

I Mina Trentai Kuåttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
299-34 (COR) As amended by the Committee on Environment, Land, Agriculture and Procurement Reform; and further amended on the Floor.	Thomas C. Ada	AN ACT TO AUTHORIZE I MAGA'LÅHEN GUÁHAN TO EXCHANGE TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF CHAMORRO LAND TRUST LOT 243-REM IN THE MUNICIPALITY OF SANTA RITA WITH TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF PRIVATELY OWNED LOT 214-3 IN THE MUNICIPALITY OF SANTA RITA TO CORRECT MUTUAL ENCROACHMENTS, AND TO PROVIDE EASEMENT ACCESS TO CHAMORRO LAND TRUST PROPERTY AND FOR CHAMORRO LAND TRUST LESSEES.	6/8/18 4:38 p.m.	6/18/18	Committee on Environment, Land, Agriculture, and Procurement Reform	7/13/18 2:00 p.m.	7/23/18 4:04 p.m. As amended by the Committee on Environment, Land, Agriculture and Procurement Reform.	Fiscal Note Request 6/19/18 Fiscal Note 6/27/18	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW	DATE SIGNED	NOTES	
	8/27/18	AN ACT TO AUTHORIZE I MAGA'LÅHEN GUÁHAN TO EXCHANGE TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF CHAMORRO LAND TRUST LOT 243-REM IN THE MUNICIPALITY OF SANTA RITA WITH TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF PRIVATELY OWNED LOT 214-3 IN THE MUNICIPALITY OF SANTA RITA TO CORRECT MUTUAL ENCROACHMENTS, AND TO PROVIDE EASEMENT ACCESS TO CHAMORRO LAND TRUST PROPERTY AND FOR CHAMORRO LAND TRUST LESSEES.	8/28/18	8/28/18 5:16 p.m.	9/8/18	34-121	9/8/18	Received: 9/18/18 Mess and Comm. Doc. No. 34GL-18-2322.	



EDDIE BAZA CALVO
Governor
RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam.

SEP 18 2018

Honorable Therese M. Terlaje
Acting Speaker
I Mina'trentai Kuáttro Na Liheslaturan Guáhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Vice Speaker Therese M. Terlaje

34GL-18-2322

SEP 18 2018

Time: 3:04 pm

Received by: 

Dear Madam Speaker:

Transmitted herewith is Bill No. 299-34 (COR), "AN ACT TO AUTHORIZE *I MAGA'LÁHEN GUÁHAN* TO EXCHANGE TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF *CHAMORRO* LAND TRUST LOT 243-REM IN THE MUNICIPALITY OF SANTA RITA WITH TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF PRIVATELY OWNED LOT 214-3 IN THE MUNICIPALITY OF SANTA RITA TO CORRECT MUTUAL ENCROACHMENTS, AND TO PROVIDE EASEMENT ACCESS TO *CHAMORRO* LAND TRUST PROPERTY AND FOR *CHAMORRO* LAND TRUST LESSEES'," which was signed on September 8, 2018, as Public Law 34-121.

Senseramente,

EDDIE BAZA CALVO

2018 SEP 18 PM 3:41 



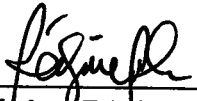
I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2018 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÁHEN GUÁHAN*


This is to certify that **Bill No. 299-34 (COR)**, “AN ACT TO AUTHORIZE *I MAGA'LÁHEN GUÁHAN* TO EXCHANGE TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF *CHAMORRO* LAND TRUST LOT 243-REM IN THE MUNICIPALITY OF *SANTA RITA* WITH TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF PRIVATELY OWNED LOT 214-3 IN THE MUNICIPALITY OF *SANTA RITA* TO CORRECT MUTUAL ENCROACHMENTS, AND TO PROVIDE EASEMENT ACCESS TO *CHAMORRO* LAND TRUST PROPERTY AND FOR *CHAMORRO* LAND TRUST LESSEES,” was on the 28th day of August 2018, duly and regularly passed.


Benjamin J.F. Cruz
Speaker


Attested:


Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 28th day of AUGUST,
2018, at 5:16 o'clock P.M.


Assistant Staff Officer
Maga'låhi's Office

APPROVED:


EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: SEP 08 2018

Public Law No. 3A-121

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

Bill No. 299-34 (COR)

As amended by the Committee on Environment,
Land, Agriculture and Procurement Reform; and
further amended on the Floor.

Introduced by:

Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
B. J.F. Cruz
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO AUTHORIZE *I MAGA'LÁHEN GUÁHAN* TO EXCHANGE TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF *CHAMORRO* LAND TRUST LOT 243-REM IN THE MUNICIPALITY OF *SANTA RITA* WITH TWO HUNDRED TWENTY-THREE (223) SQUARE METERS OF PRIVATELY OWNED LOT 214-3 IN THE MUNICIPALITY OF *SANTA RITA* TO CORRECT MUTUAL ENCROACHMENTS, AND TO PROVIDE EASEMENT ACCESS TO *CHAMORRO* LAND TRUST PROPERTY AND FOR *CHAMORRO* LAND TRUST LESSEES.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds
3 that on January 9, 2018, Matthew R. Quinata appeared before the *Chamorro* Land

1 Trust Commission requesting an area-for-area land exchange of two hundred
2 twenty-three (223) square meters of his private Lot 214-3 for contiguous *Chamorro*
3 Land Trust Lot 243-REM in the municipality of *Santa Rita*.

4 *I Liheslaturan Guåhan* further finds that Mr. Quinata had his property, Lot
5 214-3, surveyed, and the survey uncovered an unintended encroachment of a portion
6 of his home onto Lot 243-REM. Lot 243-REM is a designated easement, but fettered
7 access, for adjacent *Chamorro* Land Trust properties and *Chamorro* Land Trust
8 lessees.

9 *I Liheslaturan Guåhan* further finds that *Chamorro* Land Trust lessees who
10 should be utilizing Lot 243-REM for access have instead created a separate access
11 due to land conditions, and encroached onto privately owned Lot 214-3.

12 The *Chamorro* Land Trust Commission having been notified of the mutual
13 encroachments, and of the request and suggested solution by Mr. Quinata, were
14 briefed by staff. The mutual encroachments, options and possible solutions were
15 discussed. The *Chamorro* Land Trust Commission approved and supported the area-
16 for-area land exchange by passing Resolution 2018-02, attached as “Exhibit A.”

17 **Section 2. Authorization for Land Exchange.** *I Mina'Trentai Kuåttro Na*
18 *Liheslaturan Guåhan* hereby authorizes *I Maga'låhen Guåhan* to exchange
19 approximately two hundred twenty-three (223) square meters of *Chamorro* Land
20 Trust Lot 243-REM in the municipality of *Santa Rita*, with approximately two
21 hundred twenty-three (223) square meters of privately owned Lot 214-3 in the
22 municipality of *Santa Rita*. The proposed exchange is depicted in “Exhibit B.”

23 **Section 3. Appraisals.** As the parcels are contiguous to each other and this
24 is an area-for-area land exchange, 2 GCA § 2107(b) and Section 6.04 (c)(4) of the
25 Standing Rules of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* relative to
26 appraisals of land *shall not* apply to this Act.

1 **Section 4. No Alienation Clause.** This is a fee simple land exchange
2 transaction and *shall not* be subject to any alienation clause notwithstanding any law,
3 rule, or regulation.

4 **Section 5. Survey of Lot 243-REM-3.** The *Chamorro* Land Trust
5 Commission *shall* be responsible for the surveying of Lot 243-REM-3 to reestablish
6 new boundary lines for Lot 243-REM-3 that consists of two thousand twenty-three
7 (2,023) ± square meters.

8 **Section 6. 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, that invalidity *shall*
10 *not* affect other provisions or applications of this Act that can be given effect without
11 the invalid provisions or applications, and to this end the provisions of this Act are
12 severable.



CHAMORRO LAND TRUST COMMISSION
RESOLUTION NO. 2018-02

*Declaration of Support for Land Exchange
Between the Chamorro Land Trust Commission and
Matthew R. Quinata in the Municipality of Santa Rita*

WHEREAS, the Chamorro Land Trust Commission (CLTC), in accordance with Title 21, Guam Code Annotated, declares its support to exchange a portion of its property with an adjacent portion of private property owned by Matthew R. Quinata in the municipality of Santa Rita;

WHEREAS, the CLTC board of commissioners recognizes portions of CLTC properties subdivided from Lot 243 REM, Municipality of Santa Rita, in an approved Agricultural Subdivision Master Plan, recorded at the Department of Land Management as Instrument No. 880833, encroaches onto the designed right-of-way and private property due to actual access way topography and preexisting buildings (EXHIBIT "A");

WHEREAS, the concrete home on Lot 214-3, Municipality of Santa Rita, as shown on survey map Drawing No. ISL3-66 AG489, by Island Surveyors LTD, Instrument No. 78746, owned by Matthew R. Quinata, encroaches onto Lot 243 REM (EXHIBIT "B");

WHEREAS, Matthew R. Quinata, on January 9, 2018, requested in writing for consideration for a land exchange to correct the encroachment of his house, located on Lot 214-3, onto CLTC property and to correct the actual access way that serves CLTC properties on Lot 243 REM but transits through Lot 214-3 (EXHIBIT "C");

WHEREAS, the Department of Land Management has determined that an equal area of ±223 square meters be exchanged to offset the mutual encroachments as shown in Proposed Lot Scheme of Lot 243-REM, Scheme No. M18-S004 (EXHIBIT "D");


WHEREAS, on February 15, 2018, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by motion to support legislation for an area for area land exchange of ±223 square meters to correct the mutual encroachments, in accordance with the Subdivision Law and rights-of-way realignment;

WHEREAS, on March 8, 2018, the CLTC informed its lessees in the affected lots of the pending alteration of the Lot 243 REM Agricultural Subdivision Master Plan and received no objections.

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners approves a ±223 square meter area for area land exchange with Lot 214-3, owned by Matthew R. Quinata, and Lot 243 REM, owned by the Chamorro Land Trust Commission;
2. The Chamorro Land Trust Commission recommends and supports legislation to authorize such land exchange;
3. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan*.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS 8th DAY OF MARCH 2018.


G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission

Date: 4-12-18


MICHAEL J.B. BORJA, Administrative Director
Chamorro Land Trust Commission

Date: 4/11/18

EXHIBIT "A" - Lot 243 REM Agricultural Subdivision Master Plan

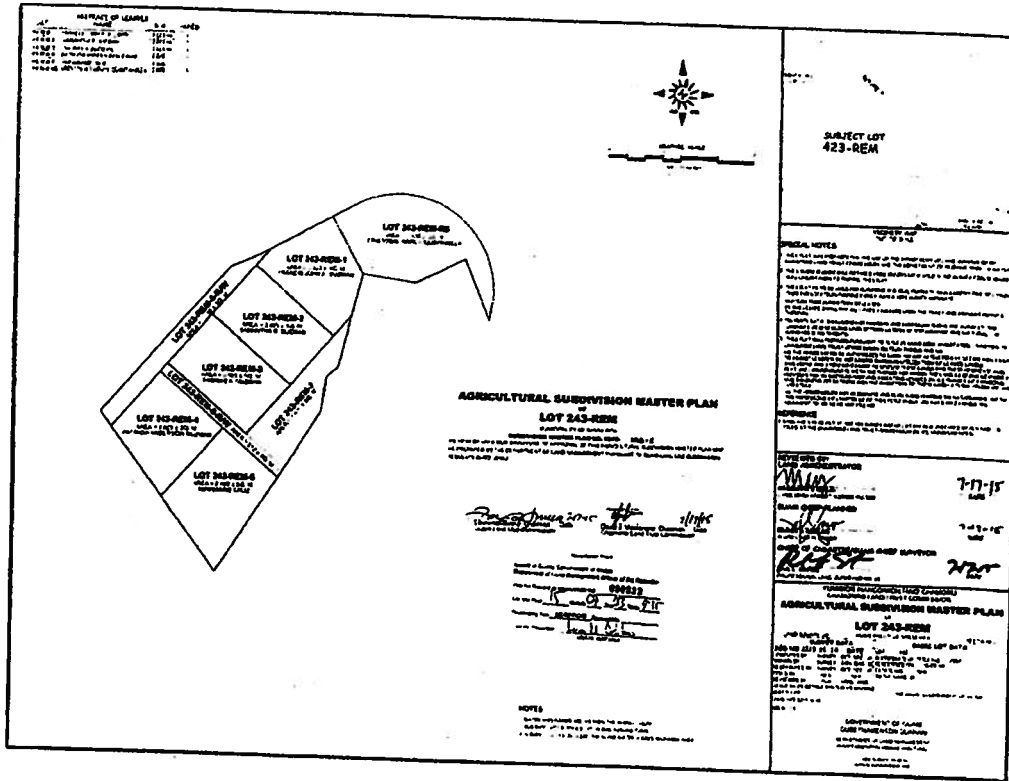


EXHIBIT "B" - Drawing No. ISL3-66 AG489

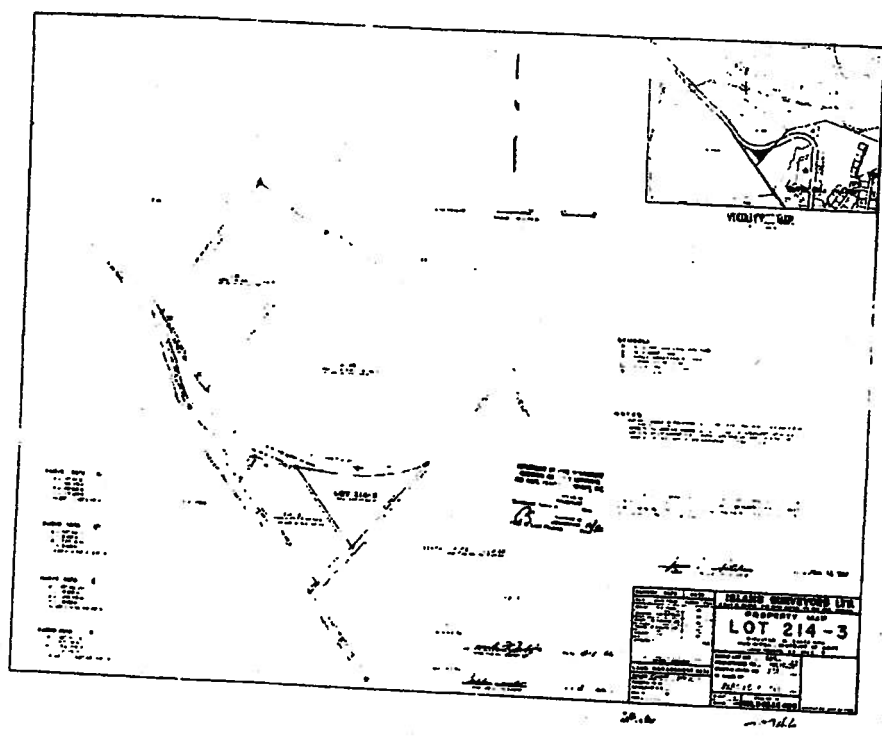
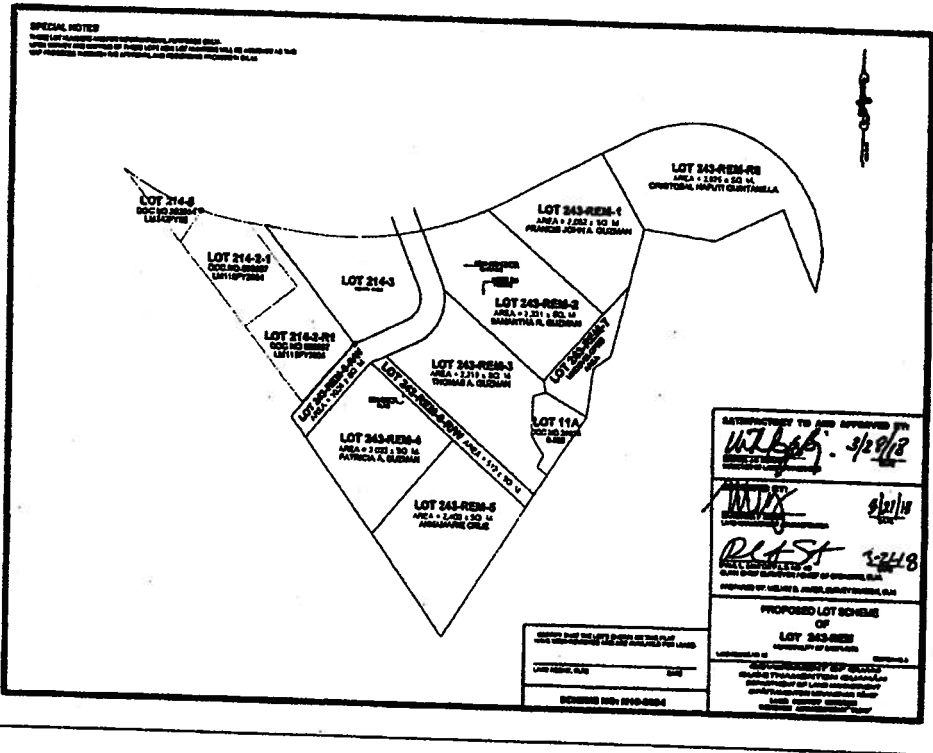


EXHIBIT "C" - Current Area



EXHIBIT "D" - Proposed Lot Scheme No. M18-S004



Bill No. 299-34 (COR) Exhibit B

