

I MINA' TRENTA I UNO NA LIHESLATURAN GUÁHAN
2011 (First) Regular Session

Bill No. 116-31 (COR)

Introduced by:

T.R. Muña-Barnes
v.c. pangelinan
Benjamin J.F. Cruz

2011 MAR 21 PM 3:34
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**AN ACT TO APPROVE THE LEASE BY AND BETWEEN THE
GOVERNMENT OF GUAM AND THE GUAM NATIONAL
TENNIS FEDERATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds

that the Guam National Tennis Federation (“GNTF”), is a duly registered non-profit organization engaged in the development and promotion of sports activities, namely the sport of tennis, and is the governing body of tennis on Guam. GNTF is responsible for nominating athletes to the Guam National Olympic Committee for selection to Team Guam in international competitions, for training National Team and Junior National Team players, for hosting international and local tournaments, for running various programs aimed at introducing tennis to Guam’s youth and developing young players, and conducting community outreach clinics to promote tennis (and sports generally) to the island community.

1 It is the intent of *I Liheslaturan Guåhan* to solidify Guam’s image as a bona
2 fide international sports destination in support of expanding our tourism
3 destination to include Sports Tourism for Guam.

4 *I Liheslaturan Guahan* recognizes that Guam is poised to become a major
5 regional player in world-class level international tennis events, contributing to the
6 Guam Visitors Bureau’s goal of developing Sports Tourism.

7 *I Liheslaturan Guahan* further finds that it is the intent of the GNTF to
8 provide a venue for international tennis tournaments at which elite international
9 players may and develop the sport of tennis through the introduction and
10 development of tennis to the youth, thereby providing productive and healthy
11 alternatives to sedentary or destructive behavior.

12 *I Liheslaturan Guahan* recognizes that the Guam National Tennis Federation
13 is committed to providing programs and competition to the adult community,
14 contributing to the health and well being of the community.

15 *I Liheslaturan Guahan* further recognizes that the Guam National Tennis
16 Federation is proposing to build a multi-court facility that meet the standards for
17 international competition as required by the ITF. The construction of a
18 comprehensive tennis center will promote Guam’s image as an international sports
19 destination as well as provide a facility for the Guam National Tennis Federation to
20 implement programs for the benefit of Guam’s youth and general population.

1 **Section 2. Authorization to lease land.** *I Maga'lahaen Guåhan* is
2 authorized to lease a portion, no less than 20,235± square meters of land area, of
3 Lot No. 10142-New, Municipality of Dededo, consisting of 242,694.07± square
4 meters to the Guam National Tennis Federation.

5 **Section 3. Terms of the Lease.** *I Maga'lahaen Guåhan* shall execute all
6 instruments necessary to carry out the provisions of subsections (a) through (e) of
7 this Section.

8 (a) The Department of Parks and Recreation shall identify the portion
9 of Lot No. 10142-New, Dededo, no less than 20,235 square meters
10 ("Lot"), to be leased;

11 (b) The Government *shall* lease to the Guam National Tennis
12 Federation for the sum of One Dollar (\$1.00) per annum the Lot
13 for twenty-five (25) years with an option to renew for another
14 twenty-five (25) years. The GNTF may subject the property and its
15 improvements to a leasehold mortgage;

16 (c) The use of the leasehold *shall be limited* to those activities
17 consistent with the mission and purpose of lessee, as detailed in
18 GNTF's governing documents, and for the activities authorized
19 herein;

1 (d)The leasehold is *not* assignable *nor may* it be sublet without *I*
2 *Liheslaturan Guahan's* approval; and

3 (e)Any change in the tax status of the lessee *shall* require an
4 immediate renegotiation of the lease. *If* such change *shall* be to a
5 for-profit entity, the annual rate of the lease *shall* be *no less than*
6 ten percent (10%) of the actual market value of the property.

7 **Section 4. Approval of Lease.** Notwithstanding any other laws to the
8 contrary, the lease by the government of Guam to the GNTF of the Lot and
9 improvements thereon, *shall* be executed by *I Maga' lahi* and the duly authorized
10 representative of the GNTF and *shall* require the concurrence of *I Liheslaturan*
11 *Guahan;*

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

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