

**I MINA'TRENTA NA LIHESLATURAN GUAHAN
2010 (SECOND) Regular Session**

Bill No. 349-30 (cor)

Introduced by:

T.R Muña Barnes

SI 610 10 15
MM

**AN ACT TO ADD A NEW §80105 (c) TO CHAPTER 80
OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE
TO THE TRANSFER OF PROPERTIES UNDER THE
JURISDICTION OF THE PORT AUTHORITY OF
GUAM TO THE JURISDICTION OF THE GUAM
ANCESTRAL LANDS COMMISSION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslatura* finds that certain ancestral lands in the municipalities of *Piti*, *Sumay* and *Agat* were condemned under Civil Action No. 5-49 by the Naval Government of Guam creating the Apra Harbor Reservation Boundary. Eventually, the United States quitclaimed portions of the Apra Harbor Reservation to the Government of Guam in December 1984 containing certain parcels, with eventual transfer to the Commercial Port of Guam now known as the Port Authority of Guam (PAG) for development. In formal conferences and legislative session meetings between the PAG and *I Liheslatura* (the Legislature), it has been stated by the PAG board, management, and personnel that the PAG *does not* have any future plans for the development or use of certain portions of the parcels under their jurisdiction.

Therefore, *I Liheslatura* intends to transfer such land parcels and properties to the Guam Ancestral Lands Commission so that the Guam Ancestral Lands Commission *can and shall* proceed with the return of such land parcels and

1 properties to the original landowners or their estates, pursuant to the Commission’s
2 enabling legislation and mandates.

3 **Section 2.** A new §80105(c) is hereby *added* to §80105 of Chapter 80,
4 Title 21, Guam Code Annotated, to read as follows:

5 “(c) Portions of Parcel 1 South of Route 18 and contiguous to the
6 North of Apra Harbor Parcel 6, also abutting Marine Corps Drive on the
7 east, specifically original lots: **No. 135-1 originally owned by the Estate of**
8 **Caridad Quitugua Hart, No. 136 originally owned by the Estate of**
9 **Encarnacion Perez Mendiola, No. 136-A originally owned by the Estate**
10 **of Encarnacion Perez Mendiola, No. 136 A-1 originally owned by the**
11 **Estate of Encarnacion Perez Mendiola, No. 136 A-2 originally owned by**
12 **the Estate of Caridad Quitugua Hart, No. 137 originally owned by the**
13 **Estates of Vicente and Josefina Martinez, No. 166 originally owned by**
14 **the Estates of Jose C. Leon Guerrero; Joaquin C. Leon Guerrero; Giñ C.**
15 **Leon Guerrero; Antonio C. Leon Guerrero; Filomena C. Leon**
16 **Guerrero; Wenceslao C. Leon Guerrero and William C. Leon**
17 **Guerrero, and Portions of the following lots: No. 127 originally owned**
18 **by the Estates of Maria Salas San Nicolas; Antonia Salas San Nicolas;**
19 **Carlina San Nicolas Rapolla; Joaquin Salas San Nicolas-Estate; Juan**
20 **Salas San Nicolas; Maria Salas San Nicolas – Cedula No. 8383, Dolores**
21 **Wusstig San Nicolas; Rosario San Nicolas Iriarte; Consolacion Salas**
22 **San Nicolas; Ignacia San Nicolas Afleje; Dolores C. San Nicolas; Ana**
23 **San Nicolas Sanford, No. 128 originally owned by the Estate of Tiburcio**
24 **Ada Santos, No. 129 originally owned by the Estate of Emilia M. Notley,**
25 **No. 131 originally owned by the Estate of Magdalena Quitugua Iglesias,**
26 **No. 132 originally owned by the Estate of Vicente Quitugua Lizama, No.**
27 **133 originally owned by the Estates of Mary Louise Bergquist Hunter**

1 **and Arthur Theodore Bergquist, all in the Municipality of Piti.** The
2 properties *shall* be transferred and *shall* be deeded to the Guam Ancestral
3 Lands Commission within thirty (30) days of the effective date of this Act.
4 The Guam Ancestral Lands Commission *shall* within one hundred eighty
5 (180) days dispose of the land parcels and lots transferred by this Act in a
6 manner consistent with and pursuant to its enabling legislation and its
7 mandates. All pre-condemnation roads, easements and bull cart trails *shall*
8 remain as easements for public access and utilities. The transferred
9 properties *shall* be zoned “A” – Agricultural zone.”

10 **Section 3.** The Department of Land Management *shall* plot, plan, design,
11 and provide within sixty (60) days of enactment an aerial overlay map
12 delineating all roads, easements, bull-cart trails, and public access as to
13 determine such access or easements’ location in relation to the return subject
14 lot so that *no* lot is landlocked. The overlay *shall* show all original lot lines
15 generally.

16 **Section 4. Severability.** *If* any of the provisions of this Act or the
17 application thereof to any person or circumstance is held invalid, such
18 invalidity *shall* not affect any other provision or application of this Act
19 which can be given effect without the invalid provision or application, and to
20 this end the provisions of this Act are severable.