EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

APR 19 2016

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Dear Madame Speaker:

Transmitted herewith is Bill No. 273-33 (COR), **"AN ACT TO *AMEND* SECTIONS 2 AND 3 OF PUBLIC LAW 28-101 RELATIVE TO THE LAND EXCHANGE BETWEEN THE GOVERNMENT OF GUAM AND THE OWNER OF LOT NUMBER 5400-R6, MUNICIPALITY OF *MANGILAO*, FOR THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE,"** which I signed into law on April 15, 2016, as **Public Law 33-146**.

Senseramente,

EDDIE BAZA CALVO

33-16-1539
Office of the Speaker
Judith T. Won Pat, Ed.D
Date: 4/19/16
Time: 3:35 pm
Received By:

2016 APR 19 PM 4:47

1539

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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Substitute Bill No. 273-33 (COR), "AN ACT TO *AMEND* SECTIONS 2 AND 3 OF PUBLIC LAW 28-101 RELATIVE TO THE LAND EXCHANGE BETWEEN THE GOVERNMENT OF GUAM AND THE OWNER OF LOT NUMBER 5400-R6, MUNICIPALITY OF *MANGILAO*, FOR THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE,"** was on the 2nd day of April 2016, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 04 day of APRIL, 2016, at 12:24 o'clock p.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: APR 15 2016

Public Law No. 33-146

I MINA'TRENTAI TRES NA LIHESLATURAN GUAHAN
2016 (SECOND) Regular Session

Bill No. 273-33 (COR)
As amended by the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement; and substituted and amended on the Floor.

Introduced by:

T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* SECTIONS 2 AND 3 OF PUBLIC LAW 28-101 RELATIVE TO THE LAND EXCHANGE BETWEEN THE GOVERNMENT OF GUAM AND THE OWNER OF LOT NUMBER 5400-R6, MUNICIPALITY OF *MANGILAO*, FOR THE DEPARTMENT OF CORRECTIONS PROTECTIVE ZONE.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Public Law 17-54 created a protective zone surrounding the perimeter of the Department of Corrections (DOC) in *Mangilao* and further authorized *I*

Doc No. 33GL-16-1539.

Maga'låhen Guåhan to conduct land exchanges on an area for area basis with the affected landowners. This zone affects properties contained within a five hundred foot (500') radius of the perimeter surrounding the DOC. This zone includes Lot Number 5400-R6 owned by Teodoro Q. and Dolores C. Llanes, among other lots owned by other landowners.

I Liheslaturan Guåhan also finds that Public Law 28-101 further authorized *I Maga'låhen Guåhan* to conduct the land exchanges on a value for value basis; with government-owned land located in *Dededo* and the privately-owned land in *Mangilao.*

I Liheslaturan Guåhan further finds that the land exchange process has taken so long to close that some of the original landowners have passed away but prior to their death transferred their interest to their children.

It is the intent of *I Liheslaturan Guåhan* to amend Public Law 28-101 to place the names of the children in place of the original landowners.

Section 2. Section 2 of Public Law 28-101 is hereby *amended* to read as follows:

"**Section 2. Authorization.** *I Maga'låhen Guåhan* is authorized to exchange on a value for value basis government-owned lots located within the Subdivision of Tract 11405, *Dededo*, more particularly described as:

Tract 11405, municipality of *Dededo*, containing a cumulative area of ±283,233 square meters, described within map drawing reference number 301-FY99 and 14-99T652 recorded at the Department of Land Management as Document Number 618339,

with privately-owned property more particularly described as:

Lot Number 5400-R6, *Lichan Sabana*, municipality of *Mangilao*, Estate No. 15101, Suburban, containing an area of ±10,185.76 square meters, belonging to Teodoro Q. Llanes and Dolores C. Llanes or their

surviving heir May C. Llanes or in anywise appertaining unto said surviving heir, her heirs and assigns (Exhibit A – Deed of Gift Document No. 700564), with reference map filed at the Department of Land Management as Document Number 90578."

Section 3. Section 3 of Public Law 28-101 is hereby *amended* to read as follows:

"**Section 3. Facilitation of Land Exchange, Fair Market Value and Appraisals.**

(a) The Director of the Department of Land Management *shall* facilitate for *I Maga'låhen Guåhan* the exchange of land provided for in Section 2 upon the completion of an appraisal on all lands concerned prepared by a licensed or certified real estate appraiser. The land exchange *shall* be accomplished within one hundred eighty (180) days from the enactment hereof.

(b) The Director of the Department of Land Management is hereby authorized to expend up to Four Thousand Dollars ($4,000.00) from the sums appropriated in Item (8) of Section 6, Part II of Chapter V, Public Law 28-68, *"General Appropriations Act of Fiscal Year 2006"* to pay for appraisals conducted on all lands concerned in accordance with Subsection (a).

(c) Alternatively, the current Department of Revenue and Taxation Real Property Tax Assessment may be used as the fair market value.

(d) Should there be a dispute by the private landowner, the private landowner may, at her expense, cause a land appraisal by a licensed and certified real estate appraiser. The average of the government and private landowner appraisals *shall* be used as the value for the transfer."

Section 4. Severability. If any provision of this law or its application to

1 any person or circumstance is found to be invalid or contrary to law, such
2 invalidity *shall not* affect other provisions or applications of this law that can be
3 given effect without the invalid provisions or applications, and to this end the
4 provisions of this law are severable.

DEED OF GIFT

KNOW ALL MEN BY THESE PRESENTS:

That we, Teodoro Q. Llanes and Dolores C. Llanes, husband and wife of Dededo, Guam, for and in consideration of the love and affection which I have and bear unto May C. Llanes, single, United States citizen and resident of Dededo, Guam, do by these presents hereby give, grant, alien, and confirm unto the said May C. Llanes the described real property:

> Lot Number 5400-R6, Lichan Sabana, Mangilao, Sinajana, Guam, Estate No. 15101, Suburban, containing an area of 10,185.76 square meters, reference to map filed under Document No. 90578.

Together with all and singular the tenents, hereditments and appurtenances thereunto belonging, or in anywise appertaining unto said Donee, her heirs and assigns, forever.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of November, 2004.

TEODORO Q. LLANES

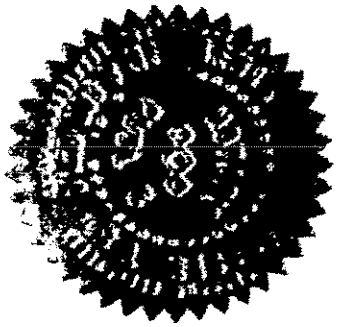
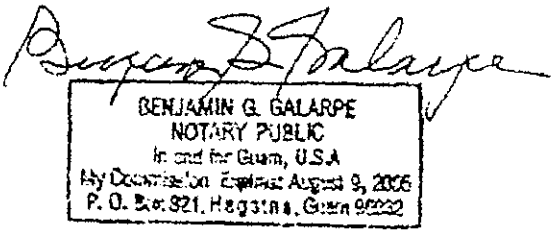
DOLORES C. LLANES

May C. Llanes
P.O. Box 2239
Hagatna, Guam 96932

Island of Guam, Government of Guam
Department of Land Management Office of The Recorder

File for record is Instrument No. 700564
on the year 20 04 Month 11 Day 18 Time 1037
Recording Fee 10 Receipt No 70061

Recorder

GUAM, U. S. A.)
) S. S.
CITY OF HAGATNA)

On this 6th day of November, 2004, before me, the undersigned notary, personally appeared: TEODORO Q. LLANES, DOLORES C. LLANES and MAY C. LLANES, the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.