



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>11:55am</u>
Date	<u>5-11-98</u>

Refer to  
Legislative Secretary

MAY 08 1998

The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuáttro na Liheslaturan Guåhan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 5/8/98  
Time: 4:55 pm  
Rec'd by: [Signature]  
Print Name: Tanica Mesa

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 143 (COR), "AN ACT TO AUTHORIZE *I MAGA'LAHEN GUAHAN* TO EXCHANGE EQUAL PORTIONS OF LOT NO. 46 IN MERIZO FOR A PORTION OF LOT NO. 46A FOR MR. LAWRENCE R. NAPUTI AND TO PERMIT HIM TO PURCHASE THE REMAINING PORTION OF LOT NO. 46A.", which I have signed into law today as **Public Law No. 24-185**.

This legislation authorizes an exchange of a portion of Lot No. 46, Merizo, containing 372 square meters, for an equal portion of Lot No. 46A, Merizo, containing 160 square meters. A portion of Mr. Lawrence R. Naputi's home on Lot No. 46 encroaches on government-owned Lot No. 46A.


The land to be exchanged is not Chamorro Land Trust land. Also, it appears that Mr. Naputi is not the only person who may have the same land problem along San Dimas Street, should the road be widened.

Unlike Bill Nos. 313, 568, and 626, passed during the same legislative session, this bill's language contains an authorization to sell or exchange government real property. Bill Nos. 313, 568, and 626 contain "mandatory" language, although this mandatory language is an impermissible legislative encroachment on the separate powers of the Executive Branch. It is unknown why I Liheslaturan Guåhan considers that the sales or exchanges

00810

of government land to some of our people are to be treated differently than these same transactions with others.

Very truly yours,

  
Carl T. C. Gutierrez  
I Maga'lahañ Guåhan  
Governor of Guam

00810

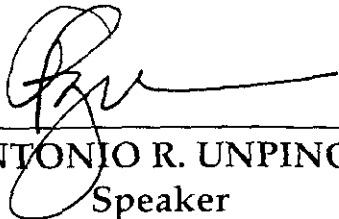
Attachment:      copy attached for signed bill  
                         original attached for vetoed bill

cc:    The Honorable Joanne M. S. Brown  
         Legislative Secretary


MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Substitute Bill No. 143 (COR), "AN ACT TO AUTHORIZE I MAGA'LAHEN GUAHAN TO EXCHANGE EQUAL PORTIONS OF LOT NO. 46 IN MERIZO FOR A PORTION OF LOT NO. 46A FOR MR. LAWRENCE R. NAPUTI AND TO PERMIT HIM TO PURCHASE THE REMAINING PORTION OF LOT NO. 46A," was on the 27<sup>th</sup> day of April, 1998, duly and regularly passed.

  
ANTONIO R. UNPINGCO  
Speaker


Attested:

  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

.....  
This Act was received by *I Maga'lahaen Guahan* this 28<sup>th</sup> day of April, 1998,  
at 5:00 o'clock P.M.

  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
CARL T. C. GUTIERREZ  
*I Maga'lahaen Guahan*

Date: 5-8-98

Public Law No. 24-185

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1997 (FIRST) Regular Session**

**Bill No. 143 (COR)**

As substituted by the Committee  
on Finance and Taxation, substituted  
on the Floor, further substituted by the  
Author and as amended.

Introduced by:

A. R. Unpingco  
Mark Forbes  
A. C. Lamorena, V  
Francisco P. Camacho  
A. C. Blaz  
T. C. Ada  
F. B. Aguon, Jr.  
E. Barrett-Anderson  
J. M.S. Brown  
Felix P. Camacho  
M. C. Charfauros  
E. J. Cruz  
W. B.S.M. Flores  
L. F. Kasperbauer  
C. A. Leon Guerrero  
L. Leon Guerrero  
V. C. Pangelinan  
J. C. Salas  
A. L.G. Santos  
F. E. Santos  
J. Won Pat-Borja

**AN ACT TO AUTHORIZE I MAGA'LAHEN  
GUAHAN TO EXCHANGE EQUAL PORTIONS OF  
LOT NO. 46 IN MERIZO FOR A PORTION OF LOT  
NO. 46A FOR MR. LAWRENCE R. NAPUTI AND  
TO PERMIT HIM TO PURCHASE THE  
REMAINING PORTION OF LOT NO. 46A.**

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

2           **Section 1. Legislative Findings.**     *I Liheslaturan Guahan* has found

3 that the government of Guam public roadway, known as Chalan Kanton Tasi,  
4 also known as San Dimas Street, encroaches upon Lot Number 46, owned by  
5 Mr. Lawrence R. Naputi because of a setback requirement of eighty feet (80')  
6 wide from the street as per a Masterplan. Mr. Lawrence R. Naputi, heir to Lot  
7 Number 46, rebuilt a concrete structure over an old structure existing over  
8 one hundred (100) years, which was destroyed by Typhoon Karen and which  
9 now encroaches on government-owned Lot Number 46A, which is located  
10 directly behind and contiguous to Lot Number 46. The family of Mr. Naputi  
11 requests legislative assistance to equally exchange area for area from the front  
12 portion area of Lot Number 46A, now overlapping from Naputi's concrete  
13 structure. This land exchange is necessitated as a result of the government of  
14 Guam's encroachment on the Naputi's property. The Naputi's are willing to  
15 purchase the government's leftover difference from Lot Number 46A.

16           **Section 2. Authorization to Sell and/or Exchange.** Notwithstanding

17 any provision of law, rules or regulations, *I Maga'lahaen Guahan* is hereby  
18 authorized to exchange equal portions of Lot Number 46 in Merizo, Guam  
19 consisting of 372 sq. meters for a portion of Lot Number 46A, Merizo, Guam,  
20 owned by the government of Guam consisting of 160 sq. meters to Mr.  
21 Lawrence R. Naputi and to allow Mr. Naputi to purchase the remaining  
22 portion of Lot Number 46A.

1           **Section 3. Terms and Conditions.**     Notwithstanding any provision  
2 of law, rules or regulations, the government of Guam and Mr. Lawrence R.  
3 Naputi shall enter into a contractual agreement relative to the exchange of  
4 equal portions of Lot Number 46, Merizo, Guam, consisting of 372 sq. meters  
5 for a portion of Lot Number 46A, Merizo, Guam, owned by the government  
6 of Guam, consisting of 160 sq. meters. The Director of the Department of  
7 Land Management shall ensure that all terms and conditions governing the  
8 sale and/or exchange of a portion of Lot Number 46A, Merizo, Guam are met  
9 by the buyer prior to transferring title to said property. The Department of  
10 Land Management will oversee efforts of a private surveyor who will conduct  
11 a full survey of the areas required to be exchanged and the balance of the area  
12 to be purchased. Two (2) appraisals shall be required to consummate this  
13 land exchange and/or transaction as required by §2107(b) of Title 2 of the  
14 Guam Code Annotated. As this transaction is the result of the government of  
15 Guam's encroachment on the property, the Department of Land Management  
16 shall incur all costs for the other appraisal.

17           **Section 4. Sale Proceeds to go to the Chamorro Land Trust**  
18 **Commission.**     Notwithstanding any provision of law, rules or regulations,  
19 proceeds from the sale approved by this Act shall be transferred to the  
20 Chamorro Land Trust Commission to cover administrative and operational  
21 expenses.

PL 24-185



TWENTY-FOURTH GUAM LEGISLATURE

# Office of the Vice-Speaker

ANTHONY C. BLAZ

January 22, 1998

**LEGISLATIVE  
COMMITTEE  
MEMBERSHIP**

Chairman  
Finance & Taxation

Vice-Chairman  
Rules,  
Government Reform  
& Federal Affairs

Education

Natural Resources

Health &  
Human Services

Tourism, Economic  
Development & Cultural  
Affairs

Judiciary,  
Public Safety &  
Consumer Protection

Transportation,  
Telecommunications, &  
Micronesian Affairs

**MEMBERSHIP**

Guam Finance  
Commission

Commission on Self  
Determination

The Honorable Speaker Antonio R. Unpingco  
24th Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

VIA: Committee on Rules


Dear Mr. Speaker:

The Committee on Finance and Taxation, to which was referred Bill No. 143, "AN ACT TO AUTHORIZE THE EXCHANGE OF EQUAL PORTIONS OF LOT 46 IN MERIZO CONSISTING OF 372 SQ. METERS FOR A PORTION OF LOT 46A OWNED BY THE GOVERNMENT OF GUAM CONSISTING OF 160 SQ. METERS AND ALLOW LAWRENCE R. NAPUTI TO PURCHASE THE REMAINING PORTION OF LOT 46A." herein reports back with the recommendation TO DO PASS.

Votes of the committee members are as follows:

- 8   To Pass
- Not To Pass
- To Place in Inactive File
- Abstained
- Off-Island
- Not Available

Sincerely,

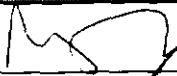
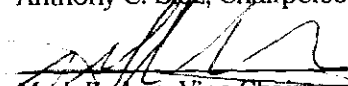
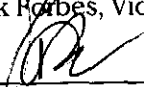
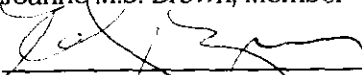
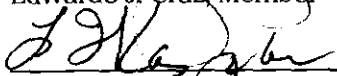
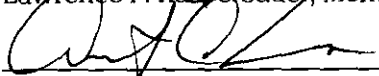
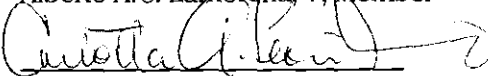
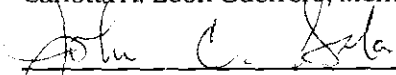

  
Anthony C. Blaz

Attachments

# Committee on Finance and Taxation

## Vote Sheet on Bill No. 143(COR)

"AN ACT TO AUTHORIZE THE EXCHANGE OF EQUAL PORTIONS OF LOT 46 IN MERIZO CONSISTING OF 372 SQ. METERS FOR A PORTION OF LOT 46A OWNED BY THE GOVERNMENT OF GUAM CONSISTING OF 160 SQ. METERS AND ALLOW LAWRENCE R. NAPUTI TO PURCHASE THE REMAINING PORTION OF LOT 46A."

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 Anthony C. Blas, Chairperson	✓			
 Mark Forbes, Vice Chairperson	✓			
 Antonio R. Unpingco, Ex-Officio	✓			
Elizabeth Barrett-Anderson, Member				
Joanne M.S. Brown, Member				
 Edwardo J. Cruz, Member	✓			
 Lawrence F. Kasperbauer, Member	x			
 Alberto A.C. Lamoreña, V, Member				
 Carlotta A. Leon Guerrero, Member	✓			
 John C. Salas, Member	✓			
Thomas C. Ada, Member				
Mark C. Charfauros, Member				
 William B.S.M. Flores, Member	✓			
Francis E. Santos, Member				



**Committee on Finance and Taxation  
Report on Bill No. 143(COR)**

“AN ACT TO AUTHORIZE THE EXCHANGE OF EQUAL PORTIONS OF LOT 46 IN MERIZO CONSISTING OF 372 SQ. METERS FOR A PORTION OF LOT 46A OWNED BY THE GOVERNMENT OF GUAM CONSISTING OF 160 SQ. METERS AND ALLOW LAWRENCE R. NAPUTI TO PURCHASE THE REMAINING PORTION OF LOT 46A”.

**PUBLIC NOTICE:**

Pursuant to the requirements of the Standing Rules, notice of the Public Hearing on Bill No. 143(COR) was published in the Pacific Daily News on March 20th and 24th.

**PUBLIC HEARING:**

The Committee on Finance and Taxation conducted a public hearing on Monday, March 24, 1997 to hear testimonies on Bill No. 143(COR):

“AN ACT TO AUTHORIZE THE EXCHANGE OF EQUAL PORTIONS OF LOT 46 IN MERIZO CONSISTING OF 372 SQ. METERS FOR A PORTION OF LOT 46A OWNED BY THE GOVERNMENT OF GUAM CONSISTING OF 160 SQ. METERS AND ALLOW LAWRENCE R. NAPUTI TO PURCHASE THE REMAINING PORTION OF LOT 46A”.

The public hearing was held in the Legislative Public Hearing Room.

**MEMBERS PRESENT:**

The hearing was called to order by the Chairperson of the Committee on Finance and Taxation, Vice Speaker Anthony C. Blaz. Committee members present were:

Senator Elizabeth Barrett-Anderson  
Senator Edwardo J. Cruz  
Senator Joanne M.S. Brown  
Senator Alberto A.C. Lamorena, V.

Other Senators present were:

Senator Vicente C. Pangelinan  
Senator Frank B. Aguon, Jr.

Providing Public Testimony on the Bill:

Lawrence R. Naputi - self (oral) (written)  
Ray Aflague - Department of Land Management (oral)

**BACKGROUND:**

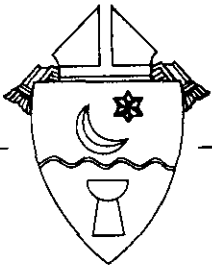
Vice Speaker Anthony C. Blaz addressed all individuals interested in testifying on Bill 143.

Lawrence Naputi, testified in favor of the bill. He stated that the existing structure was built over due to damage by Super Typhoon Karen. After surveying the property, two things became evident: the government has encroached his property due to the widening of the road and in turn his property is encroaching on government property. He stated that Bill 143 addresses and corrects the predicament at hand and urged the body to speedily implement the legislation.

Ray Aflague, Department of Land Management, in his oral testimony, stated that the land registration for Lot 46-A has not has not been registered in fact as government owned land. However, he emphasized that once that issue has been taken care of he would have no objections to the bill.

**COMMITTEE RECOMMENDATION:**

The Committee, having reviewed the testimonies presented at the hearing, does hereby recommend to the Legislature **TO DO PASS** amended Bill No 143(COR): "AN ACT TO AUTHORIZE THE EXCHANGE OF EQUAL PORTIONS OF LOT 46 IN MERIZO CONSISTING OF 372 SQ. METERS FOR A PORTION OF LOT 46A OWNED BY THE GOVERNMENT OF GUAM CONSISTING OF 160 SQ. METERS AND ALLOW LAWRENCE R. NAPUTI TO PURCHASE THE REMAINING PORTION OF LOT 46A".



# THE ARCHDIOCESE OF AGAÑA

CHANCERY OFFICE

196 B Cuesta San Ramon • Agaña, Guam 96910 • Tel: (671) 472-6116 • Fax: (671) 477-3519, 472-6044

**January 22, 1998**

## MEMORANDUM

**To:** Senators of the 24<sup>th</sup> Guam Legislature

**Fr:** Dominic Kim  
Business Manager

**Re:** Land exchange

It is our understanding that the 24<sup>th</sup> Guam Legislature will soon go into session, and will discuss a bill to authorize some land exchanges. Among the exchanges to be discussed is one concerning the lot owned by Frances H. Cepeda, Lot 2264-1-R3 in Barrigada, now being used as a ponding basin in the village.

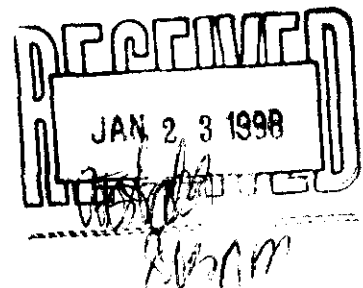
Please be informed that the Archdiocese owns Lot 2264-1-2, a lot very close to that same ponding basin. It is a lot that is inaccessible, and is subject to periodic inundation (see attached letter from Department of Land Management Director). In other words, our lot is currently useful only to the Government of Guam.

We, therefore, respectfully request that the Archdiocese lot be added onto your discussions. We have been informed by the Department of Land Management that there are 75 acres of GovGuam land by Y Seng Song Road in Dededo available for exchange. We will gladly accept a comparable lot for our Lot 2264-1-2 in Barrigada. A legislative edict, however, is necessary in order for this to be realized. We here at the Archdiocese appeal to your good judgment.

Vice-Speaker Tony Blaz is currently working on the land exchange bill, and Senator John Salas has offered us his assistance. Their help is truly appreciated. Please do not hesitate to call us if any more information is needed.

Dominic Kim

dm/attachments





CARL T. C. GUTIERREZ  
Governor

**DEPARTMENT OF LAND MANAGEMENT**  
(DIPATTAMENTON TANO')  
Government of Guam  
P.O. Box 2950  
Agana, Guam 96910

Tel: (671) 475-LAND • Fax: (671) 477-0883



CARL J. C. AGUON  
Director

MADELEINE Z. BORDALLO  
Lieutenant Governor

FRANCISCO P. SAN NICOLAS  
Deputy Director

November 10, 1997

Mr. Dominic Kim  
Business Manager, Chancery Office  
The Archdiocese of Agana  
196 San Ramon  
Agana, Guam 96910

Hafa Adai Mr. Kim,

I applaud your effort to update the Archdiocese's real estate property list. The department will continue to support this effort as best it can.

Mr. Joseph Iriarte who is a former Land Management employee with Land Records division has been doing research on Diocese land. I had the opportunity to explain to him the situation with the property behind Aguon Store in Barrigada. Mr. Iriarte should be able to provide you with the map depicting the legal easement for this parcel.

With respect to the physical condition of the road, I can say that it is not passable. It would take considerable expense to improve it due to terrain and soil condition. I also understand that Department of Public Works acquired land north of the Diocese's lot for a ponding basin. So you see this lot is in a low lying area subject to periodic inundation. It is advisable to see Public Works about this.

Presently, I do not know of anyone interested in the lot but would certainly let my neighbors know about it and have them contact the Diocese directly. Indeed access would be the impediment in disposing this lot. But adjoining owners might be persuaded.

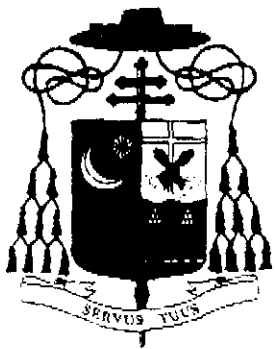
Once again our offer to assist the Diocese is at your calling.

Senseramente,

  
Carl J. C. Aguon



Commonwealth Now!



Archbishop's Office

RECEIVED ARCHDIOCESE OF AGANA  
Cuesta San Ramon  
Agana, Guam 96910  
Tel. (671) 472-6116  
Fax. (671) 477-3519

1-21-98  
[Signature]  
4:05 pm

January 21, 1998

Senator Anthony C. Blaz  
24<sup>th</sup> Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Senator Blaz,

We have been informed that adjacent lots to our Lot 2264-1-2, owned by the Cepeda family in Barrigada acquired from Irene Sgambelluri, are being considered for exchange with the Government of Guam. Your Bill ~~21~~<sup>43</sup> addresses this land exchange for the Cepeda family.

We also wish to be included in your bill to authorize the land exchange. Our Lot 2264-1-2 is land-locked and is part of that ponding basin behind Aguon's Store in Barrigada (see enclosed letter from Director of Land Management).

Attached are the documents as requested by your staff member Steven Dierking pertaining to our lot owned by the Archdiocese of Agana.

Please let us know what else is needed by your office and by the Guam Legislature so as to expedite this matter of including our lot in your bill. Your help is greatly appreciated.

Yours in Christ,

[Signature]  
Archbishop Anthony Sablan Apuron, O.F.M., Cap., D.D.

dev/attachments

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TRANSACTION REPORT

JAN-21-98 TUE 16:29

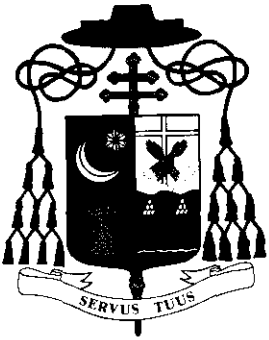
FOR: DOMINIC Y. KIM

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ARCHDIOCESE OF AGANA  
Cuesta San Ramon  
Agana, Guam 96910  
Tel. (671) 472-6116  
Fax. (671) 477-3519

Archbishop's Office

January 21, 1998

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24<sup>th</sup> Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

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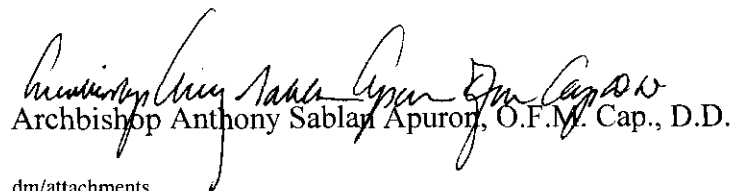
We have been informed that adjacent lots to our Lot 2264-1-2, owned by the Cepeda family in Barrigada acquired from Irene Sgambelluri, are being considered for exchange with the Government of Guam. Your Bill 211 addresses this land exchange for the Cepeda family.

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Attached are the documents as requested by your staff member Steven Dierking pertaining to our lot owned by the Archdiocese of Agana.

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Yours in Christ,

  
Archbishop Anthony Sablan Apuron, O.F.M. Cap., D.D.

dm/attachments



CARL T. C. GUTIERREZ  
Governor

**DEPARTMENT OF LAND MANAGEMENT**

(DIPATTAMENTON TANO')

Government of Guam

P.O. Box 2950

Agana, Guam 96910

Tel: (671) 475-LAND • Fax: (671) 477-0883



CARL J. C. AGUON  
Director

MADELEINE Z. BORDALLO  
Lieutenant Governor

FRANCISCO P. SAN NICOLAS  
Deputy Director

November 10, 1997

Mr. Dominic Kim  
Business Manager, Chancery Office  
The Archdiocese of Agana  
196 San Ramon  
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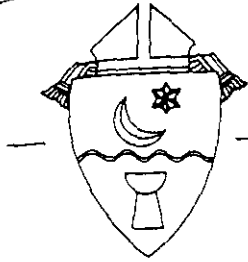
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Senseramente,

  
Carl J. C. Aguon



Commonwealth Now!



# THE ARCHDIOCESE OF AGAÑA

CHANCERY OFFICE

196 B Cuesta San Ramon • Agaña, Guam 96910 • Tel: (671) 472-6116 • Fax: (671) 477-3519, 472-6044

- COPY -

November 5, 1997

Mr. Carl J.C. Aguon  
Director, Department of Land Management  
P.O. Box 2950  
Agana, Guam 96932

Dear Mr. Aguon,

We are currently updating our property list on lots owned by the Archdiocese of Agana. We have found that a certain piece of property we own located behind the Aguon Store in Barrigada, Lot 2264-1-2, may be "land-locked" due to a ponding basin near the property. Mayor Raymond Laguana informed us that a government easement to the lot shown on our map, Drawing Number 828T63B (document 58234), may be "impassable" in that it would have to go through the ponding basin (owned by the Sgambelluri's).

We were also informed that there may be a government interest in the area of the ponding basin, that you would be knowledgeable of the immediate surroundings there, and would perhaps be a good source to ask as to how to access our land, or to ask if there would be any party interested in the Archdiocese property. Please review our attachments, and if you can inform us of an access to Lot 2264-1-2, or if you have any other valuable information pertaining to the aforementioned lot, we will greatly appreciate your help and assistance.

Yours in Christ,

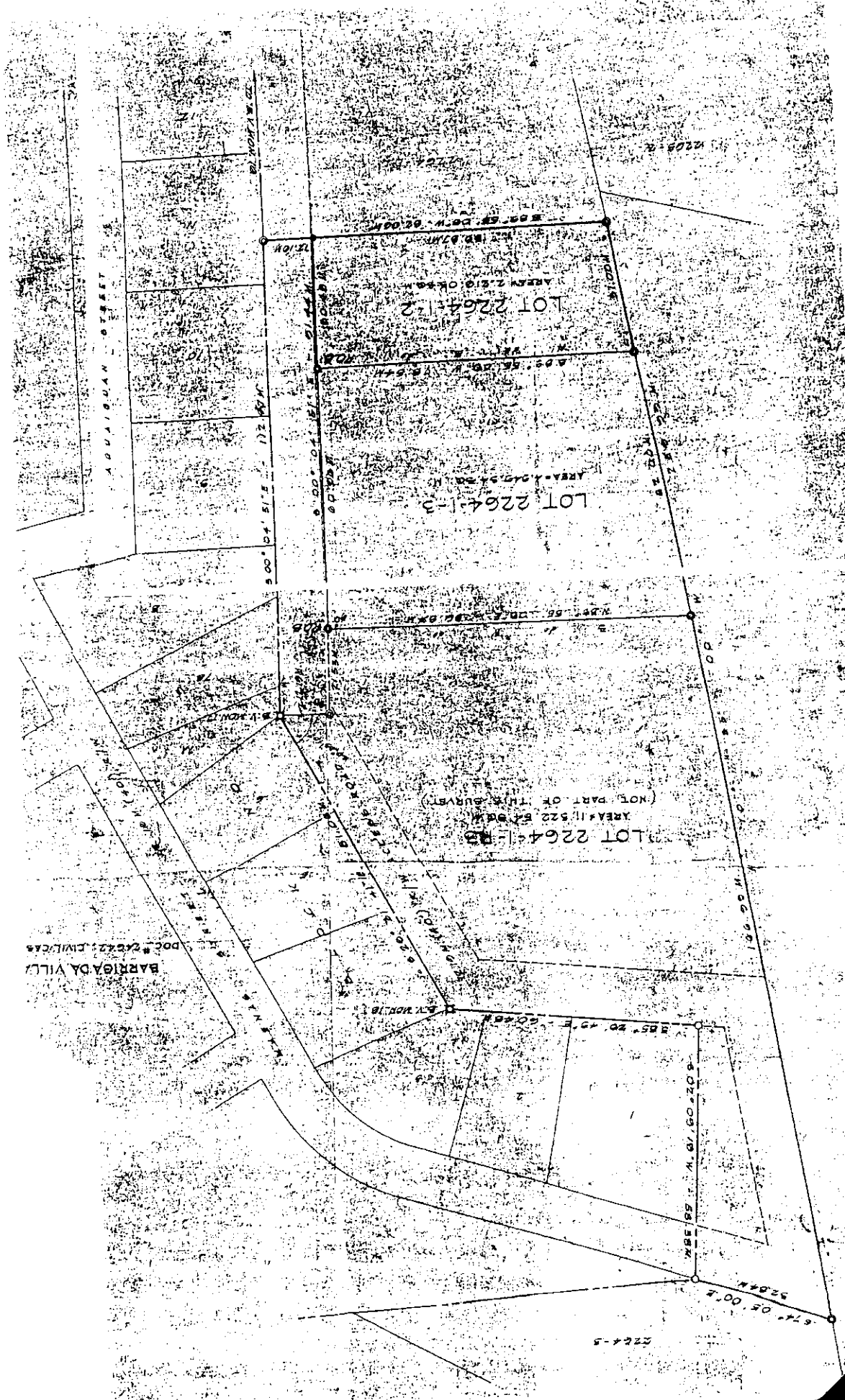
Dominic Kim  
Business Manager

cc: Archbishop Anthony Sablan Apuron O.F.M.Cap.,D.D.

Attachment







ADUQUAN STREET

BARRIADA VILLA

LOT 2264-1-2

LOT 2264-1-3

LOT 2264-1-5

AREA II, 522 SQ. METERS (NOT PART OF THIS SURVEY)

S 85° 20' 45" E 50.00 M

S 85° 20' 45" E 50.00 M

S 85° 20' 45" E 50.00 M

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S 85° 20' 45" E 50.00 M

2264-5

67° 05' 00" E 52.84 M

S 85° 20' 45" E 50.00 M

S 85° 20' 45" E 50.00 M

**CERTIFICATION:**

I HEREBY CERTIFY THAT ON JUNE 1963, I MADE A SURVEY OF LOTS 2264-1-2 & 2264-1-3 AND THAT THIS PLAT IS MADE IN ACCORDANCE WITH THE FIELD NOTES OF SAID SURVEY.

*Sept 1st 1963*

*Josua T. Untalan*  
 JOSUA T. UNTALAN, R.L.S. NO. 6

SURVEY DATA	DATE
FIELD: R.E.A.	June 63
BOOK NO. 1143	96
COMPUTER: J.T.U.	8-21-63
DRAWN: J.M.F.	8-28-63
TRACED: J.M.F.	96
CHECKED: J.T.U.	8-29-63
APPROVED	1963

*Josua T. Untalan*  
 GRANTOR

LAND MANAGEMENT DATA
CHECKED: F.S.B. 12-31-63
PRESENTATION NO.
RECORDATION DATE
BOOK OF _____ NO. _____
PAGE _____

FOR PARCELLING DEC. 31 1963

*Victor R. Bault*  
 TERRITORIAL PLANNER

**SURVEY PLAT**

**LOTS 2264-1-2, 2264-1-3**

AS PROVIDED BY PUBLIC LAW 6-134 SECTION 18201

SITUATED IN THE MUNICIPAL JURISDICTION OF BARRIGADA

LD. 50.19, SEC. 1

BASIC LOT NO. 2264-1  
 REGISTERED ON APRIL 11, 1963  
 CERTIFICATE NO. 13208  
 IN NAME OF: JOYAN E. BARRIGADA P. PLOKE

SHEET 1 OF 1 DRAWING NO. 828T63B  
 SCALE: As shown

58233A

*Blue print of this platting is attached  
 at address 53375 and 53372*



**DEPARTMENT OF LAND MANAGEMENT  
( DEPARTAMENTON TANO' )  
GOVERNMENT OF GUAM**



P.O Box 2950 • Agana, Guam 96910 • Phone No.: (671) 475-LAND • Fax: (671) 477-0883

APRIL 28, 1997

Honorable Anthony C. Blas  
Vice-Speaker  
Twenty-Fourth Guam Legislature  
Chairman, Committee on Finance  
and Taxation  
155 Hesler Street  
Agana, Guam 96910

Subject: Bill Nos. 143, 146 and 33

Dear Mr. Vice-Speaker:

Reference to your letter of April 15, 1997, wherein you are requesting written testimony as to our research and conclusion of the Bills above mentioned:

BILL NO. 143 (COR)

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE EQUAL PORTIONS OF LOT 46 IN MERIZO CONSISTING OF 372 SQ. METERS FOR A PORTION OF LOT 46A OWNED BY THE GOVERNMENT OF GUAM CONSISTING OF 160 SQ. METERS AND ALLOW LAWRENCE R. NAPUTI TO PURCHASE THE REMAINING PORTION OF LOT 46A.

Department of Land Management has no objection to the content of Bill No. 143, however, a concern must be addressed; the Master Plan for the expansion of San Dimas Street, not only affects Lot No. 46, but the entire length of San Dimas Street; the setback of 80 ft. wide as per the Master Plan; Will this Master Plan materialize in the near future? Our understanding was that the Master Plan was originated in 1967. Should the setback of 80 ft. wide as per the Master Plan becomes a dead issue, then, the exchange won't be necessary.

Moreover, the government claimed, designated as Lot No. 46A, is not officially under the GOV/GUAM ownership. It must go through Land Registration with Superior Court and prove ownership before the GOV/GUAM can dispose subject property. Again, we have no objection on Bill No. 143, provided, however, that Public Works can justify that the setback of 80 ft. wide as per the Master Plan in the South is still in motion and that the designated Lot No. 46A, is officially under the GOV/GUAM ownership.

**RECEIVED**  
APR 28 1997  
*[Signature]*



Commonwealth Now!

Letter to the Vice-Speaker  
Subject: Bill Nos. 143, 146 and 33  
Page 2 of 3

BILL NO. 146

AN ACT TO AUTHORIZE THE GOVERNOR TO SELL A PORTION OF "THE AGANA-PITI ROAD, BETWEEN LOT 24, 25, 26 AND 27, BLOCK 10 & LOT 1454-2-1, 1453 AND 1452, ALSO THE ALLEY BETWEEN LOTS 1452-3, 1452-2, 1452-1, 1452, ALL LOTS ARE WITHIN BLOCK 10, CITY OF NEW AGANA-AREA 283± SQUARE METERS".

We support Bill No. 146; the portion of the Agana-Piti Road and the alley in question is right in the middle of Mr. Marciano V. Pangilinan properties. The portion of the Agana-Piti Road and the Alley is of no use to anyone but Mr. Pangilinan, as shown on the enclosed map shaded pink for your easy reference.

Again, we fully support the passage of this Bill in its entirety.

BILL NO. 33

AN ACT TO AUTHORIZE THE CONVEYANCE TO THE HEIRS OF MARIANO T. CHARFAUROS OF THE ABANDONED UTILITY EASEMENT CROSSING LOT NO. 217, AGAT.

A thorough research was conducted in reference to Bill No. 33, which is the waterline easement taken by the Naval Government of Guam but was never utilized for such purpose. Being that the waterline was never utilized and remains abandoned; by disposing said waterline to the heirs of Mariano T. Charfauros, will not create any landlocked situation to the interior landowners, therefore, we fully support the passage of this Bill in its entirety.

However, a slight correction on Bill No. 33, must be made and should read:

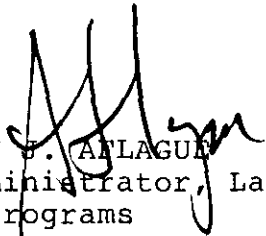
"AN ACT TO AUTHORIZE THE CONVEYANCE TO THE HEIRS OF MARIANO T. CHARFAUROS OF THE ABANDONED UTILITY EASEMENT CROSSING BASIC LOT NO. 216, AGAT.

Section 2, Authorization to Sell. The Governor is hereby authorized to sell to the heirs of Mariano T. Charfauros, the abandoned waterline easement identified as Lot Nos. 216-2-1,

Letter to the Vice-Speaker  
Subject: Bill Nos. 143, 146 and 33  
Page 3 of 3

216-2-2, and 216-2-3, an area of 1604 square meters, 808 square meters, and 605 square meters, respectively, Municipality of Agat. The sale price for the easement shall not exceed the price per square meter paid by the late, Mariano T. Charfauros, for the redemption of his property, Lot Nos. 216-A and 216-1, which Mr. Charfauros paid to the Naval Government for Tax lien, plus twenty-five percent (25%) administrative cost. All other section on Bill No. 33 is sound.

Sincerely yours,

  
RAY S. AFLAGUE  
Administrator, Land Management  
Programs



TWENTY-FOURTH GUAM LEGISLATURE

# Office of the Vice-Speaker

ANTHONY C. BLAZ

April 15, 1997

RECEIVED  
DEPARTMENT OF LAND  
MANAGEMENT  
APR 18 5 04 PM 1997

LEGISLATIVE  
COMMITTEE  
MEMBERSHIP

Chairman  
Finance & Taxation

Vice-Chairman  
Rules,  
Government Reform  
& Federal Affairs

Education

Natural Resources

Health &  
Human Services

Tourism, Economic  
Development & Cultural  
Affairs

Judiciary,  
Public Safety &  
Consumer Protection

Transportation,  
Telecommunications, &  
Micronesian Affairs

MEMBERSHIP

Guam Finance  
Commission

Commission on Self  
Determination

**Mr. Ray Aflague**  
**Department of Land Management**  
**One-Stop Building**  
**P.O. Box 2950**  
**Agana, Guam 96932**

**Dear Mr. Aflague:**

The Committee on Finance & Taxation held a public hearing on Monday, March 24, 1997, on Bills 143, 146 and 33. At that public hearing you had testified that additional research was needed to properly address any departmental concerns on these land bills.

I have attached a copies of the bills for your review and would like to receive written testimony as to what your research has concluded within two weeks of the above date so that additional hearings, if necessary, can be arranged.

If you should have any questions, please contact my office at 472-3557/58. Thank you for your attention to this matter.

Sincerely yours,

**Anthony C. Blaz**  
**Chairman, Committee on Finance**  
**& Taxation**

cc: Senator John C. Salas  
Chairman, Committee on Agriculture,  
Land, Housing, Community, Planning and  
Human Resource Development

Attachments

*memo*  
*lot 46 + 46 A*  
*136 f497*  
*Sept 10837*

*NOTE:*

# Chamorro Land Trust Commission

901 Central Avenue  
Tiyán, Guam

P.O. Box 2950 Agaña, Guam 96910

Phone: 475-4251 Fax: 477-9082

Carol A. Ibanez, Chairperson  
Rita C. Okada, Commissioner  
John Q. Finona, Commissioner  
Joseph T. Gumataotao, Commissioner  
Tomas T. Aguon, Commissioner

Joseph M. Borja  
Administrative Director

Lydia T. Cruz  
Deputy Administrative Director

June 4, 1997

**To: Senator Anthony C. Blaz  
Chairman, Committee on Finance and Taxation**

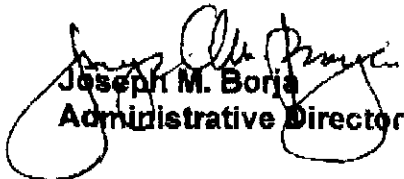
**From: Joseph M. Borja  
Administrative Director**

**Subject: Bill No. 143**

**Pursuant to your letter of April 21, 1997 relative to Bill No. 143, please be advised of the following:**

**Bill No. 143 - Lot 46A, Merizo is not in the Chamorro Land Trust Available Lands Inventory.**

**If you should have further questions, please do not hesitate to contact me at 475-4251/3 if you have any questions.**

  
Joseph M. Borja  
Administrative Director







**FISCAL NOTE**  
**BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

**BBMR-F7**

Bill Number: 143(COR)  
 Amendatory Bill: N/A

Date Received: 3/18/97  
 Date Reviewed: 3/21/97

Department/Agency Affected: Department of Land Management  
 Department/Agency Head: Joseph A. Martinez  
 Total FY Appropriation to Date: \$3,694,501 (General Fund)

Bill Title (preamble): AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE EQUAL PORTIONS OF LOT 46 IN MERIZO CONSISTING OF 372 SQ. METERS FOR A PORTION OF LOT 46A OWNED BY THE GOVERNMENT OF GUAM CONSISTING OF 160 SQ. METERS AND ALLOW LAWRENCE R. NAPUTI TO PURCHASE THE REMAINING PORTION OF LOT 46A.

Change in Law: N/A

**Bill's Impact on Present Program Funding:**

Increase \_\_\_\_\_ Decrease \_\_\_\_\_ Reallocation X No Change \_\_\_\_\_

**Bill is for:**

Operations \_\_\_\_\_ Capital Improvement \_\_\_\_\_ Other X

**FINANCIAL/PROGRAM IMPACT**

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Natural Resources Recreation & Arts			1/

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						1/

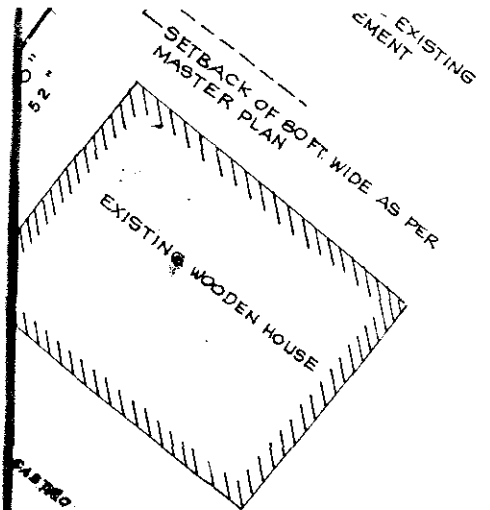
FUNDS ADEQUATE TO COVER INTENT OF THE BILL? \_\_\_ -- IF NO, ADD'L AMOUNT REQUIRED \$ \_\_\_\_\_

AGENCY/PERSON/DATE CONTACTED: \_\_\_\_\_

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						

ANALYST A. Flores DATE 3/21/97 DIRECTOR Francisco Balajadia DATE MAR 24 1997  
Joseph E. Rivera, Acting

FOOTNOTES: 1/Although an appropriation measure is not provided, enactment of Bill No.143(COR) will impact on scarce government land resources, which may not address all issues of government encroachment. Additionally, it will entail administrative costs to carry out the intent of the proposed legislation.



THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOT. §D, CHAPTER 99, ARTICLE 5, UNIFORM LAND REGISTRATION SYSTEM AND REGULATIONS THEREUNDER ON THIS DAY OF FEB, 1997.

*[Signature]*  
TERRITORIAL SURVEYOR IN CHIEF OF CADASTRE

I, DOMETRO R. PABLO HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION; THAT IT IS BASED UPON A FIELD SURVEY MADE IN OCT. 25, 1996 ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. I ALSO CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THIS MAP.

*[Signature]* DATE 2/3/97  
DOMETRO R. PABLO, R.L.S. NO. 44

REVISION	DESCRIPTION	BY	APPROVED DATE

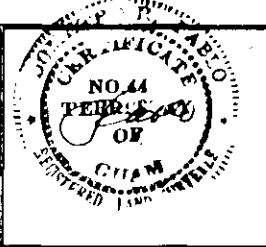
SURVEY DATA	DATE
RESEARCHED:	J.I. OCT. 1996
FIELD:	DRP/BC. OCT 25, 1996
FIELD BOOK:	96-M OCT. 1996
COMPUTED:	D.R.P. OCT. 1996
DRAWN:	D.R.P. OCT. 1996
CHECKED:	D.R.P. OCT. 1996

**DRP DOMETRO R. PABLO**  
REGISTERED LAND SURVEYOR NO. 44  
P.O. BOX 2883 AGANA, GUAM

**LAND REGISTRATION SURVEY**  
**MAP OF**  
**LOT 46 and LOT 46A**  
MUNICIPALITY OF MERIZO  
**LAND SQUARE 38 SECTION 3**

LAND MANAGEMENT DATA
136-FY97
N/A

LOT: 46
REGISTERED ON: 09-07-26
CERTIFICATE OF TITLE: G.C. 2420
IN NAME OF LORENZO EGUIQUAN NAPUTI
SHEET NO. 1 OF 1
SCALE: 1" = 10 FEET
DRP-0197

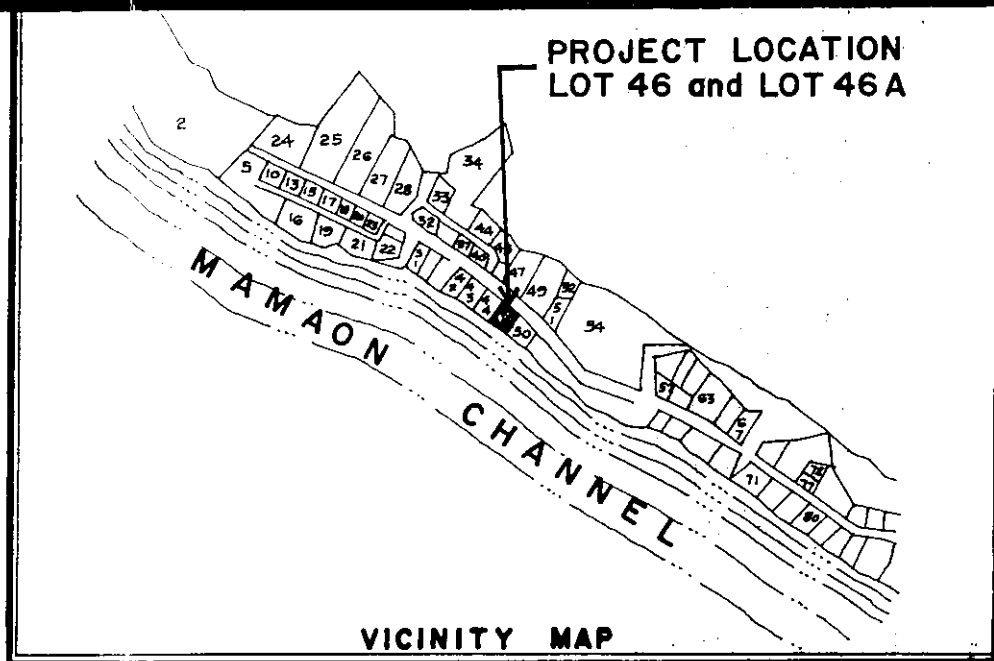
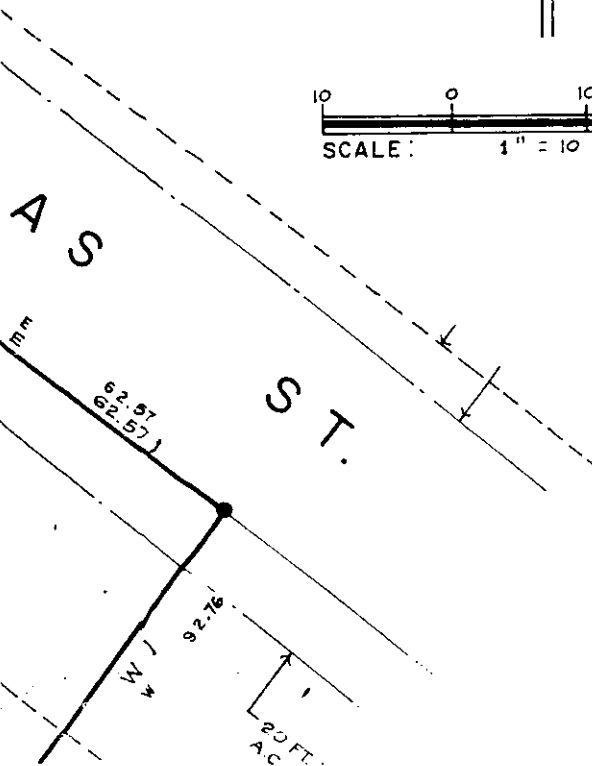
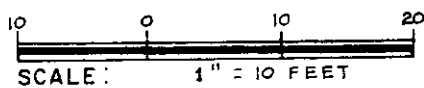
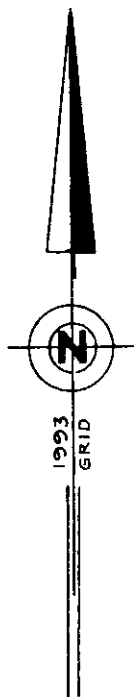


**"NOTICE"**

CERTIFICATIONS AS SIGNED BY THE TERRITORIAL SURVEYOR AND CHIEF PLANNER DEFINITELY DO NOT CONSTITUTE A RECOGNITION OF THE GOVERNMENT OF GUAM OWNERSHIP EXTEND AND AREA OF LAND SURVEYED AND CLAIMED.

"THE ACTION OF THE DEPARTMENT OF LAND MANAGEMENT IN APPROVING THIS MAP FOR FILING WITH RESPECT TO THE SUBJECT LOT(S) DOES NOT CONSTITUTE AN APPROVAL OF THE ACCURACY OF THE SURVEY."

AS BASIS OF APPROVAL ON THIS LAND VEY (PLM MAP 136 FY 97) IS TITLE 13, SUBCHAPTER B, SUBSECTIONS 12213.3, 12214.3(e), 12214.4 (b), SUBDIVISION ATIONS.



**SYMBOLS:**

- △ GUAM GEODETIC NETWORK.
- 6" DIA CONCRETE MON. FOUND.
- NAIL and TAG FOUND, MARKED R.L.S. NO. 24.
- 3/4" DIA IRON PIPE FOUND, MARKED R.L.S. 24.

**NOTES:**

1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN.
2. ALL DISTANCES ARE IN FEET, UNLESS OTHERWISE NOTED.
3. BEARINGS AND DISTANCES ARE BASED ON 1993 GRID AND FIELD CONDITION.
4. BEARINGS AND DISTANCES IN PARENTHESIS ARE RECORD DATA.
4. SUBJECT LOT IS/ARE ZONED "C" COMMERCIAL ZONED AS OF APPROVAL OF THIS MAP.

**REFERENCES:**

REFERENCE MAP USED FOR THIS SURVEY: LAND REGISTRATION SURVEY LOT 40" R.A. BEAM, L.S. 24, DOC. 328876; PROPERTY MAP LOT 43" J.R. MESA, L.S. 80, DOC. 103739; DESCRIPTION OF LOT 46, VOL. I BOOK 2 MAP, MERIZO, PAGE 263

**CERTIFICATIONS:**

PREPARED FOR, SATISFACTORY TO, AND APPROVED BY:

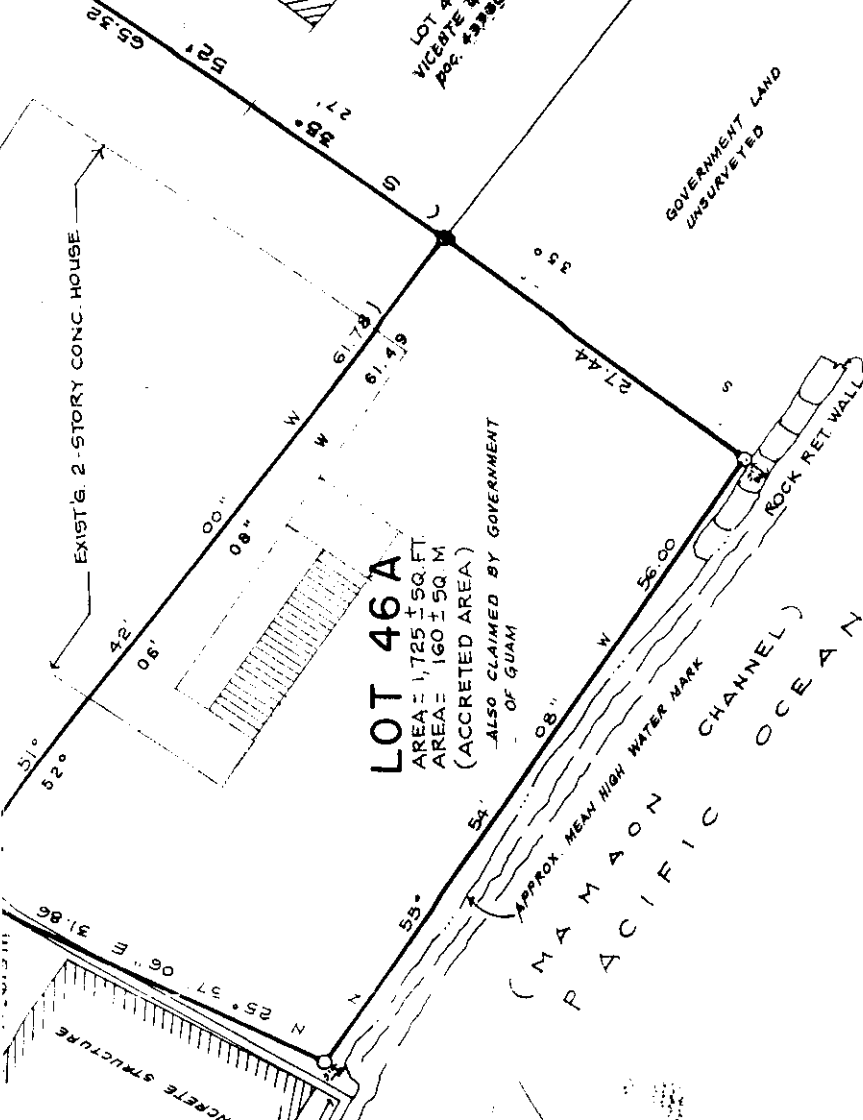
Loenzo N. Naputi  
LORENZO N. NAPUTI, DOC. NOS. 404290 and 408740

10-31-96  
DATE

APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 62, SUBDIVISION LAW.

NOT REQUIRED  
TERRITORIAL IN ANNER

DATE



**LOT 46A**  
 AREA = 1,725 ± SQ. FT.  
 AREA = 160 ± SQ. M.  
 (ACCREDITED AREA)  
 - ALSO CLAIMED BY GOVERNMENT  
 OF GUAM

DEPARTMENT OF LAND MANAGEMENT  
 INSTRUMENT NUMBER 558865  
 This instrument was filed for record on 10-06-97 at 10:06 P.M. (AM)  
 Day of Feb., 1997, at San Juan, P.R.  
 and duly recorded on Feb. 22, 1997  
 Recording Fee 22.00  
Jose C. Atalio  
 Deputy Recorder

**CHECKED BY:**  
Carlos R. Untalan  
 CARLOS R. UNTALAN, PLANNER D.L.M. DATE 2/4/97  
Blas C. Atalio  
 BLAS C. ATALIO, PLANNER D.L.M. DATE 02-04-97  
Raydon P. Aguilar  
 CARTOGRAPHIC SURV., D.L.M. DATE 02-05-97

2. REFERENCE USED:  
 REGISTRATION BILL  
 2GAR, CHAPTER 3  
 12214, 12214.1(C)  
 RULES AND REGU

