


I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. ~~248-D~~ (COR)

Introduced by:


V. C. Pangelinan 

AN ACT TO APPROPRIATE TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FROM THE GENERAL FUND TO ALLOW THE GOVERNMENT OF GUAM TO PAY FOR AN INVERSE CONDEMNATION SETTLEMENT PURSUANT TO SUPERIOR COURT OF GUAM CIVIL CASE NO. CV1158-12.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Finding and Intent. *I Liheslaturan Guahan* finds that for over three decades, Vincent C. Castro and Menilia C. Castro (collectively known as the Castros) have been waiting to be compensated for property the government of Guam took in January 29, 1979 and used it to construct a public road. The Castros property is described as Lot No. 3340-2-2 (now known as Lot No. 3340-2-R1), 166 sq. m. ± as shown in Exhibit A and was used to widen Chelenko Road in the municipality of Sinajana, located in the village of Ordot.

I Liheslaturan Guahan further finds that there were landowners whose property were taken through court action to construct Chelenko road and were paid for their property. The government did not take the Castro's property in the same or any subsequent court action, yet their property was made part of Chelenko road and the Castros were never paid for the property. The 1979 Declaration of Taking omitted the Castro property. On October 8, 2012, the Castros filed an inverse condemnation complaint against the government of Guam for the unlawful taking of their property.

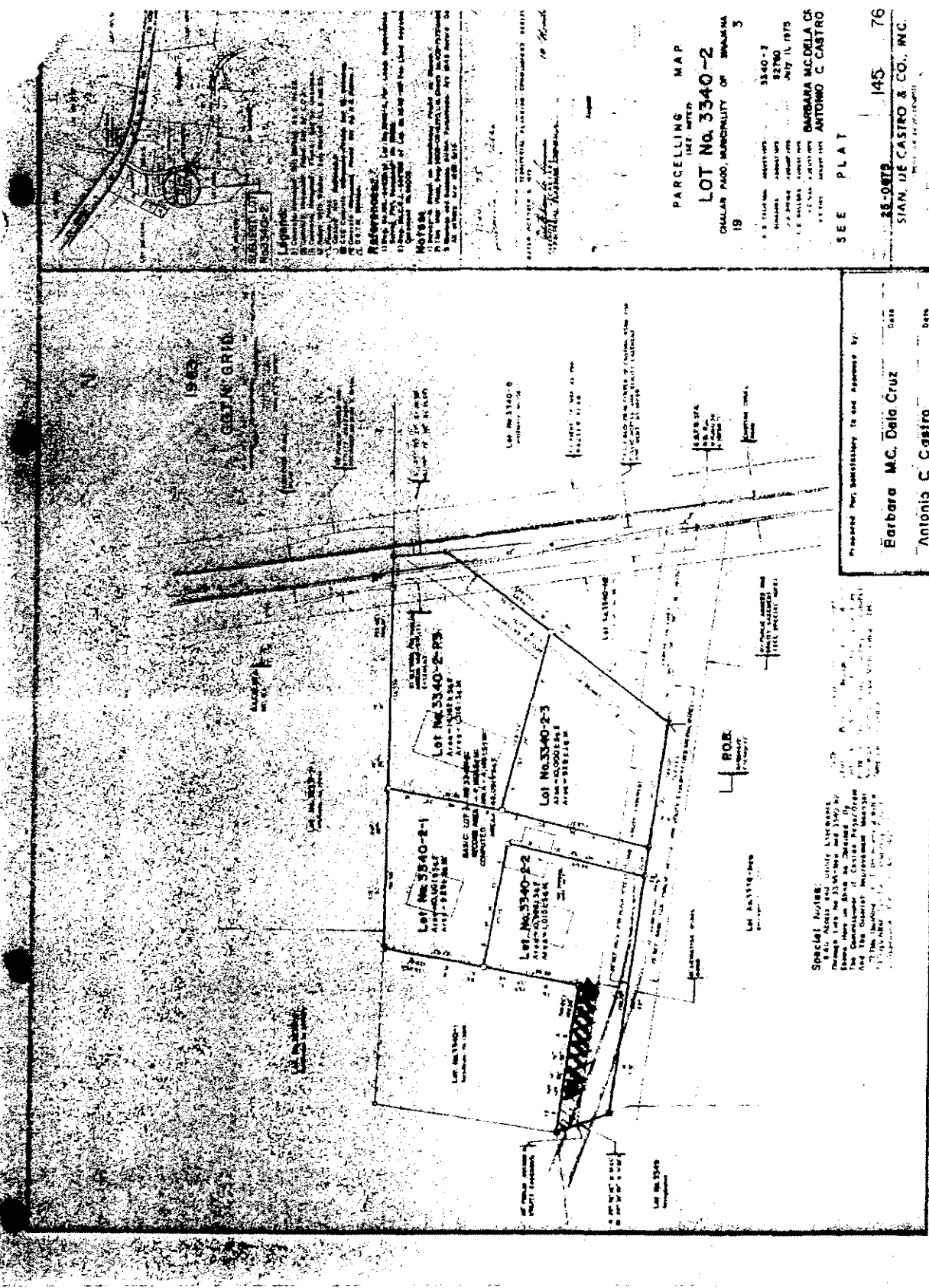
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1 *I Liheslaturan Guahan* further finds that the Office of the Attorney General
2 has worked with the Castros and their attorney to resolve this long standing land
3 taking and have agreed to settle in the amount of Twenty-Five Thousand Dollars
4 (\$25,000).

5 Therefore, *I Liheslaturan Guahan* intends to appropriate the agreed
6 settlement amount to the Castros and to comply with the Superior Court Case No.
7 CV1158-12.

8 **Section 2. Authorization to Appropriate.** *I Liheslaturan Guahan* hereby
9 appropriates the amount of Twenty-Five Thousand Dollars (\$25,000) from the
10 general fund to the plaintiffs, Vicente C Castro and Menilia C. Castro, aka Millie
11 D.C. Castro in the Superior Court Case No. CV1158-12 to provide just
12 compensation and to finally remove the liability that exists within the government
13 of Guam. The Attorney General shall settle the case and execute all documents
14 required to ensure the government will not be liable for any additional payments
15 and secure title to the property.

16 **Section 3. Severability.** *If any provision of this Act or its application to*
17 *any person or circumstance is held invalid, the invalidity shall not affect other*
18 *provisions or applications of this Act which can be given effect without the invalid*
19 *provision or application and to this end the provisions of this Act is severable.”*



PARCELLING MAP
 LOT No. 3340-2
 DALLAS PARO. MUNICIPALITY OF DALLAS TEXAS
 19

PREPARED BY: 3340-2
 DATE: 02/11/1975
 BARBARA MCDELLA CS
 ANTONIO C. CASTRO

RE-0019 145 76
 SIAM, DE CASTRO & CO., INC.
 1000 WEST 10TH STREET
 DALLAS, TEXAS 75201

Prepared Pursuant to and approved by:
 Barbara M.C. Della Cruz
 Antonio C. Castro

Special Notice:
 The undersigned hereby certifies that the
 above described lots are shown as divided by
 the Commission of Cities and Counties
 of the State of Texas, and that the same
 are shown as divided by the Commission
 of Cities and Counties of the State of Texas
 and that the same are shown as divided by
 the Commission of Cities and Counties of
 the State of Texas.

EXHIBIT A

2296

Lot No. 3233-9
Certificate No. 38283

(S
S 89
89

107.50'

Lot No. 3340-1
Certificate No. 15681

Lot No. 3340-2

Area = 10,001 ± Sq. F
Area = 929 ± Sq. M.

BASIC
RECORD

Lot No. 3340-2-2

Area = 10,928 ± Sq. F
Area = 1,015 ± Sq. M.

SEE SPECIAL
NOTE NO. 2

ACCESS &
EASEMENT.

(S 82° 12' 51" E 100.00'
S 82° 05' 55" E 100.38'

(N 100° 51' 45" E 65.96'
N 100° 100' 45" E 67.05'

(E 133.45' E 133.01'

(S 79° 14' 27" E 15.15'

(N 95.05' E 32' 50"
N 148° 32' 50" E 148' 30"

W 37.63'
W 37.60'

(N

82°

20' SET BACK FOR PUBLIC ACCESS AND