

I Mina'Trentai Kuåtiro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
357-34 (COR)	Thomas C. Ada	AN ACT TO AUTHORIZE <i>I MAGALÁHEN GUÁHAN</i> TO EXCHANGE THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-2 REM IN THE MUNICIPALITY OF <i>AGANA HEIGHTS</i> (GOVERNMENT OF GUAM LAND) WITH THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-9REM-R4 IN THE MUNICIPALITY OF <i>AGANA HEIGHTS</i> (PRIVATE LAND) TO CORRECT AN ENCROACHMENT BY THE AGANA HEIGHTS SPORTS AND RECREATIONAL FACILITY.	10/10/18 1:16 p.m.						

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

Bill No. 357-34 (COR)

Introduced by:

Thomas C. Ada 

AN ACT TO AUTHORIZE *I MAGA'LÁHEN GUÁHAN* TO EXCHANGE THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-2 REM IN THE MUNICIPALITY OF *AGANA HEIGHTS* (GOVERNMENT OF GUAM LAND) WITH THREE HUNDRED TWENTY-FOUR (324) SQUARE METERS OF LOT 12-9REM-R4 IN THE MUNICIPALITY OF *AGANA HEIGHTS* (PRIVATE LAND) TO CORRECT AN ENCROACHMENT BY THE *AGANA HEIGHTS SPORTS AND RECREATIONAL FACILITY*.

2018 OCT 10 PM 1:16 

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds
3 that the Agana Heights Sports and Recreational Facility has been encroaching into
4 private property and has utilized a portion of privately-owned Lot 12-9REM-R4 in
5 the Municipality of *Agana Heights* for the last thirty (30) years. *I Liheslaturan*
6 *Guáhan* finds that the encroachment is three hundred twenty-four (324) square
7 meters into the private property.

8 *I Liheslaturan Guáhan* further finds that the private land owner of Lot 12-9
9 REM-R4 (James H. P. Flores), has requested an area for area land exchange for
10 contiguous *Government of Guam land known as* Lot 12-2 REM in the Municipality
11 of *Agana Heights* as a means of mitigation for the encroachment.

1 *I Liheslaturan Guåhan* further finds that there is suitable contiguous
2 *Government of Guam Land* known as Lot 12-2 REM in the Municipality of *Agana*
3 *Heights* that can accommodate an area for area land exchange of three hundred
4 twenty-four (324) square meters.

5 *I Liheslaturan Guåhan* further finds that the Mayor of the Municipality of
6 *Agana Heights* and the *Agana Heights Municipal Planning Council*, through
7 Resolution, supports and approves the proposed land exchange.

8 **Section 2. Authorization to Exchange Land.** *I Mina'Trentai Kuåttro Na*
9 *Liheslaturan Guåhan* hereby authorizes *I Maga'låhen Guåhan* to exchange three
10 hundred twenty-four (324) square meters of *Government of Guam Land* Lot 12-2
11 REM with three hundred twenty-four (324) square meters of privately-owned Lot
12 12-9 REM-R4.

13 **Section 3. Surveying and Mapping.** The Office of the Mayor of the
14 Municipality of *Agana Heights*, through the Department of Land Management, shall
15 be responsible for the Surveying and Mapping of the land exchange.

16 **Section 4. Appraisals.** As the parcels are contiguous and this is an area-
17 for-area land exchange, Title 2 GCA §2107(b) and Rule VI-Section 6.04 (c)(4) of
18 the Standing Rules of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* relative to
19 appraisals of land *shall not* apply to this Act.

20 **Section 5. No Alienation Clause.** This is a fee simple land exchange
21 transaction and *shall not* be subject to any alienation clause notwithstanding any law,
22 rule or regulation.

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