

*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>154-35 (COR)</b> As amended by the Committee on Health, Tourism, Historic Preservation, Land and Justice; and further amended on the Floor	Tina Rose Muña Barnes	AN ACT TO AUTHORIZE / <i>MAGA'LÁHEN GUAHÁN</i> TO RELOCATE 384± SQUARE METERS OF AN EXISTING BULL CART TRAIL WITHIN LOTS <u>5007-3</u> , <u>5007-4</u> AND 5071#1-2, IN <u>THE</u> MUNICIPALITY OF TAMUNING <u>TO</u> WITH AN AREA CONSISTING OF 746± SQUARE METERS WITHIN SAID LOT <u>5071 #1-2</u> FOR PUBLIC RIGHT-OF-WAY USE.	6/3/19 2:39 p.m.	6/28/19	Committee on Health, Tourism, Historic Preservation, Land, and Justice	7/18/19 9:30 a.m.	2/24/20 4:12 p.m.	6/17/19	As amended by the Committee on Health, Tourism, Historic Preservation, Land, and Justice
	<b>SESSION DATE</b>	<b>TITLE</b>	<b>DATE PASSED</b>	<b>TRANSMITTED</b>	<b>DUE DATE</b>	<b>NOTES</b>			
	3/3/20	AN ACT TO AUTHORIZE / <i>MAGA'HÁGAN GUAHÁN</i> TO EXCHANGE 384± SQUARE METERS OF AN EXISTING BULL CART TRAIL BETWEEN LOT 5007-3 AND 5071#1-2 AND BETWEEN LOT 5007-4 AND LOT 5071#1-2, IN THE MUNICIPALITY OF <i>TAMUNING</i> WITH AN AREA OF 746± SQUARE METERS WITHIN LOT 5071#1-2 FOR PUBLIC RIGHT-OF-WAY USE.	3/11/20	3/11/20	3/23/20	Exhibit A			



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*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
Thirty-Fifth Guam Legislature

**Elaine Tajalle**

March 11, 2020

The Honorable Lourdes A. Leon Guerrero  
*I Maga'hågan Guåhan*  
*Ufisinan I Maga'håga*  
*Hagåtña, Guam 96910*

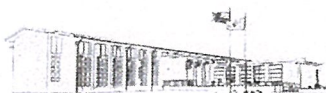
Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are **Bill Nos. 154-35 (COR), 170-35 (COR), 196-35 (LS), 208-35 (COR), 232-35 (COR), 237-35 (COR), and 257-35 (COR);** and **Substitute Bill Nos. 53-35 (COR) and 84-35 (COR),** which were passed by *I Mina'trentai Singko Na Liheslaturan Guåhan* on March 11, 2020.

Sincerely,

AMANDA L. SHELTON  
Legislative Secretary

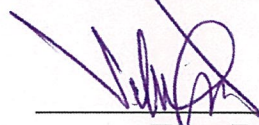
Enclosure (9)



***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2020 (SECOND) Regular Session**

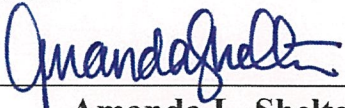
**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN***

This is to certify that **Bill No. 154-35 (COR)**, “AN ACT TO AUTHORIZE *I MAGA'HÅGAN GUAHÅN* TO EXCHANGE 384± SQUARE METERS OF AN EXISTING BULL CART TRAIL BETWEEN LOT 5007-3 AND 5071#1-2 AND BETWEEN LOT 5007-4 AND LOT 5071#1-2, IN THE MUNICIPALITY OF *TAMUNING* WITH AN AREA OF 746± SQUARE METERS WITHIN LOT 5071#1-2 FOR PUBLIC RIGHT-OF-WAY USE,” was on the 11<sup>th</sup> day of March 2020, duly and regularly passed.



**Tina Rose Muña Barnes**  
**Speaker**

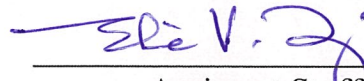
Attested:



**Amanda L. Shelton**  
**Legislative Secretary**

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This Act was received by *I Maga'hågan Guåhan* this 11<sup>th</sup> day of March, 2020, at 3:05 o'clock P.M.



**Assistant Staff Officer**  
***Maga'håga's Office***

APPROVED:

\_\_\_\_\_  
**Lourdes A. Leon Guerrero**  
***I Maga'hågan Guåhan***

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

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

**Bill No. 154-35 (COR)**

As amended by the Committee on Health,  
Tourism, Historic Preservation, Land and Justice;  
and further amended on the Floor.

Introduced by:

Tina Rose Muña Barnes  
William M. Castro  
Régine Biscoe Lee  
Kelly Marsh (Taitano), PhD  
James C. Moylan  
Louise B. Muña  
Telena Cruz Nelson  
Sabina Flores Perez  
Clynton E. Ridgell  
Joe S. San Agustin  
Amanda L. Shelton  
Telo T. Taitague  
Jose "Pedo" Terlaje  
Therese M. Terlaje  
Mary Camacho Torres

**AN ACT TO AUTHORIZE *I MAGA'HÁGAN GUAHÁN* TO EXCHANGE 384± SQUARE METERS OF AN EXISTING BULL CART TRAIL BETWEEN LOT 5007-3 AND 5071#1-2 AND BETWEEN LOT 5007-4 AND LOT 5071#1-2, IN THE MUNICIPALITY OF *TAMUNING* WITH AN AREA OF 746± SQUARE METERS WITHIN LOT 5071#1-2 FOR PUBLIC RIGHT-OF-WAY USE.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that in various areas throughout the island, bull cart trails serve as the only means

1 of public access to private properties. In many cases, however, full enjoyment of  
2 bull cart trails has been compromised due to failure in memorializing their existence  
3 as properties continued to be subdivided and developed in the past. In many  
4 instances, bull cart trails have outlived their usefulness, requiring either full  
5 improvement when in use or outright deletion to accommodate full enjoyment of  
6 private lands. The government is challenged when bull cart trails are hindered from  
7 opportunities of improvement for full use particularly when hindered by physical  
8 conditions of various irregular widths and by costs to upgrade to meet current  
9 minimum standards of public safety.

10 *I Liheslaturan Guåhan* further finds that a particular bull cart trail of variable  
11 width totaling 384± square meters exists between Lot 5007-3 and 5007-4, and Lot  
12 5071#1-2 in the municipality of *Tamuning*, to which an enclave of private property  
13 owners has depended on as the sole access to their residences for over thirty (30)  
14 years. The situation is further exacerbated because access to the 384± square meters  
15 of the bull cart trail is blocked by encroachment of a butler type building extending  
16 from Lot 5074#1-2. Presently, access to the 384± square meter portion of the bull  
17 cart trail from Route 16 occurs through private property on Lot 5007-4, under  
18 agreement with the private property owner. This agreement has been informally  
19 extended by the current lessee of Lot 5007-4, MOMO Corporation, whose lease  
20 expires on March 13, 2039.

21 Therefore, *I Liheslaturan Guåhan* intends to allow a land exchange of the  
22 government's current 384± square meters variable bull cart trail with the 746±  
23 square meters of Lot 5071#1-2, owned by MOMO Corporation, in order to facilitate  
24 a wider and safer access to houses in the area. Access to this newly acquired 746±  
25 square meters easement from Route 16 will continue at the discretion of the lessee  
26 and owner of Lot 5007-4.

1           The government of Guam also intends to ultimately eliminate access to the  
2 easement through Lot 5007-4. *I Liheslaturan Guåhan* recognizes the willingness of  
3 the property lessee of Lot 5007-4 to allow public access through such property with  
4 the understanding that the government of Guam continues to pursue a remedy to  
5 realize full use of the new easement through alignment from East Taitano Street, and  
6 that the government of Guam will be held harmless in all matters concerning MOMO  
7 Corporation's desire to allow such temporary public access.

8           **Section 2. Authorization for Land Exchange.** *I Mina'trentai Singko Na*  
9 *Liheslaturan Guåhan* hereby authorizes *I Maga'hågan Guåhan* to exchange 384±  
10 square meters of an existing bull cart trail that exists between Lot 5007-3 and Lot  
11 5007-4 and Lot 5071#1-2, in the municipality of *Tamuning*, with 746± square meters  
12 of Lot 5071#1-2 in the municipality of *Tamuning* owned by MOMO Corporation.  
13 MOMO Corporation agrees to improve the 746± square meters of land for public  
14 access and utilities. The proposed exchange is depicted in "Exhibit A, Severance  
15 Survey Map of Lot 5071#1-2, Deletion of 6.096m Setback Access Easement  
16 (Exhibit A)."

17           *I Liheslaturan Guåhan* intends to allow a land exchange of the government's  
18 current 384± square meters variable bull cart trail with the 746± square meters of  
19 Lot 5071#1-2 owned by MOMO Corporation, in order to facilitate a wider and safer  
20 access to houses in the area, with the understanding that the government of Guam  
21 continues to pursue a permanent remedy. Access to this newly acquired 746± square  
22 meters easement from Route 16 will continue at the discretion of the lessee and  
23 owner of Lot 5007-4. The government of Guam shall be held harmless in all matters  
24 concerning MOMO Corporation's desire to allow such temporary access through  
25 Lot 5007-4.

26           **Section 3. Appraisals.** As the 746± square meters of Lot 5071#1-2, as  
27 depicted in Exhibit A, of proposed exchange is of significantly greater land area than

1 that of the 384± square meters variable bull cart trail, for proposed deletion, greater  
2 good to public safety will be achieved by having more land area for road  
3 improvement. Thus, 2 GCA § 2107(b) and Section 6.04(c)(4) of the Standing Rules  
4 of *I Mina'trentai Singko Na Liheslaturan Guåhan*, relative to appraisals of land, shall  
5 not apply to this Act.

6 **Section 4.** The requirements of 21 GCA § 62108(b) are hereby waived to  
7 allow inclusion of a thirty-two (32) foot wide right-of-way as depicted in Exhibit A.

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

EXHIBIT A  
OF  
BILL NO. 154-35 (COR)



# Exhibit A of Bill No. 154-35 (CAG) AS AMENDED

