

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
355-32 (COR)	T. C. Ada	AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS, GOVERNMENT OF GUAM, TO ACQUIRE LOT NO. 150-R3-1R/W, MERIZO, GUAM FOR THE PIGUA BRIDGE RECONSTRUCTION PROJECT.	6/17/14 4:50 p.m.	06/18/14	Committee on Public Safety, Infrastructure, & Maritime Transportation			



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

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

Senator
Dennis G. Rodriguez, Jr.
Member

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Legislative Secretary
Tina Rose Muña Barnes
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Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

June 18, 2014

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. 355-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 355-32(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
2014 (Second) Regular Session

Bill No. 355-32 (cop)

Introduced by:

T.C. Ada 

**AN ACT TO AUTHORIZE THE DEPARTMENT
OF PUBLIC WORKS, GOVERNMENT OF GUAM,
TO ACQUIRE LOT NO. 150-R3-1R/W, MERIZO,
GUAM FOR THE PIGUA BRIDGE
RECONSTRUCTION PROJECT.**

2014 JUN 17 PM 4:05 CF

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

3 finds the Department of Public Works (DPW) on behalf of the Government
4 of Guam, has prepared plans for the reconstruction and widening of the Bile
5 and Pigua bridges in Merizo. These bridges are an integral part of the island-
6 wide road improvement plan funded by the Federal Highway Administration
7 (FHWA). *I Liheslatura* further finds the bridges will be for public use.

8 *I Liheslatura* further finds DPW has successfully negotiated the
9 purchase of required lots from all private landowners required of the
10 Bile/Pigua Bridge Reconstruction Project (the Project), with the exception of
11 a portion of Lot No. 150-R3. The portion needed for public right of way has
12 been designated as Lot 150-R3-1R/W and represents 240sm (or 4.9%) of Lot
13 150-R3 which has a total area of 4,897sm.

14 *I Liheslatura* therefore intends to authorize the exercise of the power
15 of eminent domain, pursuant to 21GCA Ch. 15 §15105(b) to wit “*the power*
16 *of Eminent Domain may be exercised by the government of Guam upon the*
17 *authorization and appropriation of funds by the Congress of the United*

1 *States for public use within Guam ... the appropriation by the Congress of*
2 *the United States for a specific public use must also include a corresponding*
3 *authorization by the Guam Legislature via duly enacted legislation”.*

4 **Section 2. Authorization to condemn Lot No. 150-R3-1R/W.**

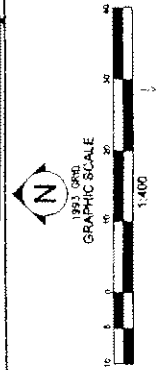
5 DPW is hereby authorized to condemn Lot No. 150-R3-1R/W,
6 Merizo, Guam, containing an area of 240 square meters, as shown on
7 Drawing No. DCA1-S-11-26 (Exhibit A) and in further detail in the
8 document labeled Guam Department of Public Works Road Plan (Pigua
9 Bridge) (Exhibit A-1), appended hereto, a copy of which was recorded with
10 the Department of Land Management, Government of Guam, on October 9,
11 2013, under instrument No. 857237; provided, however, that as a condition
12 to this approval, Lot No. 150-R3-1R/W the property shall be used for the
13 Project and, subject further to FHWA providing 100% of the condemnation
14 funds needed to fund the condemnation.

15 **Section 3. Interest Condemned.**

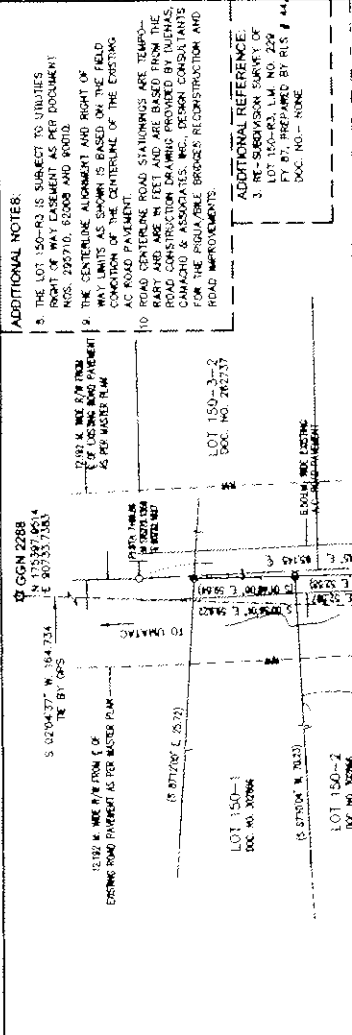
16 Upon confirmation of belief, based on appraisals of the property, the
17 sum of money estimated to be just compensation for the fee simple interest
18 taken in Lot No. 150-R3-1R/W is Twenty Three Thousand six hundred and
19 00/100 dollars (\$23,600.00).

20 **Section 4. Severability.** *If* any provision of this Law or its
21 application to any person or circumstance is found to be invalid or contrary
22 to law, such invalidity *shall not* affect other provisions or applications of this
23 Law which can be given effect without the invalid provisions or application,
24 and to this end the provisions of this Law are severable.

25 **Section 5. Effective Date.** This Act shall become effective upon its
26 enactment.



State of Guam, Department of Land
Department of Land Management Office of the Recorder
File for Record: 857237
On this 13th day of June 2011
Certified Correct: [Signature]
Deputy Recorder: [Signature]



ADDITIONAL NOTES:

- THE LOT 150-R3 IS SUBJECT TO UTILITIES RIGHT OF WAY EASEMENT AS PER DOCUMENT NOS. 220710, 62008 AND 00010.
- THE CENTERLINE ALIGNMENT AND RIGHT OF WAY LIMITS AS SHOWN IS BASED ON THE FIELD LOCATION OF THE CENTERLINE OF THE EXISTING AC ROAD PAVEMENT.
- ROAD CENTERLINE ROAD STATIONINGS ARE TEMPORARY AND ARE IN FEET AND ARE BASED FROM THE ROAD CENTERLINE STATIONING OF THE EXISTING ROAD PAVEMENT. THE DESIGN CONSULTANT HAS FOR THE REGULAR BRIDGE RECONSTRUCTION AND ROAD IMPROVEMENTS.

ADDITIONAL REFERENCE:

- RE-SUBDIVISION SURVEY OF LOT 150-R3, L.M. NO. 229, FY 87, PREPARED BY RLS # 44, DOC. NO. - NONE

ADDITIONAL NOTE:

II. ELEVATION OF CORNER LINES AS SHOWN ARE BASED ON THE 1987 U.S. NAVY MEAN QUADRAHED 75 MINUTE (1987) (DYNAMIC) NAVIGATION (M1970) 6142.

REFERENCES:

1. INSTRUMENT NO. 4343
2. INSTRUMENT NO. 4343
3. 134 FY 2010, DOC. NO. 815051

NOTES:

1. SURVEY IS BASED ON EXISTING PROPERTY CORNERS AS SHOWN ON THIS MAP.
2. ALL DISTANCES ARE IN METERS.
3. BEARINGS & DISTANCES IN PARENTHESES ARE RECORDED DATA. ALL OTHERS ARE CALCULATED.
4. SUBJECT LOT IS ZONED "A" AGRICULTURAL PER 1987 OPTICAL ZONING MAP, E-07249.
5. SUBJECT LOT IS OUTSIDE THE NORTHERLY ADJUTER.
6. AS-BUILTS ARE AS SHOWN AS OF APPROVAL OF THIS MAP.
7. RIGHT OF WAY ROAD CENTERLINE STATIONING IS IN FEET.

SYMBOLS:

- GUM STATION
- TURNED CORNER WITH SET
- PLANT
- END NO. 4 REBAR WITH CAP MARKED PLS 65
- END NO. 4 REBAR WITH CAP MARKED PLS 73, 000 NO. - NONE

CERTIFICATE OF GUAM CHIEF SURVEYOR

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED CHAPTER 60, ARTICLE 1, UNIFORM SUBDIVISION ACT AND REGULATIONS THEREUNDER ON 10/10/11.

[Signature]
GUAM CHIEF SURVEYOR / DEPT. OF LAND

CERTIFICATE OF GUAM CHIEF PLANNER

APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED CHAPTER 82, SUBDIVISION LAW, 10/10/11.

[Signature]
GUAM CHIEF PLANNER

CERTIFICATE OF SURVEYOR

RESTORIO C. GARCIA, LICENSED SURVEYOR, HAS EXAMINED THIS MAP AND CERTIFICATE OF SURVEYOR AND CERTIFICATE OF GUAM CHIEF PLANNER AND FINDS THAT IT IS IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS THAT I AM RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. I AM NOT PROVIDING ANY GUARANTEE THAT THE INFORMATION IS TRUE AND CORRECT, NOR AM I PROVIDING ANY GUARANTEE THAT THE INFORMATION IS COMPLETE AND ACCURATE. I AM PROVIDING THIS INFORMATION AS IS, WITHOUT ANY WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NONINFRINGEMENT. I AM PROVIDING THIS INFORMATION AS IS, WITHOUT ANY WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NONINFRINGEMENT.

[Signature]
RESTORIO C. GARCIA
PROFESSIONAL LAND SURVEYOR NO. 19

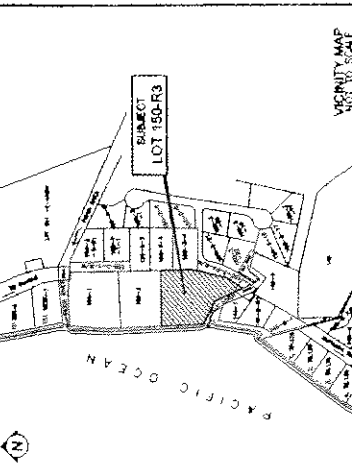
SATISFACTORY TO AND APPROVED BY:

[Signature]
PAUL I. SANTOS
GOVERNOR OF GUAM

[Signature]
PAUL I. SANTOS
GOVERNOR OF GUAM

SPECIAL NOTES

- PURSUANT TO P.L. 28-124, SECTION 1(6), THE INFORMATION CONTAINED HEREIN IS A REAL ESTATE REQUIREMENT FROM THE MAP PROCESSING REQUIREMENTS OF P.L. 28-124, SECTION 1(6).
- AS REQUIRED UNDER SUBDIVISION LAW, THE DESCRIPTION OF LOT 150-R3-R1, AS SHOWN ON THIS MAP ARE RECORDED DATA AND NOT FIELD CONDITIONS.



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[Signature]
GUAM CHIEF SURVEYOR / DEPT. OF LAND

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APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED CHAPTER 82, SUBDIVISION LAW, 10/10/11.

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