

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

Bill No. 337-37 (COR)

Introduced by:

Roy A.B. Quinata 

Dwayne T.D. San Nicolas 

Joe S. San Agustin 

AN ACT TO AUTHORIZE *I MAGA'HÅGAN GUÅHAN* TO EXCHANGE ONE THOUSAND ONE HUNDRED FORTY-NINE (1,149±) SQUARE METERS OF PRIVATE LOT 215-2-1-2, MAINA MUNICIPALITY OF ASAN-MAINA FOR GOVERNMENT OF GUAM LAND IN DEDEDO TO PROVIDE FOR FURTHER LEGAL DEVELOPMENT OF A NECESSARY DRAINAGE DITCH AND PONDING BASIN IN THE MUNICIPALITY OF MAINA

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds

that in 1980, the Guam Department of Public Works constructed a drainage ditch to alleviate flooding and provide access to several homes in a low area of Maina, specifically diverting floodwaters across a private access road into Lot Number 215-2-1-2 in the Municipality of Asan-Maina. This construction served as an emergency measure and has successfully addressed flooding and access issues for over forty years. However, the diversion ditch and the accompanying ponding basin now require repair, renovation, and upgrading to prevent further deterioration, especially following recent heavy rains that highlighted the necessity for improvements.

Furthermore, *I Liheslaturan Guåhan* acknowledges that the private landowner of Lot Number 21-2-1-2 has not been compensated for the use of his property for

1 public purposes as a drainage ditch and ponding basin. The landowner, now
2 advanced in age, has requested compensation in the form of a land exchange due to
3 the adverse taking of his property. On March 27, 2024, the property was inspected
4 and appraised.

5 Therefore, *I Liheslaturan Guåhan* intends to authorize the legal development
6 of the diversion ditch and ponding basin by facilitating the exchange of government
7 land in the Municipality of Dededo, reserved under Public Law 22-18 for land
8 exchanges, with specific private property owned by Luis Duenas. The government
9 land in Dededo, known as Tract 11405 and not part of the Chamorro Land Trust,
10 will support the legitimization of this construction and development for public
11 benefit.

12 **Section 2. Authorization for Land Exchange.** *I Mina' Trentai Siette na*
13 *Liheslaturan Guåhan* hereby authorizes *I Maga Hågan Guåhan* to cause a land
14 exchange involving Lot 215-2-1-2 in the Municipality of Asan-Maina, privately
15 owned by Luis Duenas and a suitable equal portion of value of Tract 11405 which is
16 Government of Guam land in the Municipality of Dededo. The land exchange shall
17 be on an area for area basis.

18 **Section 3. Issuance of a Certificate of Title.** The Department of Land
19 Management shall issue a certificate of title in the name of Luis Duenas for that
20 portion of Tract 11405 in the Municipality of Dededo pursuant to this Act.

21 **Section 4. Severability.** If any provision of this act or its application to any
22 person or circumstance is found to be invalid or contrary to law that invalidity shall
23 not affect other provisions or applications of this Act that can be given effect without
24 the invalid provisions or applications, and to this end the provisions of this Act are
25 severable.

26 **Section 5. Effective Date** This Act shall be effective upon its enactment.