

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) REGULAR SESSION

Bill No. 39(LS)

Introduced by:

E.J.B. CALVO *EJC*
T.R. MUNA-BARNES *T.R.*
R. J. RESPICIO *RJR*

2009 JAN -9 PM 1:54 *mm*

AN ACT TO AUTHORIZE *I MAGA' LAHEN GUÅHAN* TO SELL THE EASEMENT KNOWN AS THE "GOVERNMENT ALLEY" THAT IS BOUND BY THE U.S. DISTRICT COURT ON THE WESTERN BOUNDARY, SOUTH O'BRIEN DRIVE ON THE SOUTHERN BOUNDARY, AND THE METES AND BOUNDS OF THE WESTERN BOUNDARY OF LOT 239-4-1, ALL IN THE MUNICIPALITY OF *HAGATNA* WITH A TOTAL AREA OF FIFTY EIGHT AND FIVE HUNDREDTHS PLUS OR MINUS SQUARE METERS ($58.5 \pm$ SQ. METERS) TO MR. AND MRS. RALPH SABLAN (RALPH AND JANIECE) FOR ITS APPRAISED FAIR MARKET VALUE.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Mr. Ralph Gregory and Mrs. Janiece Annette Sablan (the Sablans) are the owners of Lot 239-4-1 ($246 \pm$ sq. m.) in the Municipality of *Hagåtña*. The lot, *supra*, together with South O'Brien Drive and the U.S. District Court contiguously border an appurtenant easement known as the "Government Alley" ($58.5 \pm$ sq. m.). The properties are marked and designated on Map Drawing No. CC-7807A (LM#323FY78), dated June 12, 1978 and recorded on July 17, 2000 under Instrument No. 624375.

I Liheslatura further finds that the Sablans desire to develop the property for mix-use development of commercial and residential space and further find that the

1 “Government Alley”, because of its size, has no significant practical purpose
2 because it is too small to be used for rights of way. The “Government Alley” is
3 accessible from South O’Brien Drive but provides no easement of any kind. Upon
4 consolidation of Lot 239-4-1 and the “Government Alley”, the property can be
5 developed to its maximum potential.

6 *I Liheslatura* further finds that the “Government Alley” is located parallel to
7 Lot 239-4-1 and due to the minimum legal setback requirements from the
8 “Government Alley” it would be impractical for the Sablans to develop their
9 property. Therefore it is the Sablans desire to purchase the 58.5 square meter
10 appurtenant easement known as the “Government Alley” from the Government of
11 Guam for its fair market value.

12 It is the intent of *I Liheslatura* to allow the Sablans to purchase the easement
13 known as the “Government Alley” that is appurtenant to Lot 239-4-1, *supra*.

14 **Section 2. Authorization to Sell Government Alley Easement.** *I*
15 *Maga’lahen Guåhan* is hereby authorized to sell the easement known as the
16 “Government Alley”, currently bound by the U.S. District Court on the western
17 boundary, South O’Brien Drive on the southern boundary, and the metes and
18 bounds of the western boundary of Lot 239-4-1, all in the municipality of *Hagåtña*,
19 that has a total land area of fifty eight and five hundredths plus/minus square
20 meters (58.5 ± sq. meters) to Mr. Ralph Gregory and Mrs. Janiece Annette Sablan
21 for its appraised fair market value. The Director of the Department of Land
22 Management shall select the appraiser to determine the fair market value of the
23 “Government Alley.” The cost of the appraisal and all necessary fees shall be paid
24 by the Sablans.