



I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN

THIRTY-THIRD GUAM LEGISLATURE 155 Hesler Place, Hagåtña, Guam 96910

October 28, 2015

The Honorable Edward J.B. Calvo I Maga'låhen Guåhan Ufisinan I Maga'låhi Hagåtña, Guam

Dear Maga'låhi Calvo:

Transmitted herewith are Bill Nos. 26-33 (COR), 134-33 (COR), 144-33 (COR), 145-33 (COR), 146-33 (COR), 164-33 (LS), 166-33 (LS), 169-33 (COR), 171-33 (COR), 174-33 (COR) and 176-33 (LS); and Substitute Bill Nos. 29-33 (COR), 76-33 (COR), 91-33 (LS), 137-33 (COR), 152-33 (COR), 175-33 (COR) and 181-33 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on October 27, 2015.

Sincerely

TINA ROSE MUÑA BARNES Legislative Secretary

Enclosure (18)

CENTRAL FILES

TIME 4 2 2 DATE

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN 2015 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LÂHEN GUÂHAN

This is to certify that Substitute Bill No. 137-33 (COR), "AN ACT TO AMEND SECTION 104 OF CHAPTER IV OF PUBLIC LAW 28-68, RELATIVE TO THE LAND EXCHANGE FOR GEORGE TOVES TO PROVIDE PUBLIC ACCESS TO THE UKUDU HIGH SCHOOL SITE, ON AN AREA FOR AREA BASIS, AND TO NOT INCLUDE THE LAND USED FOR A MILITARY UTILITY EASEMENT," was on the 27th day of October 2015, duly and regularly passed.

Judith T. Won Pat, Ed.D. Speaker

Anestact	Speaker
Tina Rose Muña Barnes Legislative Secretary	
	Guåhan this 2014 day of October,
2015, at <u>4:32</u> o'clock <u>P</u> .M.	alishet G. Mafred
	Assistant Staff Officer
APPROVED:	Maga'låhi's Office
EDWARD J.B. CALVO I Maga'låhen Guåhan	
Date:	
Public Law No.	

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN 2015 (FIRST) Regular Session

Bill No. 137-33 (COR)

As substituted by the Sponsor.

Introduced by:

V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

T. C. Ada

AN ACT TO AMEND SECTION 104 OF CHAPTER IV OF PUBLIC LAW 28-68, RELATIVE TO THE LAND EXCHANGE FOR GEORGE TOVES TO PROVIDE PUBLIC ACCESS TO THE UKUDU HIGH SCHOOL SITE, ON AN AREA FOR AREA BASIS, AND TO NOT INCLUDE THE LAND USED FOR A MILITARY UTILITY EASEMENT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

- 2 Section 1. Legislative Findings and Intent. I Liheslaturan Guåhan finds
- 3 that Section 104 of Chapter IV of Public Law 28-68 authorized an area for area
- 4 land exchange to Mr. George Toves for land needed for access to the new Ukudu

High School. The lot transferred to Mr. Toves, Lot No. 10120-21NEW-9, *Dededo*, includes a military utility easement, MU-T-10, which dissects the property and consists of approximately seven hundred sixty-six (766) ± square meters. The military utility easement on Lot No. 10120-21NEW-9 has reduced the land available, which should be eight thousand three hundred seventy-three (8,373) square meters.

I Liheslaturan Guåhan finds that the adjacent lot, Lot No. 10120-21NEW-8, Dededo, is an unused lot assigned to the Chamorro Land Trust Commission, and is land that could be used to compensate for the land transfer to ensure that a net of eight thousand three hundred seventy-three (8,373) square meters is exchanged.

I Liheslaturan Guåhan further finds that this land exchange served a legitimate public necessity and that the transfer of government land for private land serves as due compensation.

It is, therefore, the intent of *I Liheslaturan Guåhan* that approximately seven hundred sixty-six (766) \pm square meters of land from Lot No. 10120-21NEW-8, *Dededo*, not to include the land assigned to MU-T-10, will be transferred to Mr. Toves and incorporated into Lot No. 10120-21NEW-9, *Dededo*.

Section 2. Section 104 of Chapter IV of Public Law 28-68 is hereby *amended* to read:

"Section 104. Land Exchange for Mr. George Toves to Provide Public Access to *Ukudu* High School Site.

(a) Land Exchange. I Maga'låhen Guåhan and the Chamorro Land Trust Commission shall cause and execute a consolidation and land exchange involving Basic Lot 5311-REM, Dededo, privately owned by George Toves, and a portion of Basic Lot 10120-R20, known as Tract 11406, owned by the government of Guam, to provide for access to the Ukudu High School site and usable

lots. The land exchange *shall* be on an area for area basis, and *shall not* include the area utilized by the military utility easement known as MU-T-10, as depicted in Exhibit A. The provisions of this Section *shall* be applicable to the Municipal Lease program for the *Ukudu* High School as provided for in Part I of Chapter II of this Act.

- (b) **Transfer of Property.** An area approximately seven hundred sixty-six (766) ± square meters of Lot No. 10120-21NEW-8, *Dededo*, owned by the *Chamorro* Land Trust Commission, not to include land assigned to the area designated by the military utility easement known as MU-T-10, *shall* be transferred to Lot No. 10120-21NEW-9, *Dededo*, to compensate for the area of land used by the military utility easement known as MU-T-10, in Lot No. 10120-21NEW-9, *Dededo*. As the area noted herein is an approximation, the Department of Land Management *shall* prepare and record a new survey map to depict the change of boundaries and the true and correct area in this land transfer. Map No. 254FY2005, Sheet 7 of 7, in Exhibit A, shows the existing lots with the military utility easement required to be corrected by this Act.
- (c) **Issuance of Certificate of Title.** The Department of Land Management *shall* issue a certificate of title for the newly consolidated Lot No. 10120-21NEW-9, *Dededo*, within ninety (90) days of the land transfer."

Section 3. Exemption. § 2107 of Title 2, Guam Code Annotated, and the Standing Rules of *I Mina'Trentai Tres Na Liheslaturan Guåhan* relative to land appraisals of land bills *shall not* apply to this Act.



