CONSTRUCTION OF A
DISID FACILITY.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that Lot No. 5138-2-R3 NEW-1-2 and Lot No. 5138-2-R3 NEW-1-R2, Ipao-
4 Tumon, Municipality of Dededo was administratively transferred to the
5 Department of Vocational Rehabilitation (predecessor to DISID (*Department of*
6 *Integrated Services For Individuals with Disabilities*) on August 22, 1988 for
7 future developments as proposed by DISID. The Lots are currently vacant and
8 have been for over 20 years.

9 *I Liheslaturan Guåhan* recognizes that the higher and better use of Lot No.
10 5138-2-R3 NEW-1-2 and Lot No. 5138-2-R3 NEW-1-R2, *Ipao-Tumon*,
11 Municipality of Dededo would be for commercial activities because of its road
12 frontage location in a prime commercial area.

13 *I Liheslaturan Guåhan* also finds that the Chamorro Land Trust Commission
14 (CLTC) holds the certificate of title for Lot No. 5138-2-R3 New-1-1, *Ipao-Tumon*,

1 Municipality of Dededo, a Lot containing an area of 2,868+ square meters and is
2 situated adjacent to Lot No. 5138-2-R3 NEW-1-2 and Lot No. 5138-2-R3 NEW-1-
3 R2. And that the consolidation of these three Lots will make feasible an even
4 higher and better use of the three Lots.

5 *I Liheslaturan Guåhan* intends to transfer Lot No. 5138-2-R3 NEW-1-2 and
6 Lot No. 5138-2-R3 NEW-1-R2, *Ipao-Tumon*, Municipality of Dededo from the
7 administrative jurisdiction of DISID to the CLTC Lands Inventory, and to be made
8 available by CLTC for commercial leasing.

9 **Section 2. Property Transfer.** Lot No. 5138-2-R3 NEW-1-2 and Lot No.
10 5138-2-R3 NEW-1-R2, Municipality of Dededo as shown on Department of Land
11 Management Map No. 314-FY89 (attached Exhibit A) shall be transferred into the
12 CLTC Lands Inventory and made available for commercial leasing.

13 **Section 3. Identification of CLTC property for Construction of DISID**
14 **Facility.** The Chamorro Land Trust Commission shall, within 30-days of
15 enactment, identify property within its land inventory that would be adequate for
16 the construction of a DISID facility wherein training and rehabilitative programs
17 can be conducted and administrative office spaces can be located. With Legislative
18 approval, CLTC shall transfer said property to DISID.

19 **Section 4. Distribution of Lease Revenues.** Ninety Percent (90%) of the
20 lease revenues collected shall be deposited into the *Chamorro Land Trust Survey*
21 *and Infrastructure Fund*. The balance, ten percent (10%), shall be deposited into
22 the *CLTC-DISID Training and Rehabilitation Fund*.

23 **Section 5. Creation of the CLTC-DISID Training and Rehabilitation**
24 **Fund.** The CLTC-DISID Training and Rehabilitation Fund (the Fund) is hereby
25 created. The annual distribution payment equivalent to 10% of the revenues
26 collected annually from the lease of Lot No. 5138-2-R3 NEW-1-2 and Lot No.
27 5138-2-R3 NEW-1-R2 or any successor consolidated lot shall be deposited into the

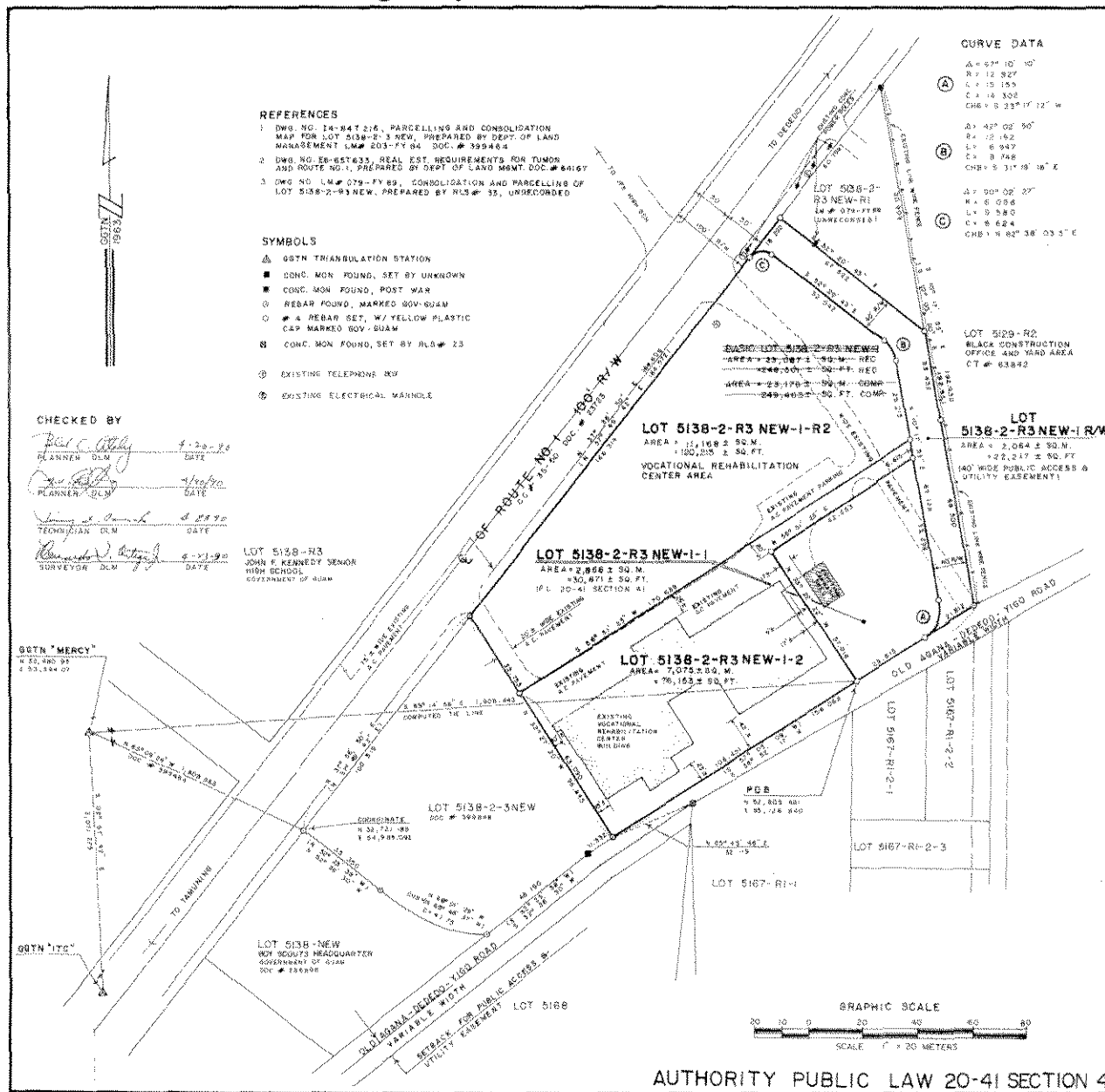
1 Fund and shall be used to support DISID training and rehabilitation programs. The
2 Fund shall be maintained separate and apart from any other funds and shall not be
3 subject to the transfer authority of *I Maga 'lahen Guahan*. Expenditure of funds
4 shall be subject to Legislative appropriation.

5 **Section 6. Exemption.** § 2107 of Title 2, Guam Code Annotated and the
6 Standing Rules of *I Mina' Trentai Tres Na Liheslaturan Guahan* relative to the
7 appraisals of land *shall not* apply to this Act.

8 **Section 7. Severability.** If any provision of this law or its application to any
9 person or circumstance is found to be invalid or contrary to law, such invalidity
10 *shall not* affect other provisions or applications of this law that can be given effect
11 without the invalid provisions or applications and to this end the provisions of this
12 Act are severable.

13

1569



REFERENCES

- DWG. NO. 14-847-216, PARCELLING AND CONSOLIDATION MAP FOR LOT 5138-2-3 NEW, PREPARED BY DEPT. OF LAND MANAGEMENT L.M.# 203-FY 84 SOC.# 399464
- DWG. NO. 14-857-233, REAL EST. REQUIREMENTS FOR TUNON AND ROUTE NO. 1, PREPARED BY DEPT. OF LAND MGMT. DOC.# 64167
- DWG. NO. L.M.# 079-FY 89, CONSOLIDATION AND PARCELLING OF LOT 5138-2-3 NEW, PREPARED BY NLS.# 33, UNRECORDED

SYMBOLS

- ▲ GSN TRIANGULATION STATION
- CONC. MON FOUND, SET BY UNKNOWN
- CONC. MON FOUND, POST WAR
- REBAR FOUND, MARKED GOV-GUAM
- # 4 REBAR SET, W/ YELLOW PLASTIC CAP MARKED GOV-GUAM
- CONC. MON FOUND, SET BY NLS.# 33
- ⊙ EXISTING TELEPHONE W/
- ⊙ EXISTING ELECTRICAL MARIHOLE

CHECKED BY

Paul C. Coffey 1-22-88
PLANNER DLM DATE

John F. Kennedy 1-22-88
PLANNER DLM DATE

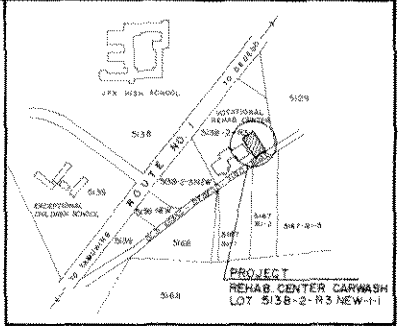
John F. Kennedy 8-22-90
TECHNICAL DLM DATE

Richard D. Hertzog 8-22-90
SURVEYOR DLM DATE

LOT 5138-3
JOHN F. KENNEDY SENIOR
HIGH SCHOOL
GOVERNMENT OF GUAM

CURVE DATA

- (A) Δ = 57° 10' 10"
R = 12.927
L = 15.155
C = 4.305
CHS = 5.337 17' 12" W
- (B) Δ = 47° 02' 50"
R = 22.152
L = 6.947
C = 3.748
CHS = 31° 08' 08" E
- (C) Δ = 50° 00' 27"
R = 6.056
L = 3.580
C = 3.624
CHS = 4° 02' 38" 03 1' E



LOCATION MAP
NOT TO SCALE

NOTES

- BOUNDARY WAS BASED ON FOUND CORNERS AS SHOWN
- ALL DISTANCES ARE IN METERS, UNLESS OTHERWISE NOTED
- BEARINGS AND DISTANCES IN PARENTHESES ARE RECORD DATA ALL OTHERS ARE 1984

CERTIFICATIONS

I, NICHOLAS W. CARING, HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS BASED UPON A FIELD SURVEY MADE IN MY PRESENCE AND THAT IT MEETS ALL THE REQUIREMENTS OF CHAPTER 9, TITLE 26 OF THE GOVERNMENT CODE OF GUAM AND REGULATIONS THEREUNDER.

Nicholas W. Caring 6-22-90
TERRITORIAL SURVEYOR DATE

APPROVAL PURSUANT TO PUBLIC LAW 6-134, TITLE 19, GOVERNMENT CODE OF GUAM

John F. Kennedy 8-22-90
TERRITORIAL PLANNER DATE

APPROVED
Richard D. Hertzog
DIR. DEPT. OF LAND MANAGEMENT DATE

SURVEY DATA		ABSTRACT OF TITLE	
PROJECT	5138	BASED LOT	5138
ASD NO.	524-05-89 MAY 1989	RESEARCHED INTO / BY	MAY 1989
FILED BY	ST. CORTINA MAY 1989	CERT. OF TITLE	JAN. 17, 1929
FILED COPY	ST. CORTINA MAY 1989	REGISTERED BY	B.C.# 3001
DRAWN BY	J.F. KENNEDY MAY 1989	IN NAME OF	UNITED STATES OF AMERICA
ENLARGED BY	N.W. CARING APRIL 1990		

REF. DATE	WAIVER DESCRIPTION	BY	DATE	APPROVED

1 PARCELLING SURVEY MAP OF
LOT 5138-2-R3 NEW-1
PROPOSED CARWASH SITE FOR VOCATIONAL REHAB. CENTER
IPAD - TUNON, MUNICIPALITY OF DEDEDO
LS 13 SEC. 1.

GOVERNMENT OF GUAM
DEPARTMENT OF LAND MANAGEMENT
LAND SURVEY DIVISION

SCALE 1" = 20 METERS DRAWING NUMBER
L.M. CASE NO. 314-FY 89 I4-89T 336
SHEET 1 OF 1

