



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

DEC 01 2009

2009 DEC -2 PM 2:32 Ae

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 241-30(COR) "AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO LOT NO. 237-6-1, AGAÑA" which I signed into law on November 27, 2009 as Public Law 30-74.

Sinseru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

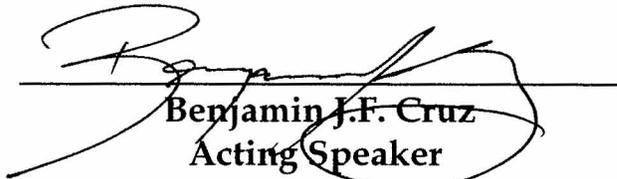
Attachment: copy of Bill

30-09-1430
12/02/09
10

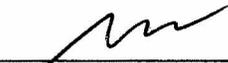
I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

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

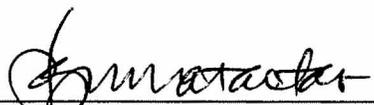
This is to certify that **Bill No. 241-30 (COR), "AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO LOT NO. 237-6-1, AGAÑA,"** was on the 13<sup>th</sup> day of November, 2009, duly and regularly passed.

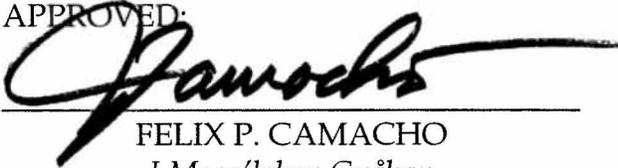
  
Benjamin J.F. Cruz  
Acting Speaker

Attested:

  
\_\_\_\_\_  
Rory J. Respicio  
Acting Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 17 day of Nov., 2009, at  
4:25 o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:  
  
\_\_\_\_\_  
FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: \_\_\_\_\_

Public Law No. 30-74

***I MINA'TRENTA NA LIHESLATURAN GUÅHAN***  
**2009 (First) Regular Session**

**Bill No. 241-30 (COR)**

As amended.

Introduced by:

v. c. pangelinan  
T. C. Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
B. J.F. Cruz  
J. V. Espaldon  
Judith P. Guthertz, DPA  
T. R. Muña Barnes  
Adolpho B. Palacios, Sr.  
M. J. Rector  
R. J. Respicio  
Ray Tenorio  
Telo Taitague  
Judith T. Won Pat, Ed.D.

**AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE  
21, GUAM CODE ANNOTATED, RELATIVE TO LOT  
NO. 237-6-1, AGAÑA.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that Section 6 of Public Law 22-152 added a new §75104.1 to Chapter 75, Title 21,  
4 Guam Code Annotated, which authorized *I Maga'lahi* to transfer administrative  
5 control of Lot No. 237-6-1, Agaña, to the *Chamorro* Land Trust Commission.  
6 This was done on the presumption that Lot No. 237-6-1, Agaña, was government-  
7 owned land. Subsequently, abstracts of title prepared by Pacific American Title

1 Insurance and Escrow revealed that said Lot No. 237-6-1, Agaña, is owned by the  
2 estate of Carmen Ojeda Herrero. Likewise, research conducted by the Department  
3 of Land Management (DLM) further revealed that ownership of Lot No. 237-6-1,  
4 Agaña, belongs to the estate of Carmen Ojeda Herrero. Additionally, the  
5 *Chamorro* Land Trust Commission (CLTC) has advised that they have no interest  
6 in Lot No. 237-6-1, Agaña.

7 Therefore, because title to Lot No. 237-6-1, Agaña, was never modified  
8 pursuant to §75104.1, Chapter 75, Title 21, Guam Code Annotated, and both the  
9 DLM and CLTC have provided documentation to support its *repeal* to clear the  
10 clouded title, it is the intent of *I Liheslaturan Guåhan* to *repeal* §75104.1 of  
11 Chapter 75, Title 21, Guam Code Annotated.

12 **Section 2.** §75104.1 of Chapter 75, Title 21, Guam Code Annotated, is  
13 hereby *repealed* in its entirety.

6

# I MINA' TRENTA NA LIHESLATURAN GUAHAN

2009 (FIRST) Regular Session

Date: Nov. 13, 2009

## VOTING SHEET

Bill No. 241-30 (COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.			ε		
AGUON, Frank B., Jr.					EA
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RECTOR, Matthew	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T. /	✓				

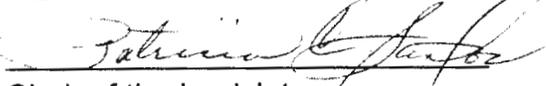
TOTAL

13

1

1

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



Mina' Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

10/23/09  
1:44  
MMA

October 19, 2009

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

The Honorable Judith T. Won Pat, Ed.D  
Speaker  
Mina' Trenta Na Liheslaturan Guåhan  
155 Hesler Place  
Hagatna, Guam 96910

Member  
Committee on Education

VIA: **The Honorable Rory J. Respicio**  
Chairperson, Committee on Rules

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

**RE: Committee Report – Bill No. 241-30 (COR)**

Hafa Adai Speaker Won Pat,

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land, to which Bill No. 241-30 (COR)- **“An Act to repeal §75104.1 of Chapter 75, Title 21 Guam Code Annotated relative to Lot No. 237-6-1, Agaña.”**- sponsored by Senator vicente c. pangelinan, and was referred to the Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land

Committee votes are as follows:

<u>2</u>	TO PASS
<u>0</u>	TO NOT PASS
<u>4</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

*Si Yu'os Ma'åse!*

**vicente c. pangelinan**  
Chairman

10/23/09  
**RECEIVED**



Mina' Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

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Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

## COMMITTEE REPORT ON

### BILL NO. 241-30 (COR)

**Senator vicente c. pangelinan**

**“An Act to repeal §75104.1 of Chapter 75, Title 21 Guam  
Code Annotated relative to Lot No. 237-6-1, Agaña.”**



Mina' Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

October 19, 2009

**MEMORANDUM**

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

To: **All Members**  
Committee on Appropriations, Taxation, Banking, Insurance,  
Retirement, and Land

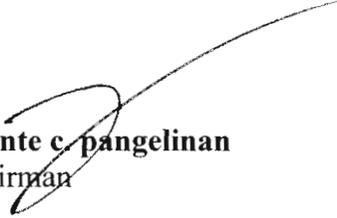
From: **Senator vicente c. pangelinan**  
Committee Chairperson

Subject: **Committee report on Bill No.241-30 (COR)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 241-30 (COR) – “An Act to repeal §75104.1 of Chapter 75, Title 21 Guam Code Annotated relative to Lot No. 237-6-1, Agaña.”, sponsored by Senator vicente c. pangelinan.

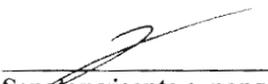
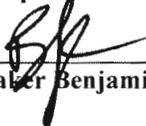
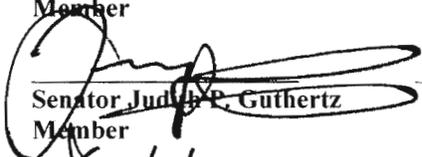
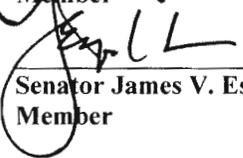
1. Committee voting sheet
2. Committee report narrative
3. Copy of the Bill
4. Public Hearing sign-in sheet
5. Copies of Submitted testimony & Supporting documents
6. Copy of COR Referral of Bill No. 241-30 (COR)
7. Notices of Public Hearing
8. Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated. Should there be any questions regarding this matter, please contact my office at 473-4236.

  
**vicente c. pangelinan**  
Chairman

*I MINA' TRENTA NA LIHESLATURAN GUÅHAN*  
**Committee Voting Sheet**  
**Committee on Appropriations, Taxation, Banking, Insurance, Retirement,**  
**and Land**

Bill No. 241-30 (COR) – “An Act to repeal §75104.1 of Chapter 75, Title 21 Guam Code Annotated relative to Lot No. 237-6-1, Agaña.”

Committee Members	To Pass	Not To Pass	Report Out	Abstain	Inactive Files
 Senator vicente c. pangelinan Chairperson	✓				
Speaker Judith T. Won Pat, Ed.D Vice Chairperson					
 Vice Speaker Benjamin J.F Cruz Member		<del>_____</del>			
 Senator Tina Rose Muña-Barnes Member	✓				
Senator Frank B. Aguon Jr. Member					
 Senator Judith P. Guthertz Member			✓		
 Senator James V. Espaldon Member			✓		
Senator Telo T. Taitague Member					
 Senator Frank Blas, Jr. Member			✓		



# Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

## Committee Report

Bill No. 241-30 (COR): "An Act to repeal §75104.1 of Chapter 75, Title 21 Guam Code Annotated relative to Lot No. 237-6-1, Agaña",  
sponsored by Senator vicente pangelinan c. pangelinan.

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

### I. OVERVIEW

Member  
Committee on Education

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land convened a public hearing Monday, October 19, 2009. The hearing was called to order at 8:30am in I Liheslaturan Guahan's Public Hearing Room.

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

#### Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on 10/12/09 (5-day notice), and again on 10/16/09 (48-hour notice).

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

#### (a) Committee Members and Senators Present

Senator vicente c. pangelinan, Chairperson  
Senator Tina Muña-Barnes, Member  
Senator Telo Taitague, Member  
Senator Eddie Calvo  
Senator Tom Ada

#### (b) Appearing before the Committee

Mr. Ernest Santos-Department of Land Management.

### II. COMMITTEE PROCEEDINGS

#### (a) Bill Sponsor Summary

Senator ben pangelinan: This bill would repeal the transfer of Lot No. 237-6-1 into the inventory of the Chamorro Land Trust. This property, according to the chain of title that has been researched, is private property and

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

was never a part of the Government of Guam land inventories. But in the listing of lands transferred to the jurisdiction of the land trust, this property was included in that by this section of the public law. The repeal of that section would leave the chain of title in the hands of the private land owners as correctly identified in all the title research that has been done on this piece of property.

**(b) Testimony of Mr. Ernest Santos-Department of Land Management:**

I do not have a written testimony, I have an oral one on Bill No. 30-241. The Department of Land Management has no objections to the return on Lot No. 237-6-1 to the original owners. We did provide the research on this property and it came to the conclusion that the portion of the property was taken for the road but the remaining still belongs to the private original owners.

Chairman: Thank you Mr. Santos.

**(c) Panel Comments and Questions**

Senator Ada: Where is this located?

Mr. Ernest Santos: You know KFC? The road going in and then across the street, the building that used to be the funeral home parlor, right across it. I will show you the map.

Chairman: Portion of property was taken for the road but the remainder property, not the entire piece, only the ones taken for the road was public land. The remaining remains in the hands of the original land owners from which the property was taken from.

Senator Muña-Barnes: Mr. Chair, since that is an official document can we get one for the record?

Chairman: Can we get a copy of that map? Okay, we will just receive it as a part of the record.

Mr. Ernest Santos: For the record, I sent you a memo.

Chairman: We will include that. Are there any other questions? Bill No. 241-30 has received a public hearing as required by law.

**III. FINDINGS & RECOMMENDATIONS**

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land, hereby reports out Bill No. 241-30 (COR), as introduced by the Committee with the recommendation TO REPORT OUT ONLY.

I MINA TRENTA NA LIHESLATURAN GUÅHAN  
2009 (First) Regular Session

Bill No. 241-30(COR)

Introduced by:

v.c. pangelinan

AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE  
21 GUAM CODE ANNOTATED RELATIVE TO LOT  
NO. 237-6-1, AGAÑA.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
2 Section 6 of P.L. 22-152 added a new section, §75104.1 to Chapter 75, Title 21 Guam  
3 Code Annotated, which authorized the Governor to transfer administrative control of Lot  
4 No. 237-6-1, Agaña, to the Chamorro Land Trust Commission. This was done on the  
5 presumption that Lot 237-6-1 Agaña was government owned land. Subsequently,  
6 abstracts of title prepared by Pacific American Title Insurance and Escrow reveal that  
7 said Lot 237-6-1, Agaña, is owned by the estate of Carmen Ojeda Herrero. Likewise,  
8 research conducted by the Department of Land Management (DLM) further reveal that  
9 ownership of Lot No. 237-6-1 belongs to the estate of Carmen Ojeda Herrero.  
10 Additionally, the Chamorro Land Trust Commission (CLTC) has advised that they have  
11 no interest in Lot 237-6-1, Agaña.

12           Therefore, because title to Lot No. 237-6-1 was never modified pursuant to  
13 §75104.1, Chapter 75, 21 Guam Code Annotated and that both the DLM and CLTC have  
14 provided documentation to support its repeal to clear the clouded title, it is the intent of *I*  
15 *Liheslaturan Guåhan* to repeal §75104.1 of Chapter 75, 21 Guam Code Annotated.

2009 OCT -5 PM 3:02 PM

1           **Section 2. Section 6 §75104.1 of Chapter 75, Title 21 Guam Code Annotated**  
2 **is hereby repealed in its entirety.**

3           **Section 3. Severability.** If any of the provisions of this Act or the application  
4 thereof to any person or circumstance is held invalid, such invalidity shall not affect any  
5 other provision or application of this Act which can be given effect without the invalid  
6 provision or application, and to this end the provisions of this Act are severable.



**Mina' Trenta Na Liheslaturan Guahan  
THIRTIETH GUAM LEGISLATURE**

**Senator vicente "ben" c. pangelinan**

**COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND  
PUBLIC HEARING  
October 19, 2009  
BILL NO. 30-241**

**Sign In Sheet**

Name	Address	Phone Number	Email	Written	Oral
Emanuel Santos	77c Bldg	645-5663 (144)		.	✓

324 W. Soledad Ave. Hagatna, Guam 96910  
Ph. 473-4236 Fax. 473-4238  
Email: senbenp@guam.net

10N5

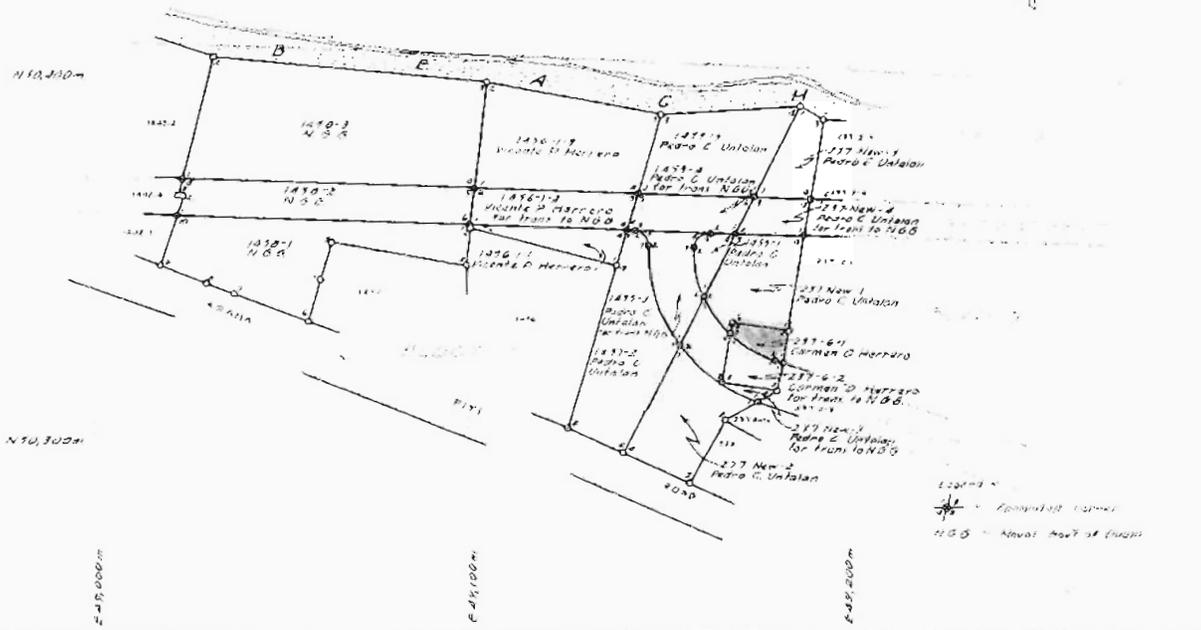
LOT 145B-2		
STATION	COOR. (M)	DISTANCE
1	1174.31000	3.71M
2	1174.31000	1.16
3	1174.31000	4.95
4	1320.8452	77.05
5	1320.8452	10.91
6	1168.03151	79.14
Area = 0.01 sq. Meters		

LOT 147B-3		
STATION	COOR. (M)	DISTANCE
1	1174.31000	3.71M
2	1320.8452	73.21
3	1320.8452	29.71
4	1168.03151	77.05
Area = 0.277 sq. Meters		

STATION	COOR. (M)	DISTANCE
1	1174.31000	3.71M
2	1320.8452	73.21
3	1320.8452	29.71
4	1168.03151	77.05
5	1320.8452	73.21
6	1168.03151	79.14
7	1174.31000	3.71M

STATION	COOR. (M)	DISTANCE
1	1174.31000	3.71M
2	1320.8452	73.21
3	1320.8452	29.71
4	1168.03151	77.05
5	1320.8452	73.21
6	1168.03151	79.14
7	1174.31000	3.71M

COORDINATES (in Meters)		
STATION	N	E
1	1174.31000	48.10920
2	1174.31000	48.0340
3	1174.31000	49.17718
4	1320.8452	49.17718
5	1320.8452	49.10200
6	1168.03151	49.17718
7	1168.03151	49.10200
8	1168.03151	49.17718
9	1168.03151	49.10200
10	1168.03151	49.17718
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94	1168.03151	49.17718
95	1168.03151	49.10200
96	1168.03151	49.17718
97	1168.03151	49.10200
98	1168.03151	49.17718
99	1168.03151	49.10200
100	1168.03151	49.17718



The majority of all previously surveyed property currently held either open, unimproved or abandoned unless, therefore, no property claims will be described.

No signature required as the land being acquired by N.G.S. is acquired by condemnation for street right-of-way.

Approved for recording in the land records of Guam  
*James T. Henshaw* dated 9 May 49  
 Guam Shipping Commission

DATE	NO.	REVISION	REV. BY	APP. BY
JUL 19 49	5	Corrected Area of Lot 271 G-2		J.M.C.
<b>PROPERTY MAP</b> <b>MUNICIPALITY OF AGANA</b> <b>LAND SQ. 12, SECTION 4 V</b>				
SCALE	1 in = 20m	U.S. NAVAL GOVT. OF GUAM, M.I. LAND & CLAIMS COMMISSION		
DRAWN	Checked	SUBMITTED	APPROVED	DRAWING NO. P-334
CHECKED	<i>Rita</i>	<i>Paul</i>	<i>Paul</i>	1 of 1 SHEET
DATE	30 April 49	HEAD ENGINEERS SECTION	U.S. NAVAL GOVT. OF GUAM	

E RANDALL CUNLIFFE  
JEFFREY A. COOK

JEFFREY A. MOOTS

LAW OFFICES

*Cunliffe & Cook*

Suite 200  
210 Archbishop E.C. Flores Street  
Hagåtña, Guam 96910

TELEPHONE (671) 472-1824  
TELEFAX (671) 472-2422  
E-MAIL cclaw@teleguam.net

September 17, 2009

Hon. Vicente "Ben" Pangelinan, Senator  
**THIRTIETH GUAM LEGISLATURE**  
**I MINA'TRENTA NA LIHESLATURAN GUAHAN**  
324 West Soledad Avenue  
Hagåtña, GU 96910



RE: Lot No. 237-6-1, Municipality of Hagåtña, Guam

Dear Senator Pangelinan:

This letter is a follow of my letter to you dated August 6, 2009, and the letter to you from Michael C. James, Acting Director, Department of Land Management, dated August 31, 2009.

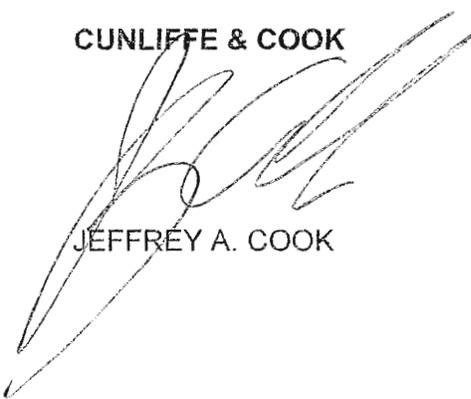
On September 17, 2009, I attended a regular board meeting of the Chamorro Land Trust Commission at which my letter to the Commission regarding the above-referenced lot was entertained. The commissioners took the position that because the lot was transferred to the Commission by a public law, it was incumbent on my client to request that the Legislature repeal the public law. It was my understanding that the Commission would be forwarding a letter to you stating this.

On behalf of my client, The Radhi Puran Trust, I respectfully request as I did in my previous letter, that you proceed to submit a bill to the Legislature to repeal Public Law 22-152;6. Again, I would ask on behalf of my client and the contracted buyer of the property that the Legislature act expeditiously to repeal the public law so that cloud on my client's title is removed and the sale can be completed.

Should you have any questions, please do not hesitate to contact me. If I can be of any assistance in moving this matter forward as soon as possible, please advise what I can do.

Sincerely,

**CUNLIFFE & COOK**

  
JEFFREY A. COOK

JAC:amm JAC Letters 2007  
September 2009 H-0108.4  
Enclosures as stated.

cc: Radhi Hemlani  
Manu Melwani  
Anthony Godwin  
Vicki Andersen  
Beverly Alerta.  
Jesse Garcia, Chamorro Land Trust Commission  
Tom Keeler, Office of the Attorney General

F. RANDALL CUNLIFFE  
JEFFREY A. COOK

JEFFREY A. MOOTS

LAW OFFICES

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E-MAIL cclaw@teleguam.net

August 6, 2009

Hon. Vicente "Ben" Pangelinan, Senator  
**THIRTIETH GUAM LEGISLATURE**  
**I MINA'TRENTA NA LIHESLATURAN GUAHAN**  
324 West Soledad Avenue  
Hagåtña, GU 96910

RE: **Lot No. 237-6-1, Municipality of Hagåtña, Guam**

Dear Senator Pangelinan:

I am writing as counsel for the Radhi Puran Trust regarding the above-referenced lot. The Trust owns Lot Nos. 9 and 10, Block 9, New Agana, Guam. A portion of Lot No. 9 is made up of Lot No. 237-6-1. In Public Law 22-152, at Section No. 6, the Guam Legislature added Section No. 75104.1 to Title 21 Guam Code Annotated transferring administrative control of Lot No. 237-6-1, Municipality of Hagåtña, Guam, to the Chamorro Land Trust Commission.

Our office has conducted extensive research on the ownership of this lot, including Abstracts of Title prepared by Pacific American Title Insurance & Escrow. All of this research fails to turn up any record that the Government of Guam has an interest in Lot No. 237-6-1, Municipality of Hagåtña, Guam. What this research does reveal is that Lot No. 237-6-1 is owned by the Estate of Carmen Ojeda Herrero. Ms. Herrero owned Basic Lot No. 237-6 as evidenced by Certificate of Title No. 2245. A portion of Lot No. 237-6 was taken by the federal government to create the road known as First Street which borders Lot Nos. 9 and 10, Block 9, New Agana, Guam. In Civil No. 4-48, District Court of Guam, pertaining to the taking of property in Hagåtña, Guam, by the United States of America, Schedule A of the Declaration of Taking filed January 10, 1955, identifies the federal government having taken 156 square meters of Lot No. 237-6. This 156 square meters actually comprised Lot No. 237-6-2 on the overlay map of Block No. 9, which the federal government took for the right-of-way. There is no record that the federal government took anymore of Lot No. 237-6 than set forth in the order from the District Court of Guam. Therefore, the remaining portion of Lot No. 237-6 nka Lot No. 237-6-1, remained the property of Carmen Ojeda Herrero, deceased.

I have contacted the Chamorro Land Trust Commission and the Office of the Attorney General to seek assistance in resolving the title problem created by Public Law 22-152. I have provided the same facts that the Government of Guam does not own Lot No. 237-6-1 since there is no documentation in the record to support the Government of Guam having any interest in this lot. The response I received from Chamorro Land Trust Commission was simply to reference the Public Law. Tom Keeler, Assistant Attorney General, Office of the Attorney General, has attempted to get information from the Chamorro Land Trust Commission, but as of this date, has not been able to obtain any more explanation than what the Chamorro Land Trust Commission already provided me, which was its reliance on Public Law 22-152, Section No. 6.

The Trust has a buyer that is very close to pulling out of the sale because of the problems with the title. My client has already entered into negotiations to purchase the interest of the Estate of Carmen Ojeda Herrero in Lot No. 237-6-1 once the cloud created by Public Law 22-152 is removed.

Hon. Vicente "Ben" Pangelinan, Senator  
**THIRTIETH GUAM LEGISLATURE**  
**I MINA'TRENTA NA LIHESLATURAN GUAHAN**  
August 6, 2009  
Page Two

To assist you in reviewing my client's position, please find enclosed the following documents:

1. A map for the Property Overlay of Block No. 9, New Agana (Drawing No. C4.52P9.1);
2. A Relocation Sketch of Lot Nos. 9 and 10, Block 9;
3. The Declaration of Taking, Schedule A in Civil No. 4-48 filed January 10, 1995, that identifies Lot 237-6 on page 5;
4. Certificate of Title of Ms. Herrero, Instrument No. 2245;
5. Abstract of Title for Lot No. 237-6-1, New Agana, Guam;
6. Abstract of Title for Lot No. 9, Black No. 9, New Agana, Guam; and,
7. Letter dated June 1, 2009, from the Chamorro Land Trust Commission with attachments.

After you have had an opportunity to review the documents, I would appreciate an opportunity to meet with you and discuss this problem and any questions you may have. Since there is no evidence that the Government of Guam owned the land transferred to the Chamorro Land Trust Commission, the fastest and most appropriate way to resolve this issue is for the Guam Legislature to repeal Public Law 22-152, Section No. 6.

Thank you for reviewing this matter and contacting me so we can discuss it further.

Sincerely,

**CUNLIFFE & COOK**

  
JEFFREY A. COOK

JAC:amm JAC Letters 2007

August 2009 H-0108.4

Enclosures as stated.

cc: Rachi Hemlani (letter only)  
Manu Melwani (letter only)  
Anthony Godwin (letter only)  
Ms. Alerta. (letter only)  
Jesse Garcia, Chamorro Land Trust Commission (letter only)  
Tom Keeler, Office of the Attorney General (letter only)





# Chamorro Land Trust Commission

*(Kumision Inangokkon Tano' Chamoru)*

P.O. Box 2950 Hagåtña, Guam 96932

Phone: 475-4251 Fax: 477-8082

October 2, 2009

*Felix P. Camacho*  
Governor of Guam

*Michael W. Cruz, M.D.*  
Lieutenant Governor of Guam

Commission Members

*Oscar A. Calvo*  
Acting Chairman

*David J. Matanane*  
Vice-Chairman

*Pauline Gumataotao*  
Commissioner

*Carmen G. Tajalle*  
Commissioner

*Andrew S. Leon Guerrero*  
Commissioner

*Jesse G. Garcia*  
Administrative Director

TO: Senator Ben Pangelinan  
Committee on Appropriations, Taxation, Banking, Insurance,  
Retirement and Land

FR: Jesse G. Garcia  
Administrative Director

RE: Lot 237-6-1, Hagatna, Guam

Please be advised that the Chamorro Land Trust Commission hereby releases its interest in Lot 237-6-1, Hagatna which was transferred to the Commission through 21 GCA §75104.1. Said lot should be returned to its original landowner.

Attached are supporting documents.

If you have any questions please do not hesitate to contact me at 475-4251.

  
JESSE G. GARCIA  
Administrative Director





**DIPATTAMENTON MINANEHAN TANO'**  
 (Department of Land Management)  
**GUBETNAMENTON GUAHAN**  
 (Government of Guam)



FELIX P. CAMACHO  
 Governor of Guam

MICHAEL W. CRUZ, M.D.  
 Lieutenant Governor of Guam

CHRISTOPHER M. DUENAS  
 Acting Director

MICHAEL C. JAMES  
 Deputy Director

Street Address:  
 590 S. Marine Corps Drive  
 Suite 733 ITC Building  
 Tamuning, GU 96913

Mailing Address:  
 P.O. Box 2950  
 Hagåtña, GU 96932

Website:  
<http://dln.guam.gov>

E-mail Address:  
[christopher.duenas@dg.gov](mailto:christopher.duenas@dg.gov)

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383

JIC

August 31, 2009

Memorandum

To: Mr. Jesse Garcia, Administrative Director  
 Chamorro Land Trust Commission

Senator Vicente "Ben" Pangelinan  
 30<sup>th</sup> Guam Legislature

From: Michael C. James, Acting Director  
 Department of Land Management

Subject: Lot No. 237-6-1, Municipality of Hagatna, Guam

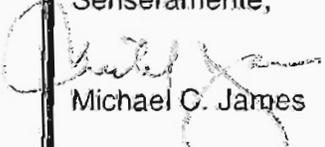
Buenas yan Hafa Adai! This is reference to the above subject parcel relative to Public Law 22-152, Section 6, and a letter dated August 14, 2009 from Attorney Jeffery A. Cook, legal counsel for the Radhi Puran Trust.

The Department of Land Management has conducted research on the above parcel and reviewed the letters and attachments from Atty. Jeffery A. Cook, resulted the following findings:

- Pursuant to Public Law 22-152, Section 6, that Section 75104.1 is hereby added to Title 21, GCA. (Transfer of Lot No. 237-6-1, Agana.) Chamorro Land Trust Commission has the jurisdiction and authorization on the disposition of the above parcel to repeal PL 22-152, Section 6 and release Chamorro Land Trust Commission's interest to the original landowner.
- As shown on numerous references and the issuance of Certificate of Title Number 2245, dated August 5, 1941 in favor of Carmen Ojeda Herero, is the owner of the estate in fee simple the basic lot 237-6. In which is the last issuance of Certificate of Title relative to Lot No. 237-6-1, Municipality of Hagatna.
- Documentation to clear clouded title created by PL 22-152 shall be executed by the Chamorro Land Trust Commission and the 30<sup>th</sup> Guam Legislature to repeal Public Law 22-152 and delete Section 6 on Public Law 22-152.

Should you have any question, please contact Ernest V. Santos, at 649-5263, Ext-400.

Senseramente,

  
 Michael C. James

Cc: Atty. Jeffery Cook, Legal Counsel, Radhi Puran Trust  
 Atty. Thomas P. Keeler, Attorney General's Office

Alicia G. Limtiaco  
Attorney General



Phillip T. Tydingco  
Chief Deputy Attorney General

## OFFICE OF THE ATTORNEY

---

September 3, 2009

Via facsimile Only 671/477-8082

Jesse Garcia  
Acting Director  
Chamorro Land Trust Commission  
588 W. Marine Corp Drive  
Hagatna, Guam 96932

Re: Lot No. 237-6-1, Hagatna, Guam  
AG Ref. No.: CLTC 09-0499

Mr. Garcia:

Our office is in receipt of a copy of Michael C. James, Acting Director, Department of Land Management, August 31, 2009 letter to you concerning the above referenced Hagatna lot. Director James' letter states that the Hagatna lot is not Government of Guam. If you agree with Mr. James findings the Chamorro Land Trust Commission, which currently clouds the title, should Quitclaim its "non-interest" to Rarii Purim Trust, Rarii P. Hemline, Trustee.

Thank you for you and your agencies ongoing assistance. Please contact Director James or me if you have any questions or concerns regarding this matter.

  
Thomas P. Keeler  
Assistant Attorney General

Cc: Michael C. James, Acting Director,  
Department of Land Management



# *Chamorro Land Trust Commission*

*(Kumision Inangokkon Tano' Chamoru)*

P.O. Box 2950 Hagåtña, Guam 96932

Phone: 475-4251 Fax: 477-8082

*Felix P. Camacho*  
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Commissioner

*Carmen G. Tajalle*  
Commissioner

*Andrew S. Leon Guerrero*  
Acting Commissioner

*Jesse G. Garcia*  
Administrative Director

June 1, 2009

TO: Attorney Jeffrey A. Cook  
Law Offices Cunliffe & Cook

FR: Jesse G. Garcia  
Administrative Director

RE: Lot 237-6-1, Municipality of Hagatna, Guam

I have received your letter of May 11, 2009. Lot 237-6-1, Municipality of Hagatna which contains an area of 100± square meters is identified as Chamorro Land Trust Commission property as per Public Law 22-152, Section 6 attached.

Please do not hesitate to contact me at 475-4251 if you have any questions.

JESSE G. GARCIA  
Administrative Director

~~~~~  
PUBLIC LAW NO. 22-152

Bill No. 1126 (LS)  
Date Became Law: December 29, 1994  
Governor's Action: Approved

Introduced by: E. D. Reyes  
T. S. Nelson  
T. C. Ada  
J. P. Aguon  
M. Z. Bordallo  
C. T. C. Gutierrez  
V. C. Pangelinan  
J. T. San Agustin  
D. L. G. Shimizu  
A. C. Blaz  
F. P. Camacho  
T. V. C. Tanaka  
E. P. Arriola  
H. D. Dierking  
P. C. Lujan  
D. Parkinson  
F. E. Santos  
J. G. Bamba  
D. F. Brooks  
M. D. A. Manibusan  
A. R. Unpingco

**AN ACT TO AUTHORIZE THE TRANSFER OF A CERTAIN PARCEL OF GOVERNMENT LAND SITUATED IN MANGILAO, MUNICIPALITY OF BARRIGADA, TO THE UNIVERSITY OF GUAM, TO AUTHORIZE AN EASEMENT ACROSS SUCH PROPERTY, AND TO PERMIT A CONDITIONAL USE OF THE PROPOSED SITE OF THE PACIFIC BIBLE COLLEGE; AND TO ADD §75104.1 TO TITLE 21, GUAM CODE ANNOTATED, TO TRANSFER LOT NO. 237-6-1, AGAÑA, TO THE CHAMORRO LAND TRUST COMMISSION.**

Section 1... Legislative statement.  
Section 2... Authorization to transfer.  
Section 3... Conditions of grant.  
Section 4... Authorization to grant an easement.  
Section 5... Conditional use granted.  
Section 6... §75104.1 is hereby added to Title 21, Guam Code Annotated.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

**Section 1. Legislative statement.** The government of Guam owns Lot No. 5372-3A, situated in Mangilao, Municipality of Barrigada, said to contain an area of 42,752 square meters, as delineated on LM Drawing No. C4-671-5 (the "Mangilao Lot"). The Mangilao Lot is conveniently situated in the immediate vicinity of the University of Guam (the "University"). The University continues to experience an unprecedented annual enrollment growth of fourteen percent. This growth has necessitated adjustments to the University's Physical Master Plan in its classroom, faculty, and support capacities. The current student enrollment of 3,800 is a signal that the University must plan to have adequate learning facilities in the very near future. Acquisition of sufficient properties is needed to allow for expansion of its facilities in anticipation of projected enrollments of 5,000 in 1996 and 7,000 by the year 2000.

P.L. NO. 22-152

The Executive Branch has indicated its intention to reserve the Mangilao Lot for the use of the University. At the time the Legislature was considering which government lots were to be reserved for future use by government agencies and departments, the Mangilao Lot was not made part of the legislative action which

concluded as Public Law 22-18 because of the impending adoption of a resolution supporting reservation of the land by the University's Board of Regents.

Now the Board of Regents has come forward to seek use of the Mangilao Lot for dormitories and other facilities as part of the University's Master Plan implementation. The Legislature supports the University's efforts to expand its educational programs and facilities and finds that the Mangilao Lot is needed for that purpose.

**Section 2. Authorization to transfer.** For the purpose of building international student dormitories, fine arts facilities, international studies centers and additional classrooms, the Governor of Guam is hereby authorized to grant to the University of Guam, in fee simple, all the right, title and interest of the government of Guam in the Mangilao Lot.

**Section 3. Conditions of grant.** The transfer of the interest of the government of Guam in the Mangilao Lot to the University of Guam is expressly subject to the condition subsequent that in the event it is determined that the Mangilao Lot is no longer used by the University for university-related purposes, the government of Guam shall have the right to re-enter the Mangilao Lot after recorded notice to such effect and the University shall convey by Quitclaim Deed all its rights, title and interest in the Mangilao Lot to the government of Guam upon demand. As used herein, "university-related purposes" shall include the construction of international student dormitories, fine arts facilities, international studies centers and additional classrooms. The Governor of Guam shall include, in any deed effecting the transfer of the Mangilao Lot to the University of Guam, a clause to such effect.

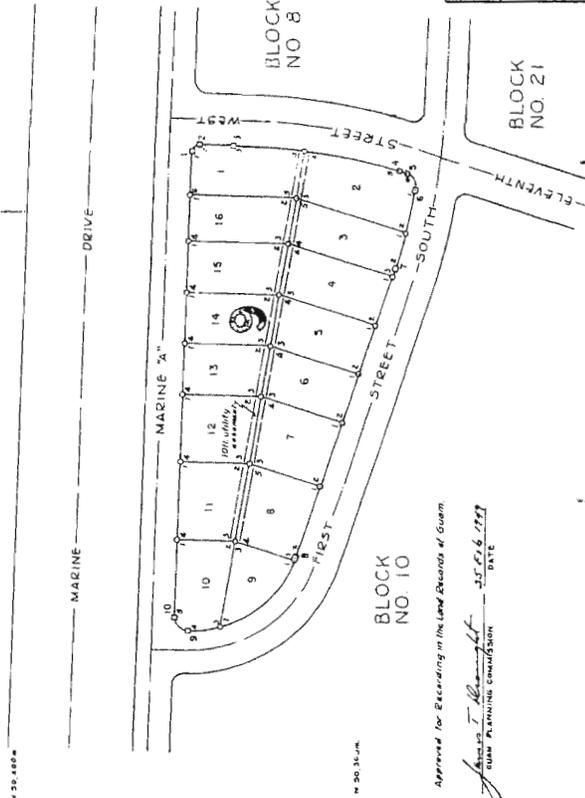
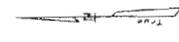
**Section 4. Authorization to grant an easement.** For the purpose of access and utility easements to the planned site of the Pacific Island Bible College, the University is hereby authorized to grant to Liebenzell Mission-Guam, a non-profit corporation, at fair market value, an easement forty feet (40') in width to provide underground utilities and access to the Pacific Island Bible College over the Mangilao Lot.

**Section 5. Conditional use granted.** Conditional use is hereby granted to Liebenzell Mission-Guam to utilize Lot No. 5396-R5-NEW-3, Mangilao, for the construction and operation of a non-profit private bible college.

**Section 6.** §75104.1 is hereby added to Title 21, Guam Code Annotated, to read:

"§75104.1. Transfer of Lot No. 237-6-1, Agaña. The Governor shall transfer to the Chamorro Land Trust Commission administrative control of Lot No. 237-6-1, Agaña, which contains an area of 100± square meters and is within Lot 9, Block 9, Agaña, as depicted on sheet 2 of Drawing P-384, recorded in the Department of Land Management as a part of Instrument No. 20083."

| REQUIRE THE BLOCK NO. 8 |          | DESCRIPTORS     |          | LOT NO. 7 |              | COORDINATES |            |
|-------------------------|----------|-----------------|----------|-----------|--------------|-------------|------------|
| Course                  | Distance | Bearing         | Distance | Course    | Description  | Station     | ALGITH     |
| 1                       | 300.00   | N 71° 23' 42" W | 19.73 m  | 1         | Iron Pin     | 50000.00 m  | 50000.00 m |
| 2                       | 300.00   | S 70° 23' 42" E | 20.77    | 2         | Concrete Man | 49302.93    | 49302.93   |
| 3                       | 300.00   | N 71° 23' 42" W | 24.46    | 3         | Iron Pin     | 48200.00    | 48200.00   |
| 4                       | 300.00   | S 70° 23' 42" E | 25.50    | 4         | Concrete Man | 47100.00    | 47100.00   |
| 5                       | 300.00   | N 71° 23' 42" W | 29.18    | 5         | Iron Pin     | 45900.00    | 45900.00   |
| 6                       | 300.00   | S 70° 23' 42" E | 30.22    | 6         | Concrete Man | 44800.00    | 44800.00   |
| 7                       | 300.00   | N 71° 23' 42" W | 33.90    | 7         | Iron Pin     | 43600.00    | 43600.00   |
| 8                       | 300.00   | S 70° 23' 42" E | 34.94    | 8         | Concrete Man | 42500.00    | 42500.00   |
| 9                       | 300.00   | N 71° 23' 42" W | 38.62    | 9         | Iron Pin     | 41300.00    | 41300.00   |
| 10                      | 300.00   | S 70° 23' 42" E | 39.66    | 10        | Concrete Man | 40200.00    | 40200.00   |
| 11                      | 300.00   | N 71° 23' 42" W | 43.34    | 11        | Iron Pin     | 39000.00    | 39000.00   |
| 12                      | 300.00   | S 70° 23' 42" E | 44.38    | 12        | Concrete Man | 37900.00    | 37900.00   |
| 13                      | 300.00   | N 71° 23' 42" W | 48.06    | 13        | Iron Pin     | 36700.00    | 36700.00   |
| 14                      | 300.00   | S 70° 23' 42" E | 49.10    | 14        | Concrete Man | 35600.00    | 35600.00   |
| 15                      | 300.00   | N 71° 23' 42" W | 52.78    | 15        | Iron Pin     | 34400.00    | 34400.00   |
| 16                      | 300.00   | S 70° 23' 42" E | 53.82    | 16        | Concrete Man | 33300.00    | 33300.00   |
| 17                      | 300.00   | N 71° 23' 42" W | 57.50    | 17        | Iron Pin     | 32100.00    | 32100.00   |
| 18                      | 300.00   | S 70° 23' 42" E | 58.54    | 18        | Concrete Man | 31000.00    | 31000.00   |
| 19                      | 300.00   | N 71° 23' 42" W | 62.22    | 19        | Iron Pin     | 29800.00    | 29800.00   |
| 20                      | 300.00   | S 70° 23' 42" E | 63.26    | 20        | Concrete Man | 28700.00    | 28700.00   |
| 21                      | 300.00   | N 71° 23' 42" W | 66.94    | 21        | Iron Pin     | 27500.00    | 27500.00   |
| 22                      | 300.00   | S 70° 23' 42" E | 67.98    | 22        | Concrete Man | 26400.00    | 26400.00   |
| 23                      | 300.00   | N 71° 23' 42" W | 71.66    | 23        | Iron Pin     | 25200.00    | 25200.00   |
| 24                      | 300.00   | S 70° 23' 42" E | 72.70    | 24        | Concrete Man | 24100.00    | 24100.00   |
| 25                      | 300.00   | N 71° 23' 42" W | 76.38    | 25        | Iron Pin     | 22900.00    | 22900.00   |
| 26                      | 300.00   | S 70° 23' 42" E | 77.42    | 26        | Concrete Man | 21800.00    | 21800.00   |
| 27                      | 300.00   | N 71° 23' 42" W | 81.10    | 27        | Iron Pin     | 20600.00    | 20600.00   |
| 28                      | 300.00   | S 70° 23' 42" E | 82.14    | 28        | Concrete Man | 19500.00    | 19500.00   |
| 29                      | 300.00   | N 71° 23' 42" W | 85.82    | 29        | Iron Pin     | 18300.00    | 18300.00   |
| 30                      | 300.00   | S 70° 23' 42" E | 86.86    | 30        | Concrete Man | 17200.00    | 17200.00   |
| 31                      | 300.00   | N 71° 23' 42" W | 90.54    | 31        | Iron Pin     | 16000.00    | 16000.00   |
| 32                      | 300.00   | S 70° 23' 42" E | 91.58    | 32        | Concrete Man | 14900.00    | 14900.00   |
| 33                      | 300.00   | N 71° 23' 42" W | 95.26    | 33        | Iron Pin     | 13700.00    | 13700.00   |
| 34                      | 300.00   | S 70° 23' 42" E | 96.30    | 34        | Concrete Man | 12600.00    | 12600.00   |
| 35                      | 300.00   | N 71° 23' 42" W | 100.00   | 35        | Iron Pin     | 11400.00    | 11400.00   |
| 36                      | 300.00   | S 70° 23' 42" E | 101.04   | 36        | Concrete Man | 10300.00    | 10300.00   |
| 37                      | 300.00   | N 71° 23' 42" W | 104.72   | 37        | Iron Pin     | 9100.00     | 9100.00    |
| 38                      | 300.00   | S 70° 23' 42" E | 105.76   | 38        | Concrete Man | 8000.00     | 8000.00    |
| 39                      | 300.00   | N 71° 23' 42" W | 109.44   | 39        | Iron Pin     | 6800.00     | 6800.00    |
| 40                      | 300.00   | S 70° 23' 42" E | 110.48   | 40        | Concrete Man | 5700.00     | 5700.00    |
| 41                      | 300.00   | N 71° 23' 42" W | 114.16   | 41        | Iron Pin     | 4500.00     | 4500.00    |
| 42                      | 300.00   | S 70° 23' 42" E | 115.20   | 42        | Concrete Man | 3400.00     | 3400.00    |
| 43                      | 300.00   | N 71° 23' 42" W | 118.88   | 43        | Iron Pin     | 2200.00     | 2200.00    |
| 44                      | 300.00   | S 70° 23' 42" E | 119.92   | 44        | Concrete Man | 1100.00     | 1100.00    |
| 45                      | 300.00   | N 71° 23' 42" W | 123.60   | 45        | Iron Pin     | 0.00        | 0.00       |
| 46                      | 300.00   | S 70° 23' 42" E | 124.64   | 46        | Concrete Man |             |            |

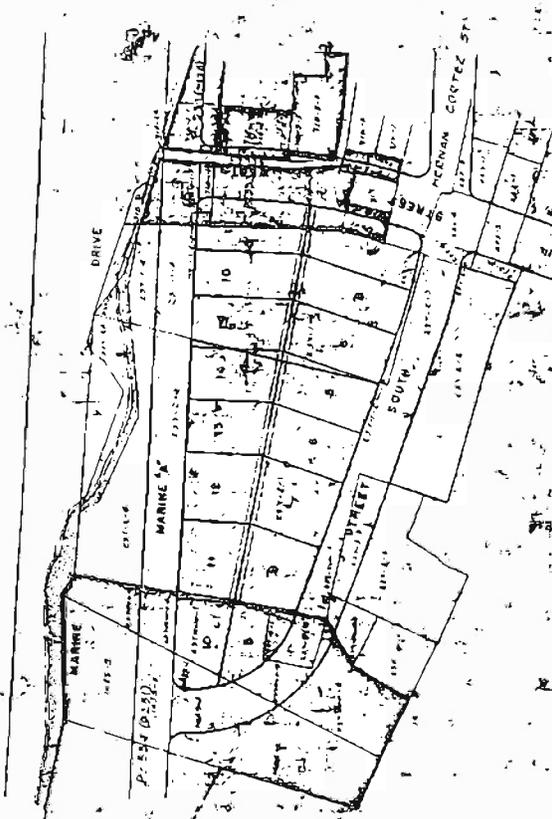


REVISION  
 DATE NO  
 PROPERTY MAP  
 BLOCK NO. 9, CITY OF NEW AGANA  
 LAND SO. 12, SEC. 4, MUN. OF AGANA  
 U.S. NAVAL GOVT. OF GUAM, I.T.  
 LAND & CLAIMS COMMISSION  
 DRAWN: P.M.S. SUMMITED  
 CHECKED: [Signature] APPROVED: [Signature]  
 DATE: 4 Feb '15  
 SCALE: 1 in = 200 ft  
 DRAWN: 2 P.M.S.  
 CHECKED: [Signature]  
 DATE: 4 Feb '15  
 SHEET NO. 1  
 IN 2 SHEETS  
 L.M. No. C-9  
 Agana / 11/1926 / (P)

Approved for Recording in the Land Records of Guam.  
 [Signature]  
 GUAM PLANNING COMMISSION  
 DATE: 11-17-15

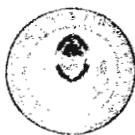
CA-5289

|                                           |     |      |         |
|-------------------------------------------|-----|------|---------|
| DATE                                      | NO. | NAME | REV. BY |
|                                           |     |      |         |
| PROPERTY OVERLAY                          |     |      |         |
| BLOCK NO. 9, CITY OF NEW AGANA            |     |      |         |
| LAND SQ. 12, SEC. 1, MUN. OF AGANA        |     |      |         |
| APPLICANT: U.S. NAVAL GOVT. OF GUAM, A.I. |     |      |         |
| LOCAL OFFICIAL: U.S. NAVAL COMMISSIONER   |     |      |         |



C-24

AGANA 17



**COMMITTEE ON RULES**

*I Mina' Trenta na Liheslaturan Guåhan* • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR  
RORY J.  
RESPICIO  
CHAIRPERSON**

**SENATOR  
Judith P. Guthertz  
VICE  
CHAIRPERSON**

**MAJORITY  
MEMBERS:**

**Judith T. Won Pat  
SPEAKER**

**Benjamin J. F. Cruz  
VICE SPEAKER**

**Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY**

**Thomas C. Ada  
SENATOR**

**Frank B. Aguon, Jr.  
SENATOR**

**Adolpho B. Palacios, Sr.  
SENATOR**

**Vicente C. Pangelinan  
SENATOR**

**Matthew Rector  
SENATOR**

**MINORITY  
MEMBERS:**

**Frank E. Blas, Jr.  
SENATOR**

**James V. Espaldon  
SENATOR**

October 6, 2009

**MEMORANDUM**

**To: Pat Santos**  
*Clerk of the Legislature*

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

**From: Senator Judith P. Guthertz, DPA**  
*Acting Chairperson, Committee on Rules*

**Subject: Referral of Bills No. 239-30(COR) to 243-30 (COR)**

As Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 239-30(COR) to 243-30 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

*Si Yu'os Ma'åse'!*

(1) Attachment

2009 OCT -6 AM 11:26

*I Mina'Trenta Na Lihestaturan Guåhan*

**Bill Log Sheet**

Page 1 of 1

| Bill No.        | Sponsor(s)                                   | Title                                                                                                                                                                                                                                                                                                                                                                                                         | Date Intro            | Date Referred | Committee Referred                                                              | Public Hearing Date | Date Committee Report Filed | Status (Date) |
|-----------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------|---------------------------------------------------------------------------------|---------------------|-----------------------------|---------------|
| 239-30<br>(COR) | R. J. Respicio,<br>J. P. Guthertz,<br>DPA    | An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of The Farmer's Cooperative Association of Guam.                                                                                                                                              | 10/05/09<br>9:03 a.m. | 10/06/09      | Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land |                     |                             |               |
| 240-30<br>(COR) | E. J. B. Calvo,<br>Ray Tenorio, T.<br>C. Ada | An act to subdivide and transfer portions of Block 1 Tract 268, Municipality of Yona from the Guam Water Works Authority to the Women Veterans of America, Chapter 28, Guam for use as housing for homeless veterans; to the Yoña Mayor's Office for the purpose of maintaining the existing multipurpose field and the remainder to be kept by Guam Waterworks Authority to be used as a sewer pump station. | 10/05/09<br>1:07 p.m. | 10/06/09      | Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land |                     |                             |               |
| 241-30<br>(COR) | v. c. pangelinan                             | An act to repeal §75104.1 of Chapter 75, Title 21 Guam Code Annotated relative to Lot No. 237-6-1, Agaña                                                                                                                                                                                                                                                                                                      | 10/05/09<br>3:02 p.m. | 10/06/09      | Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land |                     |                             |               |

October 9, 2009

The People

Memorandum

To: All Senators

From: Senator ben pangelinan

Re: Public Hearing Notice

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at 8:30am on **Monday, October 19, 2009** at the Guam Legislature's Public Hearing Room. The following confirmations and bills are on the agenda:

**Bill No. 30-171 (LS) – Senator Tina Muna Barnes**

AN ACT TO AMEND CHAPTER 70 TITLE 11 GUAM CODE ANNOTATED §70115, 70117 AND TO REPEAL AND REENACT §70116 RELATIVE MAKING IT CONVENIENT TO RENEW A GUAM BUSINESS LICENSE

**Bill No. 30-182 (COR) – Senator Eddie Calvo**

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 21 - 14 ENACTED ON APRIL 20, 1991 IDENTIFIED AS LOT NO. 513, MERIZO TO REFLECT THE NEW DESIGNATED LOT NO. 528-2, MUNICIPALITY OF MERIZO.

**Bill No. 30-240 (COR) – Senator Eddie Calvo**

AN ACT TO SUBDIVIDE AND TRANSFER PORTION OF BLOCK 1 TRACT 268 MUNICIPALITY OF YONA FROM THE GUAM WATER WORKS AUTHORITY TO THE WOMEN VETERAS OF AMERICA, CHAPTER 28 GUAM FOR USE AS HOUSING FOR HOMELESS VETERANS; TO THE YONA MAYOR'S OFFICE FOR THE PURPOSE OF MAINTAINING THE EXISTING MULTIPURPOSE FIELD AND THE REMAINDER TO BE KEPT BY GUAM WATERWORKS AUTHORITY TO BE USED AS A SEWER PUMP STATION.

**Bill No. 30-241 (COR) – Senator ben pangelinan**

AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA.

**Bill No. 30-246 (COR) – Senator ben pangelinan**

AN ACT TO AMEND §75108.1 (a) OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO COTTAGE INDUSTRY ACTIVITY AUTHORIZED.

For copies of the bills, you can log onto [www.guamlegislature.com](http://www.guamlegislature.com)

If you require any special accommodations, please contact the Office of Senator ben c. pangelinan at 473-4236 or email at [senbenp@guam.net](mailto:senbenp@guam.net)

RECEIVED BY: [Signature]  
DATE: 10/9/09  
TIME: 10:56 AM  
GUAM LEGISLATURE  
REPRODUCTION MAIL ROOM



The People

# Mina' Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

October 9, 2009

The Honorable Felix P. Camacho  
Governor of Guam

Re: Public Hearing Notice

Hafa Adai Governor Camacho,

The Committee on Appropriations, Taxation, Banking, Insurance and Land will be conducting a public hearing beginning at 8:30m on **Monday, October 19, 2009** at the Guam Legislature's Public Hearing Room. The following bill is on the agenda:

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
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If you require any special accommodations, please contact the Office of Senator ben c. pangelinan at 473-4236 or email at [senbenp@guam.net](mailto:senbenp@guam.net)

~~XXXXXXXXXXXXXXXXXXXX~~  
  
~~XXXXXXXXXXXXXXXXXXXX~~  
Albert Torres  
(Public Hearing)  
CEO  
~~XXXXXXXXXXXXXXXXXXXX~~  
Date: 10/9/09

Office of



The People

Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

October 9, 2009

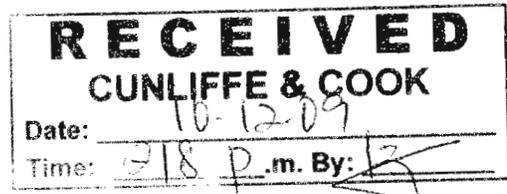
Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
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Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

Attorney Jeffery A. Cook  
Law Offices of Cunliffe & Cook  
Archbishop FC Flores Street  
Suite 200  
Hagatña, Guam 96910



Hafa Adai Attorney Cook,

The Committee on Appropriation, Taxation, Banking, Insurance, Retirement and Land will conduct a public hearing for **Bill No. 30-241, "AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA."** on Monday October 19, 2009 starting at 8 a.m. in the *I Liheslaturan* Public Hearing Room here in Hagatna. Please visit [www.guamlegislature.com](http://www.guamlegislature.com) for a copy of the bill.

We would like to invite you, and request that you inform the Radhi Puran Trust and the estate of Carmen Ojeda Herrero, to provide written and/or oral testimony at the hearing and will continue to receive testimony ten (10) days after the hearing in the event that you are unable to attend.

Please feel free to contact my office if you have any questions or concerns regarding this issue.

*Si Yu'os Ma'ase,*

  
ben c. pangelinan  
Senator



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

October 9, 2009

Attorney Thomas Keeler  
Office of the Attorney General  
287 West O'Brien Drive  
Hagatña, Guam 96910

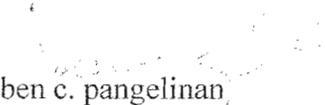
Hafa Adai Attorney Keeler,

The Committee on Appropriation, Taxation, Banking, Insurance, Retirement and Land will conduct a public hearing for **Bill No. 30-241, "AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA."** on Monday October 19, 2009 starting at 8 a.m. in the *I Liheslaturan* Public Hearing Room here in Hagatna. Please visit [www.guamlegislature.com](http://www.guamlegislature.com) for a copy of the bill.

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Please feel free to contact my office if you have any questions or concerns regarding this issue.

*Si Yu'os Ma'ase,*

  
ben c. pangelinan  
Senator

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0:26 pm c c

Office of



The People

Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

October 9, 2009

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

Mr. Chris Duenas  
Director  
Department of Land Management  
ITC Building, 6<sup>th</sup> Floor Marine Corps Drive  
Tamuning, Guam 96931

001  
1:20 wj

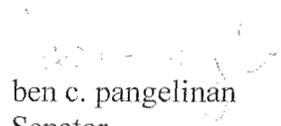
Hafa Adai Mr. Duenas,

The Committee on Appropriation, Taxation, Banking, Insurance, Retirement and Land will conduct a public hearing for **Bill No. 30-241, "AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA."** on Monday October 19, 2009 starting at 8 a.m. in the *I Liheslaturan* Public Hearing Room here in Hagatna. Please visit [www.guamlegislature.com](http://www.guamlegislature.com) for a copy of the bill.

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Please feel free to contact my office if you have any questions or concerns regarding this issue.

*Si Yu'os Ma'ase,*

  
ben c. pangelinan  
Senator



Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

October 9, 2009

Mayor John A. Cruz  
Hagatña Mayors Office  
Hagatña, Guam 96910

Hafa Adai Mayor Cruz,

The Committee on Appropriation, Taxation, Banking, Insurance, Retirement and Land will conduct a public hearing for **Bill No. 30-241, "AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA."** on Monday October 19, 2009 starting at 8 a.m. in the *I Liheslaturan* Public Hearing Room here in Hagatna. Please visit [www.guamlegislature.com](http://www.guamlegislature.com) for a copy of the bill.

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Please feel free to contact my office if you have any questions or concerns regarding this issue.

*Si Yu'os Ma'ase,*

ben c. pangelinan  
Senator

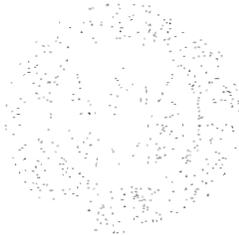
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JUL 17 2009

MAYORS COUNCIL  
OF GUAM

MARK  
CEREDA

Office of



The People

Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

October 9, 2009

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

Mr. Jesse Garcia  
Director  
Chamorro Land Trust Commission  
588 W. Marine Corps Drive  
Hagatna, Guam 96910

Hafa Adai Mr. Garcia,

The Committee on Appropriation, Taxation, Banking, Insurance, Retirement and Land will conduct a public hearing for **Bill No. 30-241, "AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA."** on Monday October 19, 2009 starting at 8 a.m. in the *I Liheslaturan* Public Hearing Room here in Hagatna. Please visit [www.guamlegislature.com](http://www.guamlegislature.com) for a copy of the bill.

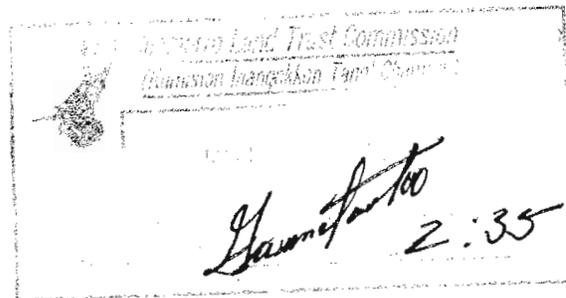
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Please feel free to contact my office if you have any questions or concerns regarding this issue.

*Si Yu'os Ma'ase,*

ben c. pangelinan  
Senator

Cc: Commission members



October 12, 2009

Memorandum

To: All Senators

From: Senator ben pangelinan

Re: Public Hearing Notice Addition

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The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at 8:30am on **Monday, October 19, 2009** at the Guam Legislature's Public Hearing Room. The following confirmations and bills are on the agenda:

**Bill No. 30-171 (LS) – Senator Tina Muna Barnes**

AN ACT TO AMEND CHAPTER 70 TITLE 11 GUAM CODE ANNOTATED §70115,70117 AND TO REPEAL AND REENACT §70116 RELATIVE MAKING IT CONVENIENT TO RENEW A GUAM BUSINESS LICENSE

**Bill No. 30-182 (COR) – Senator Eddie Calvo**

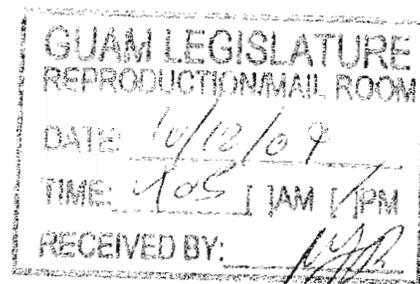
AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 21 - 14 ENACTED ON APRIL 20, 1991 IDENTIFIED AS LOT NO. 513, MERIZO TO REFLECT THE NEW DESIGNATED LOT NO. 528-2, MUNICIPALITY OF MERIZO.

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AN ACT TO SUBDIVIDE AND TRANSFER PORTION OF BLOCK 1 TRACT 268 MUNICIPALITY OF YONA FROM THE GUAM WATER WORKS AUTHORITY TO THE WOMEN VETERAS OF AMERICA, CHAPTER 28 GUAM FOR USE AS HOUSING FOR HOMELESS VETERANS; TO THE YONA MAYOR'S OFFICE FOR THE PURPOSE OF MAINTAINING THE EXISTING MULTIPURPOSE FIELD AND THE REMAINDER TO BE KEPT BY GUAM WATERWORKS AUTHORITY TO BE USED AS A SEWER PUMP STATION.

**Bill No. 30-241 (COR) – Senator ben pangelinan**

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**Bill No. 30-246 (COR) – Senator ben pangelinan**

AN ACT TO AMEND §75108.1 (a) OF CHAPTER 75, TITLE 21 GUAM  
CODE ANNOTATED RELATIVE TO  
COTTAGE INDUSTRY ACTIVITY AUTHORIZED.

**Addition:**

**Bill No. 30-248 (COR) – Senator Tom Ada**

AN ACT TO AUTHORIZE THE GOVERNMENT TO PROVIDE A  
GUARANTEE REQUESTED FOR THE APPROVAL OF A THIRTY  
MILLION DOLLAR LOAN FOR GUAM WATERWORKS AUTHORITY  
WHICH WAS PROCURED THROUGH AN RFP WITH THE GUAM  
ECONOMIC DEVELOPMENT AUTHORITY (GEDA).

For copies of the bills, you can log onto [www.guamlegislature.com](http://www.guamlegislature.com)

If you require any special accommodations, please contact the Office of Senator ben c.  
pangelinan at 473-4236 or email at [senbenp@guam.net](mailto:senbenp@guam.net)



**Mina' Trenta Na Lihelaturan Guahan  
THIRTIETH GUAM LEGISLATURE  
Senator vicente "ben" pangelinan**

**Public Hearing Notice  
Monday, October 19, 2009  
8:30am**

**Guam Legislature Public Hearing Room**

**Agenda**

**BILL NO. 30-171 (LS) - (Senator Tina Muna Barnes) AN ACT TO AMEND CHAPTER 70 TITLE 11 GUAM CODE ANNOTATED §70115, 70117 AND TO REPEAL AND REENACT §70116 RELATIVE MAKING IT CONVENIENT TO RENEW A GUAM BUSINESS LICENSE**

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**BILL NO. 240--30(COR) - (Senator Eddie Calvo) AN ACT TO SUBSIDIZE AND TRANSFER PORTION OF BLOCK 1 TRACT 268 MUNICIPALITY OF YONA FROM THE GUAM WATERWORKS AUTHORITY TO THE TO THE WOMEN VETERAS OF AMERICA, CHAPTER 28 GUAM FOR USE AS HOUSING FOR HOMELESS VETERANS; TO THE YONA MAYOR'S OFFICE FOR THE PURPOSE OF MAINTAINING THE EXISTING MULTIPURPOSE FIELD AND THE REMAINDER TO BE KEPT BY GUAM WATERWORKS AUTHORITY TO BE USED AS A SEWER PUMP STATION.**

**BILL NO. 241-30 (COR) - (Senator ben pangelinan) AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA.**

**BILL NO. 246-30 (COR) - (Senator ben pangelinan) AN ACT TO AMEND §75108.1 (a) OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO COTTAGE INDUSTRY ACTIVITY AUTHORIZED.**

**BILL NO 248-30 (COR) - (Senator Tom Ada) AN ACT TO AUTHORIZE THE GOVERNMENT TO PROVIDE A GUARANTEE REQUESTED FOR THE APPROVAL OF A THIRTY MILLION DOLLAR LOAN FOR GUAM WATERWORKS AUTHORITY WHICH AS PROCURED THROUGH AN RFP WITH THE GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA)**

For copies of bills, you can log onto <http://guamlegislature.com>  
If you require any special accommodations, please contact the office of Senator ben pangelinan at 473-4236 or email at [senbenp@guam.net](mailto:senbenp@guam.net)

Ad paid for by government funds.

*October 19, 2009*

*Marianas Variety*



Angelica Okada <aokada@guamlegislature.org>

## FIRST PUBLIC HEARING NOTICE ADDITION - Media

Anjelica Kulani Okada <aokada@guamlegislature.org>

Mon, Oct 12, 2009 at 8:58 AM

To: heather@kuam.com, janjeera@kuam.com, news@guampdn.com, news@k57.com, news@spbguam.com, rgibson@k57.com, Jason Salas <jason@kuam.com>, Josh Tyquiengco <jtyquiengco@spbguam.com>, Jude Lizama <jude@mvguam.com>, Mana Silva <msilva@spbguam.com>, Mindy Aguon <mindy@kuam.com>, Sabrina Salas Mantanane <sabrina@kuam.com>, Marianas Business Journal <managingeditor@glimpsesofiguam.com>, Zita Taitano <zita@mvguam.com>, gerry@mvguam.com

Hafa Adai,

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If you require any special accommodations, please contact the Office of Senator ben c. pangelinan at 473-4236 or email at [senbenp@guam.net](mailto:senbenp@guam.net)

–  
Anjelica Kulani I. Okada  
Policy Research Analyst  
I MINA'TRENTA NA LIHESLATURAN GUAHAN  
senator vicente "ben" c. pangelinan  
Committee on Appropriations, Taxation, Retirement, Banking, Insurance, and Land.  
(671) 473-4236 (office)  
(671) 473-4238 (fax)  
[senbenp.guamlegislature.org](mailto:senbenp.guamlegislature.org)  
[www.guamlegislature.org](http://www.guamlegislature.org)



Angelica Okada &lt;aokada@guamlegislature.org&gt;

## FIRST PUBLIC HEARING NOTICE Addition

Anjelica Kulani Okada &lt;aokada@guamlegislature.org&gt;

Mon, Oct 12, 2009 at 9:01 AM

To: lborres@yahoo.com, psantos@guamlegislature.org, vparriola@teleguam.net, "MALO' Joseph B. Leon Guerrero" <malo@guamlegislature.org>, Carlos Pangelinan <carlospguam@yahoo.com>, Clerk - Elvie Mew <emew@guamlegislature.org>, COS - Carl Quinata <ciquinata@gmail.com>, COS - Fred Burgos <fred@maltrector.com>, "COS - James P. Castro" <jamespcastro@gmail.com>, COS - Lauriel Manibusan <laurielisla@gmail.com>, COS - Martin Benavente <martinbenavente@yahoo.com>, COS - Patrick Cepeda <patrickcepeda@hotmail.com>, COS - Ronald Quitugua <rjquitugua@gmail.com>, CP - Bill Phillips <phillipsguam@gmail.com>, "CP- Juliette A. Gillham" <juliette@senatorada.org>, Ed Pocaigue <edpocaigue@judiwonpat.com>, Joy Unpingco <joyunpingco@gmail.com>, MIS Yong Pak <yong@guamlegislature.org>, Mona Duenas <mona.duenas@gmail.com>, Phillip Leon Guerrero <phill@raytenorio.com>, "Protocol - Anthony J. Quitugua" <tq@guamlegislature.org>, Rennae <rennae@guamlegislature.org>, "Senator Adolpho B. Palacios, Sr." <senabpalacios@gmail.com>, Senator ben pangelinan <senbenp@guam.net>, "Senator Edward J.B. Calvo" <sencalvo@gmail.com>, "Senator Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Senator James V. Espaldon" <senator@espaldon.com>, "Senator Juith T. Guthertz, DPA" <judiguthertz@gmail.com>, Senator Matt Reclor <matt@maltrector.com>, Senator Ray Tenorio <ray@raytenorio.com>, "Senator Rory J. Respicio" <roryforguam@gmail.com>, Senator Telo Taitague <senatortelo@gmail.com>, "Senator Tina R. Muna-Barnes" <linamunabarnes@gmail.com>, "Senator Tomas C. Ada" <office@senatorada.org>, "Speaker Judith T. Won Pat, Ed.D." <speaker@judiwonpat.com>, "Vice-Speaker Benjamin J. Cruz" <senadotbjcruz@aol.com>

Hafa Adai,

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at 8:30am on Monday, October 19, 2009 at the Guam Legislature's Public Hearing Room. The following bills are on the agenda:

Bill No. 30-171 (LS) – Senator Tina Muna Barnes

AN ACT TO AMEND CHAPTER 70 TITLE 11 GUAM CODE ANNOTATED §70115,70117 AND TO REPEAL AND REENACT §70116 RELATIVE MAKING IT CONVENIENT TO RENEW A GUAM BUSINESS LICENSE

Bill No. 30-182 (COR) – Senator Eddie Calvo

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 21 - 14 ENACTED ON APRIL 20, 1991 IDENTIFIED AS LOT NO. 513, MERIZO TO REFLECT THE NEW DESIGNATED LOT NO. 528-2, MUNICIPALITY OF MERIZO.

Bill No. 30-240 (COR) – Senator Eddie Calvo

AN ACT TO SUBDIVIDE AND TRANSFER PORTION OF BLOCK 1 TRACT 268 MUNICIPALITY OF YONA FROM THE GUAM WATER WORKS AUTHORITY TO THE WOMEN VETERAS OF AMERICA, CHAPTER 28 GUAM FOR USE AS HOUSING FOR HOMELESS VETERANS; TO THE YONA MAYOR'S OFFICE FOR THE PURPOSE OF MAINTAINING THE EXISTING MULTIPURPOSE FIELD AND THE REMAINDER TO BE KEPT BY GUAM WATERWORKS AUTHORITY TO BE USED AS A SEWER PUMP STATION.

Bill No. 30-241 (COR) – Senator ben pangelinan

AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA.

Bill No. 30-246 (COR) – Senator ben pangelinan

AN ACT TO AMEND §75108.1 (a) OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO COTTAGE INDUSTRY ACTIVITY AUTHORIZED.

Addition:

Bill No. 248-30(COR) – Senator Tom Ada

AN ACT TO AUTHORIZE THE GOVERNMENT TO PROVIDE A GUARANTEE REQUESTED FOR THE APPROVAL OF A THIRTY MILLION DOLLAR LOAN FOR GUAM WATERWORKS AUTHORITY WHICH WAS PROCURED THROUGH AN RFP WITH THE GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA).

For copies of the bills, you can log onto [www.guamlegislature.com](http://www.guamlegislature.com)

If you require any special accommodations, please contact the Office of Senator ben c. pangelinan at 473-4236 or email at [senbenp@guam.net](mailto:senbenp@guam.net)

Anjelica Kulani I. Okada

Policy Research Analyst

I MINA'TRENTA NA LIHESLATURAN GUAHAN

senator vicente "ben" c. pangelinan

Committee on Appropriations, Taxation, Retirement, Banking, Insurance, and Land.

(671) 473-4236 (office)

(671) 473-4238 (fax)

[senbenp.guamlegislature.org](mailto:senbenp.guamlegislature.org)[www.guamlegislature.org](http://www.guamlegislature.org)

**SECOND PUBLIC HEARING NOTICE**

From: **derick hills** (derickhills@live.com)

Sent: Thu 10/15/09 10:25 AM

To: Speaker Wonpat (speaker@judiwonpat.com); Senator Ada (office@senatorada.org); Senator Aguon (aguon4guam@gmail.com); Senator Barnes (tinamunabarnes@gmail.com); Frank Blas jr. (frank.blasjr@gmail.com); Eddie Calvo (sencalvo@gmail.com); Senator Crus, BJ (cjbjcruz@aol.com); Jim Espaldon (senator@espaldon.com); Senator Guthertz (judiguthertz@gmail.com); Senator Palacios (senabpalacios@gmail.com); Senator Rector (matt@mattrector.com); Senator Respicio (roryforguam@gmail.com); Telo Taitague (senatortelo@gmail.com); Ray Tenorio (ray@raytenorio.com); therese terlaje (tterlaje@guam.net); yong@guamlegislature.org

Cc: Guam Pacific Daily News (news@guampdn.com); news@k57.com; jason@kuam.com; Clynt Raygell (clynt@kuam.com); mindy@kuam.com; Heather Kuam (heather@kuam.com); Jan kuam (janjeera@kuam.com); msilva@pacificnewscenter.com; msilva@spbgum.com; jtyquiengco@spbgum.com; kevin@spbgum.com; Gerry Partido (gerry@mvguam.com); marvic@mvguam.com; managingeditor@glimpsesofiguam.com

Hafa Adai,

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at 8:30am on Monday, October 19, 2009 at the Guam Legislature's Public Hearing Room. The following bills are on the agenda:

Bill No. 30-171 (LS) -- Senator Tina Muna Barnes

AN ACT TO AMEND CHAPTER 70 TITLE 11 GUAM CODE ANNOTATED §70115,70117 AND TO REPEAL AND REENACT §70116 RELATIVE MAKING IT CONVENIENT TO RENEW A GUAM BUSINESS LICENSE

Bill No. 30-182 (COR) -- Senator Eddie Calvo

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 21 - 14 ENACTED ON APRIL 20, 1991 IDENTIFIED AS LOT NO. 513, MERIZO TO REFLECT THE NEW DESIGNATED LOT NO. 528-2, MUNICIPALITY OF MERIZO.

Bill No. 30-240 (COR) -- Senator Eddie Calvo

AN ACT TO SUBDIVIDE AND TRANSFER PORTION OF BLOCK 1 TRACT 268 MUNICIPALITY OF YONA FROM THE GUAM WATER WORKS AUTHORITY TO THE WOMEN VETERAS OF AMERICA, CHAPTER 28 GUAM FOR USE AS HOUSING FOR HOMELESS VETERANS; TO THE YONA MAYOR'S OFFICE FOR THE PURPOSE OF MAINTAINING THE EXISTING MULTIPURPOSE FIELD AND THE REMAINDER TO BE KEPT BY GUAM WATERWORKS AUTHORITY TO BE USED AS A SEWER PUMP STATION.

Bill No. 30-241 (COR) -- Senator ben pangelinan

AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA.

Bill No. 30-246 (COR) -- Senator ben pangelinan

AN ACT TO AMEND §75108.1 (a) OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO COTTAGE INDUSTRY ACTIVITY AUTHORIZED.

**Addition:**

**Bill No. 248-30(COR) -- Senator Tom Ada**

**AN ACT TO AUTHORIZE THE GOVERNMENT TO PROVIDE A GUARANTEE REQUESTED FOR THE APPROVAL OF A THIRTY MILLION DOLLAR LOAN FOR GUAM WATERWORKS AUTHORITY WHICH WAS PROCURED THROUGH AN RFP WITH THE GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA).**

Derick Baza-Hills  
**Office of Senator Ben Pangelinan**  
671-473-4236/7

*"Equality is the fruit of Prosperity" -Derick Baza Hills est. 09/09/09*

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The People

Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

October 14, 2009

The Honorable Felix P. Camacho  
Governor of Guam

Re: Public Hearing Notice Addition

Hafa Adai Governor Camacho,

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing beginning at 8:30am on **Monday, October 19, 2009** at the Guam Legislature's Public Hearing Room. The following confirmations and bills are on the agenda:

**Bill No. 30-171 (LS) – Senator Tina Muna Barnes**

AN ACT TO AMEND CHAPTER 70 TITLE 11 GUAM CODE ANNOTATED §70115, 70117 AND TO REPEAL AND REENACT §70116 RELATIVE MAKING IT CONVENIENT TO RENEW A GUAM BUSINESS LICENSE

**Bill No. 30-182 (COR) – Senator Eddie Calvo**

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 21 - 14 ENACTED ON APRIL 20, 1991 IDENTIFIED AS LOT NO. 513, MERIZO TO REFLECT THE NEW DESIGNATED LOT NO. 528-2, MUNICIPALITY OF MERIZO.

**Bill No. 30-240 (COR) – Senator Eddie Calvo**

AN ACT TO SUBDIVIDE AND TRANSFER PORTION OF BLOCK 1 TRACT 268 MUNICIPALITY OF YONA FROM THE GUAM WATER WORKS AUTHORITY TO THE WOMEN VETERAS OF AMERICA, CHAPTER 28 GUAM FOR USE AS HOUSING FOR HOMELESS VETERANS; TO THE YONA MAYOR'S OFFICE FOR THE PURPOSE OF MAINTAINING THE EXISTING MULTIPURPOSE FIELD AND THE REMAINDER TO BE KEPT BY GUAM WATERWORKS AUTHORITY TO BE USED AS A SEWER PUMP STATION.

**Bill No. 30-241 (COR) – Senator ben pangelinan**

AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA.

*(Handwritten signatures and stamps)*  
[Illegible signatures and stamps]

**Bill No. 30-246 (COR) – Senator ben pangelinan**  
AN ACT TO AMEND §75108.1 (a) OF CHAPTER 75, TITLE 21 GUAM  
CODE ANNOTATED RELATIVE TO  
COTTAGE INDUSTRY ACTIVITY AUTHORIZED.

**Addition:**

**Bill No. 30-248 (COR) – Senator Tom Ada**  
AN ACT TO AUTHORIZE THE GOVERNMENT TO PROVIDE A  
GUARANTEE REQUESTED FOR THE APPROVAL OF A THIRTY  
MILLION DOLLAR LOAN FOR GUAM WATERWORKS AUTHORITY  
WHICH WAS PROCURED THROUGH AN RFP WITH THE GUAM  
ECONOMIC DEVELOPMENT AUTHORITY (GEDA).

For copies of the bills, you can log onto [www.guamlegislature.com](http://www.guamlegislature.com)  
If you require any special accommodations, please contact the Office of Senator ben c.  
pangelinan at 473-4236 or email at [senbenp@guam.net](mailto:senbenp@guam.net)

# Hong Kong apartment sells for a whopping \$57 million

HONG KONG (AP) — It's a price tag that would make even New Yorkers and Londoners gasp — an outsized luxury apartment sold for nearly \$57 million in Hong Kong yesterday amid growing fears of a real estate bubble.

The five-bedroom duplex suite with as much as 6,158 square feet was sold to an unidentified buyer from mainland China, said the developer, Henderson Land Development, a major Hong Kong property company.

It is believed to be Asia's most expensive property by square foot at nearly \$9,200.

Aside from an aroma spa center, fitness room, outdoor yoga gym and grand harbor views, the new homeowner will enjoy an exclusive address in the hills of Hong Kong's main island — "a majestic realm for the city who's who," according to a statement from the developer.

The deal comes at a time when ever-higher prices of Hong Kong real estate, benefiting from mainland China's booming market and easy

money sloshing through the world financial system, are inspiring worries of a bubble in the making.

Several blockbuster deals in the tens of millions of dollars have made headlines of late.

Hong Kong's leader, Donald Tsang, said Wednesday in his annual policy address that the government may free up more land for development to help add supply and bring down prices.

"The relatively small number of residential units completed and the record prices attained in certain transactions this year have caused concern about the supply of flats, difficulty in purchasing a home, and the possibility of a property bubble," Tsang told lawmakers.

The city has long had one of the world's most expensive property markets, with prices that many local residents are hard pressed to afford.

About 47 percent of Hong Kong lives in publicly subsidized housing, according to government data.

At 39 Conduit Road, the name and site of the building



A luxurious residential building named 'Conduit Road 39' is seen from the Peak in Hong Kong Wednesday, Oct. 14, 2009. A five-bedroom duplex suite located in the building with as much as 6,158 square feet was sold Wednesday to an unidentified buyer from mainland China, said the developer, Henderson Land Development, a major Hong Kong property company. It claims the apartment is the most expensive in Asia by square foot.

where the high-end apartment was purchased, another unit was snapped up for a mere \$51 million.

The building "offers a

chance to allow the elites in town to enjoy such prestigious property," said Thomas Lam, Henderson's sales general manager.

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Mina Trenta Na Lihelaturan Guahan  
**THIRTIETH GUAM LEGISLATURE**  
Senator vice "ben" pangellian

Public Hearing Notice  
Monday, October 19, 2009  
8:30am

Guam Legislature Public Hearing Room

Agenda

BILL NO. 30-171 (LS) - (Senator Yida Muna Barnes) AN ACT TO AMEND CHAPTER 70 TITLE 11 GUAM CODE ANNOTATED §7015, 7017 AND TO REPEAL AND REENACT §7016 RELATIVE MAKING IT CONVENIENT TO RENEW A GUAM BUSINESS LICENSE

BILL NO. 30-182 (COR) - (Senator Eddie Cabran) AN ACT TO AMEND SECTION 8 OF PUBLIC LAW 21-14 ENACTED ON APRIL 26, 1991 IDENTIFIED AS LOT NO. 513, MERIZO TO REFLECT THE NEW DESIGNATED LOT NO. 528-2, MUNICIPALITY OF MERIZO.

BILL NO. 240-300 (COR) - (Senator Eddie Cabran) AN ACT TO SUBSIDIZE AND TRANSFER PORTION OF BLOCK 1 TRACT 248 MUNICIPALITY OF YONA FROM THE GUAM WATER WORKS AUTHORITY TO THE TO THE WOMEN VETERANS OF AMERICA, CHAPTER 28 GUAM FOR USE AS HOUSING FOR HOMELESS VETERANS; TO THE YONA MAYOR'S OFFICE FOR THE PURPOSE OF MAINTAINING THE EXISTING MULTIPURPOSE FIELD AND THE REMAINDER TO BE KEPT BY GUAM WATERWORKS AUTHORITY TO BE USED AS A SEWER PUMP STATION.

BILL NO. 244-30 (COR) - (Senator ben pangellian) AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA.

BILL NO. 246-30 (COR) - (Senator ben pangellian) AN ACT TO AMEND §75104.1 (a) OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO COTTAGE INDUSTRY ACTIVITY AUTHORIZED.

BILL NO 248-30 (COR) - (Senator Tom Ada) AN ACT TO AUTHORIZE THE GOVERNMENT TO PROVIDE A GUARANTEE REQUESTED FOR THE APPROVAL OF A THIRTY MILLION DOLLAR LOAN FOR GUAM WATERWORKS AUTHORITY WHICH IS PROCURED THROUGH AN REP WITH THE GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA).

For copies of bills, you can log onto <http://guamlegislature.com>. If you require any special accommodations, please contact the office of Senator ben pangellian at 673-4236 or email at [ben@benp-guam.net](mailto:ben@benp-guam.net).

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Mina' Trenta Na Liheslaturan Guahan  
**THIRTIETH GUAM LEGISLATURE**  
Senator vicente "ben" c. pangelinan

Public Hearing Notice  
Monday, October 19, 2009, 8:30 am, Guam Legislature Public Hearing Room

Agenda

- Bill No. 30-171 (LS) - (Senator Tina Muno Barnes) An Act to Amend Chapter 70 Title 11 Guam Code Annotated §70115, 70117 and to Repeal and Reenact §70116 Relative making it convenient to renew a Guam Business License
- Bill No. 30-182 (COR) - (Senator Eddie Calvo) An Act to Amend Section 6 of Public Law Designated Lot No. 526-2, Municipality of Merizo.
- Bill No. 240-30 (COR) - (Senator Eddie Calvo) An Act to Subdivide and Transfer portion of Block 1 Tract 268 Municipality of Yona from the Guam Water Works Authority to the Women Veterans of America, Chapter 28 Guam for use as housing for homeless veterans; to the Yona Mayor's Office for the purpose of maintaining the existing multipurpose field and the remainder to be kept by Guam Waterworks Authority to be used as a sewer pump station.
- Bill No. 241-30 (COR) - (Senator ben pangelinan) An Act to Repeal §75104.1 of Chapter 75, Title 21 Guam Code Annotated relative to Lot No. 237-6-1, Agaña.
- Bill No. 246-30 (COR) - (Senator ben pangelinan) An Act to Amend §75108.1 (a) of Chapter 75, Title 21 Guam Code Annotated relative to Collage Industry Activity Authorized
- Bill No. 248-30 (COR) - (T.C. Ada / A.B. Palacios, Sr.) An Act to authorize the government to provide a guarantee requested for the approval of a Thirty Million Dollar loan for Guam Waterworks Authority which was procured through an RFP with the Guam Economic Development Authority.

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Pacific Daily News Friday, October 16, 2009  
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**Mina' Trenta Na Liheslaturan Guahan**  
**THIRTIETH GUAM LEGISLATURE**

**Senator vicente "ben" c. pangelinan**

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**Agenda**

**Monday, October 19, 2009**

**8:30am**

**Guam Legislature Public Hearing Room**

**Bills:**

**Bill No. 30-171 (LS) – Senator Tina Muna Barnes**

AN ACT TO AMEND CHAPTER 70 TITLE 11 GUAM CODE ANNOTATED §70115,70117 AND TO REPEAL AND REENACT §70116 RELATIVE MAKING IT CONVENIENT TO RENEW A GUAM BUSINESS LICENSE

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AN ACT TO SUBDIVIDE AND TRANSFER PORTION OF BLOCK 1 TRACT 268 MUNICIPALITY OF YONA FROM THE GUAM WATER WORKS AUTHORITY TO THE WOMEN VETERAS OF AMERICA, CHAPTER 28 GUAM FOR USE AS HOUSING FOR HOMELESS VETERANS; TO THE YONA MAYOR'S OFFICE FOR THE PURPOSE OF MAINTAINING THE EXISTING MULTIPURPOSE FIELD AND THE REMAINDER TO BE KEPT BY GUAM WATERWORKS AUTHORITY TO BE USED AS A SEWER PUMP STATION.

**Bill No. 30-241 (COR) – Senator ben pangelinan**

AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO LOT NO. 237-6-1, AGANA.

**Bill No. 30-246 (COR) – Senator ben pangelinan**

AN ACT TO AMEND §75108.1 (a) OF CHAPTER 75, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO COTTAGE INDUSTRY ACTIVITY AUTHORIZED.

**Addition:**

**Bill No. 30-248 (COR) – Senator Tom Ada**

AN ACT TO AUTHORIZE THE GOVERNMENT TO PROVIDE A GUARANTEE REQUESTED FOR THE APPROVAL OF A THIRTY MILLION DOLLAR LOAN FOR GUAM WATERWORKS AUTHORITY WHICH WAS PROCURED THROUGH AN RFP WITH THE GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA).

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**COMMITTEE ON RULES**

*I Mina'Trenta na Libeslaturan Guåhan* • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

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RESPICIO  
CHAIRPERSON**

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Judith P. Guthertz  
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**Benjamin J. F. Cruz  
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SENATOR**

**James V. Espaldon  
SENATOR**

October 29, 2009

Memorandum

**To: Ms. Patricia C. Santos  
Clerk of the Legislature**

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

**Subject: Supplement to Committee Report on Bill No. 241-30(COR)**

Transmitted herewith, at the request of Senator vicente c. pangelinan is a supplement to the Committee Report on Bill No. 241-30(COR), submitted by the Committee on Appropriations, Taxation, Banking, Insurance, Retirement and Land, and filed on October 27, 2009.

Please file accordingly and forward to MIS for posting on the Legislature's website.

*Si Yu'os Ma'åse!*

cc: Senator vicente c. pangelinan

2009 OCT 29 PM 2:52  
MM



Mina' Trenta Na Li Heshlaturan Guahan

Senator vicente (ben) c. pangelinan (D)

October 27, 2009

Senator Rory Respicio  
Chairman  
Committee on Rules  
*I Li Heshlaturan Guahan*  
Hagatña, Guam

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

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Committee on Education

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Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

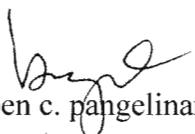
Re: Supplemental to Committee Report on Bill 241-30

Hafa Adai Senator Respicio,

I respectfully request the following written testimonies be supplemented in the Committee Report for Bill 241-30 by the Committee on Appropriations, Taxation, Banking, Insurance, Retirement and Land.

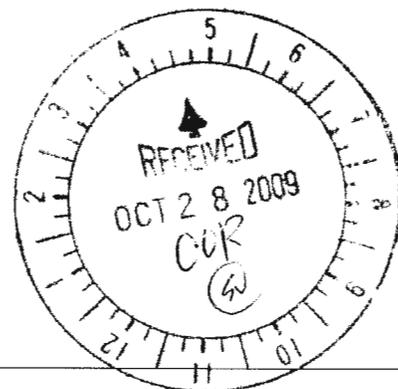
If you should have any questions or concerns please feel free to contact my office.

Si Yu'os Ma'ase,



ben c. pangelinan  
senator

Attachment



**SUPPLEMENT TO  
COMMITTEE REPORT ON  
Bill No. 241-30 (COR)**

**\*NOTE: Original Committee Report on  
Bill No. 241-30(COR)  
was filed on October 27, 2009**

October 6, 2009

Hon. Vicente "Ben" Pangelinan, Senator  
**THIRTIETH GUAM LEGISLATURE**  
**I MINA'TRENTA NA LIHESLATURAN GUAHAN**  
324 West Soledad Avenue  
Hagåtña, Guam 96910



RE: **Bill No. 241-30(COR)**

Dear Senator Pangelinan:

I am writing in support of Bill No. 241-30(COR). I am writing on behalf of my two (2) sisters, Bertha Hollister and Nora Peterson, and I. We are the owners of Lot No. 237-6-1, Municipality of Hagåtña, Guam. We are the daughters and heirs of Carmen Ojeda Herrero. Pursuant to the Decree Settling Final Account of Administratrix in our mother's estate in Superior Court of Guam Probate Case PR0147-81, all our mother's property was distributed equally to my two (2) sisters and myself.

Our mother has a valid Certificate of Title, Instrument No. 2245 for Lot No. 237-6, Municipality of Hagåtña, Guam, of which Lot No. 237-6-1 is part. The remaining portion of Basic Lot No. 237-6, Municipality of Hagåtña, Guam, was taken by the federal government in District Court of Guam Case No. 0004-48, for part of First Street South, Hagåtña, Guam.

Recently, my sisters and I were contacted by Jeffrey A. Cook, Esq., attorney for the Radhi Puran Trust, which owns Lot Nos. 9 and 10, Block 9, Municipality of Hagåtña, Guam. Our lot, Lot No. 237-6-1 is part of Lot No. 9, Block 9, Municipality of Hagåtña, Guam. Mr. Cook advised us that his client wished to buy Lot No. 237-6-1. He further advised us that there was a cloud on the title of this lot created by Public Law 22-152 §6.

We have now been advised that through the efforts of Mr. Cook, the Department of Land Management, Office of the Attorney General and the Chamorro Land Trust Commission, it has been determined that the Government of Guam does not own an interest in Lot No. 237-6-1, Municipality of Hagåtña, Guam. It has further been determined that, in fact, our late mother owned this lot and pursuant to the orders in her probate, this lot now belongs to my two (2) sisters and I.

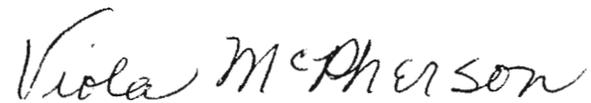
My sisters and I wish to complete the sale of Lot No. 237-6-1 to the Radhi Puran Trust as expeditiously as possible. We ask that you and the other senators of the 30th Guam Legislature pass Bill No. 241-30(COR) introduced by you as soon as possible.

Hon. Vicente "Ben" Pangelinan, Senator  
**THIRTIETH GUAM LEGISLATURE**  
**I MINA'TRENTA NA LIHESLATURAN GUAHAN**  
October 6, 2009  
Page Two

Since my sisters and I reside in California, we are unable to attend the public hearing on the bill. We, therefore, request that you read this letter into the record in support of passage of this Bill introduced by you. If you need anything further from my sisters and I in support of the bill, please advise as soon as possible.

On behalf of my sisters, we thank you and the Guam Legislature for correcting this error and returning this property to its rightful owners.

Sincerely,

A handwritten signature in cursive script that reads "Viola McPherson". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

**VIOLA McPHEARSON**

cc: Bertha Hollister  
Nora Peterson  
Jeffrey A. Cook, Esq.

F RANDALL CUNLIFFE  
JEFFREY A. COOK

JEFFREY A. MOOTS

LAW OFFICES

*Cunliffe & Cook*

Suite 200  
210 Archbishop E.C. Flores Street  
Hagåtña, Guam 96910

TELEPHONE (671) 472-1824

TELEFAX (671) 472-2422

E-MAIL cclaw@teleguam.net

October 16, 2009

**Hand Deliver**

Hon. Vicente "Ben" Pangelinan, Senator  
**THIRTIETH GUAM LEGISLATURE**  
**I MINA'TRENTA NA LIHESLATURAN GUAHAN**  
324 West Soledad Avenue  
Hagåtña, GU 96910

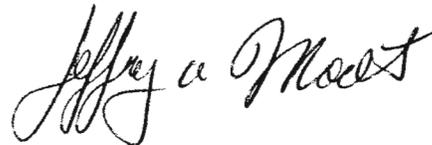
RE: **Bill No. 30-241**

Dear Senator Pangelinan:

I am writing on behalf of our client, The Radhi Puran Trust, in support of Bill No. 30-241, as to Lot 237-6-1, Agana. Submitted herewith are various correspondences to support of the findings that the Government of Guam does not own said lot.

Thank you for your consideration.

Sincerely,  
**CUNLIFFE & COOK**



For JEFFREY A. COOK

:rgb JAC Letters 2009  
October H-0108.4

Enclosures as stated above.



F RANDALL CUNLIFFE  
JEFFREY A. COOK

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April 10, 2009

**VIA TELECOPIER**

Mr. Joseph Borja, Administrator Director  
**CHAMORRO LAND TRUST COMMISSION**  
Post Office Box 2950  
Hagåtña, Guam 96932  
Fax: 477-8082

RE: **Lot 237-6-1, Agana, Guam**

Dear Joe:

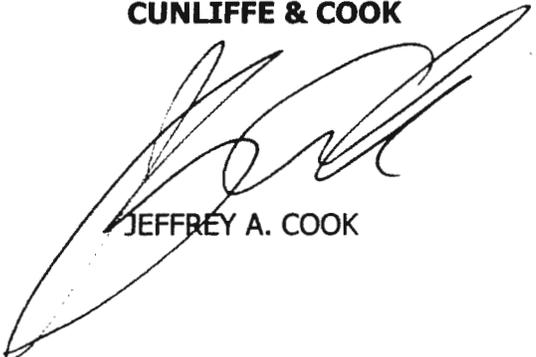
I am writing as counsel for the Radhi Puran Trust. The Radhi Puran Trust is the owner of Lot 9, Block 9, Agana, Guam. The Trust is in the process of trying to sell the property. Although it does not show up in an abstract of title on Lot 9, Block 9, the Government of Guam through the Chamorro Land Trust appears to claim an interest in Lot No. 237-6-1 which is part of Lot 9, Block 9. This interest is found at 21 GCA §75104.1.

Please advise the basis for the Government's claimed interest in Lot 237-6-1 that resulted in this public law. We are trying to quiet title so the sale of the property can be completed as soon as possible.

Your prompt response is appreciated. If you would like to discuss this matter with me, please do not hesitate to contact me.

Sincerely,

**CUNLIFFE & COOK**



JEFFREY A. COOK

JAC:njd JAC Letters 2009  
April 2009 H0108.4

cc: Ms. Radhi P. Hemlani  
Mr. Manu Hemlani  
Ms. Vicky Anderson  
Ms. Sara Pangelinan

F RANDALL CUNLIFFE  
JEFFREY A. COOK

LAW OFFICES  
*Cunliffe & Cook*  
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210 Archbishop F.C. Flores Street  
Hagåtña, Guam 96910

TELEPHONE (671) 472-1824  
TELEFAX (671) 472-2422  
E-MAIL cclaw@teleguam.net

May 11, 2009

**VIA TELECOPIER**  
[Fax: 477-8082]

Mr. Jesse Garcia, Administrator Director  
**CHAMORRO LAND TRUST COMMISSION**  
Post Office Box 2950  
Hagåtña, Guam 96932

RE: **Lot 237-6-1, Municipality of Hagåtña, Guam**

Dear Jesse:

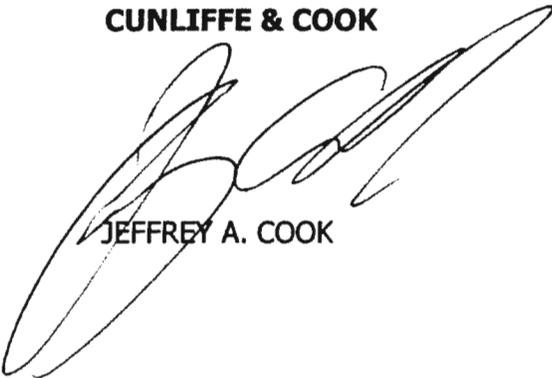
Attached is a letter I sent to Joseph Borja on April 10, 2009, regarding the above-referenced lot. Also, attached is an email I sent to Tom Keeler, Assistant Attorney General, Office of the Attorney General, regarding same. Mr. Keeler recently advised me that their office is unable to locate a file on either said lot or under the Trust. He has recommended that I coordinate with you regarding this matter.

I would appreciate if your office and legal counsel, and if necessary, with the coordination of the Office of the Attorney General, could review this matter and provide a response as to whether or not the Chamorro Land Trust Commission believes it actually owns Lot No. 9, Block No. 9, Municipality of Hagåtña, Guam, pursuant to public law. My client has a sale that is being held up by the cloud on the title.

Your prompt response would be very much appreciated.

Sincerely,

**CUNLIFFE & COOK**



JEFFREY A. COOK

JAC:njd JAC Letters 2009  
May1 2009 H0108.4  
Enclosure as stated.

cc: Ms. Radhi P. Hemlani  
Mr. Manu Hemlani  
Ms. Vicky Anderson  
Ms. Sara Pangelinan



# Chamorro Land Trust Commission

*(Kumision Inangokkon Tano' Chamoru)*

P.O. Box 2950 Hagåtña, Guam 96932

Phone: 475-4251 Fax: 477-8082

June 1, 2009

*Felix P. Camacho*  
Governor of Guam

*Michael W. Cruz, M.D.*  
Lieutenant Governor of Guam

**Commission Members**

*Oscar A. Calvo*  
Acting Chairman

*David J. Matanane*  
Vice-Chairman

*Pauline Gumataotao*  
Commissioner

*Carmen G. Tajalle*  
Commissioner

*Andrew S. Leon Guerrero*  
Acting Commissioner

*Jesse G. Garcia*  
Administrative Director

TO: Attorney Jeffrey A. Cook  
Law Offices Cunliffe & Cook

FR: Jesse G. Garcia  
Administrative Director

RE: Lot 237-6-1, Municipality of Hagatna, Guam

I have received your letter of May 11, 2009. Lot 237-6-1, Municipality of Hagatna which contains an area of 100± square meters is identified as Chamorro Land Trust Commission property as per Public Law 22-152, Section 6 attached.

Please do not hesitate to contact me at 475-4251 if you have any questions.

JESSE G. GARCIA  
Administrative Director

-----  
**PUBLIC LAW NO. 22-152**

Bill No. 1126 (LS)  
Date Became Law: December 29, 1994  
Governor's Action: Approved

Introduced by: E. D. Reyes  
T. S. Nelson  
T. C. Ada  
J. P. Aguon  
M. Z. Bordallo  
C. T. C. Gutierrez  
V. C. Pangelinan  
J. T. San Agustin  
D. L. G. Shimizu  
A. C. Blaz  
F. P. Camacho  
T. V. C. Tanaka  
E. P. Arriola  
H. D. Dierking  
P. C. Lujan  
D. Parkinson  
F. E. Santos  
J. G. Bamba  
D. F. Brooks  
M. D. A. Manibusan  
A. R. Unpingco

**AN ACT TO AUTHORIZE THE TRANSFER OF A CERTAIN PARCEL OF GOVERNMENT LAND SITUATED IN MANGILAO, MUNICIPALITY OF BARRIGADA, TO THE UNIVERSITY OF GUAM, TO AUTHORIZE AN EASEMENT ACROSS SUCH PROPERTY, AND TO PERMIT A CONDITIONAL USE OF THE PROPOSED SITE OF THE PACIFIC BIBLE COLLEGE; AND TO ADD §75104.1 TO TITLE 21, GUAM CODE ANNOTATED, TO TRANSFER LOT NO. 237-6-1, AGAÑA, TO THE CHAMORRO LAND TRUST COMMISSION.**

Section 1... Legislative statement.  
Section 2... Authorization to transfer.  
Section 3... Conditions of grant.  
Section 4... Authorization to grant an easement.  
Section 5... Conditional use granted.  
Section 6... §75104.1 is hereby added to Title 21, Guam Code Annotated.

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

**Section 1. Legislative statement.** The government of Guam owns Lot No. 5372-3A, situated in Mangilao, Municipality of Barrigada, said to contain an area of 42,752 square meters, as delineated on LM Drawing No. C4-671-5 (the "Mangilao Lot"). The Mangilao Lot is conveniently situated in the immediate vicinity of the University of Guam (the "University"). The University continues to experience an unprecedented annual enrollment growth of fourteen percent. This growth has necessitated adjustments to the University's Physical Master Plan in its classroom, faculty, and support capacities. The current student enrollment of 3,800 is a signal that the University must plan to have adequate learning facilities in the very near future. Acquisition of sufficient properties is needed to allow for expansion of its facilities in anticipation of projected enrollments of 5,000 in 1996 and 7,000 by the year 2000.

The Executive Branch has indicated its intention to reserve the Mangilao Lot for the use of the University. At the time the Legislature was considering which government lots were to be reserved for future use by government agencies and departments, the Mangilao Lot was not made part of the legislative action which

concluded as Public Law 22-18 because of the impending adoption of a resolution supporting reservation of the land by the University's Board of Regents.

Now the Board of Regents has come forward to seek use of the Mangilao Lot for dormitories and other facilities as part of the University's Master Plan implementation. The Legislature supports the University's efforts to expand its educational programs and facilities and finds that the Mangilao Lot is needed for that purpose.

**Section 2. Authorization to transfer.** For the purpose of building international student dormitories, fine arts facilities, international studies centers and additional classrooms, the Governor of Guam is hereby authorized to grant to the University of Guam, in fee simple, all the right, title and interest of the government of Guam in the Mangilao Lot.

**Section 3. Conditions of grant.** The transfer of the interest of the government of Guam in the Mangilao Lot to the University of Guam is expressly subject to the condition subsequent that in the event it is determined that the Mangilao Lot is no longer used by the University for university-related purposes, the government of Guam shall have the right to re-enter the Mangilao Lot after recorded notice to such effect and the University shall convey by Quitclaim Deed all its rights, title and interest in the Mangilao Lot to the government of Guam upon demand. As used herein, "university-related purposes" shall include the construction of international student dormitories, fine arts facilities, international studies centers and additional classrooms. The Governor of Guam shall include, in any deed effecting the transfer of the Mangilao Lot to the University of Guam, a clause to such effect.

**Section 4. Authorization to grant an easement.** For the purpose of access and utility easements to the planned site of the Pacific Island Bible College, the University is hereby authorized to grant to Liebenzell Mission-Guam, a non-profit corporation, at fair market value, an easement forty feet (40') in width to provide underground utilities and access to the Pacific Island Bible College over the Mangilao Lot.

**Section 5. Conditional use granted.** Conditional use is hereby granted to Liebenzell Mission-Guam to utilize Lot No. 5396-R5-NEW-3, Mangilao, for the construction and operation of a non-profit private bible college.

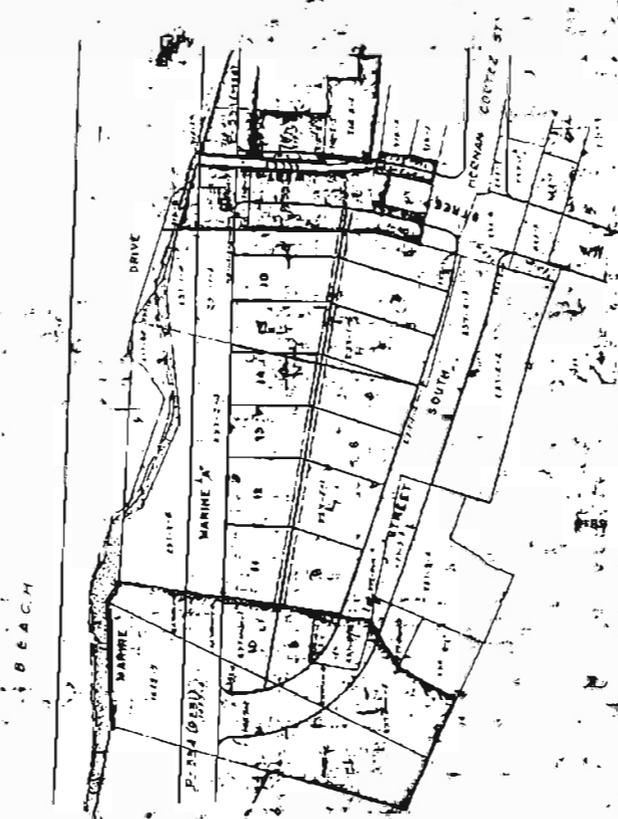
**Section 6.** §75104.1 is hereby added to Title 21, Guam Code Annotated, to read:

"§75104.1. **Transfer of Lot No. 237-6-1, Agaña.** The Governor shall transfer to the Chamorro Land Trust Commission administrative control of Lot No. 237-6-1, Agaña, which contains an area of 100± square meters and is within Lot 9, Block 9, Agaña, as depicted on sheet 2 of Drawing P-384, recorded in the Department of Land Management as a part of Instrument No. 20083."



CA-5289

|                                      |                             |         |         |
|--------------------------------------|-----------------------------|---------|---------|
| DATE                                 | NO.                         | SECTION | NO. 372 |
| PROPERTY OVERLAY                     |                             |         |         |
| BLOCK NO. 9, CITY OF NEW AGANA       |                             |         |         |
| LAND SQ. 12, SEC. 41, MUNI. OF AGANA |                             |         |         |
| PREPARED BY                          | U.S. NAVAL GOVT. OF GUAM, A |         |         |
| SCALE                                | LAND & CLAIMS COMMISSION    |         |         |
| DATE                                 | 1964                        |         |         |



F RANDALL CUNLIFFE  
JEFFREY A. COOK

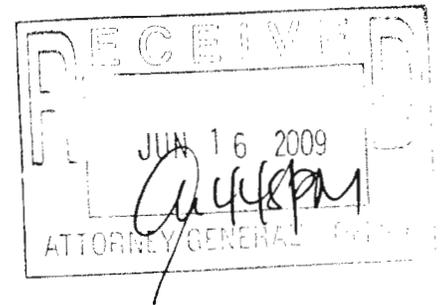
LAW OFFICES  
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Hagåtña, Guam 96910

TELEPHONE (671) 472-1824  
TELEFAX (671) 472-2422  
E-MAIL cclaw@teleguam.net

June 15, 2009

**HAND DELIVER**

Thomas P. Keeler, Assistant Attorney General  
**OFFICE OF THE ATTORNEY GENERAL**  
Civil Litigation Division  
287 West O'Brien Drive  
Hagåtña, GU 96910



RE: **Lot 237-6-1, Municipality of Hagåtña, Guam**

Dear Tom:

Attached are documents relating to the passage of P.L. 22-152:6. The documents include:

1. A map for the Property Overlay of Block No. 9, New Agana (Drawing No. C4.52P9.1);
2. A Relocation Sketch of Lot Nos. 9 and 10, Block 9;
3. The Declaration of Taking, Schedule A in Civil No. 4-48 filed January 10, 1995, that identifies Lot 237-6 on page 5;
4. A letter dated December 23, 1993, from Ray Aflague to Joseph Borja regarding Mr. Hemlani's request to purchase said lot;
5. A letter dated December 6, 1994, from Raymond Aflague, Department of Land Management, to P.D. Hemlani regarding Lot 237-6-1, Hagåtña, Guam; and,
6. A letter dated December 14, 1994, from Jerry Hogan to Governor Joseph Ada with a draft of P.L. 22-152:6.

I hope these documents will assist your office in reviewing this matter and making the determination that the government of Guam did not have any interest in Lot 237-6-1.

Thomas P. Keeler, Assistant Attorney General  
**OFFICE OF THE ATTORNEY GENERAL**  
Civil Litigation Division  
June 15, 2009  
Page Two

Once again, thank you for your prompt attention to this matter as there is a pending sale of Lots Nos. 9 and 10, Block 9, Municipality of Hagåtña.

Sincerely,

**CUNLIFFE & COOK**



JEFFREY A. COOK

JAC:rgb JAC Letters 2007  
June 2009 H-0108.4  
Enclosures as stated above.

F. RANDALL CUNLIFFE  
JEFFREY A. COOK

JEFFREY A. MOOTS

LAW OFFICES

*Cunliffe & Cook*

Suite 200  
210 Archbishop F.C. Flores Street  
Hagåtña, Guam 96910

TELEPHONE (671) 472-1824  
TELEFAX (671) 472-2422  
E-MAIL cclaw@teleguam.net

August 6, 2009

Hon. Vicente "Ben" Pangelinan, Senator  
**THIRTIETH GUAM LEGISLATURE**  
**I MINA'TRENTA NA LIHESLATURAN GUAHAN**  
324 West Soledad Avenue  
Hagåtña, GU 96910

RE: **Lot No. 237-6-1, Municipality of Hagåtña, Guam**

Dear Senator Pangelinan:

I am writing as counsel for the Radhi Puran Trust regarding the above-referenced lot. The Trust owns Lot Nos. 9 and 10, Block 9, New Agana, Guam. A portion of Lot No. 9 is made up of Lot No. 237-6-1. In Public Law 22-152, at Section No. 6, the Guam Legislature added Section No. 75104.1 to Title 21 Guam Code Annotated transferring administrative control of Lot No. 237-6-1, Municipality of Hagåtña, Guam, to the Chamorro Land Trust Commission.

Our office has conducted extensive research on the ownership of this lot, including Abstracts of Title prepared by Pacific American Title Insurance & Escrow. All of this research fails to turn up any record that the Government of Guam has an interest in Lot No. 237-6-1, Municipality of Hagåtña, Guam. What this research does reveal is that Lot No. 237-6-1 is owned by the Estate of Carmen Ojeda Herrero. Ms. Herrero owned Basic Lot No. 237-6 as evidenced by Certificate of Title No. 2245. A portion of Lot No. 237-6 was taken by the federal government to create the road known as First Street which borders Lot Nos. 9 and 10, Block 9, New Agana, Guam. In Civil No. 4-48, District Court of Guam, pertaining to the taking of property in Hagåtña, Guam, by the United States of America, Schedule A of the Declaration of Taking filed January 10, 1955, identifies the federal government having taken 156 square meters of Lot No. 237-6. This 156 square meters actually comprised Lot No. 237-6-2 on the overlay map of Block No. 9, which the federal government took for the right-of-way. There is no record that the federal government took anymore of Lot No. 237-6 than set forth in the order from the District Court of Guam. Therefore, the remaining portion of Lot No. 237-6 nka Lot No. 237-6-1, remained the property of Carmen Ojeda Herrero, deceased.

I have contacted the Chamorro Land Trust Commission and the Office of the Attorney General to seek assistance in resolving the title problem created by Public Law 22-152. I have provided the same facts that the Government of Guam does not own Lot No. 237-6-1 since there is no documentation in the record to support the Government of Guam having any interest in this lot. The response I received from Chamorro Land Trust Commission was simply to reference the Public Law. Tom Keeler, Assistant Attorney General, Office of the Attorney General, has attempted to get information from the Chamorro Land Trust Commission, but as of this date, has not been able to obtain any more explanation than what the Chamorro Land Trust Commission already provided me, which was its reliance on Public Law 22-152, Section No. 6.

The Trust has a buyer that is very close to pulling out of the sale because of the problems with the title. My client has already entered into negotiations to purchase the interest of the Estate of Carmen Ojeda Herrero in Lot No. 237-6-1 once the cloud created by Public Law 22-152 is removed.

Hon. Vicente "Ben" Pangelinan, Senator  
**THIRTIETH GUAM LEGISLATURE**  
**I MINA'TRENTA NA LIHESLATURAN GUAHAN**  
August 6, 2009  
Page Two

To assist you in reviewing my client's position, please find enclosed the following documents:

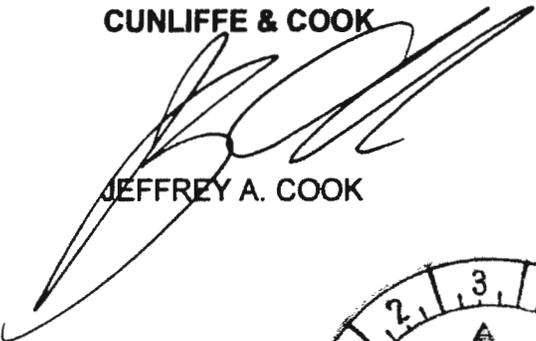
1. A map for the Property Overlay of Block No. 9, New Agana (Drawing No. C4.52P9.1);
2. A Relocation Sketch of Lot Nos. 9 and 10, Block 9;
3. The Declaration of Taking, Schedule A in Civil No. 4-48 filed January 10, 1995, that identifies Lot 237-6 on page 5;
4. Certificate of Title of Ms. Herrero, Instrument No. 2245;
5. Abstract of Title for Lot No. 237-6-1, New Agana, Guam;
6. Abstract of Title for Lot No. 9, Block No. 9, New Agana, Guam; and,
7. Letter dated June 1, 2009, from the Chamorro Land Trust Commission with attachments.

After you have had an opportunity to review the documents, I would appreciate an opportunity to meet with you and discuss this problem and any questions you may have. Since there is no evidence that the Government of Guam owned the land transferred to the Chamorro Land Trust Commission, the fastest and most appropriate way to resolve this issue is for the Guam Legislature to repeal Public Law 22-152, Section No. 6.

Thank you for reviewing this matter and contacting me so we can discuss it further.

Sincerely,

**CUNLIFFE & COOK**

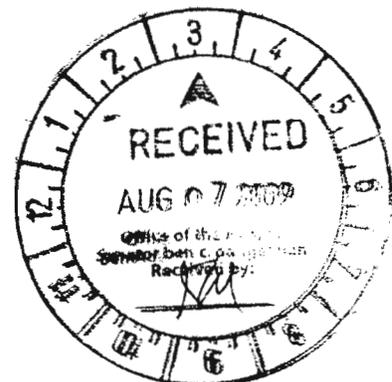
  
JEFFREY A. COOK

JAC:amm JAC Letters 2007

August 2009 H-0108.4

Enclosures as stated.

cc: Radhi Hemiani (letter only)  
Manu Melwani (letter only)  
Anthony Godwin (letter only)  
Ms. Alerta. (letter only)  
Jesse Garcia, Chamorro Land Trust Commission (letter only)  
Tom Keeler, Office of the Attorney General (letter only)



F RANDALL CUNLIFFE  
JEFFREY A. COOK

JEFFREY A. MOOTS

LAW OFFICES

*Cunliffe & Cook*

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210 Archbishop F.C. Flores Street  
Hagåtña, Guam 96910

TELEPHONE (671) 472-1824  
TELEFAX (671) 472-2422  
E-MAIL cclaw@teleguam.net

August 14, 2009

**HAND DELIVER**

Mr. Christopher Duenas, Director  
**DEPARTMENT OF LAND MANAGEMENT**  
Post Office Box 2950  
Hagåtña, GU 96932  
Attn: Mr. Ernest Santos, Supervisor, Land Administration

RE: Lot No. 237-6-1, Agana, Guam

Dear Messrs Duenas and Santos:

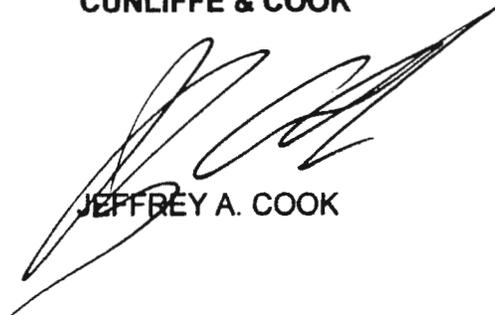
This letter is a follow up of my telephone conversation on August 14, 2009, with Mr. Ernest Santos, supervisor, Land Administration. As I discussed with Mr. Santos, this letter pertains to a problem my client, the Radhi Puran Trust, is having with a cloud on the title to Lot No. 237-6-1, Agana, Guam.

Please find enclosed a letter I recently sent to Senator Ben Pangelinan explaining the problem my client is having and including attachments that help support our position that the Government of Guam has no interest in said lot. I am hereby requesting that your department promptly research the issues raised in my letter to Senator Pangelinan and determine whether the Government of Guam does or does not have an interest in Lot No. 237-6-1. If your research comes to the same conclusion as mine that the Government does not have any interest in said Lot No. 237-6-1, Agana, I would then ask on behalf of my client, that you promptly inform the Chamorro Land Trust Commission and the 30<sup>th</sup> Guam Legislature through Senator Pangelinan's Office that Public Law 22-152, Section 6, was erroneously passed and should be repealed. This action will clear the title to said lot and allow my client to proceed to purchase the interest in Lot No. 237-6-1, Agana, from the owner, the heirs of Carmen Ojeda Herrero.

Should you have any questions, please contact me. I once again request that your office act on this request as soon as reasonably possible. The Trust has a buyer who has been very patient waiting for us to clear title on this lot. Thank you for your immediate attention to the matters herein.

Sincerely,

**CUNLIFFE & COOK**

  
JEFFREY A. COOK

JAC:rsb JAC Letters 2007 August 2009 H-0108.1  
Enclosures as stated above.

cc: Mr. Radhi Hemlani (letter only)  
Mr. Manu Melwani (letter only)  
Mr. Anthony Godwin (letter only)  
Ms. Beverly Alerta. (letter only)  
Hon. Vicente "Ben" Pangelinan, Senator (letter only)  
Mr. Jesse Garcia, Chamorro Land Trust Commission (letter only)  
Thomas P. Keeler, Office of the Attorney General (letter only)

*Handwritten note:*  
Handwritten initials and date: 8/14/09

I MINA TRENTA NA LIHESLATURAN GUÅHAN  
2009 (First) Regular Session

Bill No. 241-30(COR)

Introduced by:

v.c. pangelinan 

AN ACT TO REPEAL §75104.1 OF CHAPTER 75, TITLE  
21 GUAM CODE ANNOTATED RELATIVE TO LOT  
NO. 237-6-1, AGAÑA.

2009 OCT -5 PM 3:02 *me*

BE IT ENACTED BY THE PEOPLE OF GUAM:

1           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
2 Section 6 of P.L. 22-152 added a new section, §75104.1 to Chapter 75, Title 21 Guam  
3 Code Annotated, which authorized the Governor to transfer administrative control of Lot  
4 No. 237-6-1, Agaña, to the Chamorro Land Trust Commission. This was done on the  
5 presumption that Lot 237-6-1 Agaña was government owned land. Subsequently,  
6 abstracts of title prepared by Pacific American Title Insurance and Escrow reveal that  
7 said Lot 237-6-1, Agaña, is owned by the estate of Carmen Ojeda Herrero. Likewise,  
8 research conducted by the Department of Land Management (DLM) further reveal that  
9 ownership of Lot No. 237-6-1 belongs to the estate of Carmen Ojeda Herrero.  
10 Additionally, the Chamorro Land Trust Commission (CLTC) has advised that they have  
11 no interest in Lot 237-6-1, Agaña.

12           Therefore, because title to Lot No. 237-6-1 was never modified pursuant to  
13 §75104.1, Chapter 75, 21 Guam Code Annotated and that both the DLM and CLTC have  
14 provided documentation to support its repeal to clear the clouded title, it is the intent of *I*  
15 *Liheslaturan Guåhan* to repeal §75104.1 of Chapter 75, 21 Guam Code Annotated.

1           **Section 2. Section 6 §75104.1 of Chapter 75, Title 21 Guam Code Annotated**  
2 **is hereby repealed in its entirety.**

3           **Section 3. Severability.** If any of the provisions of this Act or the application  
4 thereof to any person or circumstance is held invalid, such invalidity shall not affect any  
5 other provision or application of this Act which can be given effect without the invalid  
6 provision or application, and to this end the provisions of this Act are severable.