

**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN**  
**2005 (FIRST) Regular Session**

Bill No. 149(LS)

Introduced by:

L.F. Kasperbauer *LFK*

**AN ACT TO AUTHORIZE *I MAGA LAHI GUAHAN* TO SELL THE EASEMENT KNOWN AS THE “GOVERNMENT ALLEY” THAT IS BOUND BY ESPERANZA STREET ON THE NORTH, THE METES AND BOUNDS OF THE WESTERN BOUNDARY OF LOT 1324, THE METES AND BOUNDS OF NORTHEAST BOUNDARY OF LOT 1324-2-1 AND THE METES AND BOUNDS OF THE SOUTH EAST BOUNDARY OF LOT 1324-1-1 ALL IN THE MUNICIPALITY OF AGANA WITH A TOTAL AREA OF SEVENTEEN AND SEVENTY-FIVE HUNDREDTHS PLUS OR MINUS SQUARE METERS (17.75 ± SQ. METERS) TO MR. MICHAEL P. FLAHERTY FOR ITS APPRAISED FAIR MARKET VALUE**

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

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3        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
4 that Mr. Michael P. Flaherty is the owner of Lot 1324-1-1 (104 ± Sq. M) and Lot  
5 1324-2-1 (86 ± Sq. M) and has the controlling general partnership interest in lot  
6 1324 (387 ± Sq. M) in the Municipality of Agaña. All three lots *supra*, along with  
7 Esperanza Street contiguously border an appurtenant easement known as the  
8 “Government Alley” (17.75 ± Sq. M).

9        *I Liheslatura* further finds that it is Mr. Flaherty’s desire to consolidate the  
10 three lots for the future development of commercial office space and further finds  
11 that the “Government Alley”, because of its size, has no significant practical

1 purpose because it is too small to be used for rights of way to Mr. Flaherty's land-  
2 locked Lot (1324-2-1). Mr. Flaherty's two other lots appurtenant to the  
3 Government Alley are accessible from Esperanza Street. Upon consolidation of the  
4 three lots, the new single lot will continue to be accessible from Esperanza Street.

5 *I Liheslatura* further finds that the Government Alley is located roughly in  
6 the center of the three appurtenant lots and due to the minimum legal setback  
7 requirements from the "Government Alley" it would be impractical for Mr.  
8 Flaherty to develop his properties which in total area approximate only 577 square  
9 meters. Therefore it is Mr. Flaherty's desire's to purchase the 17.75 Square meter  
10 appurtenant easement known as the "Government Alley" from the Government of  
11 Guam for its Fair Market Value.

12 It is the intent of *I Liheslatura* to allow Mr. Michael P. Flaherty to purchase  
13 the Easement known as the "Government Alley" that is appurtenant to the three  
14 lots, *supra*.

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16 **Section 2. Authorization to Sell Government Alley Easement.** *I Maga*  
17 *Lahi Guâhan* is hereby authorized to sell the easement known as the *Government*  
18 *Alley* currently bound by Esperanza Street on the North, the Metes and Bounds of  
19 the Western Boundary of Lot 1324, the Metes and Bounds of Northeast Boundary  
20 of Lot 1324-2-1 and the Metes and Bounds of the South East Boundary of Lot  
21 1324-1-1 all in the Municipality of Agaña that has a total land area of Seventeen  
22 and Seventy-Five Hundredths Plus/Minus Square Meters (17.75 ± SQ. Meters) to  
23 Mr. Michael P. Flaherty for its appraised Fair Market Value. The Director of the  
24 Department of Land Management shall select the appraiser to determine the Fair  
25 Market Value of the *Government Alley*. The cost of the appraisal shall be paid by  
26 Mr. Flaherty.