


12-8
MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

Bill No. 329 (LS)

Introduced by:


Committee on Calendar
by request of *I Maga'lahaen Guahan*
the Governor of Guam in accordance with the
Organic Act of Guam

AN ACT TO APPROVE THE MASTER PLAN FOR DOS
AMANTES

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent.

3 In Civil Actions 10-50 and 33 -50, the U.S. condemned privately held lots or
4 portions of privately held lots and consolidated the privately held lots into two
5 large land parcels, thereby extinguishing all property lines, extinguishing all
6 property corners, and invalidating all deeds and Certificates of Title in effect at
7 the time of condemnation. U.S. Public Law 103-339 entitled " An Act to Provide
8 for the Transfer of Excess Lands to the Government of Guam", and U.S. Public
9 Law 101-510 entitled "Defense Base Closure and Realignment Act of 1990" have
10 identified more than six thousand acres of Federal Excess land for conveyance as
11 surplus property on Guam. The Government of Guam elected to return the land
12 to the original landowners or heirs. The Guam Ancestral Land Commission

1 deeds to the land claimants do not define the property lines of the individual
2 return parcels, do not establish the lot size, do not define the location of the
3 return lots, do not provide for legal and viable access to individual land parcels,
4 and do not provide for utility easements to individual land parcels.

5 Evaluation of the return parcels in the Dos Amantes area reveals that more
6 than 25% of the return lots will be landlocked unless the GALC reserves access
7 easements to service all individual land parcels. Over 700 acres of land in the
8 Dos Amantes area are potentially available for lease by the Land Bank Trust and
9 the monies derived from the rental of the 700 plus acres could be used to pay
10 dividends to those families whose land was not returned, numerous problems
11 prevent the leasing of these lands by the Ancestral Land Bank Trust and
12 consequently prevent the Ancestral Land Bank Trust from paying dividends to
13 those families whose land are not to be returned.

14 The boundaries of the Ancestral Land Bank Trust land have yet to be
15 defined. The Ancestral Land Bank Trust land is not registered and cannot be
16 registered until the boundaries are explicitly defined. The boundaries of the
17 Ancestral Land Bank Trust land cannot be defined without simultaneously
18 defining the boundaries of all abutting properties. Defining the boundaries of
19 properties at Dos Amantes is impeded by the fact that surveyors have discovered

1 problems with the reference points and therefore the Department of Land
2 Management has put a hold on the processing of ancestral land survey maps.
3 The Ancestral Land Bank Trust cannot obtain title insurance because the land is
4 not registered. The return of a significant portion of the 700 plus acres was
5 processed in the year 2000 by the GSA, but return of this land is still pending
6 Government of Guam action on a Hilaan protection agreement.

7 Recognizing the magnitude of problems facing the original landowners
8 and heirs, and also recognizing the desire of the GALC to address these
9 problems, but being severely restricted by personnel and budgetary limitations,
10 Ancestral Land owners in the Dos Amantes area have taken the initiative and
11 formulated a proposed program to address the disabilities afflicting the
12 Ancestral Return Lands. The Dos Amantes land owners commissioned, at their
13 expense, a Land Use Master Plan for the Dos Amantes Planning Area.

14 A major feature of the Land Use Master Plan for the Dos Amantes Planning
15 Area is a Cadastral Base Map that includes and defines by coordinates:

- 16 ▪ Access easements to ensure no lot is landlocked and easements to provide a
17 viable area wide traffic circulation plan and for the installation of utilities.
18 Some of the area required for the easements comes from combining and
19 relocating some 3,000 meters of old bull cart trails, and some from vacating

1 other easements presently not in use and not a part of the overall traffic
2 circulation plan envisioned by the Land Use Master Plan. Thus there is no net
3 loss of land to the land claimants.

4 ▪ The Cadastral Base Map provides precise property corner coordinates for all
5 lots within the planning area. The property corner coordinates are tied to the
6 same GGTN monuments on which the certified (by local registered
7 surveyors) Return Maps from the GSA to the Government of Guam are based,
8 thereby ensuring there is no overlap of lot boundaries, and that no
9 discrepancies exist between individual lot boundaries and the boundaries of
10 the lands returned by the Federal Government.

11 Recognizing that the Land Use Master Plan for the Dos Amantes Planning
12 Area and the Cadastral Base Map were based on, and meet, the land planning
13 and access requirements stipulated by 21 GCA and effectively address many of
14 the problems facing land claimants, the GALC, after conducting public hearings,
15 officially adopted these documents (GALC Resolution 2005-001, dated 8
16 September' 05), and the Governor of Guam via his Executive Order No. 2006-02,
17 dated January 26, 2006, approved and adopted both the Dos Amantes Land Use
18 Master Plan and the Dos Amantes Cadastral Base Map. The Guam Legislature
19 finds the Cadastral Base Map adopted by the GALC *shows all survey and*

1 *mathematical information and data necessary to locate all monuments, and to*
2 *locate and retrace any and all interior and exterior boundary lines appearing*
3 *thereon including bearings and distances of straight lines, radii, arc and tangent*
4 *lengths of all curves, and defines, designates and delineates all road and alley*
5 *rights-of-way and easements and other parcels offered for dedication for public*
6 *use; all tied to the Gov-Guam GGTN system, therefore individual surveys for*
7 *land parcels listed and described in the GALC Cadastral Base Map are not*
8 *requisites to registration by the Department of Land Management.*

9 Since the United States owned the Ancestral Lands for the 50 years prior to
10 return, there are no liens, no back taxes, no mortgages and no other
11 encumbrances except those easements retained by the United States or granted
12 to the Government of Guam by the United States prior to the land return. 21
13 GCA ¶29106 requires each application must be accompanied by an abstract of
14 title and, for the purpose of issuing deeds to land claimants, the GALC used
15 abstracts that existed prior to the time of condemnation, the U.S. condemnation
16 and consolidation of the privately held land parcels extinguished all individual
17 lots, therefore previous abstracts are discontinuous as of the date of
18 condemnation by the United States. Since the individual lots ceased to exist at
19 the time of consolidation, replaced by new lots set by the GALC as of the date of

1 the adoption of the GALC Cadastral Base Map (September 8, 2005), there are no
2 valid abstracts of the individual lots listed in the GALC Cadastral Base Map, and
3 therefore abstracts for individual lots listed in the GALC Cadastral Base Map are
4 not a requirement for land registration by the Department of Land Management.
5 Public notices for the registration of individual lots listed in the Cadastral Base
6 Map are not required since all abutting property owners for each individual lot
7 were provided with an opportunity to voice objections during the public hearing
8 that preceded the adoption of the Cadastral Base Map by the GALC, and
9 furthermore were provided with yet another opportunity to voice objections
10 during the public hearing that preceded the enactment of this legislation.
11 Thus, the Guam Legislature finds that the procedure presently stipulated in 21
12 G.C.A. for lot registration is both unworkable and unnecessary for the initial
13 inscription of Ancestral Land registration, and that the GALC Cadastral Base
14 Map and attachments contain all information and data necessary for land
15 registration, including the land owner, the location, the area and a complete
16 legal description of each land parcel. The Guam Legislature further finds that
17 after the initial inscription has been completed, all procedures presently
18 stipulated in 21 G.C.A. for lot registration are both workable and desirable, and
19 that the procedures prescribed in this legislation apply only to the initial

1 inscription of the lots listed in the Cadastral Base Map.

2 The Guam Legislature further finds that immediate registration of all easements
3 and all rights of way shown in the Cadastral Base Map, and immediate
4 registration of all public parks and all other public land, including the Ancestral
5 Land Bank Trust land, is essential to the protection of access to all individual lots,
6 protection of all easements and rights of way and protection of public parks and
7 other public land. Whereas, the GALC issued deeds to the land claimants also
8 contain the language The Grantee(s) hereby covenants and agrees that during
9 the first seven (7) years after the date of conveyance under this deed, there shall
10 be no selling of the property unless being sold only between the legitimate heir(s)
11 or descendant(s), thereby preventing the land owners from selling any portion of
12 the return land for the purpose of obtaining improvement funds for the
13 remainder of the property, for paying real estate taxes or for any other purpose.

14 **Section 2. Purpose.** It is the intent of this legislation to extend the
15 following benefits to the owners of Ancestral Lands. In compliance with 21
16 GCA § 62102 *to provide for the orderly growth and harmonious development of*
17 *the territory; to insure adequate traffic circulation through coordinated street,*
18 *road and highway systems; to achieve individual property lots of maximum*
19 *utility and livability; to secure adequate provisions for water supply, drainage,*

1 *sanitary sewerage and other health requirements; to permit the conveyance of*
2 *land by accurate legal description; and to provide logical procedures for the*
3 *achievement of this purpose, thereby enabling the owners of Guam Ancestral*
4 Land to promote the economic development of Guam by achieving the highest
5 and best use of their Ancestral Land. To ensure, to the extent practicable,
6 considering the 21 GCA § 62102 access requirement that *every lot abut a*
7 *roadway right-of-way having a minimum width of forty (40) feet*, that each land
8 claimant receives the same amount of land that was originally owned by the land
9 claimant and which was returned by the U.S. The preservation of easements
10 defined in the GALC Cadastral Base Map to ensure that no lot is landlocked. To
11 resolve the problems with the survey reference points so that the Department of
12 Land Management may proceed with approval of individual lot survey maps
13 without fear of later receiving a survey map of abutting property that conflicts
14 with the previously approved survey map. To ensuring preservation of the
15 traffic circulation plan envisioned by the Land Use Master Plan adopted by the
16 Governor of Guam and the GALC. To expedite and facilitate the registration of
17 all land parcels in the Cadastral Base map, including rights of way, access and
18 utility easements, public parks and other public lands. To transfer title to all
19 rights of way, access and utility easements and public parks to the Government

1 of Guam. To ensure each claimant has land title acceptable to title insurance
2 companies and acceptable to banks and other lending institutions for purposes of
3 extending construction loans to the land claimants.

4 **Section 3.** A new Chapter 81 is added to Division 2, 21 G.C.A. to read as
5 follows:

6 **“DIVISION 2.**

7 **CHAPTER 81.**

8 **DOS AMANTES MASTER PLAN**

9 **Section 81101. Guam Ancestral Land Use Improvements.**

10 **Section 81102. Dos Amantes Planning Area**

11 **Section 81103. Land Use Master Plan and Cadastral Base Map**

12 **Section 81104. Notification of Appeal and Zoning**

13 **Section 81105. Decree of Registration**

14 **Section 81106. Recitals in Decree: Filing of Decree: Appeals.**

15 **Section 81107. Decree in Rem: Effect**

16 **Section 81108. Limitation of Action Relating to Land.**

17 **Section 81109. Real Property Tax Deferral.**

18 **Section 81110. Protection of Historical Site**

1 § 81101. ***Guam Ancestral Land Use Improvements.** Notwithstanding any
2 provision of law, Chapter 81 is hereby added to 21 G.C.A. as the approved
3 system for regulating land use and improvements of an area of approximately
4 1,200 hectares of land as shown in the attached Cadastral Base Map.

5 § 81102. ***“Dos Amantes Planning Area”**

6 The land in the area known as “Dos Amantes Planning Area” as designated by
7 the Guam Ancestral Land Commission Cadastral Base Map, recorded by the
8 Government of Guam, Department of Land Management, Office of the Recorder,
9 as Instrument No. 713762, at the effective date of this Act is hereby zoned as
10 follows:

11 1) All lot numbers which are located on Route 1, Marine Corps Drive
12 shall be zoned C, **Commercial Zone**. This zoning shall apply to the first five
13 hundred (500) feet of each Route 1 frontage lot. The remaining portion of each
14 lot which would not have access to Route 1, shall be zoned as M1, **Limited**
15 **Industrial Zone**; and

16 2) All remaining lots contained in the “Dos Amantes Planning Area”
17 shall be zoned H, **Resort Hotel Zone**.

1 Pursuant to the designated map and the provisions of this Act to be contained
2 within the development and improvement district to be known hereafter as the
3 “Dos Amantes Planning Area.:

4 § 81103. ***Land Use Master Plan and Cadastral Base Map for the Dos**
5 **Amantes Planning Area”.** (a) Not withstanding any other provision of law,
6 the official “ Land Use Master Plan for the Dos Amantes Planning Area” ,
7 containing an area of approximately 1,200 hectares, dated 13 September 2005
8 (Attachment No. 1, Land Use Master Plan Map and description of allowable land
9 uses, incorporated herein by reference), and GALC **Cadastral Base Map** for the
10 Dos Amantes Area, Instrument No. 713762 recorded September 14, 2005
11 (Attachment No. 2), also including Cadastral Base Map parcel coordinates
12 (Sheets 1, 2, 3, 3a, and 4) Instrument No. 713762 recorded September 14,
13 (Attachment No. 3) also providing Attachment No. 1, No. 2, and No. 3,
14 respectively and collectively attached herewith are incorporated herein and
15 adopted hereby.

16 (b) All land uses within the I Tano'-ta Intensity Districts 6 and 7 as defined in
17 the Dos Amantes Land Use Master Plan are considered Conditional Uses,
18 requiring review and approval of the proposed development by the Guam Land
19 Use Commission. The Conditional Use application for proposed development

1 shall portray land uses, structure heights, densities, set backs, parking, easements
2 and rights of way, roadway widths, utility layouts, stormwater drainage and
3 other features and improvements necessary to fully convey the proposed
4 development and required by the Chief Planner, Department of Land
5 Management. The Conditional Use application shall be reviewed by the
6 Government of Guam Application Review Committee as well as at a public
7 hearing in the municipality in which the development is proposed, before review
8 by the Guam Land Use Commission. The Commission may negotiate the
9 proposed development with the applicant in rendering a decision to either
10 postpone, approve, approve with condition, or disapprove such Conditional Use
11 applications.

12 (c) For purposes of the administration of Public Works and Economic
13 Development Act of 1965, as amended within the Territory of Guam, the "Dos
14 Amantes Planning Area" is hereby designated as "economic development
15 district" to be included hereafter as a prominent element of Guam's
16 "comprehensive economic development strategy" and for purposes of initiating
17 "economic development partnerships" within the meaning of the Act as well as
18 the meaning of Chapter 78, 12 GCA "Reuse, Planning and Redevelopment of
19 Former Military Bases".

1 § 81104. **Notification and Appeal of Zoning – “Dos Amantes Planning**
2 **Area”.** Any property owner affected by the zoning of this Law may,
3 notwithstanding the provisions of this Law and not more than ninety (90) days
4 after the effective date of this law, notify the Guam Land Use Commission that
5 he/she desires that his/her land become “A” zoned and his/her land shall
6 become so zoned, in lieu of zones otherwise hereby prescribed for the “Dos
7 Amantes Planning Area”.

8 § 81105. **Decree of Registration**

9 Notwithstanding any provision of law, as a system for facilitating and expediting
10 the registration of real estate parcels identified in the GALC **Cadastral Base Map**
11 for the Dos Amantes area. The Guam Ancestral Land Commission is hereby
12 authorized and directed to issue a **Decree of Registration** for all land parcels
13 listed in the GALC Cadastral Base Map for the Dos Amantes Area, which Decree
14 of Registration shall include a complete legal description of the subject land
15 parcel and a drawing of the lot.

16 § 81106. **Recitals in Decree: Filing of Decree: Appeals.**

17 (a) Every decree shall state the name of the owner of the land parcel, an
18 accurate description of the land and any other facts properly to be determined by
19 the commission.

1 (b) The Director of Land Management is directed to register title to, and
2 to issue a Certificate of Title for all land parcels and deed holders listed in the
3 GALC Cadastral Base Map. Within 30 days of receipt of the GALC Cadastral
4 Base Map, Decree of Registration and attachments from the GALC, the
5 Department of Land Management shall transmit to the GALC, for disbursement
6 by the GALC to the owners of the lots, copies of Certificates of Title for all land
7 parcels listed in the GALC Cadastral Base Map. Documents transmitted to the
8 Department of Land Management by the GALC shall include a copy of the
9 Decree of Registration, a drawing showing the lot number, the area of the lot, the
10 complete legal description of the lot, the coordinates of each property corner, and
11 a tie to a common GGTN.

12 (c) Should the Department of Land Management fail to issue a certificate of
13 title within the thirty days required, the owner or owners have the right to seek
14 an order from the Superior Court of Guam ordering the Department of Land
15 Management to issue the Certificate of Title. The owner or owners shall have the
16 right to recover its costs from the Department of Land Management.

17 (d) On completion of the initial registration and issuance of the first Certificate
18 of Title by the Department of Land Management the landowner shall enjoy all of
19 the protection afforded by the existing provisions of 21 GCA, Chapter 29, Land

1 Title Registration. Further, any and all future actions with respect to land
2 registration and the issuance of a Certificate of Title for the lots listed in the
3 Cadastral Base Map shall comply with all of the provisions of 21 GCA.

4 **§ 81107. Decree in Rem: Effect.** A decree of the GALC ordering the
5 registration shall be in the nature of a decree in rem and shall forever quiet the
6 title to the land therein ordered registered and shall be final and conclusive as
7 against the rights of all persons, known and unknown, to assert any estate,
8 interest, claim, lien, or demand of any kind or nature whatsoever, against the
9 land so registered or any part thereof, except only as in this Law provided.

10 **§ 81108. Limitation of Action Relating to Land.** No person shall commence
11 any action at law or in equity for the recovery of land, or assert any interest or
12 right in or lien or demand upon the same, or make entry thereon adversely to the
13 title of interest certified in the certificate of title bringing the land under the
14 operation of this Law after one (1) year following the first registration, providing
15 said first registration is not void on the basis of fraud. It shall not be an exception
16 to this rule that the person entitled to bring the action or make the entry is
17 deceased, an infant, lunatic, or is under any disability, but action may be brought
18 by such person by his next kin or guardian or by the administrator or the
19 executor of a deceased person. It shall be the duty of the guardian, if there is any,

1 to bring action in the name of his ward whenever it is necessary to preserve or
2 enforce the ward's rights in registered land. The provisions of this section shall
3 in no way affect or disturb the rights of any person in said land acquired
4 subsequent to the registration thereof, bona fide and without knowledge and for
5 a valuable consideration.

6 **§ 81109. Real Property Tax Deferral.** Pursuant to Sections 24801 and 24803
7 Chapter 24, Title 11, GCA notice of Delinquent Real Property Tax has been given
8 to owners of recently returned Guam Ancestral Land lots. In consideration of the
9 fact that federal and local government deeds restrict sale of certain returned
10 lands for a period of seven (7) years and this seven (7) year restriction also
11 effectively precludes the landowner from using the proceeds of sale or lease for
12 any purpose other than improvement of the land, and most Guam Ancestral
13 Land lots retain unzoned, in probate subject to survey, or if surveyed but subject
14 to Director of Land Management Moratorium on Recordation of Survey Maps for
15 lots in the "Dos Amantes" Planning Area (effective September 2004 – ongoing);
16 therefore, of undetermined area and possibly uncertain access, a moratorium on
17 the payment of real property taxes shall be in effect on Guam Ancestral Land lots
18 for seven (7) years from the effective date of this Act.

19 **§ 81110. Protection of Historical Site**

1 Notwithstanding any provision of law, to protect the Hilaan Complex and
2 to expedite the return of over 400 acres of land to the Ancestral Land Owners in
3 South Finegayan by GSA, it is hereby enacted that:

4 (a) The Hilaan Complex shall be subject to 21 GCA, Division 2, Article 2,
5 Section 76205 (c); and

6 (b) In the event that the Government of Guam is given notice by the
7 owner of Estate 103 of intent to construct, alter, or improve the site and the
8 Government opts within three months of receiving such notice to undertake
9 or permit the recording and salvaging of any historical information deemed
10 necessary to preserve Spanish-Chamorro history by a qualified agency for this
11 purpose, such recording and salvaging shall be completed within 24 months;
12 and

13 (c) The owner of Estate 103 shall provide for right of entry to Estate 103
14 for the purposes of recording and salvaging any historical information
15 deemed necessary to preserve Spanish-Chamorro history by a qualified
16 agency of the Government of Guam within one year of receiving title to the
17 Estate, notwithstanding any notice of intent to construct, alter or improve the
18 site; and

1 (d) The owner of Estate 103 shall erect a fence or fences on Estate
2 103 for the purpose of restricting unauthorized vehicular access to the Hilaan
3 Complex; and

4 (e) Upon expiration of the 24 month period for a qualified agency to
5 record and salvage any historical information at the Hilaan Complex deemed
6 necessary to preserve Spanish-Chamorro history, the owner of Estate 103 may
7 restore the area to its practical and reasonable authenticity for use as an
8 educational attraction about Chamorro history and culture; and may construct
9 tourist-related and residential facilities on the property.

10 **Section 4. Law to be Liberally Construed.** This Law shall be construed liberally
11 as may be necessary for the purpose of effecting its general intent.

12 **Section 5. Severability.** If any of the provisions of this act or the application
13 thereof to any person or circumstance is held invalid, such invalidity shall not
14 affect any other provision or applications of this Act which can be given effect
15 without the invalid provisions or application, and to this end the provisions of
16 this Act are severable.



Office of the Governor of Guam

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Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

Office of the Speaker

MARK FORBES

Date: 6/15/06

Time: 8:00 AM

Rec'd by: [Signature]

Print Name: [Signature]

28-0650877

14 JUN 2006

The Honorable Mark Forbes
Speaker
I Mina Bente Ocho Na Liheslaturan Guahan
Twenty-Eighth Guam Legislature
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker,

Hafa Adai! On February 22, 2006, I transmitted to you Executive Order No. 2006-02 relative to Guam Ancestral Land Use and Administration by Approving the Land Use Master Plan for Dos Amantes. In this transmittal, I included the plan also adopted and approved by the Guam Ancestral Lands Commission and the Executive Order and informed you the legislation to approve the plan will be forthcoming. I herewith enclose that legislation.

Enactment of the Land Use Master Plan for Dos Amantes will establish the initial zoning and land use control which is required to comply with the provisions of:

- 21 GCA Section 62102 "...to provide for the orderly growth and harmonious development of the territory; to insure adequate traffic circulation through coordinated, street, road and highway systems; to achieve individual property lots of maximum utility and livability; to secure adequate provisions for water supply, drainage, sanitary sewerage and other health requirements; to permit the conveyance of land by accurate legal description ; and to provide logical procedures for the achievement of this purpose."
- 21 GCA Section 62108 (b) "...every lot about a roadway right-of-way having a minimum width of forty (40) feet..."
- 21 GCA Section 62402 (a) (3) "Form of Final Plans shall show all survey and mathematical information and data necessary to locate all monuments, and to locate and retrace any and all interior and exterior boundary lines appearing thereon including bearing and distances of straight lines, radii, arc and tangent lengths of all curves. The final map shall particularly define, designate and delineate all road and alley right-of-way and easements and other parcels offered for dedication for public use..."

Likewise, and of equal importance, enactment will provide roads, utility easements, and provisions for traffic circulation insures all Ancestral Land lots in this area receive viable access to their property. To their credit, this plan – the first of its kind for Guam Ancestral Lands – was developed entirely by the landowners themselves, who deeply appreciate the need for orderly growth toward the highest and best public benefit use of their lands. This plan also pioneers reuse planning and redevelopment of formal military bases within the meaning of Chapter 28, 12 GCA. Enactment of the Land Use Plan for Dos Amantes will encourage ancestral landowners in other vicinities to follow suit, having been provided an important legislature precedent and process to follow in their efforts to also improve their lands.

The Guam Ancestral Lands program is truly unique, historically, and as a means by which we, as a people, can unite to honor our ancestors by being good stewards of the legacy they endowed us with. I hope you will join me in a major effort to enact this important measure at the earliest time possible.

I wish to reiterate this Master Land Use Plan for Dos Amantes, with the full encouragement of my office and this administration from the outset of their work, was prepared by a group of affected ancestral landowners, at a private initiative, without any public expense at all! Once the draft plan was prepared, it was widely circulated among landowners and claimants in the subject area, then publicly heard by the Guam Ancestral Lands Commission (GALC), which then adopted the plan without opposition, after offering several amendments which were incorporated into the version approved by GALC in September of last year. In January of this year, I endorsed the plan, after full interagency review, on the understanding that landowners who authorized the plan would also draft suitable legislation to implement the measure. I too received no opposition to approval. To the contrary, landowners were very enthusiastic about adoption of this legislation.

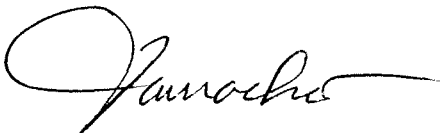
The legislation enclosed is the work product of the landowners supported by their private attorneys. Accordingly, with respect for this extraordinary landowners initiative, I am transmitting the legislative package exactly as it was presented to me by petition. I believe this version should be the focus for legislative enactment. The Ancestral Landowners seek four (4) separate, but related pre-development land use actions:

- 1) Adoption of the Land Use Master Plan and the Cadastral Base Map for the Dos Amantes area previously adopted by the GALC and myself. As you are aware, only the Guam Legislature holds initial zoning authority.
- 2) Facilitating and expediting the initial registration of, and the issuance of the initial certificates of title to, all land parcels listed in the Dos Amantes Cadastral Map, including all easements, all rights of way, public parks and all other public land, including the Ancestral Land Bank Trust land. This procedure is to apply only to the lots included in the Dos Amantes Cadastral Base Map and then only to the initial inscription. After initial inscription, the existing provisions of 21 GCA shall apply to future lot registration.

- 3) Resolution of the issues of historic site preservation at Hilaan in order that an additional 440 acres of land can be returned to the Government of Guam for distribution to the original landowners or heirs.
- 4) A real property tax moratorium for 7 years to offset the deeded provision that the landowners cannot sell the return land for a period of 7 years. You will recall some tax relief was enacted during the last session. The landowners seek an additional four (4) years because the deed restrictions prevent the landowners from selling (and possibly mortgaging) any portion of the return land for the purpose of obtaining improvements funds for the remainder of the property, for paying real estate taxes or for any other purpose.

Because Dos Amantes is integral to the future development of Guam's visitor industry, landowners are highly motivated to reuse and redevelop their ancestral lands into highest and best uses. The Dos Amantes Master Plan is a major step forward toward that end and fully coincides with Congressional expectations for their land. I feel very privileged to have been a part of the progress at hand. I am very confident you also take great pride in the accomplishments since enactment GALA of P.L. 25-45 for which you were a main sponsor. I look forward to your favorable consideration and am happy to learn your office will soon hold a public meeting to facilitate enactment of the measure.

Sinseru yan Magâhet,



FELIX P. CAMACHO

I Maga' Lâhen Guâhan
Governor of Guam

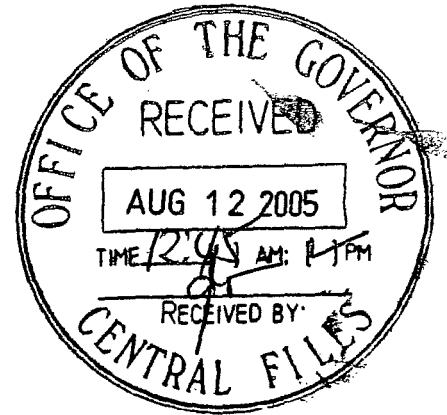
An aerial photograph of a coastal landscape. In the foreground, a river flows through a valley, bordered by fields. The middle ground shows a wide expanse of land, possibly agricultural or undeveloped, leading to a coastline with some buildings and structures. The sky is filled with large, dramatic clouds, suggesting an overcast or stormy day. The overall tone is dark and moody.

LAND USE MASTER PLAN
for the
DOS AMANTES PLANNING AREA

13 September 2005
Guam Ancestral Lands Commission
Adopted Plan Version

TRANSMITTAL LETTERS

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August 12, 2005

Honorable Felix P. Camacho
Ufisinan Maga'lahi
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Subject: Land Use Master Plan for the Dos Amantes Planning Area

Hafa Adai Governor Camacho:

In February 2003 I wrote to you about the impending problems associated with the return of lands to original landowners wherever zoning and viable access are absent. In particular, I highlighted the Harmon Cliffline/Dos Amantes area, where nearly 3,000 acres are in the process of being returned, yet only one property is officially zoned and many are landlocked, without easements for either access or utilities. At that time I offered to undertake, pro bono, preliminary land use master planning that would rectify those pre-development problems at Dos Amantes and establish a process that could also serve as a template for other returned-land areas on Guam which suffer similar constraints. Shortly thereafter, I learned about your acceptance of my offer through your Staff Assistant, Mr. Carlos Camacho.

I am pleased to enclose the results of my work.

During the course of this project, which obviously took much longer than I anticipated, I learned how entrenched many of these land use development problems have become. For example, the basis of any land use master planning lies in the availability of accurate cadastral maps which depict the metes and bounds of properties and easements. Throughout the Dos Amantes area, however, such cadastre is non-existent, except for perimeter boundaries of the land blocks returned by the military. Fortunately, my master planning work attracted the attention of several claimants with large land holdings in the Dos Amantes area, and they concurrently undertook a tabletop, digitized cadastre of the entire area. Together, we were able to produce a tentative subdivision map of the entire area, complete with an efficient network of access and utilities as well as a land use master plan and zones which support the highest and best use of the properties.

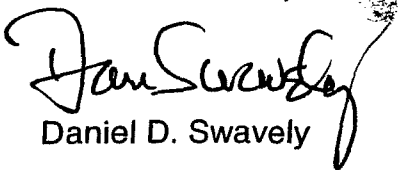
A few weeks ago I presented this report to the Land Bank Subcommittee of the Guam Ancestral Lands Commission. As the largest single landowner within the planning area, I thought it prudent to solicit their review and comment

before making any submittal to you. I am pleased to report that the Committee favorably received my work and asked for a few changes, which I have incorporated into this submittal.

Inasmuch as the Department of Revenue and Taxation has begun real property tax assessments of Ancestral Land lots, there is increased urgency for the establishment of a formal and adopted land use plan. Therefore, I invite your close attention to these work products and look forward to an opportunity for making a short presentation to you.

Of course, this is only the beginning. The final section of the master plan document presents a going-forward strategy of subsequent steps necessary for implementing the land use plan, zoning, and infrastructure development through the formation of an Improvement District, as authorized under P.L. 14-76. I would welcome the opportunity to discuss those steps, as well.

Si Yu'os Ma'ase,



Daniel D. Swavely

Enclosure as stated

cc w/ enclosure: Mr. Ed Benavente, Executive Director, Guam Ancestral Lands Commission

Daniel D. Swavely
Consulting Services
Villa Kanton Tasi, #1201
301 Frank H. Cushing Way
Tumon, Guam 96913

August 12, 2005

Honorable Ed Benavente, Executive Director
Guam Ancestral Lands Commission
Hagatna, Guam USA

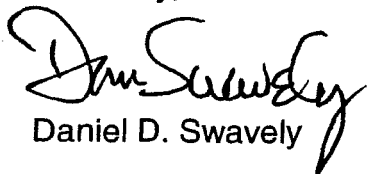
Subject: Final Land Use Master Plan for "Harmon Cliffline – Dos Amantes" Area

Hafa Adai Mr. Benavente:

As you know, on July 19, 2005 I presented the Preliminary Land Use Master Plan for the Dos Amantes Planning Area to the Commission's "Land Bank" Subcommittee. The Subcommittee then asked me to revise land uses for a portion of the planning area and to re-submit the Master Land Use Plan and the Base Cadastral Map with property coordinates. I have made those revisions, and they are enclosed for the Commission's formal adoption.

This concludes my work, and I appreciate the opportunity to have worked with you and your staff on such an important matter. I am confident that the Guam Ancestral Lands Commission will make good use of this Master Plan.

Sincerely,



Daniel D. Swavely

Enclosures as stated

GUAM ANCESTRAL LANDS COMMISSION
Kumision I Tano' Saino-ta
Government of Guam
Received by: JL
Date: 9/29/05 Time: 12:00

Tel: 649-2227
Fax: 649-6218
Email: dds@kuentos.guam.net

**LAND USE MASTER PLAN
for the
DOS AMANTES PLANNING AREA**

LAND USE MASTER PLAN for the DOS AMANTES PLANNING AREA

BACKGROUND

The Ancestral Lands Commission and the Chamorro Land Trust currently administer thousands of acres of land, which have existed outside of the island's civilian economy for several decades. A recent inventory indicates that approximately 6,900 acres of former federal excess lands are in the process of being returned to original landowners. Other portions of these lands are being programmed for public uses. The recipients of properties returned through the Ancestral Lands Commission ("ALC") process will receive title to their properties, then initiate probate, survey, mapping and land registration. However, these returned properties cannot be developed in accordance with their highest and best use and contribute to Guam's property tax base until they are zoned¹ and served by viable access and utilities.

Further, the procedure for returning properties to original landowners is non-sequential, thereby creating a gap as long as several years between the release of adjacent properties. All this invites a chaotic development pattern, similar to the blight and dysfunction of Harmon Industrial Park. Without a system of land use control, a circulation plan for traffic, municipal services such as parks, viable and legal access to every parcel, infrastructure, and master planning to promote sound development as well as resource protection, many constraints exist which prevent realization of the full economic advantage of these properties.

These properties occur throughout central and, particularly, north western Guam and offer an opportunity for the Government to facilitate a planning solution which capitalizes on the potential for economic development. Master planning for the entire inventory of ALC and Chamorro Land Trust properties would be highly beneficial to the Island's economy; and a pilot project for the ALC properties surrounding the Dos Amantes area could serve as a template for all other areas. The Dos Amantes area is well suited as a pilot project, because its overall size of approximately 1,200 hectares² (approximately 3,000 acres) offers an unsurpassed opportunity to properly master plan a region of public and private properties in advance of Guam's economic development in the 21st century. Theoretically, this land use planning exercise, which addresses approximately 44% of all ALC lands, can serve as a pilot for other areas throughout Guam being returned and/or retained by ALC.

¹ One parcel, Lot 5049-2-R1, located southwest of the Routes 1 and 16 intersection, was zoned in 2005 by the Guam Legislature as partial Commercial and partial Light Industrial. A second parcel, located adjacent to the Calvo compound in Maite, was zoned to accommodate family gravesites.

² Note: a hectare equals 10,000 square meters, approximately 2.5 acres.

PURPOSE

Currently, the government of Guam does not have the financial capacity to undertake land use planning for Ancestral Lands. Therefore, in February 2003 Governor Felix Camacho was offered pro bono services to undertake a land use master planning project for the Dos Amantes area properties, in conjunction with the individual landowners (including the Ancestral Lands Commission) and the Department of Land Management.³ That offer was subsequently accepted by the Governor's Office.

This report summarizes that work and presents a preliminary master plan, based upon a cadastral base map, which encompasses options for land uses, access and utility easements, and public uses as well as the necessary subsequent steps for implementation.

THE DOS AMANTES PLANNING AREA

For purposes of this plan, the Dos Amantes area includes those properties lying generally westerly of Routes 1 and 3, between the Gun Beach/Harmon Cliffline on the south and the NCTAMS Finegayan area to the north. These areas are generally referred to as (starting from north to south):

Former FAA Housing (Naval Radio Finegayan - 1) at 276 acres

South Finegayan at 162 hectares (+/-) (maps based on preliminary boundaries; final boundaries unavailable at this time). This parcel was surplus to GSA in 2000 pursuant to U.S. Public Law 103-399 but is yet to be returned, pending action of the Government of Guam regarding a Hilaan Protection Agreement. Assuming the Government of Guam will take the necessary actions in the near future to assure a timely return to the ALC and the heirs of the original landowners, this parcel has been incorporated into this plan.

Andersen Communication Annex No. 1 (AJKD) at 353 hectares

Andersen Family Housing Annex No. 4 (AJKP) at 160 hectares

Andersen VOR Annex (AJKZ) at 125 hectares

Andersen Petroleum Storage Annex No. 2 (AJKV) at 14 hectares

Harmon Air Force Base "A-1" and "A-2" at 8 hectares

NCS Beach at 6 hectares

³ See Enclosure A. letter to Governor Felix P. Camacho from Daniel D. Swavely, dated February 17, 2003.

Abutting public and private properties at 71 hectares, of which the public areas include the Tanguisson Power Plant, Dos Amantes Park, and the Northern District Sewage Treatment Plan.

The total area amounts to approximately 1,200 hectares (all sizes are approximate).

Enclosure B presents the parcels, which comprise the Dos Amantes planning area and the current zoning.

LAND USE MASTER PLANNING PROCESS

Land use master planning must rely on several building blocks, including:

reliable cadastral data regarding property surveys and a traffic circulation plan which provides adequate easements for access and infrastructure;

current economic development master plans; and

current land use master plans.

Property Surveys

Approximately half of the returned lands included in the planning area had never been surveyed by either the landowners or the U.S. Government at the time of condemnation. The other half of the returned lands had been surveyed at the time of condemnation, but are yet to be re-surveyed following land return.

Some claimants who have already had land returned are now undertaking property surveys in order to set the metes and bounds of their parcels. Unfortunately, those surveys have not been coordinated with respect to common reference points and datum; so apparent gaps and encroachments are already surfacing.

Some of the of the larger claimants, such as the Shimizu and the San Nicolas families, have commissioned a digitized base map for the overall planning area in order to reconcile individual parcel boundaries within each of the larger areas of returned lands. That Base Cadastral Map will serve as a master cadastral to coordinate the individual lot surveys and thereby avoid unnecessary expense and disagreement resulting from conflicting field surveys and is, therefore, essential to implementing the Dos Amantes Land Use Master Plan (see Appendix A). The Base Cadastral Map should be used by the Department of Land Management for checking future individual survey maps with respect to boundary, size and location. The Base Cadastral Map is also accompanied by tables showing each

property's area and corner coordinates, greatly facilitating the preparation and recordation of property surveys by original landowners and heirs.

Traffic Circulation Plan

A maze of access and utility easements already exists throughout the planning area, consisting of documented access and utility easements, bull cart trails, and paved roadways not within documented easements. However, the existing circulation pattern neither serves the entire planning area efficiently nor does it offer viable access to every property. See Enclosure C for existing accesses within the planning area, including a highlight of those lots without viable access at this time.

Legal and viable access to every parcel as well as an efficient, overall transportation network are essential to any land use master planning. In the case of the Dos Amantes planning area, such a traffic circulation plan is also necessary to achieve the goal of attaining the best and highest use of the returned lands.

The land return maps include utility and access easements. However, those easements do not serve every returned parcel. Therefore, unless the Government of Guam takes steps to correct this situation, several parcels will remain landlocked.

Access easements retained by the Federal government within the planning area are permanent and cannot be vacated without the permission of the U.S. government. Those easements include:

- Useable paved roads;

- Easements that were never paved or were previously paved but are now unusable due to vegetation overgrowth; and

- Utility easements that are too narrow (usually only 15 to 20 feet) to function as viable access roadways.

Enclosure D, Land Use Plan, presents a traffic circulation plan for the Dos Amantes planning area. This transportation network includes:

- Retention of useable paved roads;

- Retention of easements that were never paved and easements that were previously paved but are now unusable due to vegetation overgrowth;

Utility easements that could be widened to provide viable access to parcels, which would otherwise be landlocked;

Bull cart trails that could be widened to provide legal and viable access to parcels which would otherwise be landlocked; Those bull cart trails no longer necessary can be vacated and consolidated into abutting lots; and

New access easements which are necessary to assure a balanced network of circulation and utilities both to and within the planning area and/or to provide easements to parcels which would otherwise be landlocked. All easements should be set to minimum widths of 50 feet or 100 feet, as necessary to provide the level of service for which they are intended.

These new access easements are described below.

Link between Tumon and Dos Amantes

This corridor connects San Vitores Boulevard, in the vicinity of Okura Hotel, with the Dos Amantes Park Road intersection. Some of this alignment follows an existing bullcart trail. This link will provide for direct commerce and transportation between the Tumon resort district and the Dos Amantes planning area without the use of Marine Corps Drive.

Connector between the Tanguisson Beach Road / NDSS STP intersection and Route 3

This connector provides for a more direct access to Route 3 from the Tanguisson Beach area and generally improves the overall circulation pattern in the central portion of the planning area. Note that additional accesses from the planning area to Route 3 are possible; however, the development of those additional connectors should be postponed until warranted by traffic volume, thereby avoiding unnecessary Route 3 intersections at this time.

Corridor between the Central Portion and the Northern Portion of the Planning Area

This corridor connects the existing circulation pattern in the central portion of the planning area with the northern area, including a northern connector to Route 3, already in place as the access road to the former FAA Housing area. This alignment is predicated on two facts. First, it is a direct line connection between the existing NDSS STP roadway easement and the existing FAA Housing

roadway, which ties into Route 3. Second, this alignment was established as early as 1922 and reflected on a Historic Precedence Map printed in 1922 by the Corps of Engineers (Enclosure E) and again in March 1947 by the U.S. Naval Gov't of Guam, M.I., Land Claims Commission (Enclosure F).

Public Parks Planning

Guam Public Law 22-145 specifically returns Tanguisson Beach Park to the original landowner or heirs. The preliminary Dos Amantes land use master plan envisions this park and an expanded adjacent area becoming the property of the Government of Guam for public use. However, such park planning will require land condemnation, unless the original landowners or heirs are willing to accept the Base Cadastral Map, which relinquishes the park area to GovGuam in return for land elsewhere in the Dos Amantes planning area.

Current Economic Development Planning

The government of Guam does not have a current, comprehensive economic development plan. Nonetheless, policies and budget commitments by both the government of Guam as well as the U.S. federal government indicate the likelihood of increased tourism and Department of Defense investments. Secondly, the telecommunications, financial services and transshipment industries are being pursued. With respect to land use planning, these general objectives for economic development portend future requirements within the Dos Amantes area, which has several large tracts of land, for hotel/resort, commercial and residential development.

Current Land Use Master Planning

Guam has neither a current land use plan for the Island nor any plan whatsoever for the Dos Amantes area; and the current zoning code is somewhat restrictive for land use planning purposes. However, the former I Tano'-ta Zoning Code proposed a series of multi-use "intensity districts," each embodying a series complementary land uses organized around an overall theme of development. Two of those I Tano'-ta intensity districts, #6 and #7, reflect residential, commercial and resort development, the general land uses that match both the natural resources and the location of the Dos Amantes area as well as Guam's overall economic development objectives. Further, recent legislative zoning of Lot 5049-2-R1, located within the planning area, for commercial and light industrial development indicates the Legislature's concurrence with this proposed general scheme of land use. See Enclosure D, Land Use Plan

LAND USES

I Tano'-Ta Intensity District 6 – Urban Center

This District is characterized by high intensity residential, commercial and other central business district functions that provide a full range of commercial activities and urban services.

General Permitted Uses

Dwellings (Multi-family only)
Hotels and Guesthouses (Hotels, Bed & Breakfast, Guesthouses)
Retail Trade (Those providing finished products. No auto services)
Personal Services (Banks, Day Care, Veterinarians, Laundromats, etc.)
Business Services (Office Buildings)
Professional Services (Legal, Accounting, Professional Consultants)
Recreation Facilities (Public and Commercial, including Night Clubs)
Limited Public Facilities (Police/Fire Substations, Libraries, Post Office, Mass Transit)

I Tano'-Ta Intensity District 7 – Hotel And Resort

This District is intended to encompass Guam's primary tourism areas including typical support retail and recreation services and facilities associated with tourism.

General Permitted Uses

Dwellings (Multi-family only)
Hotels and Guesthouses (Resorts, Hotels, Guesthouses)
Retail Trade (Those providing finished products, especially for tourists. No auto services)
Personal Services (Barber Shops/Beauty Salons, Laundromats, Day Care)
Business Services (Advertising, Legal, Finance, Tour Wholesale and Travel)
Recreational Facilities (Public and Commercial, including Night Clubs)
Limited Public Facilities (Police/Fire Substations, Infrastructure Support)

LAND USE MASTER PLAN

Enclosure D, Land Use Plan, presents the preliminary land use plan, utilizing the Intensity Districts 6 and 7 as well as the proposed circulation system and permitted land uses. The rationale behind these land use recommendations follows.

Intensity District 6 - Urban Center

This area is well served by both Route 1 and Route 3 and lies between the major residential districts of Dededo/Yigo and central Guam. As such, it is particularly suitable as an urban area, which includes both multi-family residential as well as intensive development of most commercial services, including offices and shopping.

Intensity District 7 - Hotel and Resort

The coastline and adjacent plateau of the Dos Amantes planning area is a geographic extension of Tumon. As Tumon's development becomes saturated, particularly along the coastline, new venues for hotel and resort development will be needed, particularly lots large enough to provide sufficient land base for resorts. The area designated as Intensity District 7 is designed to accommodate that genre of future growth. Further, this District includes a portion of the ALC land, allowing for ALC to include resort and hotel development within its future inventory of assets. Inasmuch as this is a large area which already encompasses several public facilities (Tanguisson Power Plant, Tanguisson Beach, etc.), the possibility of designating additional public benefit uses for parks and public facilities is likely, as the master planning effort evolves into Public Facilities Master Planning to accommodate future development.

While these two Intensity Districts from the former I Tano'-ta Land Use Plan are well suited for the Dos Amantes planning area, collateral recommendations such as I Tano'-ta's Dimensional and Density Requirements, Performance Standards, Off-street Parking Requirements and similar supporting guidelines are neither conducive to sound development policy nor efficient to administer and, therefore, not recommended for adoption.

Further, those properties within the planning area that have been zoned by the Guam Legislature in advance of the adoption of this Land Use Master Plan should be exempt from the land use designations imposed by this Plan.

Additionally, land owners within the Dos Amantes Planning Area should be allowed to substitute a current Guam land use zone (e.g., R-1 Single Family Residential; R-2 Multi-

family Residential; PDD Planned Development District; etc.) for the Intensity District designated on the Dos Amantes Land Use Master Plan so long as the land owner's proposed zone's permitted or conditional uses generally conform to the land uses allowed for the same property within the Intensity District designated by this Plan.

IMPLEMENTATION

The following steps are required to implement this Dos Amantes Land Use Master Plan.

1. The ALC should review and amend, if necessary, this preliminary Land Use Master Plan and accompanying Base Cadastral Map and then formally adopt both by Resolution.
2. The Department of Land Management should adopt the ALC's Land Use Master Plan and accompanying Base Cadastral Map as the basis for subsequent zoning and property surveys within the Dos Amantes planning area.
3. The Government of Guam should enact enabling legislation regarding the economic improvement and development of GALC lands in general and the Dos Amantes planning area in particular.

*** **

List of Enclosures and Appendix

Preliminary Land Use Master Plan for the Dos Amantes Planning Area July 2005

Enclosure A – Letter to Governor Felix P. Camacho from Daniel D. Swavely, dated February 17, 2003.

Enclosure B – Current Zoning

Enclosure C – Existing Access

Enclosure D – Land Use Plan

Enclosure E – Historic Precedence Map, Corps of Engineers, 1922

Enclosure F – U.S. Naval Gov't of Guam, M.I., Land Claims Commission, March 1947

Appendix A

A1- Cadastral Base Map

A2 - Mapping Project Proposal Letter (May 5, 2005)

A3 - Mapping Project Acceptance Letter (May 28, 2005)

A4 - Mapping Project Transmittal letter (July 12 2005)

ENCLOSURE A

Villa Kanton Tasi, #1201
301 Frank H. Cushing Way
Tumon, GU 96913

February 17, 2003

Honorable Felix G. Camacho, Governor of Guam
Government of Guam
PO Box 2950
Hagatna, Guam 96910

Hafa adai Governor Camacho,

I would like to address a land use planning issue which now faces the recipients of properties returned through both the Ancestral Lands Commission and the BRACC process. Although these original land owners and heirs will receive titles to their properties, there remains much to accomplish before the land can be put to its best and highest use. In this letter I will explain the problem as I see it, argue that the Government of Guam has an obligation to facilitate a solution as well which capitalize on an opportunity for promoting economic development, and offer a strategy to master plan at least one area, at no cost, as a pilot project.

The Problem

Inasmuch as 2,413 acres of ALC properties and 4,484 acres BRACC properties have existed outside of the Island's economy for several decades, they are no longer suited for development according to their best and highest use. For example, these properties are not zoned, many lack viable access (some are landlocked) and others are bisected by paved roads. Further, the docket procedure for returning properties is non-sequential, thereby creating a gap as long as several years between the release of adjacent properties. All this portends a chaotic development pattern. Without zoning, a circulation plan for traffic and infrastructure, and master planning to promote sound development as well as resource protection, I foresee many constraints to realizing the full economic advantage of these properties. Eventually, the recipients will come to the same conclusion.

The Government of Guam's Obligation

I believe that the Government of Guam has a duty, both legal and moral, to facilitate the return of these ALC and BRACC properties so as to achieve their best and highest use. Authority for land use master planning, resource protection, traffic circulation and infrastructure planning is well established within the Executive Branch. In fact, I could argue with merit the obligation to extend such land use master planning to other categories of land on Guam with similar shortcomings, such as Chamorro Land Trust properties and

privately-held "in-fill" properties not presently covered by Guam's zoning plan.

A Pilot Project Solution

Admittedly, all this is a large undertaking, and the government does not have financial resources to launch a planning process that comprehensively addresses the issues I've raised. Nonetheless, I believe that we can make meaningful progress by convening a task force of planners, architects and engineers from both GovGuam as well as local private industry to tackle at least one category of properties as a pilot project. If that exercise is successful, and I have no reason to believe otherwise, the process can be repeated. Towards that end, I recommend that Mr. Felix Dungca, former Chief Planner and currently the Director-designate of Land Management, be appointed to Chair this task force. Further, I recommend that we choose the ALC lots in the Harmon Cliffline area for the pilot project, because they are relatively large in size and constitute an alternative tourist destination that is associated with the Island's most visited attraction, Puntan Dos Amantes.

Summary

If you agree with the problem, obligation by the Government of Guam and the proposed solution, I will gladly canvass local A/E firms and others in private industry to assist with this task force effort, allowing final member selection at your discretion. If you wish, I can then work with Mr. Dungca to convene the task force, establish its scope, and proceed with the work at hand.

I do believe that is it wise to be pro-active about establishing zoning for these properties before the owners discover this shortcoming and seek your assistance on a lot-by-lot basis for resolution.

Thank you for your consideration of this proposal. I look forward to working with your Administration.

Sincerely,

Daniel D. Swavely

ENCLOSURE B

FOUR HUNDRED PLUS ACRES NOT YET RETURNED PENDING GOVERNMENT OF GUAM ACTION ON HILAAN PROTECTION AGREEMENT

(ANC)
HISTORIC SITE

ESTATE 471

GUAM ANCESTRAL LANDS

Estate 103

SOUTH FINEGAYAN HOUSING NOT TO BE RETURNED

TANQUISSON PARK

Estate 103

Estate 431

MARINE CORPS DRIVE

TO NCTS



LEGEND

□ LOTS WITHOUT ZONING or LEGALLY AUTHORIZED LAND USE

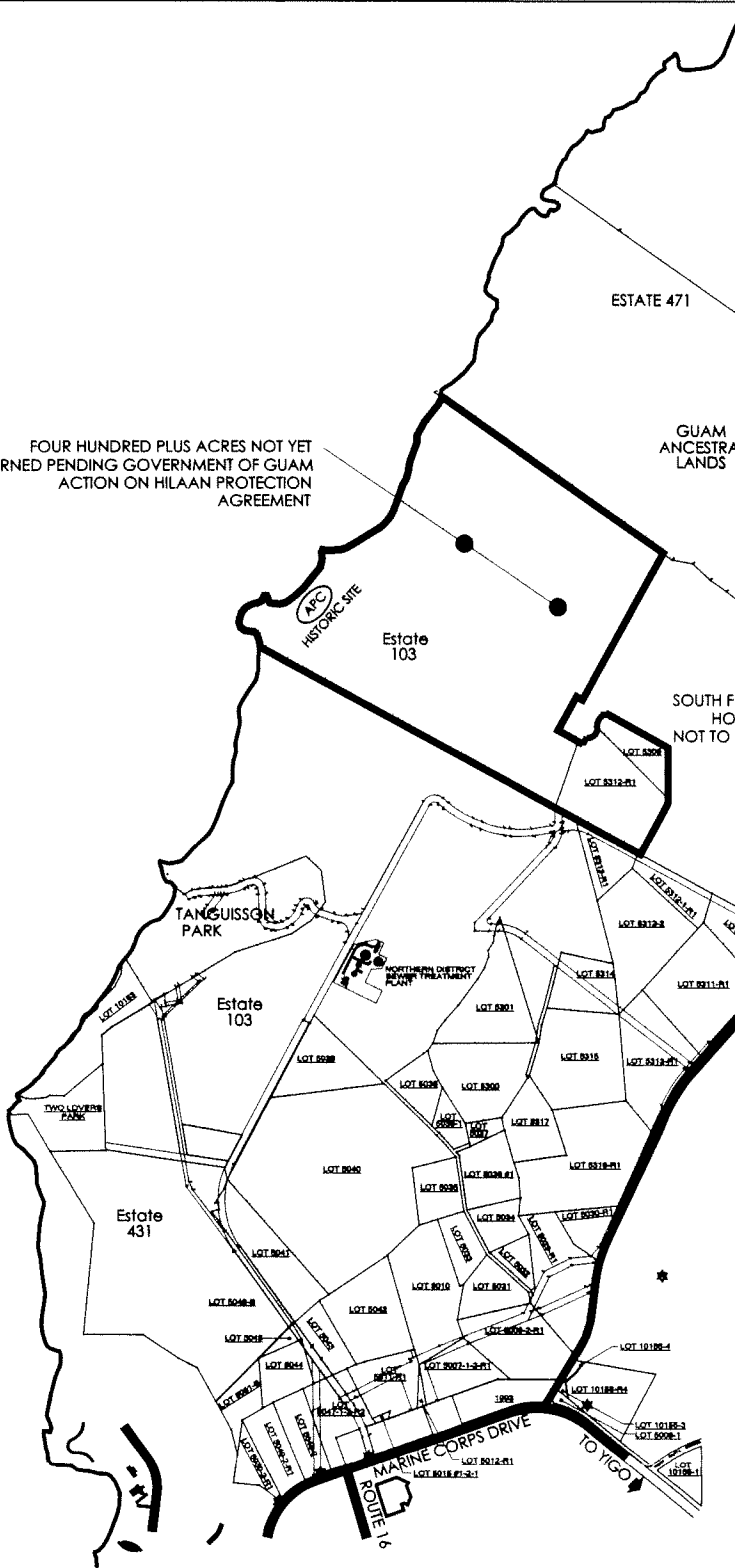
— PROPERTY LINE

LOT 5301 — LOT NUMBER

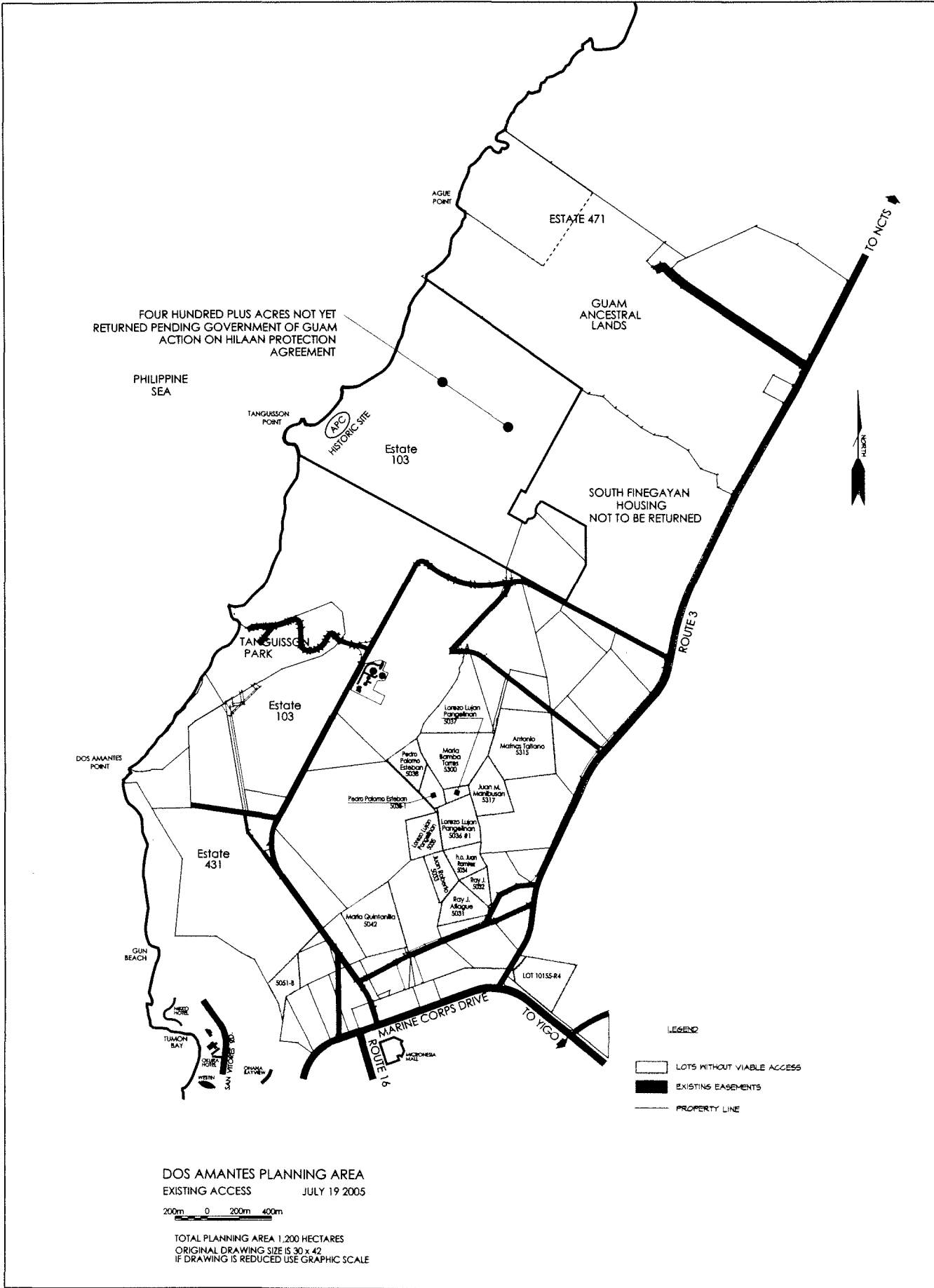
DOS AMANTES PLANNING AREA
CURRENT ZONING JULY 19 2005

200m 0 200m 400m

TOTAL PLANNING AREA 1,200 HECTARES
ORIGINAL DRAWING SIZE IS 30 x 42
IF DRAWING IS REDUCED USE GRAPHIC SCALE

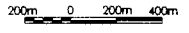


ENCLOSURE C



LEGEND
 [Dashed line] LOTS WITHOUT VIABLE ACCESS
 [Thick solid line] EXISTING EASEMENTS
 [Thin solid line] PROPERTY LINE

DOS AMANTES PLANNING AREA
 EXISTING ACCESS JULY 19 2005



TOTAL PLANNING AREA 1,200 HECTARES
 ORIGINAL DRAWING SIZE IS 30 x 42
 IF DRAWING IS REDUCED USE GRAPHIC SCALE

ENCLOSURE D