

*I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN*  
2008 (SECOND) REGULAR SESSION

2008 JUL 29 PM 3:41

Bill No. 345 (EC)

Introduced by:

R.J. RESPICIO  
J.P. GUTHERTZ  
B.J.F. CRUZ  
T.R. MUÑA BARNES  
D.L.G. SHIMIZU

AN ACT TO PROHIBIT ANY SALE, EXCHANGE, TRANSFER, PLEDGE, HYPOTHECATION OR ENCUMBRANCE OF THE GOVERNMENT OF GUAM REAL PROPERTY IDENTIFIED AS LOT NOS. 5136-1-1-1, 5138-R3, 5139-R3, 5139-3-R1 AND 5139-3-1 LOCATED IN THE MUNICIPALITY OF TAMUNING, UPON WHICH THE CAMPUSES OF JOHN F. KENNEDY HIGH SCHOOL AND CHIEF BRODIE MEMORIAL ELEMENTARY SCHOOL ARE LOCATED, AND ENSURING FOR PERPETUITY THAT THE PRIMARY USE OF THE PROPERTY SHALL BE FOR EDUCATIONAL PURPOSES.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. **Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
3 finds that for more than forty years, John F. Kennedy High School, which  
4 first opened its doors bearing the name "Tumon Junior Senior High  
5 School," has been an alma mater for many thousands of students. During  
6 the years immediately following Super Typhoon Karen's destruction in  
7 1962 of the aged George Washington High School, the Tumon High  
8 campus housed both of the island's high schools for three years of double  
9 sessions.

10 *I Liheslatura* further finds that directly adjacent to the Kennedy site is  
11 Chief Brodie Memorial School, which had once been the island's campus  
12 for exceptional children and now serves as an elementary school.

1 Thousands more of our citizens have received at least a part of their  
2 education at the Chief Brodie facilities.

3 The land on which the schools are located holds memories for many  
4 of Guam's families that they will recall and cherish all their lives. As  
5 Tumon High and JFK High; as the surrogate campus for GW students in  
6 three years of double sessions; and including both versions of Brodie  
7 Memorial, the area encompassing the two campuses is rich in history and  
8 tradition. The playing field, track and gymnasium have been sites for  
9 championships, heartbreak and every emotion in between. They served as  
10 an important site for Guam's hosting of the South Pacific Games in 1999,  
11 during which our island welcomed athletes from across the region to  
12 compete in brotherhood and friendship.

13 *I Liheslatura* further finds that the deteriorating condition of JFK  
14 facilities have prompted discussions concerning major repairs needed for  
15 the school, and suggestions have been made that a new campus should be  
16 constructed at a different site. A few have even proposed that the property  
17 be sold in order to assist in financing the construction of new facilities.

18 While alternative facilities and locations may allow for modern, state-  
19 of-the-art schools with expanded educational programs, it is equally  
20 important that the history, traditions and memories of this important and  
21 very valuable real estate belonging to all of the people of Guam be  
22 preserved for future generations, and that proper facilities and  
23 accommodations be provided at the present site.

24 It is therefore the intent of *I Liheslatura* that the Government of Guam  
25 be restricted from any sale, exchange, transfer, pledge, hypothecation or  
26 encumbrance of the Government of Guam real property in the municipality  
27 of Tamuning upon which the campuses of John F. Kennedy High School  
28 and Chief Brodie Memorial Elementary School are located, and ensure for

1 perpetuity that the primary use of the property shall be for educational  
2 purposes and that it remain in the hands of the Government of Guam.

3 **Section 2. Restriction on sale of certain Government of Guam real**  
4 **property.** The Government of Guam real property, identified as Lot Nos.  
5 5136-1-1-1, 5138-R3, 5139-R3, 5139-3-R1 and 5139-3-1, with a combined area  
6 of approximately 171,706.65 square meters, all in the municipality of  
7 Tamuning as described in official Department of Land Management map  
8 documents attached as Exhibits I and II, upon which the campuses of John  
9 F. Kennedy High School and Chief Brodie Memorial Elementary School are  
10 located, shall be restricted from any sale, exchange, transfer, pledge,  
11 hypothecation or encumbrance.

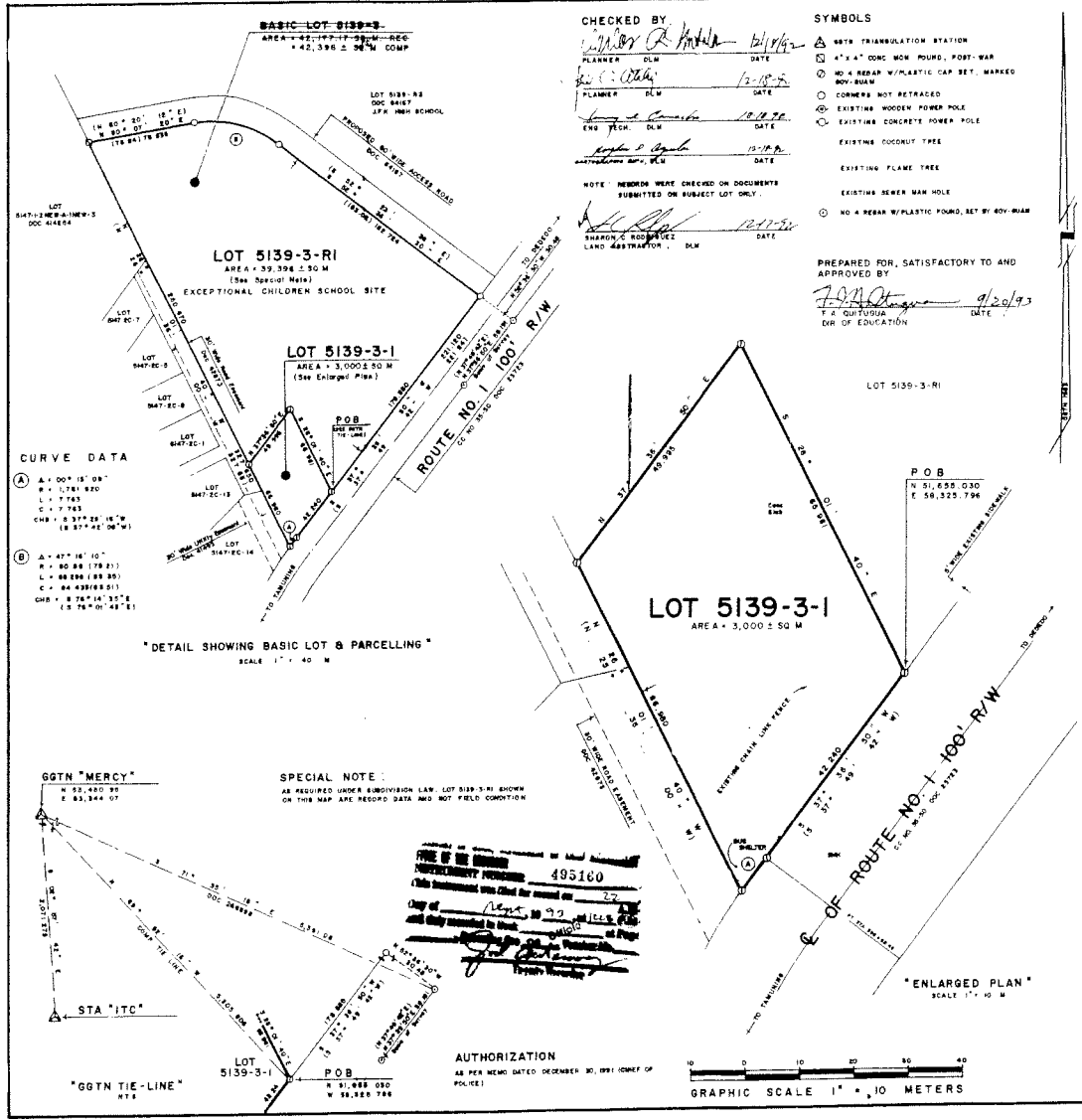
12 **Section 3. Use of certain Government of Guam real property.** The  
13 real property identified in this section as Lot Nos. 5136-1-1-1, 5138-R3,  
14 5139-R3, 5139-3-R1 and 5139-3-1, with a combined area of approximately  
15 171,706.65 square meters, all in the municipality of Tamuning, shall be used  
16 primarily for educational purposes for the benefit of Guam's children.

17 **Section 4. No effect on existing agreements or interests.** The  
18 requirements of this section shall not impair, modify or change the terms of  
19 any existing mortgage agreement or mortgage lien on the identified real  
20 property, nor impair an existing security interest held thereon.

21 **Section 5. Severability Clause.** If any provision of this Act or its  
22 application relative to the real property identified in this section as Lot  
23 Nos. 5136-1-1-1, 5138-R3, 5139-R3, 5139-3-R1 and 5139-3-1, with a combined  
24 area of approximately 171,706.65 square meters, all in the municipality of  
25 Tamuning, and relative to any person or circumstances is held invalid, the  
26 invalidity shall not affect other provisions or applications of this Act which  
27 can be given effect without the invalid provision or application, and to this  
28 end the provisions of this Act are severable.



EXHIBIT 2



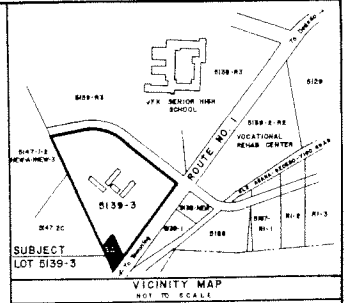
**CHECKED BY**  
PLANNER *[Signature]* DATE *12/18/92*  
PLANNER *[Signature]* DATE *12/18/92*  
ENG *[Signature]* DATE *12/18/92*  
LAND ABSTRACTOR *[Signature]* DATE *12/18/92*

**NOTE:** MEMORANDUM CHECKED ON DOCUMENTS SUBMITTED ON SUBJECT LOT ONLY.

**SHARON C. RODRIGUEZ**  
LAND ABSTRACTOR DLM DATE *12/18/92*

- SYMBOLS**
- ⊠ 4" x 4" CONC. MON. FOUND, POST-WAR
  - ⊞ 4" x 4" REBAR W/PLASTIC CAP SET, MARKED BY-BUAM
  - CORNERS NOT RETRACED
  - ⊙ EXISTING WOODEN POWER POLE
  - ⊙ EXISTING CONCRETE POWER POLE
  - ⊙ EXISTING COCONUT TREE
  - ⊙ EXISTING FLAME TREE
  - ⊙ EXISTING SEWER MAN HOLE
  - ⊙ NO 4 REBAR W/PLASTIC FOUND, SET BY BY-BUAM

PREPARED FOR, SATISFACTORY TO AND APPROVED BY  
*[Signature]* DATE *12/29/92*  
F. A. QUIROGA  
DIR. OF EDUCATION



- NOTES**
- SURVEY WAS BASED ON ROUND CORNERS AS SHOWN.
  - ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
  - BEARINGS AND DISTANCES ARE BASED ON 1983 GRID.

- REFERENCES**
- DWG. NO. 14-77046, PARCELLING & CONSOLIDATION OF LOTS 5139-2-1 AND 5139-3 INTO LOT 5139-MEM, LM 10-7772, DOC 24886.
  - DWG. NO. 88-87853, REAL ESTATE REQUIREMENTS FOR TUMON & ROUTE NO. 1, DOC 64167.

**CERTIFICATIONS**

I, MICHAEL B. CARINO, HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS BASED UPON A FIELD SURVEY MADE IN MARCH 1992, AND THAT IT MEETS ALL THE REQUIREMENTS OF CHAPTER 3, TITLE XIV OF THE GOVERNMENT CODE OF GUAM AND THE REQUIREMENTS THEREUNDER.

*[Signature]* DATE *11/19/92*  
MICHAEL B. CARINO  
TERRITORIAL SURVEYOR

APPROVAL PURSUANT TO PUBLIC LAW 134, TITLE 18, § 907 OF GUAM

*[Signature]* DATE *12/18/92*  
MICHAEL B. CARINO  
PLANNER

APPROVED  
*[Signature]* DATE *12-22-92*  
F. A. QUIROGA, DIR. OF LAND MANAGEMENT

SURVEY DATA		ABSTRACT OF TITLE	
SUBJECT	BY	DATE	
RESEARCHED	J. CARACHO	MAR. 1992	BASIC LOT 5139
FIELD BY	J. CARACHO	MAR. 1992	CERTIFICATE OF TITLE, S.C. # 3008
FIELD REPLY	R. CRUZ	MAR. 1992	REGISTERED ON JAN. 17, 1992
COMPUTED	R. CRUZ	MAR. 1992	IN NAME OF USA
DRAWN	J. CARACHO	MAR. 1992	GOVERNMENT OF GUAM
CHECKED	M. CARINO	MAR. 1992	

PARCELLING SURVEY MAP OF  
**LOT 5139-3**  
MUNICIPALITY OF TUMON (FORMERLY 19A0 & TUMON MUN. OF DEDEDO)  
LS 13 SEC. 1

GOVERNMENT OF GUAM  
DEPARTMENT OF LAND MANAGEMENT  
LAND SURVEY DIVISION

SCALE 1" = 40 M  
SHEET 1 OF 1

DEPINING NUMBER  
LM LAND MANAGEMENT  
272-FY92 I4-9ST447

**FILE OF THE RECORD**  
INSTRUMENT NUMBER 495160  
This instrument was filed for record on  
Day of *12* 1992  
and duly returned to *[Signature]*  
Recorder

**AUTHORIZATION**  
AS PER MEMO DATED DECEMBER 30, 1991 (INDEX OF POLICE)