

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
<b>76-35 (COR)</b>	Joe S. San Agustin	AN ACT TO CORRECT THE PROPERTY BOUNDARY OF UNIVERSITY OF GUAM LOT NO. 2517-17 TO ENSURE THAT ALL UNIVERSITY OWNED STRUCTURES ARE LOCATED WITHIN THE BOUNDARIES OF UNIVERSITY OF GUAM LOT NO. 2517-17.	4/9/19 4:19 p.m.						

**I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN**  
**2019 (FIRST) Regular Session**

Bill No. 76 -35 (COR )

Introduced by:

Joe S. San Agustin 

**AN ACT TO CORRECT THE PROPERTY BOUNDARY  
OF UNIVERSITY OF GUAM LOT NO. 2517-17 TO  
ENSURE THAT ALL UNIVERSITY OWNED  
STRUCTURES ARE LOCATED WITHIN THE  
BOUNDARIES OF UNIVERSITY OF GUAM LOT NO.  
2517-17**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that in 1985, Lot No. 2517-17 in the municipality of Barrigada, was granted to the  
4 government of Guam and was subsequently used to create the Guam Aquaculture  
5 Development and Training Center (GADTC) for the purpose of developing an  
6 aquaculture industry on Guam.

7 *I Liheslaturan Guåhan* further finds that the GADTC built various structures  
8 including larvae room, a spawning quonset, a fish tank, and a fresh water cistern –  
9 all of which are either full or partial concrete structures. These were built on  
10 government of Guam property.

11 In 2002, with Public Law 26-36, *I Liheslaturan Guåhan* transferred this  
12 property and the administrative and operational control from the Guam Department  
13 of Commerce to the University of Guam. The effect of this transfer caused the  
14 boundary lines to indicate some of the structures to now be located on Chamorro  
15 Land Trust Lands.

2019 APR -9 PM 4:19 

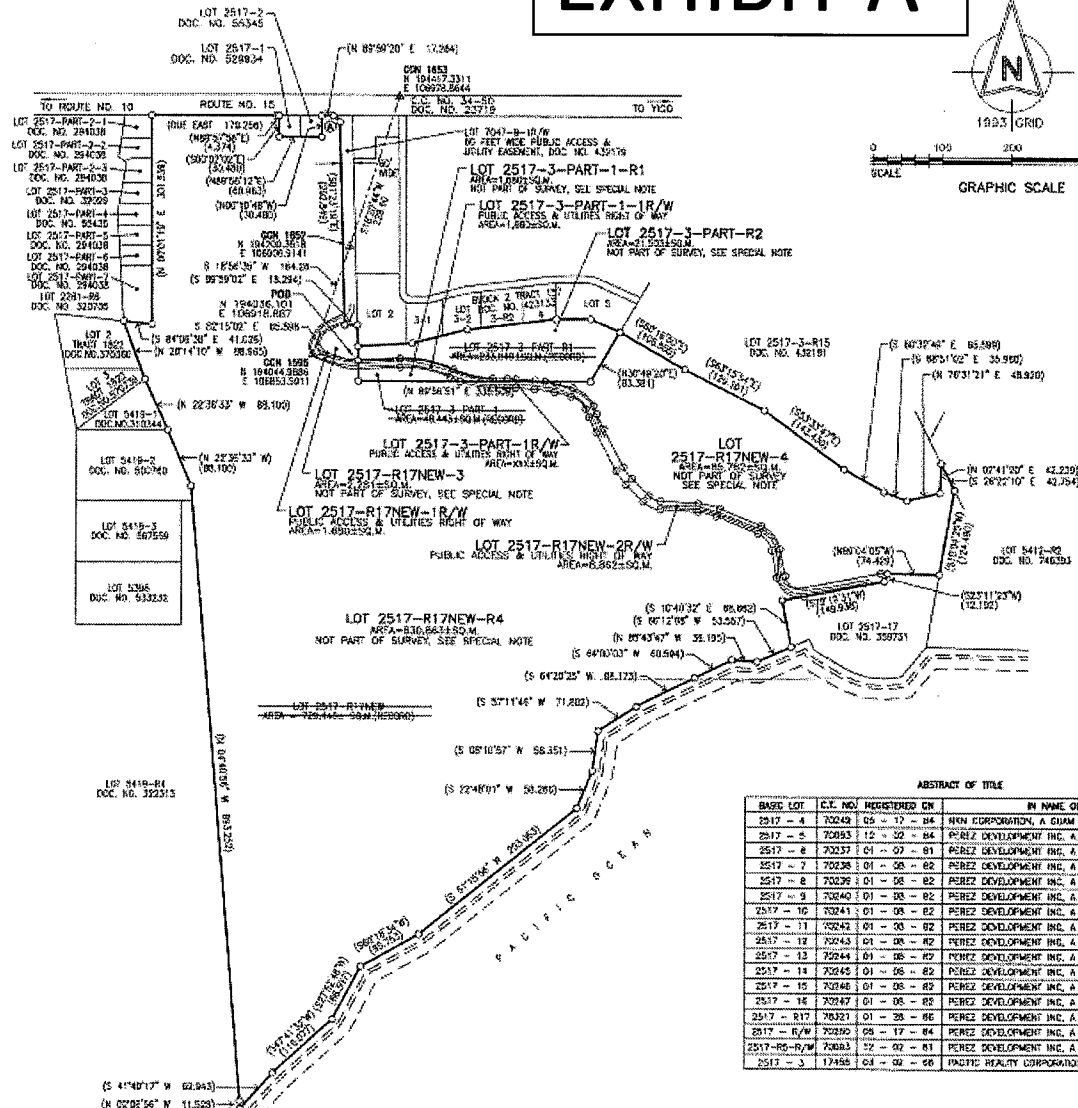
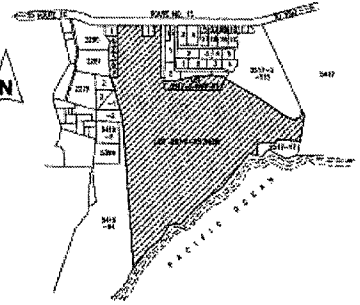
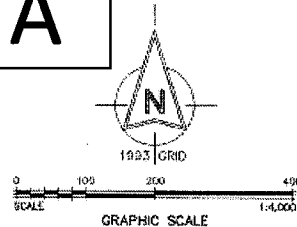
1           The University of Guam has since been attempting to correct the  
2 jurisdictional land issue since the property boundary for University of Guam  
3 (UOG) Lot No. 2517-17 does not include critical structures to the operation of the  
4 UOG Fish Hatchery.

5           Therefore, it is the intent of *I Liheslaturan Guåhan* to make whole, the  
6 parcel to which these critical UOG Fish Hatchery structures stand, and that the  
7 easternmost lot boundary be extended to include all UOG physical structures as  
8 identified in Exhibit A, attached.

9           **Section 2. Lot Correction.** The easternmost boundary of UOG Lot No.  
10 2517-17 is extended from coordinates 193,728.991 meters North, 107,760.297  
11 meters East, and 193,624.277 meters North, 107,741.770 meters East, to  
12 coordinates 193,727.892 meters North, 107,826.293 meters East, and 193,622.200  
13 meters North. 107,844.993 meters East.

14           **Section 3. Issuance of Certificate of Title.** The Department of Land  
15 Management shall issue a certificate of title for the new Lot No. 2517-17 within 90  
16 days of this Act.

# EXHIBIT A



**CURVE DATA**  
 A=1633700'  
 R=354130'  
 Δ=14.152°  
 C=12.203°  
 Chords=44156'

## VICINITY MAP (NOT TO SCALE)

**REFERENCE**  
 PWS NO. 0909-07-30, CONSOLIDATION SURVEY MAP OF LOT 2517-1NEW & LOT 2517-R17 INTO LOT 2517-R17NEW, PREPARED BY PLS NO. 54 LM 42408, DOC. NO. 42408, DSC. NO. 42408

- NOTES**
1. SURVEY WAS BASED BY FOUND CORNERS AS SHOWN
  2. UNIT OF MEASUREMENT IS IN METERS UNLESS OTHERWISE NOTED
  3. BEARINGS AND DISTANCES IN PARENTHESES ARE 1983 GRID RECORD DATA
  4. SUBJECT LOTS ARE ZONE "M-2" HEAVY INDUSTRIAL AS BY APPROVAL OF THIS MAP
  5. SUBJECT LOTS ARE WITHIN THE NORTHERN QUARTER
  6. ALL AS-BUILTS ARE SHOWN AS OF APPROVAL OF THIS MAP

### SYMBOLS AND ABBREVIATIONS

- ▲ GUAM GEODETIC NETWORK (IGN) STATION
- ⊗ FOUND #4 REBAR WITH PLASTIC CAP MARKED PLS 19, DOC. NO. 709031
- ⊙ FOUND #4 REBAR WITH PLASTIC CAP MARKED PLS 43
- ⊙ FOUND #4 REBAR WITH PLASTIC CAP MARKED PLS 77, UNDOCUMENTED
- ⊙ FOUND #4 REBAR SET BY UNOWNERS, ACCEPTED
- POSITION AND INSTALL PLASTIC CAP MARKED PLS 82
- RECORD CORNER
- CONCRETE POWER POLE (CPP)
- ⊕ WATER METER

### CERTIFICATION

I, **ELMER M. PINEDA**, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED UPON A FIELD SURVEY MADE IN FEBRUARY 2019 IN CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATION HEREON. I FURTHER CERTIFY THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THIS MAP.



**ELMER M. PINEDA** PLS NO. 02 DATE

APPROVAL PURSUANT TO TITLE 21 GUAM CODE ANNOTATED, CHAPTER 61 ZONING LAW, CHAPTER 62 SUBDIVISION LAW AND PUBLIC LAW 28-128.

**MARVIN O. AGUILAR** DATE  
 GUAM CHIEF PLANNER

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 60, ARTICLE 5, UNIFORM TRIANGULATION SYSTEM AND REGULATIONS THEREUNDER ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

**PAUL L. SANTOS** PLS NO. 06  
 GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE

REVISION	BRIEF DESCRIPTION	BY	DATE APPROVED BY	DATE

**PINEDA SURVEYING, INC.**  
 P. O. BOX 12052 YIGO GUAM 96929  
 TEL (671) 787-1788  
 WWW.PINEDASURVEYING.COM

BOUNDARY TOPOGRAPHIC CONSOLIDATION PHOTOGRAPHIC ENGINEERING QS

SURVEY DATA	DATE	RETRACEMENT SURVEY MAP OF ACCESS EASEMENT FOR LOT 2517-17 WITHIN LOT 2517-R17NEW, 2517-3-PART-1 AND 2517-3-PART-R1 MUNICIPALITY OF MANGILAO (FORMERLY MUNICIPALITY OF BARRIGADA) LAND SQUARE 18 SECTION 3
RESEARCHED BY: MSP	FEB 2019	
FIELD BY: HMA/JAM	MAR 2019	
FIELD BOOK:	1723-02	
COMPILED BY: JSA	MAR 2019	
DRAWN BY: XCS	MAR 2019	
CHECKED BY: LHM	MAR 2019	
LAND MANAGEMENT CHECK NO.:		

CERTIFICATE OF TITLE NO.	REGISTERED ON	IN THE NAME OF:
PSD759		SEE PLAN
PS759		SEE PLAN

PREPARED FOR: SATISFACTORY TO & APPROVED BY:  
 SCAFF: SEE PLAN  
 SHEET NO. 1 OF 2

**ABSTRACT OF TITLE**

BASED LOT	C.C. NO.	REGISTERED ON	IN NAME OF
2517-4	70249	05-12-84	WEN CORPORATION, A GUAM CORPORATION
2517-5	70263	12-30-84	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-6	70237	01-07-81	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-7	70238	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-8	70239	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-9	70240	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-10	70241	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-11	70242	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-12	70243	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-13	70244	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-14	70245	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-15	70246	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-16	70247	01-08-82	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-R17	70248	01-08-86	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-R/W	70250	08-17-84	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-R6-R/W	70263	12-30-84	PEREZ DEVELOPMENT INC, A GUAM CORPORATION
2517-3	17458	04-02-08	PACIFIC HEALTH CORPORATION

### GUAM LAND USE COMMISSION CERTIFICATION

THE GUAM LAND USE COMMISSION APPROVED THIS READ ESTATE REQUIREMENT SURVEY ON \_\_\_\_\_ PURSUANT TO TITLE 21, CHAPTER 62, SUBDIVISION LAW AND TITLE 13, ZONING, CHAPTER 3, SUBCHAPTER 3, SECTION 12214.00(1)(2)(3)(4)(5), SUBDIVISION RULES AND REGULATIONS TO IDENTIFY AND SEVER ROAD RIGHT OF WAYS.

EXECUTIVE SECRETARY  
 GUAM LAND USE COMMISSION

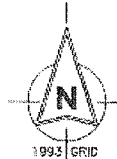
### CHECKED BY:

<b>POWER GULAC</b> PLANNER, GUM	DATE
<b>THOMAS J. TORRES</b> ENCL. TECHNICIAN, GUM	DATE
<b>EDGARDO TAGUAM</b> CARTOGRAPHIC SUPERVISOR, GUM	DATE

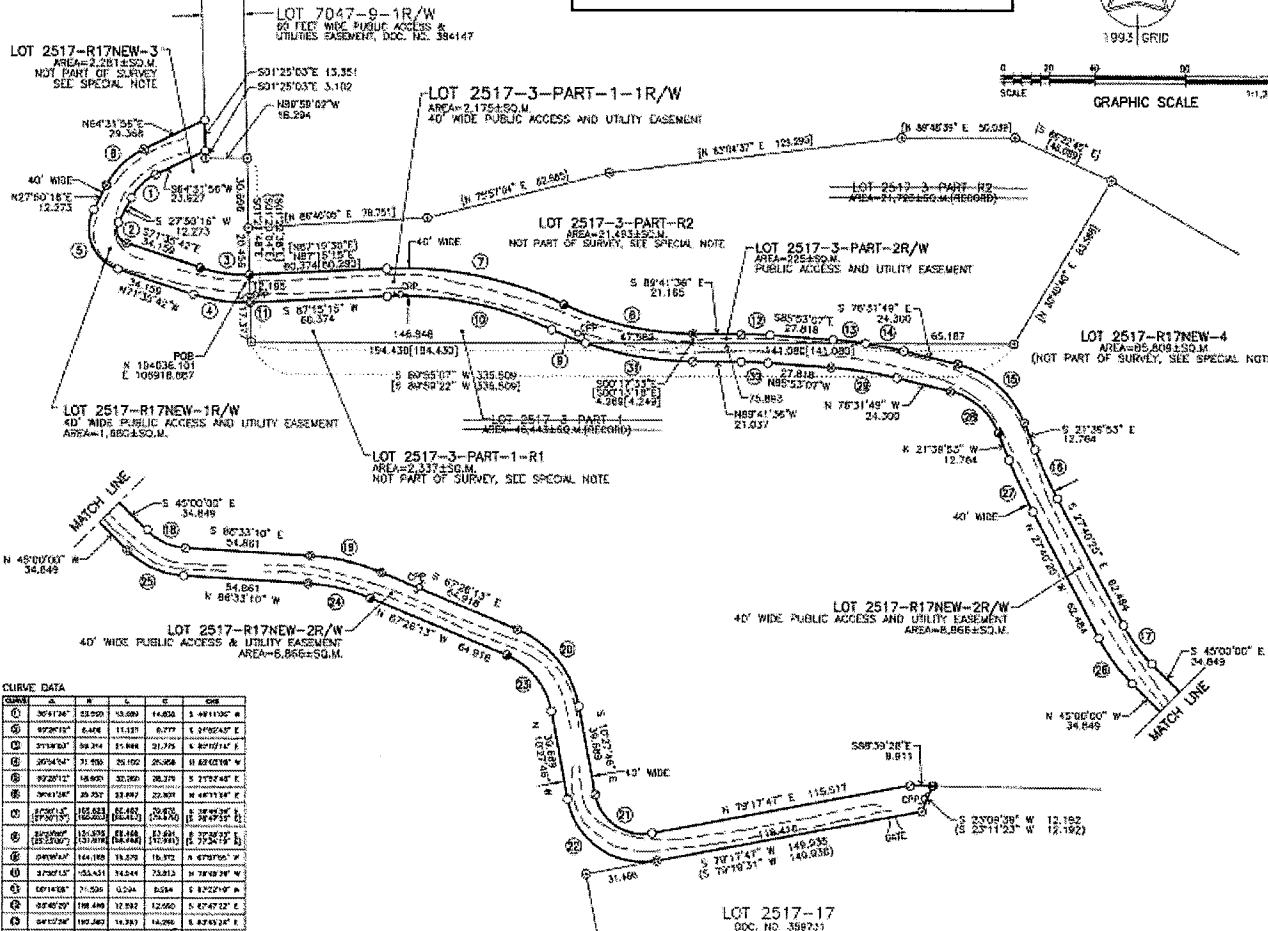
### SPECIAL NOTE

BEARINGS AND DISTANCES OF LOTS 2517-R17NEW-3, 2517-R17NEW-4 AND 2517-R17NEW-5 ARE RECORD DATA AND ARE NOT NECESSARILY FIELD CONNECTION. AREAS OF ABOVE LOTS ARE DEMARCD BY RECORD DATA.

# EXHIBIT A



SEE SHEET 1 OF 2



**CURVE DATA**

STATION	CH	PC	PT	PI	PT	PC	CH
1	369174	33.500	13.000	14.630	3.4911007	W	369174
2	822810	8.404	11.111	6.777	4.2402241	E	822810
3	373360	38.214	15.848	31.775	8.3010712	E	373360
4	365474	31.550	26.102	26.268	11.6207104	W	365474
5	922812	18.600	30.360	38.378	5.2152748	E	922812
6	369174	35.257	33.887	22.201	10.4871184	E	369174
7	172015	102.823	16.143	23.470	4.3872225	E	172015
8	822812	15.570	41.148	12.631	6.3752315	E	822812
9	369174	144.160	13.676	18.172	10.4703700	W	369174
10	372015	151.431	14.834	23.813	10.7842240	W	372015
11	081418	7.530	0.234	0.834	5.8222107	N	081418
12	369174	198.446	12.832	12.080	15.4742122	E	369174
13	369174	192.840	11.383	14.286	8.8293212	E	369174
14	330150	162.264	11.834	14.836	5.2805747	E	330150
15	349176	42.838	40.689	30.182	10.4822514	W	349176
16	189079	225.268	23.753	23.712	5.2450159	C	189079
17	171620	44.692	21.144	31.044	8.3890710	E	171620
18	413210	31.400	11.230	16.474	5.4244337	E	413210
19	189079	56.824	32.232	32.021	6.2820741	E	189079
20	149239	45.411	15.161	43.240	6.2848348	E	149239
21	374472	51.243	23.254	24.022	6.4832200	E	374472
22	374472	32.439	32.602	47.239	5.5233188	C	374472
23	189079	24.229	34.034	31.440	4.2730790	E	189079

**CURVE DATA**

STATION	CH	PC	PT	PI	PT	PC	CH
24	369174	24.419	28.084	28.683	10.3784144	W	369174
25	413210	32.882	22.751	33.184	10.4042362	N	413210
26	171620	22.114	24.851	24.751	11.3026012	N	171620
27	369174	234.283	33.006	34.944	10.2470500	W	369174
28	149239	30.316	30.204	30.834	10.4062011	W	149239
29	081418	190.194	23.412	26.260	10.4112280	N	081418
30	627879	133.877	11.282	11.280	10.8743124	W	627879
31	189079	144.164	48.491	48.743	9.1628103	E	189079

PREPARED FOR, SATISFACTORY TO & APPROVED BY:

CHECKED BY:

\_\_\_\_\_  
PENNER OJALAC  
PLANNER, CLM DATE

\_\_\_\_\_  
THOMAS J. TORRES  
ENGR. TECHNICIAN, CLM DATE

\_\_\_\_\_  
EDGARDO TAGUANA  
CARTOGRAPHIC SUPERVISOR, DLM DATE

\_\_\_\_\_  
XXX  
DOC. NO. XXXXXX DATE

\_\_\_\_\_  
XXX  
DOC. NO. XXXXXX DATE

\_\_\_\_\_  
XXX  
DOC. NO. XXXXXX DATE

## VICINITY MAP (NOT TO SCALE)

REFERENCE  
ENR. NO. BR69-07-30, CONSOLIDATION SURVEY MAP OF LOT 2517-1NEW & LOT 2517-1R1 AND LOT 2517-1R1NEW, PREPARED BY RLS NO. 54, LV CHECK NO. 454-7185, DOC. NO. 424428

NOTES  
1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN  
2. LINE OF WEAR/PAVEMENT IS IN METERS UNLESS OTHERWISE NOTED  
3. BEARINGS AND DISTANCES IN PARENTS AND BRACKETS ARE 1993 GRID RECORD DATA  
4. SUBJECT LOT IS BOUND "IN-OUT" CHAIN FAMILY RESERVATION AS OF APPROVAL OF THIS MAP  
5. SUBJECT LOTS ARE WITHIN THE NORTHERN QUARTER  
6. ALL AS-BUILTS ARE SHOWN AS OF APPROVAL OF THIS MAP

## SYMBOLS AND ABBREVIATIONS

- ⊙ FOUND #4 REBAR WITH PLASTIC CAP MARKED PLG 24
- ⊙ FOUND #4 REBAR WITH PLASTIC CAP MARKED PLG 24
- ⊙ FOUND #4 REBAR WITH PLASTIC CAP MARKED PLG 24
- ⊙ FOUND #4 REBAR WITH PLASTIC CAP MARK UNRECOVERABLE
- ⊙ FOUND #4 REBAR WITH BENTONITE PLASTIC CAP, NO IDENTIFICATION
- ⊙ FOUND #4 REBAR, NO IDENTIFICATION
- ⊙ CURVING NOT IDENTIFIED
- ⊙ SET #4 REBAR WITH PLASTIC CAP MARKED PLG 22

## CERTIFICATION

I, ELMER M. PINEDA, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED UPON A FIELD SURVEY MADE IN FEBRUARY 2019 IN CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATION SHOWN HEREON, I FURTHER CERTIFY THAT ALL MEASUREMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THIS MAP.



ELMER M. PINEDA PLS NO. 89 DATE

APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 61 ZONING LAW, CHAPTER 62 SUBDIVISION LAW AND PUBLIC LAW 28-126.

\_\_\_\_\_  
MARVIN Q. AGUILAR  
GUAM CHIEF PLANNER DATE

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 60, ARTICLE 5, UNIFORM ISOLATION SYSTEM AND REGULATIONS THEREUNDER ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

\_\_\_\_\_  
PAUL L. SANTOS PLS NO. 68  
GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE

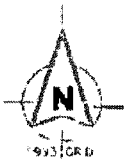
REVISION	SHORT DESCRIPTION	BY	DATE	APPROVED BY	DATE



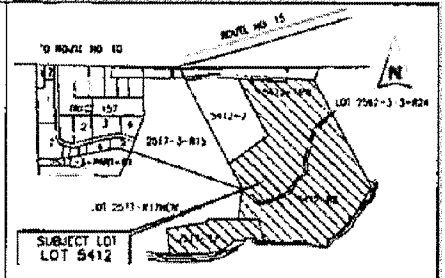
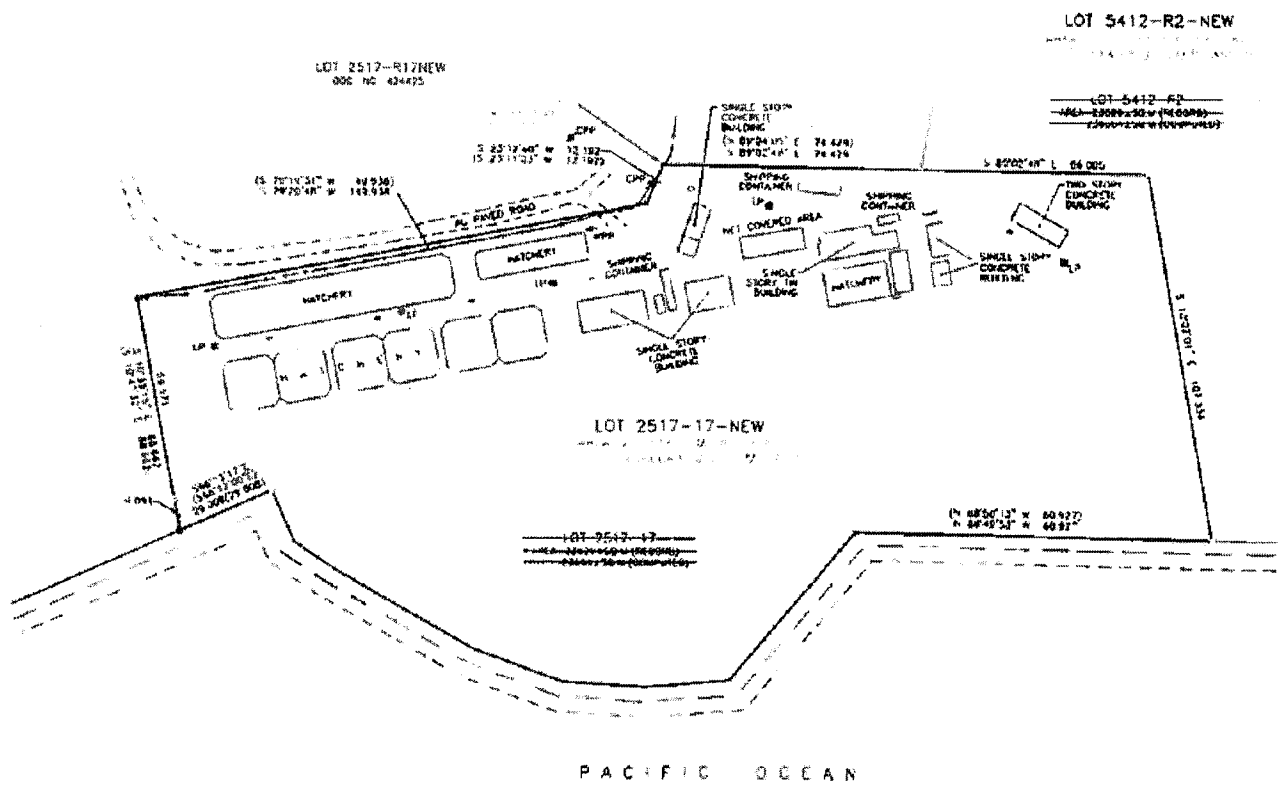
**PINEDA SURVEYING, INC.**  
P. O. BOX 12022, 1050 GUAM 96923  
TEL (671) 787-1785  
WWW.PINEDASURVEYING.COM

BOUNDARY TOPOGRAPHIC PHOTOGRAMMETRIC ENGINEERING GIS

SURVEY DATA	DATE	RETRACEMENT SURVEY MAP OF ACCESS EASEMENT FOR LOT 2517-17 WITHIN LOT 2517-17NEW, 2517-3-PART-1 AND 2517-3-PART-R1 MUNICIPALITY OF MANGRO (FORMERLY MUNICIPALITY OF BARRIGADA)
DESIGNER BY: HSP	DEC 2023	SECTION 3
FIELD DR: HSA/CAW	MAR 2010	
FIELD BOOK:	PSR-02	LOT NO. _____
COMPUTED BY: JSA	MAY 2010	
DRAWN BY: HPS	MAY 2010	CERTIFICATE OF TITLE NO. _____
CHECKED BY: HPS	JUN 2010	
LAND MANAGEMENT CHECK NO. _____		BY THE NAME OF: _____
SURVEYOR'S DRAWING NO. PSD759		SEE SHEET 1 OF 2
SURVEYOR'S PROJECT NO. PS759		PREPARED FOR: SATISFACTORY TO & APPROVED BY: _____
SCALE: SEE PLAN		SEE PLAN
SHEET 1 OF 2		



# EXHIBIT A



## VICINITY MAP

**REFERENCE**  
 1. DEED OF CONVEYANCE NO. 12345  
 2. DEED OF CONVEYANCE NO. 67890

**NOTES**  
 1. THIS PLAN IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.  
 2. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE DEEDS REFERENCED HEREIN.  
 3. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SURROUNDING AREAS AND HAS FOUND NO ADVERSE AFFECTING INTERESTS.

**SYMBOLS**  
 1. SHIPMENT CONTAINER  
 2. HATCHERY  
 3. NET COVERED AREA  
 4. SINGLE STORY CONCRETE BUILDING  
 5. SMALL UTILITY CONCRETE BUILDING  
 6. TWO STORY CONCRETE BUILDING

**CERTIFICATION**

I, **ELMER N. PINEDA, PLS # 82**, do hereby certify that the foregoing is a true and correct copy of the original plan as filed in my office.

**MARVIN G. ADUJAR**  
 Surveyor

**PAUL L. SANTOS, PLS # 68**  
 Surveyor

DATE	NO.	BY	FOR

**PINEDA SURVEYING**  
 P. O. BOX 1234567890  
 TEL (811) 345-1234  
 WWW.PINEDASURVEYING.COM

READY TO  
 TOPOGRAPHIC  
 CADASTRAL  
 HYDROGRAPHIC  
 ENGINEERING  
 ON

CHECKED BY:

**PENNER GULAC**

**JIMMY L. CAMACHO**

**EDGARDO R. TACUMAN**

<b>PSD104</b>	<b>RESUBDIVISION SURVEY MAP OF LOT 2517-17 MUNICIPALITY OF MANILA</b>
<b>PS104</b>	
<b>SEE PLAN</b>	

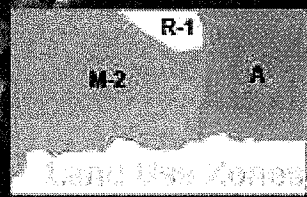
# EXHIBIT A

M07  
L2517-3-R15

M07  
L2517-R17-NEW

Government of Guam  
L5412

M07  
L2517-17



## University of Guam Fadian Site



Data Source: 2004, InterView aerial imagery by Digital Globe. Disclaimer: This map is for planning purposes only, not for use in litigation. The accuracy of the parcel layer is not known. Please contact the Department of Land Management for more information.

Map created by Alan Borremans, Office of Research and Sponsored Programs, University of Guam (December 2007) Version 1.0

**Description:** The deed transferring Hatchery property from the Perez Bros. to the Department of Commerce in 1985.

**Relevance:** There is map included as an attachment to the document that shows a butler building encroaching on government land. There is a statement on the map that the property on which the butler building sits will be consolidated after the transfer. The boundary line becomes somewhat meaningless after the transfer as the property on both sides of the boundary becomes government property after the transfer.



RECORDER'S )  
OFFICE, )  
DEPARTMENT )  
OF )  
LAND )  
MANAGEMENT, )  
GOVERNMENT )  
OF )  
GUAM )

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT  
OFFICE OF THE RECORDER  
INSTRUMENT NO. 361391

This instrument was recorded on \_\_\_\_\_  
day of \_\_\_\_\_, 1985 at \_\_\_\_\_ A.M.  
P.M.

and duly recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_

\_\_\_\_\_, Recording OFFICIO Voucher No. \_\_\_\_\_

\_\_\_\_\_  
Deputy Recorder

WARRANTY DEED

WARRANTY DEED made this 12th day of June,  
1985, between PEREZ DEVELOPMENT, INC., a Guam Corporation, whose  
address is P. O. Box F, Agana, Guam, 96910, herein referred to  
as GRANTOR, and GOVERNMENT OF GUAM, herein referred to as GRANTEE.

GRANTOR, in consideration of the sum of ONE MILLION  
FOUR HUNDRED FIFTY-FIVE THOUSAND THOUSAND DOLLARS (\$1,455,000.00),  
paid by GRANTEE TO GRANTOR, as evidenced by an off-setting tax  
liability of PEREZ BROS., INC., and FRANK D. and CARMEN D. PEREZ,  
do grant to GRANTEE and its heirs and assigns forever the following  
described property which is situated in the Territory of Guam more  
particularly described as:

Lot No. 2517-17, Fadian, Municipality of Barrigada,  
containing an area of 21,443 square meters as shown  
on Drawing No. L-829, by Robert A. Beam, RLS No. 24,  
recorded at the Department of Land Management on  
June 12, 1985 under Instrument No. 359731;

Warranty Deed  
Perez Development Inc./Government of Guam  
Lot No. 2517-17, Fadian, area of 21,443 s.m.  
Page two of three pages

TO HAVE AND TO HOLD the above-described premises,  
together with the appurtenances, unto GRANTEE and its heirs  
and assigns. GRANTOR and its successors and assigns shall and  
will warrant and defend the property conveyed unto the GRANTEE  
and its heirs and assigns against the lawful claims of any  
person or persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has executed this Warranty  
Deed the day and year first above written.

GRANTOR:

PEREZ DEVELOPMENT, INC.

BY: Frank D. Perez  
FRANK D. PEREZ, SR.  
Its Duly Authorized Representative

A C K N O W L E D G M E N T

TERRITORY OF GUAM )  
  : SS.  
CITY OF AGANA        )

On this 12th day of June, 1985, before  
me, a Notary Public in and for the Territory of Guam, personally  
appeared FRANK D. PEREZ, SR., known to me to be the duly authorized  
representative of PEREZ DEVELOPMENT, INC., the corporation herein  
and the person whose name is subscribed to the foregoing WARRANTY  
DEED, and he duly acknowledged to me that he executed the same  
and was duly authorized to do so.

WITNESS my hand and official seal.

Joaquin V. E. Manibusan, Jr.  
JOAQUIN V. E. MANIBUSAN, JR.

NOTARY PUBLIC

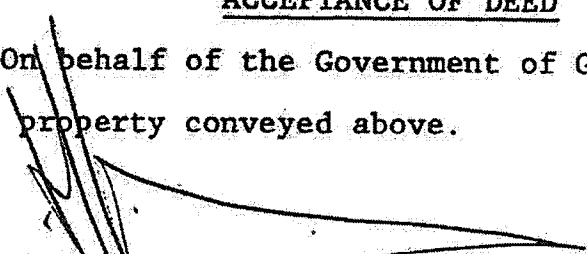
In and for the Territory of Guam  
My Commission Expires: 6/20/89




Warranty Deed  
Perez Development Inc./Government of Guam  
Lot No. 2517-17, Fadian, area of 21,443 s.m.  
Page Three of Three pages

ACCEPTANCE OF DEED

On behalf of the Government of Guam, I hereby  
accept the property conveyed above.

  
\_\_\_\_\_  
RICARDO J. BORDALLO  
Governor of Guam

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
DAVE J. SANTOS  
Director, Department of Revenue & Taxation

2/3/85  
\_\_\_\_\_  
DATE

11802  
 32225  
 29600  
 21272

11802  
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11802  
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 21272

been examined for con-  
 formity with the require-  
 ments of Chapter 9  
 of Urban and Regional  
 Planning Act of June 1985

Fernando J. Ortega, Jr.  
 Territorial Surveyor (A-TMG)

pursuant to Public Law 6-134,  
 Urban...

  
 Territorial Planner

subject to us

and R. Perez  
 Perez Dev. Inc.

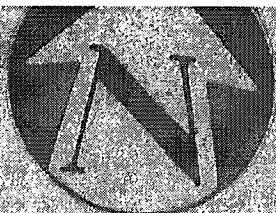
the temporary access and  
 shall be used in 2017-2018

Perez Dev. Inc.

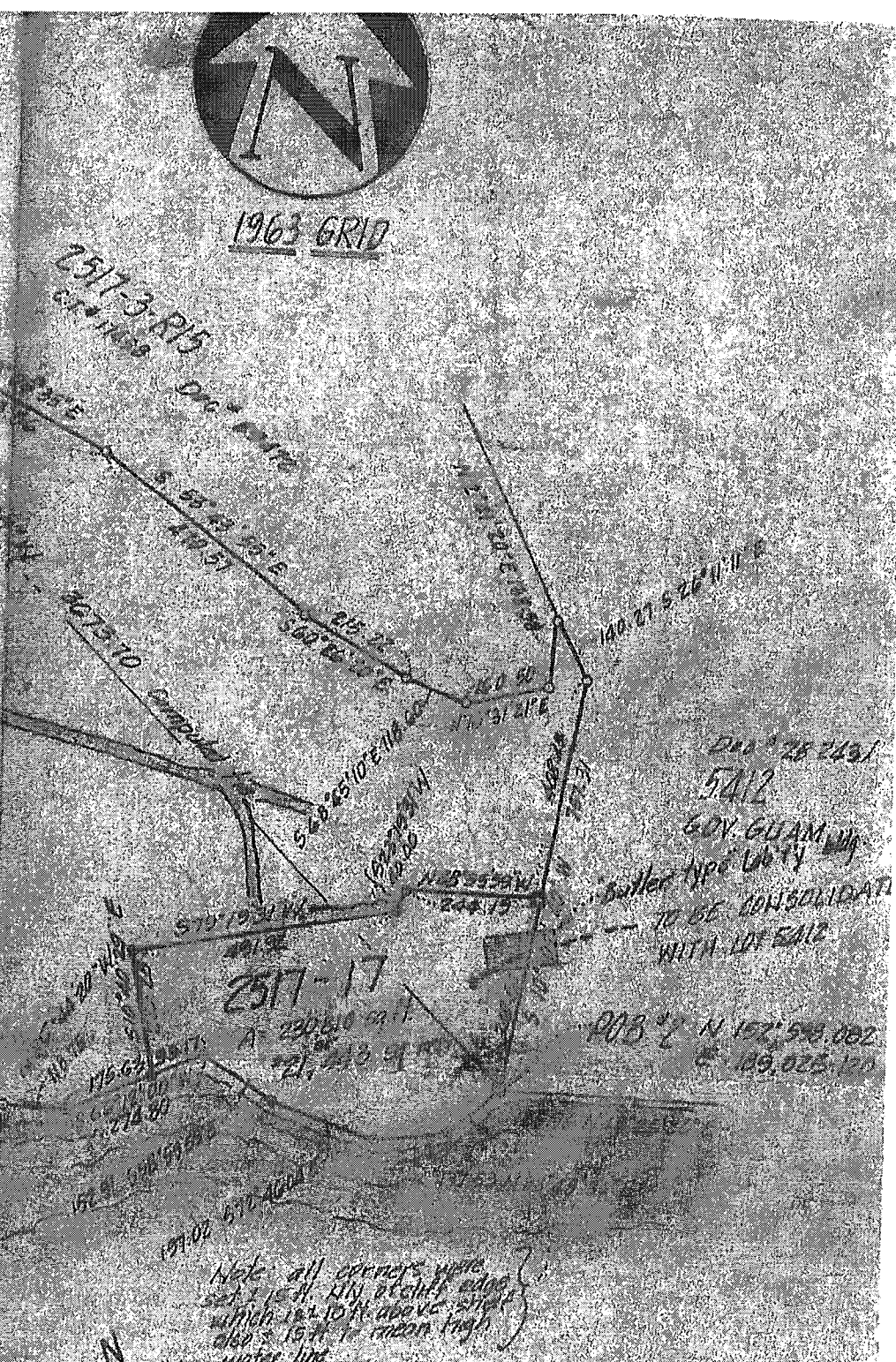
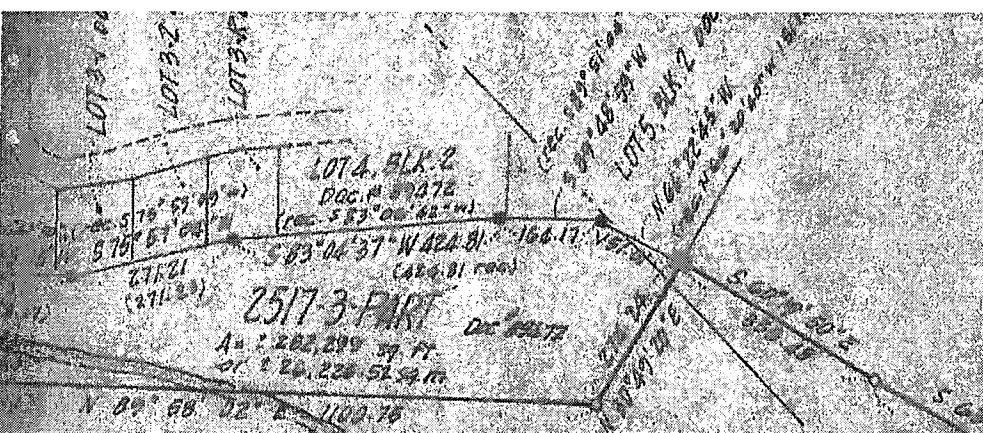
REVISION	BY	DESCRIPTION	APPROVED	DATE
SURVEY & MAP DATA				
RESEARCH:	RAB			
SURVEY:	MJB			
COMPUTED:	RAB			
DRAWN:	NSI			
CHECKED:				
OWNER: PEREZ DEV. INC. A GUANACASTESE FIRM				
BASIC LOT CENTER LOT NO. 10226 REGISTERED 1/2/01				
		RESUBMISSION SURVEY OF LOT 7516 K/O INDUSTRIAL IN RADIANT MUNICIPALITY OF B... CANADA LND. 5018 SEC. 3 ROBERT A. B. A. M. LAND SURVEYOR NO. 22 68 CHICURICA ST. DECEBO TEL. NO. 032-7888 SCALE 1" = 300' MAY 2, 2000		
		MAY 2, 2000		

Land Management Office 202-8-85 102 25/11





1963 GRID



Temporary access  
 permit along existing  
 road - permanent  
 40 ft. permit to be  
 provided when lot  
 2517-RI17 is developed

2517-RI17

6,083,849 sq. ft. or 245,776.79 a. ft.

2517-RI16

6,083,849 sq. ft. or 245,776.79 a. ft.

Doc. # 28,243 /  
 5,012  
 GOV. GUAM  
 better NPO Utility  
 TO BE CONSOLIDATED  
 WITH LOT 5412

208' x 157' 510.082  
 6,083,849

Note: all corners were  
 set 15 ft. N of street edge  
 which is 10 ft. above street  
 also 15 ft. from mean high  
 water line

## **Exhibit B**

**Description:** A photo of a map of the hatchery property. The date on the map is 1995

**Relevance:** The map is hard to see but indicates that the butler building has been removed and replaced with additional structures encroaching over the original boundary. This confirms that the boundary line had become meaningless as both sides of the boundary were government property. The cistern is noted on the map. This proves the structures were on the property prior to 1995.

GENERAL NOTES

CONTRACTOR IS TO UTILIZE LARGE  
BOLLERS WITHIN PROPERTY LIMITS  
PROVIDED THEY MEET CRITERIA INDICATED  
IN SECTION OF THE SPECIFICATIONS.

PROPERTY OWNER  
N 15211 E 18204

PROPERTY OWNER  
N 152941 E 110  
E 182085 9714

NLW WELL  
TOP EL = 42.22'  
990 EL = 41.42'

CYLINDRICAL  
FIBERGLASS  
CONTAINERS

VAN  
CONTAINER

STORAGE

WATER TANK

OFFICE  
LABORATORY

CYLINDRICAL  
FIBERGLASS  
CONTAINERS

LOT 5412

N 4,205,752.00 S 1

END PUBLIC RECORD NO. 111  
S 1/4 S 20 E 18  
N 152701 3183  
E 182051 9959

PHASE III

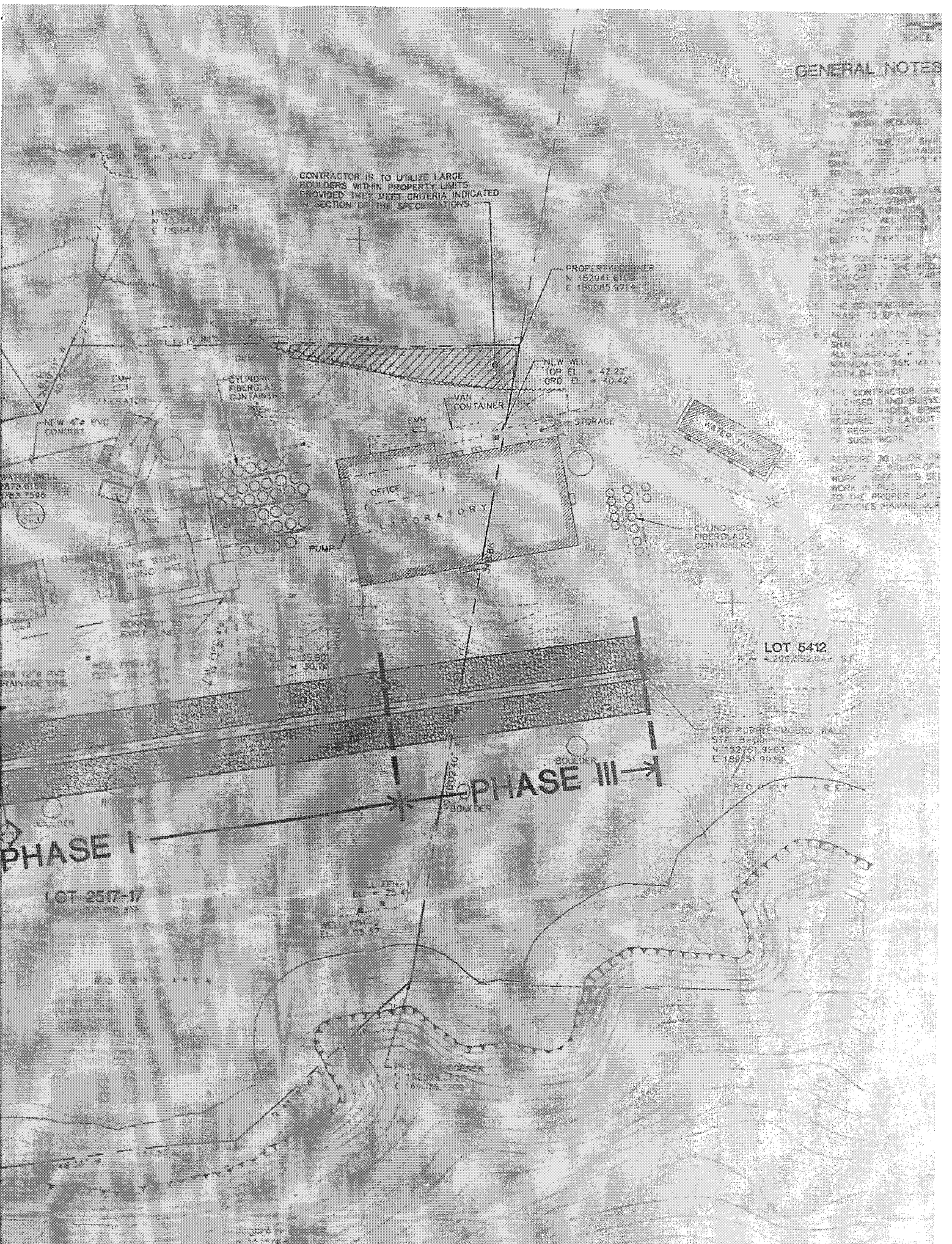
PHASE I

LOT 2517-17

22.4'

21.4'

N 152028 2700  
E 182028 2700





## Exhibit C

**Description:** A copy of Public Law 26-35

**Relevance:** The Public Law indicates that all property of the hatchery including land and physical assets are to be transferred to the University of Guam.

**Conclusion:** The boundary line between Perez Bros property and government property became meaningless in 1985 when the property was transferred as both sides of the boundary became government property. The Department of Commerce constructed structures on the other side of the boundary line when the entire lot was included as government property. This is further evidence that the boundary had become meaningless. P.L. 26-35 transferred the property including the property on which the new structures had been built to the University of Guam. *Thus, the Chamorro Land Trust Commission and the University of Guam should agree that the boundary was changed by the Guam Legislature in P.L. 26-35 and the property and the structures now belong to UOG.*



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

**RECEIVED**

The Honorable Joanne M. S. Brown  
Legislative Secretary  
I Mina'Bente Sais na Liheslaturan Guåhan  
Twenty-Sixth Guam Legislature  
Suite 200  
130 Aspal Street  
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 185 (COR) entitled: "AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, JUDICIAL AND LEGISLATIVE BRANCHES OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2002; MAKING OTHER APPROPRIATIONS; AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS" which was vetoed and subsequently overridden by the Legislature. This legislation is now designated as Public Law No. 26-35.

Very truly yours,

Carl T. C. Gutierrez  
I Maga'Lahen Guåhan  
Governor of Guam

Attachment: copy attached for signed bill or overridden bill  
original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco  
Speaker

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>  E  </u>
Time	<u>  12:08 p.m.  </u>
Date	<u>  10/01/01  </u>

0489

1 contributions amortized over a period of twenty (20) years as  
2 provided by this Section."

3 Section 10. Transfer of Fadian Hatchery to UOG. The Guam  
4 Aquaculture Development and Training Center also known as the Fadian  
5 Hatchery is hereby transferred to the University of Guam.

6 (a) Legislative Findings and Intent. *I Liheslaturan Guåhan*  
7 finds that the Guam Aquaculture Development and Training Center  
8 ("GADTC") supports the island's growing aquaculture industry, which  
9 is estimated to generate Seven Million Dollars (\$7,000,000) annually.  
10 The center, known as the Fadian hatchery, is intended to produce  
11 seedstock for both shrimp and fish farmers. However, in recent years,  
12 the hatchery has struggled to meet the needs of the local industry,  
13 which has resorted to importing seed stock from other regions.

14 *I Liheslaturan Guåhan* finds that the hatchery would better serve  
15 the industry if it were transferred from the Department of Commerce,  
16 which no longer has the staff or the resources to manage the facility, to  
17 the University of Guam. Therefore, it is the intent of *I Liheslaturan*  
18 *Guåhan* to transfer administrative and operational control of the  
19 hatchery to the University of Guam.

20 (b) Establishment. There is established within the University  
21 of Guam a Guam Aquaculture Development and Training Center Fund.

22 (1) Creation of the Guam Aquaculture  
23 Development and Training Center Revolving Fund.

24 There is hereby created the Guam Aquaculture

1 Development and Training Center Fund. This Fund shall be  
2 used exclusively for the administration, operation,  
3 maintenance and improvement of the Guam Aquaculture  
4 Development and Training Center. The Guam Aquaculture  
5 Development and Training Center Revolving Fund shall be  
6 maintained separate and apart from any other funds of the  
7 government of Guam. Independent records and accounts  
8 shall be maintained in connection therewith. All revenues  
9 received from the gross sales by the GADTC shall be  
10 deposited into this Fund. Such Fund shall be under the  
11 control of the University of Guam.

12 (2) **Administrative and Operational Control of the**  
13 **Guam Aquaculture Development and Training Center.**

14 Administrative and operational control of the GADTC,  
15 which consists of an indoor hatchery, broodstock maturation  
16 room, phytoplankton laboratory, feed preparation room,  
17 living quarters, offices, concrete ponds and raceways, tanks,  
18 property, land and other facilities, shall be transferred from  
19 the Department of Commerce to the University of Guam.  
20 Upon the transfer of functions as provided in this Section,  
21 the University of Guam shall have possession and control of  
22 all books, records, papers, maps, plans, documents, offices,  
23 equipment, supplies, money, funds, appropriations, licenses,  
24 permits, agreements, contracts, claims, judgments, land, and

1 other property, real or personal, connected with the  
2 administration of, or held for the benefit or use of, the  
3 GADTC.

4 **Section 11. Retirement Fund Investment Program.**

5 (a) **Legislative Statement.** The well known Federal law  
6 regulating the management of retirement funds, the Employee  
7 Retirement Income Security Act ("ERISA"), does *not* apply to  
8 governmental retirement systems. ERISA §§ 3(32), 4(b), 29 U.S.C. §§  
9 1002(32), 1003(b) (1994). Instead, governmental retirement plans are  
10 regulated by local law. State and local laws, including the laws of  
11 Guam, vary considerably across the United States and have often failed  
12 to keep pace with modern investment practices. Adoption of the  
13 Uniform Management of Public Employee Retirement Systems Act,  
14 1997 ("MPERS ACT"), drafted by the National Conference of Board  
15 Members on Uniform State Laws ("the National Conference"), will  
16 modernize, clarify, and make uniform the rules governing the  
17 management of public retirement systems.

18 A primary purpose of this Act is to facilitate the incorporation of  
19 modern investment practices into local law regulating the management  
20 of public employee retirement systems. Since the late 1960's, the  
21 investment practices of fiduciaries experienced significant change.  
22 These changes occurred under the influence of a large and broadly  
23 accepted body of empirical and theoretical knowledge about the  
24 behavior of capital markets, often described as "modern portfolio