

*I Mina'Trentai Dos Na Liheslaturan Guahan*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
248-32 (COR)	Vicente (ben) 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.	12/30/13 2:36 p.m.	12/30/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

December 30, 2013

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**   
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 248-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 248-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.


*Si Yu'os Ma'åse!*

Attachment

***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.  $\pm$  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.

2013 DEC 30 PM 3:00

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).

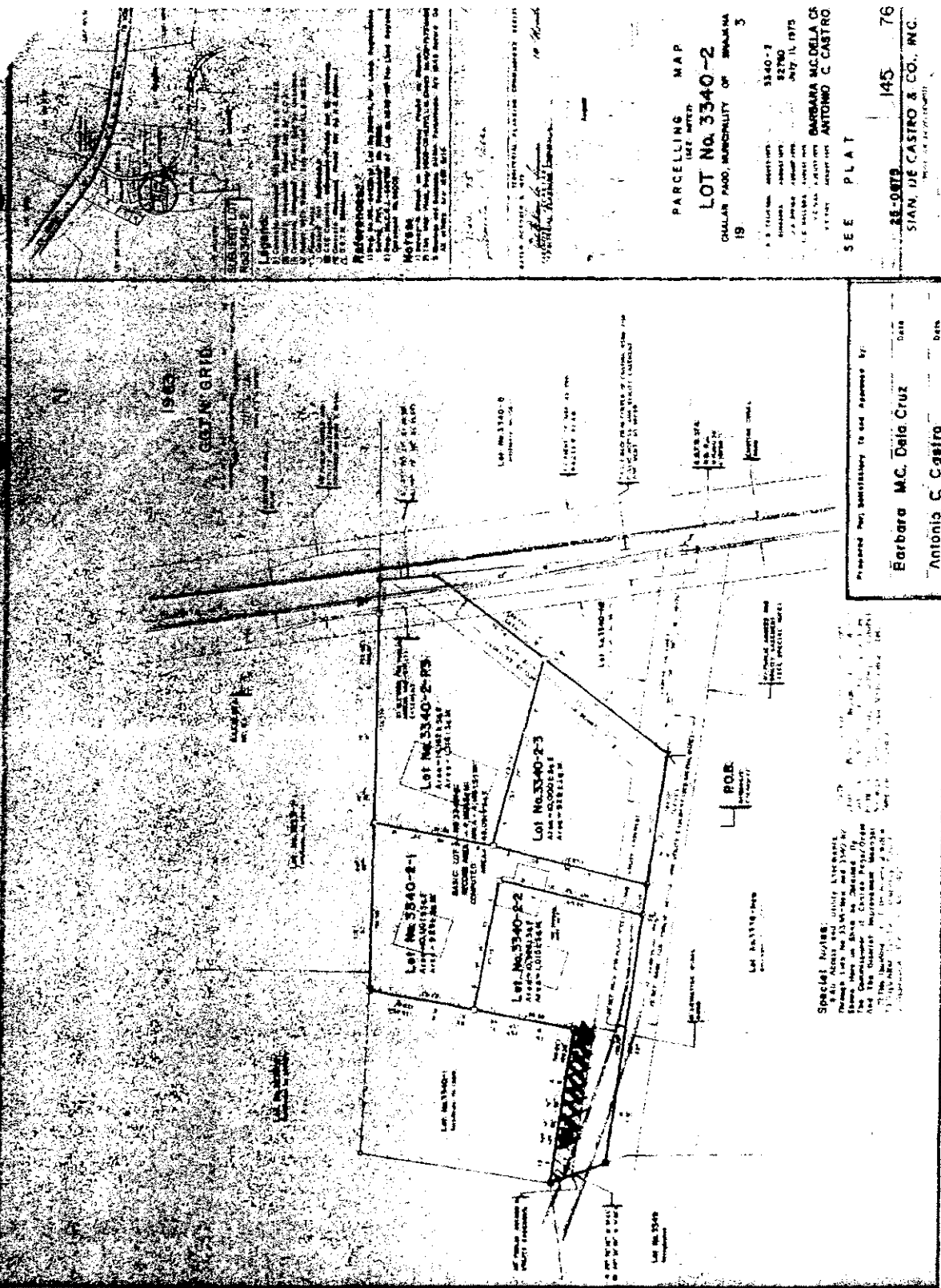
5        Therefore, *I Liheslaturan Guahan* intends to appropriate the agreed  
6 settlement amount to the Castros and to comply with the Superior Court Case No.  
7 CV1158-12.

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.”

EXHIBIT A

2296



Lot No.3233-9  
Certificate No.38283

Lot No.3340-1  
Certificate No.15681

Lot No.3340-2  
Area=10,001±Sq.F  
Area=929±Sq.M.

Lot No.3340-2-2  
Area=10,928±Sq.F  
Area=1,015±Sq.M.

BASIC  
RECORD  
COMPL.

SEE SPECIAL  
NOTE NO.2

20' SET BACK FOR PUBLIC ACCESS

ACCESS &  
ASEMENT.

W 37.63'  
W 37.60'

