


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
349-34 (COR)	Thomas C. Ada	AN ACT TO CORRECT A LOT IDENTIFICATION IN CERTAIN DOCUMENTS AMONGST THE GUAM TELEPHONE AUTHORITY, THE GOVERNMENT OF GUAM, TELEGUAM HOLDINGS, LLC AND THE CHAMORRO LAND TRUST COMMISSION.	9/12/18 4:31 p.m.						

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

Bill No. 349-34 (COR)

Introduced by:

Thomas C. Ada 

AN ACT TO CORRECT A LOT IDENTIFICATION IN CERTAIN DOCUMENTS AMONGST THE GUAM TELEPHONE AUTHORITY, THE GOVERNMENT OF GUAM, TELEGUAM HOLDINGS, LLC AND THE CHAMORRO LAND TRUST COMMISSION.

2018 SEP 12 PM 4: 31

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Telephone Authority (GTA), the Government of Guam and
4 TeleGuam Holdings, LLC entered into an ASSET PURCHASE AGREEMENT on
5 August 31, 2004. In Schedule 5.9 of that Asset Purchase Agreement under
6 *Leases/Easements/Real Property*, a Real Property Listing headlined “**GUAM**
7 **TELEPHONE AUTHORITY’S LAND PROPERTY** (as of August 17, 2004)”
8 was attached. In this Attachment under the Municipality of Piti, “**Lot 5NEW-R1,**
9 **BLOCK 2**” was listed.

10 *I Liheslaturan Guåhan* also finds that the Chamorro Land Trust Commission
11 and TeleGuam Holdings, LLC entered into a *Renewal and Extension of Leases* on
12 November 14, 2014. “*Exhibit A*” *Government of Guam Real Property* in this
13 document included “**PARCEL TWELVE (12) LOT NUMBER 5NEW-R1,**
14 **BLOCK NUMBER 2..... MUNICIPALITY OF PITI**”.

15 *I Liheslaturan Guåhan* further finds that in both documents; the Asset

1 Purchase Agreement and the Renewal and Extension of Leases, **Lot 5NEW-R1,**
2 **Block 2, Municipality of Piti** *was erroneously listed*. The correct lot identification
3 in both documents should be:

4 **“Lot 5NEW-1, Block 2, Municipality of Piti”**.

5 It is, therefore, the intent of *I Liheslaturan Guåhan* to authorize the corrections
6 of both documents; and any other documents, previous or subsequent, which make
7 similar erroneous reference(s).

8 **Section 2. Correction to Asset Purchase Agreement and Renewal and**
9 **Extension of Leases.** Notwithstanding any other provision of law, *I Liheslaturan*
10 *Guåhan* authorizes the correction of the *Asset Purchase Agreement* and the
11 *Renewal and Extension of Leases* and any other documents, previous or
12 subsequent, which make similar erroneous reference(s).

13 The correction shall be made as follows:

14 *Delete:* **Lot 5NEW-R1, Block 2, Municipality of Piti and;**

15 *Insert:* **Lot 5NEW-1, Block 2, Municipality of Piti.**

16 **Section 3. Stipulations.** Both parties, TeleGuam Holdings, LLC (nka the
17 Guam Telephone Authority) and the Chamorro Land Trust Commission agree to
18 move forward and further agree to adhere to the original terms as stipulated in the
19 GTA Privatization Act.

20 **Section 4. Appraisals.** 2 GCA §2107 (b) relative to appraisals of land *shall*
21 *not* apply to this Act.

22 **Section 5. Proceeds of Lease.** Funds generated from this corrective
23 measure shall continue to be deposited with the Chamorro Land Trust Commission.

24 **Section 6. Prohibited Use.** The property *shall not* be used so as to make
25 the property unusable upon the expiration of the lease term. This *shall* include, but
26 *not* be limited to, such uses as ponding basins.

1 **Section 7. New Assessment and Update of Real Property Tax Roll.**

2 Upon recordation of this corrective action at the Department of Land Management,
3 the Real Property Division of the Department of Revenue and Taxation *shall* conduct
4 a special valuation of Lot 5NEW-1, Block 2, Municipality of *Piti* and the new tax
5 assessment shall become due and payable by GTA in the succeeding year. The Tax
6 Roll *shall* be updated accordingly.

7 **Section 8. Severability.** If any provision of this Act or its application to

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