

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

Bill No. 322-33 (Cove)

Introduced by:

T.C. Ada 

2016 OCT 19 01:33:37
Jim AUST

**AN ACT TO REZONE LOTS 2260 AND 2261,
MUNICIPALITY OF BARRIGADA FROM
AGRICULTURAL "A" ZONE TO SCHOOL "S-1"
ZONE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Lots 2260 and 2261, Municipality of *Barrigada* (Lots) were Returned Federal Excess Lands. As such, §61217 Title 21 Guam Code Annotated Chapter 61 effectively zoned all Returned Federal Excess Lands Agricultural Zone "A".

I Liheslaturan Guåhan further finds that the Lots have recently been purchased by the Guahan Academy (Academy) as part of their plan to build a permanent school campus.

I Liheslaturan Guåhan also finds that the Academy's lease for their temporary campus at Tiyan expires in June 2016. However, the Tiyan lease is currently under consideration for a one-year extension.

I Liheslaturan Guåhan also finds that the Academy has submitted applications for Federal grants for the construction of a permanent campus. The furtherance of the grant applications is contingent upon proof of ownership and site control of real property conforming to local land use laws for the intended use of

1 such property. Hence, the construction of a school on the purchased Lots must be
2 properly zoned to School zone “S-1”.

3 *I Liheslaturan Guåhan* also finds that the Academy’s grant also includes
4 funding for the construction of a road, from Route 15 to the Lots, on a previously
5 established and approved public rights-of-way access and utilities easement to the
6 permanent school site. The opening of the public access will enable construction
7 of the permanent campus and supporting infrastructure. The public access will
8 also enable development in the surrounding area.

9 *I Liheslaturan Guåhan* intends to re-zone Lots 2260 and 2261, Municipality
10 of *Barrigada* from Agricultural Zone “A” to School Zone “S-1” in order to enable
11 the construction of a permanent school campus by Guahan Academy.

12 **Section 2. Lot Re-Zoning.** Notwithstanding any other provision of law,
13 Lot 2260, Municipality of *Barrigada* and Lot 2261, Municipality of *Barrigada* as
14 shown on Department of Land Management Drawing No. 059FY2014 recorded
15 under Document No. 861354 (Attachment A) are hereby re-zoned from
16 Agricultural Zone “A” to School Zone “S-1”.

17 **Section 3. Access Road.**

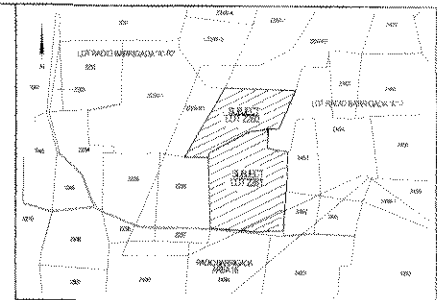
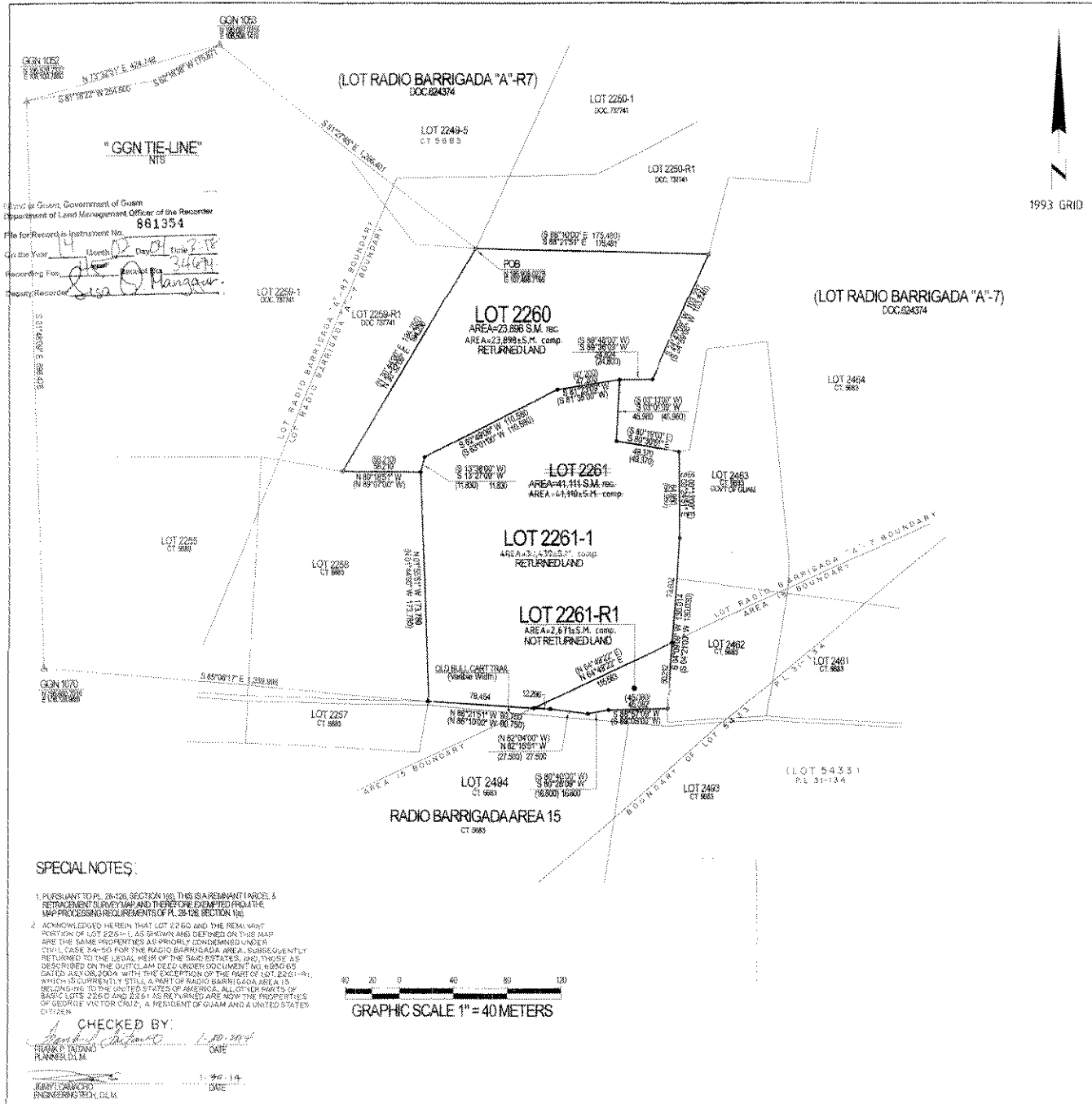
18 (a) Access to Lots 2260 and 2261, Municipality of *Barrigada* shall
19 be constructed by the Academy on previously established and approved
20 public rights-of-way access and utilities easements to the permanent school
21 site as partially shown on Department of Land Management Drawing No.
22 281FY2015 recorded under Document No. 886921 (see Attachment B).

23 (b) Issuance of construction permits for the permanent school
24 campus shall be contingent upon the construction of the access road by the
25 Guahan Academy on the established rights-of-way easement and compliance
26 with other required permits.

1 (c) The Guahan Academy shall be responsible for the cost of
2 surveying the easement to establish the boundary markers.

3 **Section 4. Severability.** If any provision of this law or its application
4 to any person or circumstance is found to be invalid or contrary to law, such
5 invalidity *shall not* affect other provisions or applications of this law that can be
6 given effect without the invalid provisions or applications and to this end the
7 provisions of this Act are severable.

Attachment A of Bill No. 322-33 (Coa)



NOTES:

1. SURVEY WAS BASED ON THE FORMER AS SHOWN.
2. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
3. BEARINGS AND DISTANCES ARE IN 1993 GRID UNLESS OTHERWISE NOTED.
4. NO ADJUTMENTS OR CORRECTIONS TO BE MADE TO THIS MAP.
5. SUBRETTENTED ARE ZONED AS AGRICULTURAL (P) AND (P) 10-100.
6. SUBRETTENTED ARE ZONED AS AGRICULTURAL (P) AND (P) 10-100.
7. SUBRETTENTED TO THE (S) PARTS OF PARCELS 1 AND 2 ARE 10-100.

REFERENCES:

1. LOT 2260 ASANA PD BDDA 2 PAGE 677
1. LOT 2260 ASANA BDDC 21 PAGE 512
1. BDDC 10-2007-0001 LOT 2260 & LOT 2255 PLS. 19-111-11
1. MAPS & BDDC 10-2007-0001 BEAR. 25-25-25 RE-STATEMENT SURVEY 106 07-11-11

SYMBOLS:

- ▲ GGN STATION
- NO. 4 BEARER WITH PLASTIC CAP MARKED PLS. 19-581
- NO. 4 BEARER WITH PLASTIC CAP MARKED PLS. 19-580 (SEE PLAN)

CERTIFICATION

I, FRANK L. G. CASTRO, CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION THAT IT IS BASED UPON A FIELD SURVEY MADE IN MARCH OF 2014 IN CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATIONS THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATION SHOWN HEREON AND TO CERTIFY THAT ALL THE REQUIREMENTS ARE OF THE SURVEYING ACTS OF GUAM. THE CERTIFICATION IS MADE ON THIS MAP.

FRANK L. G. CASTRO, PLS. NO. 19-01-24-14 DATE

APPROVAL PURSUANT TO TITLE 21 GUAM ANNOTATED CHAPTER 62 SUBDIVISION LAW

HARVEIN D. AQUILAR, GUAM CHIEF PLANNER DATE

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21 GUAM CODE ANNOTATED CHAPTER 62, ARTICLE 2, SUBCHAPTER 2001 AND 2002 AND BEING IN ACCORDANCE THEREWITH ON THIS 25th DAY OF Feb. 2014.

PAUL L. SANTOS, PLS. NO. 19-01-24-14 DATE

PARCELS	SCALE	DEFINITION	BY	SCALE	APPROVED BY DATE

FLGC FRANK L. G. CASTRO
PROFESSIONAL LAND SURVEYOR NO. 19
ISLAND OF GUAM
P.O. BOX 1078 AGANA GUAM 96912 TEL. NO. 465-1750

SURVEY DATA	DATE	REMNANT PARCEL SURVEY MAP
RESEARCHED BY	MAR 2013	OF LOT 2261
FIELD FILED	MAR 2013	RETRACTION SURVEY MAP
PROCESSED	MAR 2013	OF LOT 2260
COMPLETED	MAR 2013	
DATE	MAR 2013	
PREPARED BY	MAR 2013	

LAND MANAGEMENT NO.	PROPERTY	SECTION
0595Y 2014	PROPERTY OWNERSHIP OF RADIO BARRIGADA	SEC. 1A2

SURVEYOR'S DRAWING NO.	REMNANT OF	PREPARED FOR
FC032/2013	REMNANT OF	NAVAL GOVERNMENT OF GUAM AND ON BEHALF OF THE UNITED STATES OF AMERICA

PREPARED FOR: SATISFACTORY TO & APPROVED BY

SURVEYOR'S: FLGC-032-2013 SCALE: SEE PLAN SHEET NO. 1 OF 1

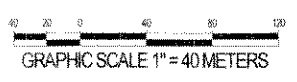
DATE: FEB 6 2014

SPECIAL NOTES:

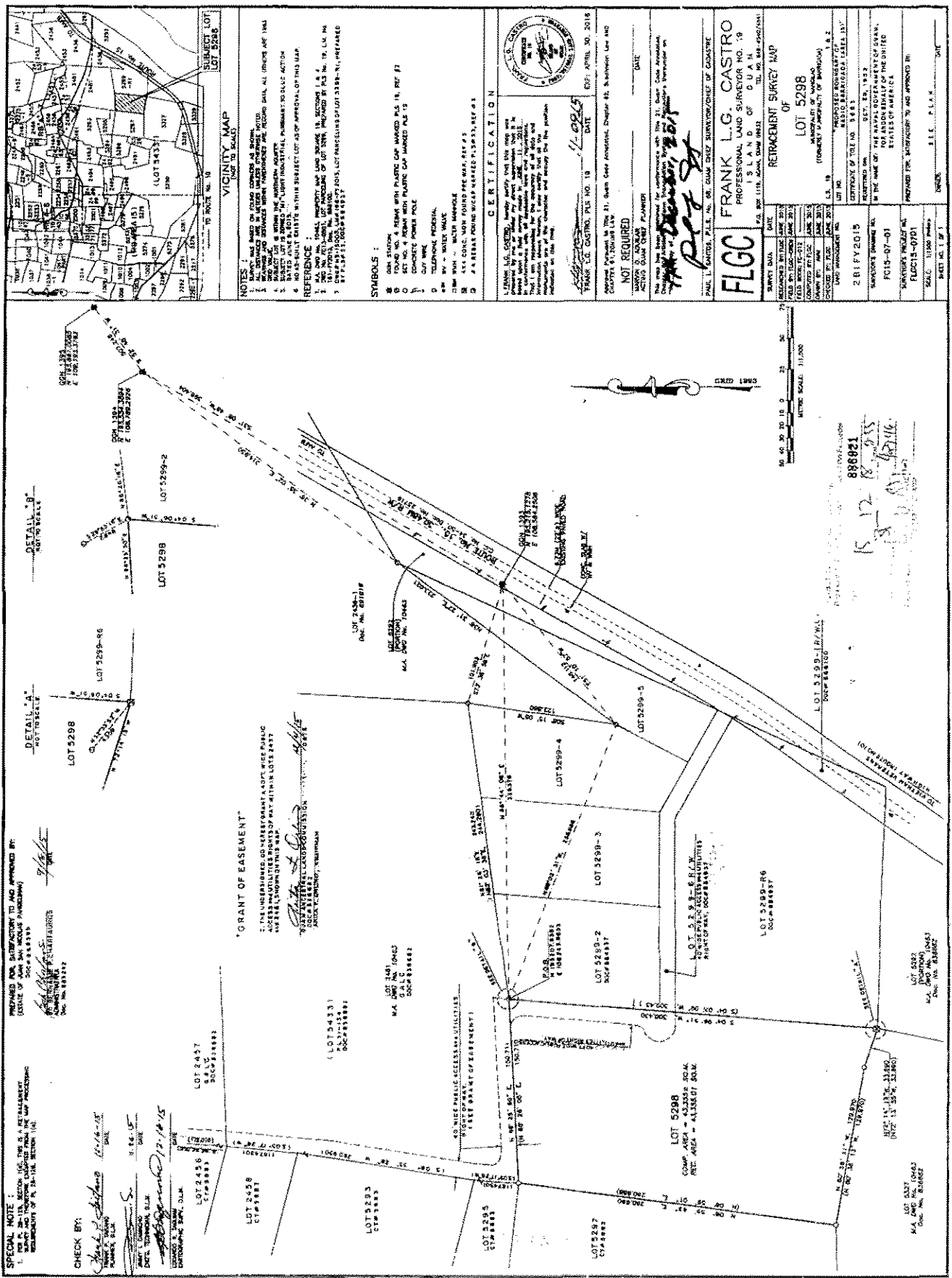
1. PURSUANT TO P.L. 26-126 SECTION 186, THIS IS A REMNANT PARCEL A RETRACTION SURVEY MAP AND THEREFORE DRAWN FROM THE MAP PROCESSING REGULATIONS OF P.L. 26-126 SECTION 186.
2. ACKNOWLEDGED HEREBY THAT LOT 2260 AND THE REMNANT PORTION OF LOT 2261-1 AS SHOWN ARE DEFINED ON THIS MAP ARE THE SAME AS IDENTIFIED AS PARCELS 1 AND 2 UNDER CIVIL CASE 94-150 FOR THE RADIO BARRIGADA AREA, SUBSEQUENTLY RETURNED TO THE LEGAL HEIR OF THE SAID ESTATES, AND THOSE AS DESCRIBED ON THE OUTLINES DEED UNDER DOCUMENT NO. 618005 DATED JULY 08, 2004 WITH THE EXCEPTION OF THE PART OF LOT 2261-1, WHICH IS CURRENTLY STILL A PART OF RADIO BARRIGADA AREA 15 BELONGING TO THE UNITED STATES OF AMERICA. ALSO, THE PARTS OF BASIC LOTS 2260 AND 2261 AS RETURNED ARE NOW THE PROPERTIES OF GEORGE VICTOR KOEHL, A RESIDENT OF GUAM AND A UNITED STATES CITIZEN.

CHECKED BY: FRANK L. G. CASTRO, PLS. NO. 19-01-24-14 DATE

JUAN CARLOS ENRIQUETA, PLS. NO. 14-01-14-14 DATE



Attachment B of Bill No. 32233 (cor)



S-14840