

*I Mina'Trentai Kuåttro Na Liheslaturan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
277-34 (COR)	Thomas C. Ada	AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS, GOVERNMENT OF GUAM TO CONDEMN 205± SQUARE METERS IN <i>FEE SIMPLE</i> OF LOT 10, SUBURBAN, MUNICIPALITY OF INARAJAN; AND TO CONDEMN 777± SQUARE METERS FOR A <i>TEMPORARY CONSTRUCTION EASEMENT</i> OF LOT 10, SUBURBAN, MUNICIPALITY OF INARAJAN, GUAM FOR THE ROUTE 4 AJAYAN BRIDGE REPLACEMENT PROJECT.	5/3/18 10:56 a.m.						EXHIBITS A

***I MINA' TRENTAI KUÁTTRO NA LIHESLATURAN GUÅHAN***  
**2018 (SECOND) Regular Session**

Bill No. **279-34(cor)**

Introduced by:

Thomas C. Ada 

**AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS, GOVERNMENT OF GUAM TO CONDEMN 205± SQUARE METERS IN *FEE SIMPLE* OF LOT 10, SUBURBAN, MUNICIPALITY OF INARAJAN; AND TO CONDEMN 777± SQUARE METERS FOR A *TEMPORARY CONSTRUCTION EASEMENT* OF LOT 10, SUBURBAN, MUNICIPALITY OF INARAJAN, GUAM FOR THE ROUTE 4 *AJAYAN BRIDGE REPLACEMENT PROJECT*.**

2018 MAY -3 AM 10:56  


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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds the Department of Public Works (DPW), Government of Guam, has completed the lands acquisition plans for the Route 4 *Ajayan* Bridge Replacement Project (the Project), which is an integral part of the island-wide road improvement plan that is being funded by the Federal Highway Administration (FHWA). There is also a need for a temporary construction easement to access power poles located on said parcel.

Title to Lot 10, Suburban, Municipality of *Inarajan*, Territory of Guam, Estate Number 393, containing an area of 72,464± square meters, as described in that Cadastral Map, dated October 12, 1953, filed at the Survey Division, Department of Land Management, Government of Guam, under Sepia No. I-28 (the *Inarajan* Parcel) is in the name of Jesus Reyes Concepcion, Maria Concepcion Lujan, Jose

1 Reyes Concepcion, Dolores Concepcion Tedpahogo, Francisco Concepcion Cruz,  
2 Vicente Reyes Concepcion, Ramon Reyes Concepcion (“*Concepcion Children*”),  
3 being the heirs or devisees of the Estate of Vicente U. Concepcion, deceased. (See  
4 Exhibit A - Guaranteed Claim No. 3794.)

5 **Section 2. Authorization for DPW to Condemn a portion of Lot 10,**  
6 **Suburban, Municipality of *Inarajan*, Guam.** DPW is hereby authorized to  
7 condemn a Two hundred and Five plus or minus (205±) square meter portion of Lot  
8 10, Suburban, Municipality of *Inarajan*. As a condition of this authorization, Lot 10,  
9 Suburban, Municipality of *Inarajan*, Guam *shall* be used for the Route 4 *Ajayan*  
10 Bridge Replacement Project, and subject further to FHWA providing One-Hundred  
11 Per-Cent (100%) of the funds needed for the condemnation.

12 **Section 3. Interest Condemned.** The interest taken in Lot 10, Suburban,  
13 Municipality of *Inarajan*, Guam is fee simple absolute.

14 **Section 4. Fair Market Value.** Upon information and belief, based on  
15 appraisals of the property, the sum of money estimated to be just compensation for  
16 the fee simple interest taken in Lot 10, Suburban, Municipality of *Inarajan*, Guam,  
17 is Two Thousand Dollars and No Cents (\$2,000.00).

18 **Section 5. Authorization for DPW to Condemn a portion of Lot 10,**  
19 **Suburban, Municipality of *Inarajan*, Guam for a Temporary Construction**  
20 **Easement (TCE).** DPW is hereby authorized to condemn a 777± square meter  
21 portion of Lot 10, Suburban, Municipality of *Inarajan*, Guam for a temporary  
22 construction easement. As a condition to this authorization, Lot 10, Suburban,  
23 Municipality of *Inarajan*, Guam, shall be used for the Route 4 *Ajayan* Bridge  
24 Replacement Project. The FHWA is solely responsible for providing One-Hundred  
25 Per-Cent (100%) of the funds needed condemn the temporary construction  
26 easement.

1           **Section 6. Interest Condemned.** The interest taken in 777± square meters  
2 of Lot 10, Suburban, Municipality of *Inarajan*, Guam, is a Temporary Construction  
3 Easement for the Route 4 *Ajayan* Bridge Replacement Project. The 777+ square  
4 meters taken for the temporary construction easement will be returned to the original  
5 owner, in the previous condition, once the Project is completed.

6           **Section 7. Fair Market Value.** Upon information and belief, based on  
7 appraisals of the property, the sum of money estimated to be just compensation for  
8 the leasehold taking of a temporary construction easement in Lot 10, Suburban,  
9 Municipality of *Inarajan*, Guam, is Eight Hundred and Eighty-Five Dollars & Zero  
10 Cents (\$885.00) per annum. The project is estimated to take one and a half (1½)  
11 years.

12           **Section 8. Severability.** If any provision of this law or its application to  
13 any person or circumstance is found to be invalid or contrary to law, that invalidity  
14 *shall not* affect other provisions or applications of this law, which can be given effect  
15 without the invalid provisions or applications and to this end the provisions of this  
16 act are severable.

17           **Section 9. Effective date.** This Act shall become effective upon enactment.

Guam 24-October-35-00

ORIGINAL

### CERTIFICATE OF GUARANTEED CLAIM

UNITED STATES OF AMERICA

NAVAL GOVERNMENT OF GUAM

No legal claims rest against this estate in the record of the Island Court, this fourteenth day of November, 1935.

CERTIFIED:

*L. N. Linsley*  
 L. N. Linsley  
 Attorney General

*Peck*  
 Peck  
 Chief Clerk of Courts

BY THESE PRESENTS BE IT KNOWN THAT JESUS REYES CONCEPCION, C.I.No. 6972, MARIA CONCEPCION LUJAN, C.I.No. 6282, JOSE REYES CONCEPCION, C.I.No. 6059, DOLORES CONCEPCION TEDFAHOGO, C.I.No. 9303, FRANCISCA CONCEPCION CRUZ, C.I. No. 9223, VICENTE REYES CONCEPCION, C.I.No. 9753, and RAMON REYES CONCEPCION, C.I.No. 9751

having complied with all legal requirements to entitle them to claim full ownership in FREE SIMPLE for property designated by official survey as lot No. 10, Ajayan, Inarajan, Guam, said property being described and title having been recorded as Estate No. 393 in Vol. Four of Inarajan Page 65 Department of Records and Accounts, Naval Government of Guam, on the twenty second day of July, 1935, and examination and verification of title showing that the right in equity to ownership of said property truly vests in the above named persons;

THE NAVAL GOVERNMENT OF GUAM hereby undertakes to defend said right of ownership of the above named persons, their heirs, assigns, etc., against all claimants whomsoever, except such liens as may hereafter be incurred. However, the sale, gift, or devise to aliens of lands in Guam is prohibited.

Given under my hand and seal this fourteenth day of November, 1935, D. nineteen hundred and thirty five in Agana, Guam.

*Ged. A. Alexander*  
 Ged. A. Alexander  
 Governor of Guam

THIS CERTIFICATE is entered as number 3794 in Vol. Ten of the Record of Guaranteed Claims, Department of Records and Accounts, Naval Government of Guam.

Agana, Guam, this fourteenth day of November, 1935

*F. Flores*  
 F. Flores  
 ASST. Head of Department of Records and Accounts.

*V. H. Arricola*  
 V. H. Arricola  
 Registrar of Lands, etc.

Memorial of Estates, Assessments, Liens, Charges and Encumbrances on the land described in the above and within Guaranteed Claim, other than Taxes, for non-payment of which said property has not yet been sold.

DOCUMENT NO.	KIND OF INSTRUMENT	REGISTRATION		AMOUNT	IN FAVOR OF ORD. NO.	SIGNATURE OF REGISTRAR OF LANDS, ETC.
		DATE	TIME			
2204	Mortgage	14/20/38	2:47pm	475.00	Bank of Guam	<i>[Signature]</i>
2581	Release of Lien	23/2/40	10:30 am	75.00	Jesus R. Concepcion	<i>[Signature]</i>
3007	Mortgage	28/2/40	9:05 am	75.00	Bank of Guam	<i>[Signature]</i>
3151	Release of Lien	5/29/41	9:15 a.m.	75.00	Jesus R. Concepcion	<i>[Signature]</i>
3784	Mortgage	10/1/41	9:05 a.m.	70.00	Bank of Guam	<i>[Signature]</i>
21016	Release of Lien	4/11/52	8:11 a.m.	70.00	Jesus R. Concepcion del	<i>[Signature]</i>