



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

MAY 16 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>5:23pm</u>
Date	<u>5-16-97</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 119 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO EXCHANGE LOT NO. 5253-R2 MACHECHE, MUNICIPALITY OF DEDEDO, FOR LOT NO. 10130-R2NEW-3-R/W AND LOT NO. 10130-R2NEW-4 MACHECHE, MUNICIPALITY OF DEDEDO FOR THE NEW BELLO ROAD RECONSTRUCTION.", which I have signed into law today as Public Law No. 24-29.

This legislation allows the Department of Public Works to continue with the Bello Road Reconstruction project. The exchange will save the government money because of the difficulties that would be encountered with a condemnation of the area.

Very truly yours,

[Signature]
Carl T. C. Gutierrez
Governor of Guam

Attachment **00223**

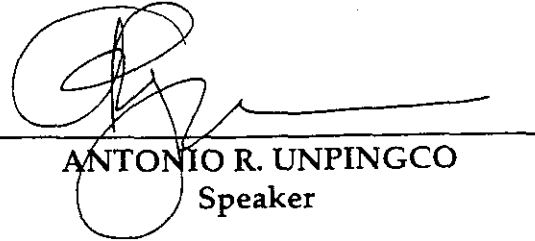
cc: The Honorable Joanne M. S. Brown
 Legislative Secretary

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 5-16-97
Time: 4:15pm
Rec'd by: [Signature]
Print Name: Annal

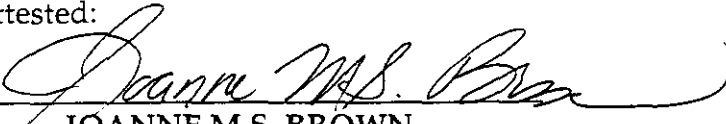
TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

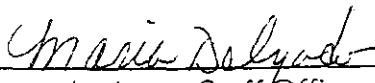
This is to certify that Bill No. 119 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO EXCHANGE LOT NO. 5253-R2 MACHECHE, MUNICIPALITY OF DEDEDO, FOR LOT NO. 10130-R2NEW-3-R/W AND LOT NO. 10130-R2NEW-4 MACHECHE, MUNICIPALITY OF DEDEDO FOR THE NEW BELLO ROAD RECONSTRUCTION," was on the 6th day of May, 1997, duly and regularly passed.


ANTONIO R. UNPINGCO
Speaker


Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 8th day of May, 1997, at
12:35 o'clock P.M.


Assistant Staff Officer
Governor's Office

APPROVED:


CARL T. C. GUTIERREZ
Governor of Guam

Date: 5-16-97

Public Law No. 24-29

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 119 (COR)

Introduced by:

J. C. Salas

E. J. Cruz

W. B.S.M. Flores

T. C. Ada

AN ACT TO AUTHORIZE THE GOVERNOR OF
GUAM TO EXCHANGE LOT NO. 5253-R2
MACHECHE, MUNICIPALITY OF DEDEDO, FOR
LOT NO. 10130-R2NEW-3-R/W AND LOT NO.
10130-R2NEW-4 MACHECHE, MUNICIPALITY OF
DEDEDO FOR THE NEW BELLO ROAD
RECONSTRUCTION.

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

2 **Section 1. Legislative Findings and Intent.** The Guam Legislature
3 finds that the Department of Public Works ("DPW") intends to widen and
4 reconstruct Bello Road to alleviate traffic congestion and promote safety at the
5 intersection of Route 16 and Route 10A (entrance to the GIAA Industrial Park)
6 and Bello Road. As part of the reconstruction of new Bello Road, the
7 government of Guam will need portions of Lot 10130-R2NEW-Macheche,
8 owned by Perez Estates Inc. The two (2) parcels of property needed by the
9 government of Guam from Lot 10130-R2NEW are described as Lot No. 10130-
10 R2NEW-4, containing an area of 1,510 + square meters, and Lot No. 10130-
11 R2NEW-3-R/W, containing and area of 5,238 + square meters, as described in
12 that certain Severance of Road Right of Way Map prepared by Duenas and

1 Associates, Inc. and marked as Drawing No DAI-S-96-20. The total area to be
2 exchanged from Lot 10130-R2NEW owned by Perez Estates Inc. is 6,748 +
3 square meters.

4 The government of Guam owns Lot No. 5253-R1, which property fronts
5 Route 16 and is adjoining Lot No. 10130-R2NEW owned by Perez Estates, Inc.
6 The government of Guam proposes to exchange a portion of Lot No. 5253-R1
7 consisting of 6,748 + square meters and described as Lot No. 5253-R2 in
8 Drawing No. DAI-S-96-20. The exchange is area for area and value for value.
9 The Guam Legislature further finds that the land exchange is a win-win
10 situation for both the government of Guam and Perez Estates, Inc.

11 The government of Guam will benefit in that it need not condemn or
12 purchase portions of Lot No. 10130-R2NEW in order to complete the new
13 Bello Road reconstruction. DPW has valued property in this area ranging
14 from One Hundred Nine Dollars (\$109.00) per square meter to Four Hundred
15 Seventy-eight Dollars (\$478.00) per square meter. Taking an average value of
16 one-half the difference in the range of value at a price of Two Hundred
17 Ninety-four Dollars (\$294.00) per square meter times 6,648 square meters, this
18 results in a savings to the government of Guam of One Million Nine Hundred
19 Fifty-four Thousand Five Hundred Twelve Dollars (\$1,954,512.00). This sum
20 of money can be further used towards improving Guam's roadways.

21 Perez Estates, Inc. will benefit in that the portion of its property fronting
22 Route 16 will be further enhanced.

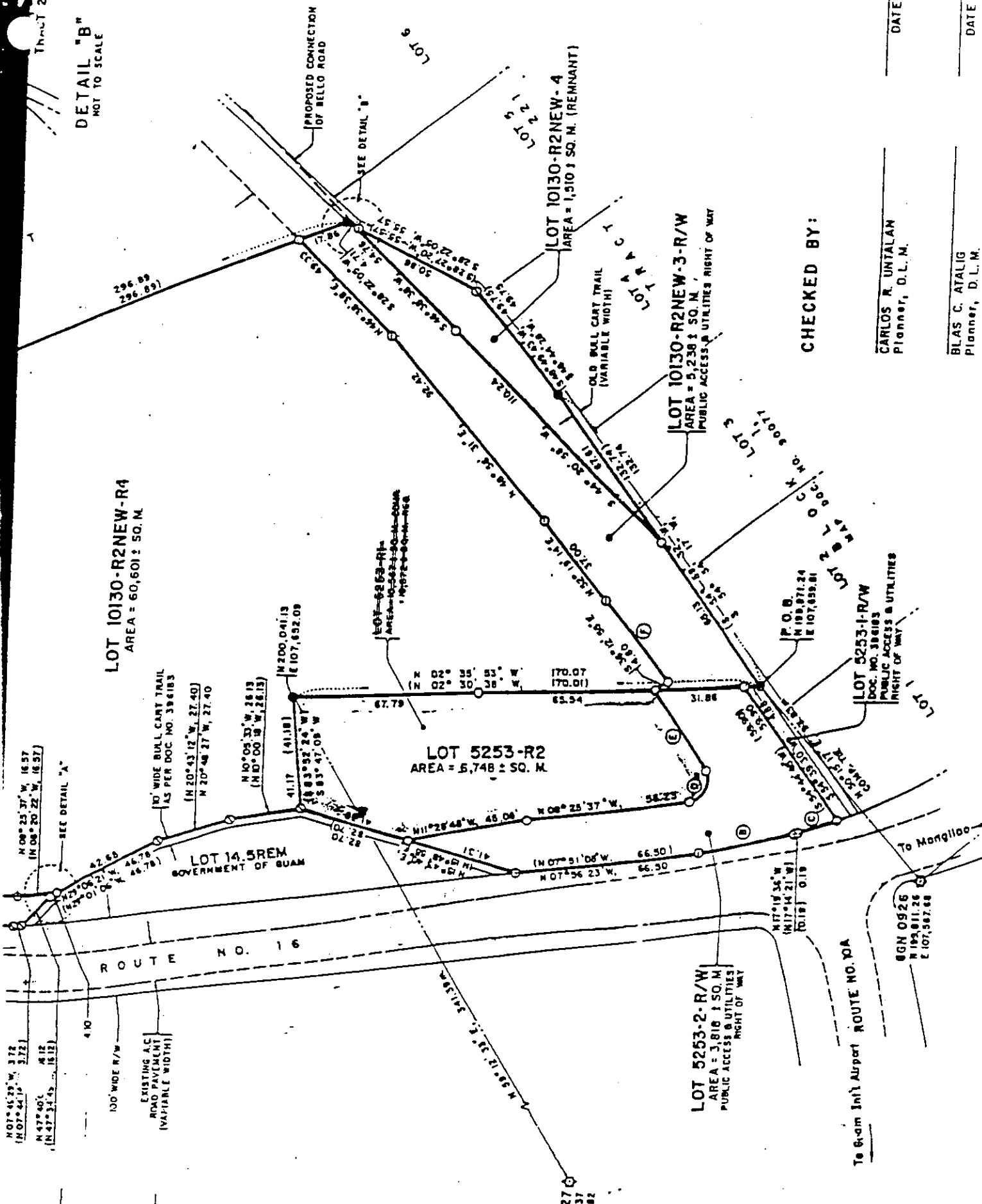
23 **Section 2. Authorization.** As prescribed by Guam law, the Governor of
24 Guam is herein authorized to exchange Lot No. 5253-R2, containing an area of
25 6,748 + square meters as shown on Drawing No. DAI-S-96-20 and owned in

1 fee simple by the government of Guam, for Lot No. 10130-R2NEW-4,
2 containing an area of 1,510 + square meters and Lot No. 10130-R2NEW-3-
3 R/W containing an area of 5,238 + square meters, also shown on Drawing No.
4 DAI-S-96-20 and owned in fee simple by Perez Estates, Inc. In the exchange
5 of the parcels of property, Lot No. 5253-R2 shall be conveyed to Perez Estates,
6 Inc. and Lot No. 10130-R2NEW-3-R/W and Lot No. 10130-R2NEW-4 shall be
7 conveyed to the government of Guam.

8 **Section 3. Survey, Mapping and Registration.** Perez Estates, Inc., shall
9 submit to the Director of the Department of Land Management and the
10 Director of the Department of Public Works a survey map prepared by a
11 registered land surveyor for review and approval of the land exchange herein
approved.

THROTT 221

DETAIL "B"
NOT TO SCALE



CHECKED BY:

CARLOS R. UNTALAN
Planner, D.L.M.

BLAS C. ATALIG
Planner, D.L.M.

DATE

DATE

N 01° 41' 28" W, 3.72
 (N 01° 44' 14" W, 3.72)
 N 47° 40' 18" W, 18.12
 (N 47° 34' 52" W, 18.12)

100' WIDE R/W
 EXISTING A.C.
 ROAD PAVEMENT
 (VARIABLE WIDTH)

LOT 14.5REM
 GOVERNMENT OF GUAM
 N 20° 05' 33" W, 28.13
 (N 10° 00' 12" W, 28.13)
 N 20° 43' 12" W, 27.40
 (N 20° 48' 27" W, 27.40)

LOT 5253-R2
 AREA = 5,748 ± SQ. M.
 N 02° 35' 53" W, 179.07
 (N 02° 30' 38" W, 179.01)

LOT 5253-2-R/W
 AREA = 3,818 ± SQ. M.
 PUBLIC ACCESS & UTILITIES
 RIGHT OF WAY
 N 07° 51' 06" W, 66.50
 (N 07° 56' 23" W, 66.50)

To 6-am Int'l Airport ROUTE NO. 10A
 N 17° 19' 34" W
 (N 17° 14' 21" W)

BGN 0926
 N 19° 41' 12" W
 (N 19° 38' 58" W)

LOT 5253-1-R/W
 DOC. NO. 386183
 PUBLIC ACCESS & UTILITIES
 RIGHT OF WAY
 N 10° 57' 24" W
 (N 10° 59' 51" W)

LOT 10130-R2NEW-3-R/W
 AREA = 5,238 ± SQ. M.
 PUBLIC ACCESS & UTILITIES RIGHT OF WAY
 N 48° 54' 31" E, 102.24
 (N 48° 54' 31" E, 102.24)

LOT 10130-R2NEW-4
 AREA = 1,510 ± SQ. M. (REMNANT)
 N 54° 35' 39" W, 54.16
 (N 54° 35' 39" W, 54.16)

LOT 10130-R2NEW-R4
 AREA = 60,601 ± SQ. M.
 N 08° 25' 37" W, 16.37
 (N 08° 20' 22" W, 16.37)

10' WIDE BULL CART TRAIL
 (AS PER DOC. NO. 386183)
 N 20° 43' 12" W, 27.40
 (N 20° 48' 27" W, 27.40)

N 200,041.13
 (N 107,692.09)

LOT 6253-R1
 AREA = 10,543 ± SQ. M. (REMNANT)
 N 02° 35' 53" W, 179.07
 (N 02° 30' 38" W, 179.01)

LOT 2
 N 54° 35' 39" W, 54.16
 (N 54° 35' 39" W, 54.16)

LOT 3
 N 48° 54' 31" E, 102.24
 (N 48° 54' 31" E, 102.24)

LOT 1
 N 10° 57' 24" W
 (N 10° 59' 51" W)

To Mangilao
 N 17° 19' 34" W
 (N 17° 14' 21" W)

1927
 4137
 8882



24th GUAM
LEGISLATURE

COMMITTEE ON
AGRICULTURE, LAND, HOUSING,
COMMUNITY & HUMAN RESOURCES DEVELOPMENT



SENATOR JOHN CAMACHO SALAS
CHAIRMAN

April 8, 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Agricultural, Land, Housing, Community & Human Resources Development to which was referred Bill No. 119, has had the same under consideration and now wishes to report back the same with the recommendation **TO DO PASS**.

The Committee votes are as follows:

To Do Pass	6
Not To Pass	0
Abstain	0
Other (Off-Island)	0

A copy of the Committee's report and other pertinent documents are enclosed for your reference and information.

Sincerely,

John C. Salas
Senator John Camacho Salas
Chairman

Attachments

Committee on Agriculture, Land, Housing, Community
& Human Resources Development
Twenty-Fourth Guam Legislature
Tanaka Building, Suite 100, Agana, Guam 96910

COMMITTEE REPORT

ON

BILL 119 - AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO EXCHANGE LOT NO. 5253-R2, MACHECHE, MUNICIPALITY OF DEDEDO, FOR LOT NO. 10130-R2NEW-3-R/W AND LOT NO. 10130-R2NEW-4, MACHECHE, MUNICIPALITY OF DEDEDO FOR THE NEW BELLO ROAD RECONSTRUCTION.

I. BACKGROUND

Senator John Camacho Salas, Chairman for the Committee, had conducted a public hearing on Bill No. 119 on February 28, 1997 at the legislature's public hearing room in Agana, Guam.

Committee members present included:

Senator John Camacho Salas, Chairman
Senator Edwardo J. Cruz, Vice-Chairman
Senator Lawrence Kasperbauer, Member
Senator Thomas Ada, Member
Senator William B.S.M. Flores, Member
Senator Elizabeth Barrett-Anderson, Member

II. SUMMARY OF TESTIMONY

Gregory D. Perez, representing his father Frank D. and Carmen Perez and Perez Estates Inc. Mr. Perez read from written testimony. The Department of Public Works plans to widen Route 16 in the area, as the New Bello Reconstruction Project, and needs a part of the Perez property. The Perez family has discussed with DPW an exchange of government land in the same area for the area needed by DPW. This will be a win-win situation. He humbly requested the support for the Bill.

Jesse Garcia from DPW testified that the DPW supports the Bill. The New Bello Road construction would alleviate traffic congestion in the area.

Senator Salas pointed out that written testimony was submitted by Mr. Mark Mamzarc, who is in support of the Bill.

Senator Cruz stated that the win-win situation would be better if the government wins more than the private landowner. A super win for the government and a small loss for the landowner would be a better exchange.

Mr. Greg Perez explained the maps provided as displays.

Phil Carbullido, legal council for Mr. Perez, stated that the exchange is both value-for-value and area-for-area.

Senator Kasperbauer questioned if the government land has always been owned by the government. Mr. Garcia stated that it has. Senator then asked if this is the area for the overpass, and Mr. Garcia stated affirmatively.

Senator F. Aguon asked if the land has been condemned. Mr. Garcia stated it has not been condemned.

Senator Salas summarized that it is in the best interest of the government and the Perez Estate to be able to offer this as an exchange, instead of a condemnation which would require that money be deposited in an account. The money set aside for condemnation can be reprogrammed to the construction instead of acquisition.

Senator Francisco Camacho clarified these points.

Senator Salas raised the concern by others that the value of the Perez property will be enhanced because of the exchange. This concern was not valid.

Senator Cruz pointed out that if government property can be turned over for immediate use, it should. This planned use is better than the land sitting idle. Land exchanges should be promoted if the land owner is ready for development.

Senator Ada asked if other utility agencies have plans for the use of the land proposed for exchange. Mr. Garcia stated that this area was reserved for DPW route 16 expansion. Senator asked that GPA and GWA provide input before reporting the bill out.

III. FINDINGS

Based on testimony provided at the hearing, it is evident that Perez Estates and the Department of Public Works worked proactively to address the needs of the government in providing public improvements and the needs of the landowner in preserving what is rightfully theirs. This is in contrast to the normal procedure of condemnation which is both costly, time consuming and often galvanizes public distrust of the government.

This bill offers a mutually beneficial solution to both Perez Estates, Inc.'s development plans and the Government of Guam expansion plans for Bello Road.

IV. RECOMMENDATIONS

Based on the testimony provided at the hearing, the Committee recommends **TO DO PASS** Bill 119.



24th GUAM LEGISLATURE

SENATOR JOHN CAMACHO SALAS

CHAIRMAN

COMMITTEE ON AGRICULTURE, LAND, HOUSING, COMMUNITY AND HUMAN RESOURCES DEVELOPMENT

VOTING SHEET

Bill Number **119**

Title An Act to Authorize the Governor of Guam to Exchange Lot No. 5253-R2 Macheche, Municipality of Dededo, for Lot No. 10130-R2NEW-3-E/W and Lot No. 10130-R2NEW-4 Macheche, Municipality of Dededo for the New Bello Road Construction.

	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 John Camacho Salas, Chairman	<input checked="" type="checkbox"/>			
 Edwardo J. Cruz, M.D., Vice-Chair	<input checked="" type="checkbox"/>			
Elizabeth Barrett-Anderson, Member				
 Larry Kasperbauer, Member	<input checked="" type="checkbox"/>			
 Carlotta Leon Guerrero, Member	<input checked="" type="checkbox"/>			
 Thomas Ada, Member	<input checked="" type="checkbox"/>			
 William Flores, Member	<input checked="" type="checkbox"/>			
Anthony Unpingco, Ex-Officio Member				

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

BBMR-F7

Bill Number: 119 Date Received: March 27, 1997
 Amendatory Bill: N/A Date Reviewed: April 7, 1997
 Department/Agency Affected: Department of Land Management
 Department/Agency Head: Carl J.C. Aguon, Acting
 Total FY Appropriation to Date: \$3,694,501

Bill Title (preamble): AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO EXCHANGE LOT NO. 5253-R2 MACHECHE, MUNICIPALITY OF DEDEDO, FOR LOT NO. 10130-R2NEW-3-R/W AND LOT NO. 10130-R2NEW-4 MACHECHE, MUNICIPALITY OF DEDEDO FOR THE NEW BELLO ROAD RECONSTRUCTION.

Change in Law: N/A

Bill's Impact on Present Program Funding:

Increase _____ Decrease _____ Reallocation X No Change _____

Bill is for:

Operations _____ Capital Improvement _____ Other X

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Natural Resources, Recreation & Arts			//

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						//

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? N/A -- IF NO, ADD'L AMOUNT REQUIRED \$ //

AGENCY/PERSON/DATE CONTACTED: Land Management/E. Santos

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						N/A

ANALYST A. Flores DATE 4/10/97 DIRECTOR Francis Galindo DATE APR 11 1997
Joseph E. Rivera Acting

FOOTNOTES: // Although an appropriation measure is not provided, enactment of Bill No. 119 will impact on scarce government land resources, reserved for exchange, estimated at under 35 acres. It is not known whether all land exchange issues of the government can be addressed with the remaining acreage of under 35 acres. Additionally, if affected government lots are unsurveyed, then survey costs are anticipated should the bill be enacted.



SENATOR JOHN CAMACHO SALAS CHAIRMAN

COMMITTEE ON AGRICULTURE, LAND, HOUSING, COMMUNITY AND HUMAN RESOURCES DEVELOPMENT

TESTIMONY SIGN IN SHEET

Bill Number **119**

Subject An Act to Authorize the Governor of Guam to Exchange Lot No. 5253-R2 Macheche, Municipality of Dededo, for Lot No. 10130-R2NEW-3-E/W and Lot No. 10130-R2NEW-4 Macheche, Municipality of Dededo for the New Bello Road Construction.

Friday, February 28, 1997

Name	Organization	Testimony
GREGORY D. PEREZ FOR F.D. PEREZ PEREZ ESTATES, INC.		<input type="checkbox"/> ORAL <input checked="" type="checkbox"/> FOR <input checked="" type="checkbox"/> WRITTEN <input type="checkbox"/> AGAINST
JESSE GARCIA	DPW	<input checked="" type="checkbox"/> ORAL <input checked="" type="checkbox"/> FOR <input checked="" type="checkbox"/> WRITTEN <input type="checkbox"/> AGAINST
MARK MANCARE	BLACK COAST CORP	<input type="checkbox"/> ORAL <input checked="" type="checkbox"/> FOR <input checked="" type="checkbox"/> WRITTEN <input type="checkbox"/> AGAINST
JOE BORJA / by: RANDY B. TEEHAN	CHAMORRO LAND TRUST COMMISSION	<input type="checkbox"/> ORAL <input type="checkbox"/> FOR <input checked="" type="checkbox"/> WRITTEN <input type="checkbox"/> AGAINST
GIL SHIOHARA		<input type="checkbox"/> ORAL <input type="checkbox"/> FOR <input checked="" type="checkbox"/> WRITTEN <input type="checkbox"/> AGAINST
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FOR



TESTIMONY OF MARK J. MAMCZARZ
IN SUPPORT OF BILL NO. 119,
"AN ACT TO AUTHORIZE THE GOVERNMENT OF
GUAM TO EXCHANGE LOT NO. 5253-R2, MACHECHE,
MUNICIPALITY OF DEDEDO, FOR LOT NO. 10130-R2NEW-3-R/W AND
LOT NO. 10130-R2NEW-4, MACHECHE, MUNICIPALITY OF DEDEDO
FOR THE NEW BELLO. . ROAD RECONSTRUCTION"

28 FEB 97

Dear Mr. Chairman and Members of the Committee:

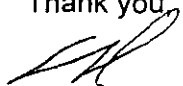

Black Construction Corporation encourages the Committee to process this bill as it will expedite the Bidding, Award and Completion of Project No. GU-NH-16(104) Route 16 Reconstruction-Phase 1A. This connects the two prior projects on Route 16 and upgrades the Route 16 and Airport (Rt. 10A) intersection. This project is suppose to bid on April 15, 1997 if the process continues smoothly.

Everyone has complained about the length of time that was required to complete the Route 16 and Harmon Loop intersection. The primary delay was due to lengthy land negotiations. Settling the land issues prior to the start of construction reduces the exposure to delays. Over the years, Black has worked on several projects in which land rights have not been properly resolved. Once in Yona, many years ago, Black had to have police protection while installing Government power poles. We do not expect a response like this from the Perez family, but clearly land is very important to the people of Guam. In other situations, part of the work cannot be completed due to land disputes. Settling the land issues prior to the work benefits everyone involved.

As this bill has been explained to Black Construction Corporation it has several collateral benefits. First, cash will not be required. Along the project site on Route 16 there are several property owners including Black Construction that will be paid cash. The Perez proposal is a swap of land. The properties are nearly adjacent and there is minimal disparity between value and size. Second, this swap is the first step in making Route 16 and Airport access a four-way intersection. The longer term plan calls for extending the Airport access through "Bello Road" to Latte Heights Road. This swap also includes access for this future project.

We encourage the committee to approve Bill 119 to improve the flow of traffic in this critical area.

Thank you


Mark J. Mamczarz
Vice President 



FEB 28 1997

Dr. John C. Salas, Ph.D.
Senator - 24th Guam Legislature
T.S. Tanaka Building - Rt 4
Agana, Guam 96910

Reference: Testimony in Support of Bill No. 119

"An Act to authorize the Government of Guam to exchange Lot 5253-R2, Macheche, Municipality of Dededo, for Lot No. 10130-R2-NEW-3-R/W and Lot 10130-R2NEW-4, Macheche, Municipality of Dededo for the New Bello Road Reconstruction"

Dear Senator Salas:

This written testimony is submitted in support of the above referenced Bill 119.

The land exchange will benefit the people of Guam and the Perez Estate. The lands to be exchanged are equal in area size and the basic lots are adjacent to each other.

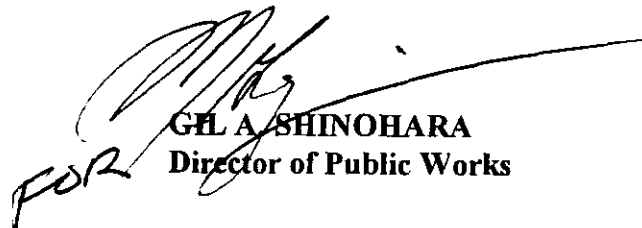
The Perez Estate land exchange lots will be used as the New Bello Road which will alleviate traffic congestion at the existing Bello Road. The New Bello Road will connect into the Route 16 underpass controlled at the traffic light signal intersection of Route 10A and 16.

The money saved from this land exchange would be about \$2 Million which will be reprogrammed back into the Route 16 Phase 1A Federal Highway Project.

If this exchange does not materialize, the Government will resort to condemnation of the properties to implement our highway improvement project in the area.

Thank you for allowing me to testify on behalf of the Department of Public Works.

Sincerely,


GIL A. SHINOHARA
Director of Public Works

TESTIMONY OF FRANK D. PEREZ
IN SUPPORT OF BILL NO. 119,
"AN ACT TO AUTHORIZE THE GOVERNMENT OF
GUAM TO EXCHANGE LOT NO. 5253-R2, MACHECHE,
MUNICIPALITY OF DEDEDO, FOR LOT NO. 10130-R2NEW-3-R/W AND
LOT NO. 10130-R2NEW-4, MACHECHE, MUNICIPALITY OF DEDEDO
FOR THE NEW BELLO ROAD RECONSTRUCTION

Dear Mr. Chairman and Members of the Committee:

My name is Greg D. Perez. I am the son of Frank D. Perez and Carmen D. Perez. Frank D. Perez is President and Chairman of the Board of Perez Estates, Inc. My father very much wanted to appear before your Committee this morning to testify in support of Bill No. 119. However, he left earlier this week to Honolulu to accompany my mother for surgery. He extends his apologies and requests that I read his testimony for him.

Perez Estates, Inc. owns Lot No. 10130-R2NEW, Macheche. This property is located across the entrance to the GIAA Industrial Park at the intersection of Route 16 and Route 10A. The property fronts Route 16 and is located on the same side of Route 16 where Motorola Inc. is located. Perez Estates Inc. owns the fee simple interest to Lot No. 10130-R2NEW. We have entered into a long term lease of the property with Marine Drive Capital Investment. This company intends to develop a commercial center on the property.

I have had discussions over the past year with the Department of Public Works. DPW has a plan to widen and reconstruct Bello Road. I understand that this project

is known as the New Bello Road reconstruction project. As part of the New Bello Road project, DPW will need portions of my property for the reconstruction project. The portions of my property needed is described in Drawing No. DAI-S-96-20 prepared by Duenas & Associates. The two lots needed are Lot No. 10130-R2NEW-4 containing an area of 1,510± square meters and Lot No. 1013-R2NEW-3R/W containing an area of 5,238± square meters. A copy of the proposed severance of road right of way map has been provided to your Committee. The map has been submitted to the Director of the Department of Public Works for his approval.

The Government of Guam owns Lot No. 5253-R-1 which fronts Route 16 and is adjoining my property. I have had discussions with the Director of Public Works to exchange a portion of Lot 5253-R1 for the two Perez Estates, Inc. parcels described herein. The portion of Lot 5253-R1 containing an area of 6,748 square meters to be exchanged is described as Lot No. 5253-R2. The parcelled lot is also delineated in Drawing No. DAI-S-96-20.

I believe that this is a win win situation for the Government of Guam and my company. The Government of Guam will benefit in that it need not condemn or purchase the two parcels it needs to complete the New Bello Road reconstruction. DPW has valued property in this area ranging from \$109.00 per square meter to \$478.00 per square meter. Taking an average value of one-half the difference in the range of value or a price of \$294.00 per square meters times the area needed (6,648 square meters) results in a savings to the Government of Guam of \$1,954,512.00.

This sum of money can be further used towards the New Bello Road construction or other road projects in Guam.

Perez Estates Inc. will benefit in that the frontage of my property along Route 16 will be further enhanced. The portion of the Government of Guam property to be conveyed to me does not actually front Route 16. That portion of Lot No. 5253-R1 to be retained by the Government of Guam will continue to front Route 16. However, I still feel that my property will be enhanced by the land exchange.

I have entered into a long term lease for Lot No. 10130-R2NEW with Marine Drive Capital Investment. This company intends to develop the property into a commercial center. This proposed development will hopefully create more new jobs and spur the economic recovery of our island.

I humbly request for your support and assistance in seeing this land exchange through the 24th Guam Legislature.

Si Yuus Maase,

Frank D. Perez

Chamorro Land Trust Commission

Carol A. Ibanez, Chairperson
Rita C. Okada, Commissioner
John Q. Finona, Commissioner
Joseph T. Gumataotao, Commissioner
Tomas T. Aguon, Commissioner

Joseph M. Borja
Administrative Director

Lydia T. Cruz
Deputy Administrative Director

28 February 1997

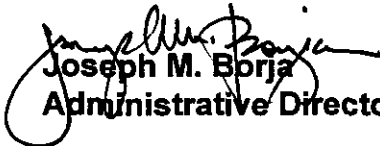
**TO: Senator John Camacho Salas
Chairman**

**FR: Joseph M. Borja
Administrative Director**

RE: Commission testimony on Bill 119

The Administrative Director has reviewed this situation and the property is urgently needed for public purposes.

If any money is derived from this transaction it should be deposited in Department of Administration Account No. 341152101 for the use of the Chamorro Land Trust Commission.


**Joseph M. Borja
Administrative Director**