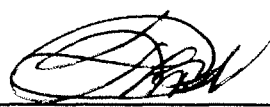


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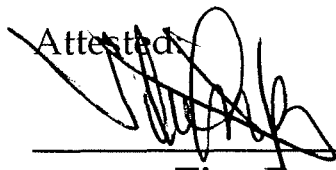
**I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN**  
**2008 (SECOND) Regular Session**

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

This is to certify that **Substitute Bill No. 368 (LS), "AN ACT TO ADD A NEW ARTICLE 14 TO CHAPTER 68 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE RETURN OF UNUSED PROPERTIES TO THEIR RIGHTFUL OWNERS AND HEIRS, AND TO CITE THE ACT AS "THE RETURN OF PRIVATE PROPERTIES ACT OF 2008,"** was on the 30<sup>th</sup> day of December, 2008, duly and regularly passed.

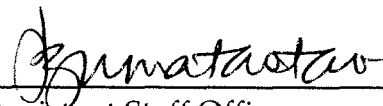


**Judith T. Won Pat, Ed. D.**  
**Speaker**

Attested 

**Tina Rose Muña Barnes**  
**Senator and Secretary of the Legislature**

This Act was received by *I Maga'lahen Guåhan* this 31 day of Dec., 2008, at 3:10 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

**FELIX P. CAMACHO**  
*I Maga'lahen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

**I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session**

**Bill No. 368 (LS)**

As substituted by the Author  
and amended on the Floor.

Introduced by:

Frank F. Blas, Jr.  
v. c. Pangelinan  
Edward J.B. Calvo  
Tina Rose Muña Barnes  
B. J.F. Cruz  
James V. Espaldon  
Mark Forbes  
Judith P. Guthertz, DPA  
Frank T. Ishizaki  
J. A. Lujan  
A. B. Palacios, Sr.  
R. J. Respicio  
Dr. David L.G. Shimizu  
Ray Tenorio  
J. T. Won Pat, Ed.D.

**AN ACT TO ADD A NEW ARTICLE 14 TO CHAPTER 68 OF  
TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE  
TO THE RETURN OF UNUSED PROPERTIES TO THEIR  
RIGHTFUL OWNERS AND HEIRS, AND TO CITE THE ACT  
AS "THE RETURN OF PRIVATE PROPERTIES ACT OF 2008."**

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

**2 Section 1.** A new Article 14 is hereby *added* to Chapter 68 of Title 21 of  
**3 the Guam Code Annotated, to read as follows:**

**4 "Article 14.**

**5 Return of Unused Properties.**

**6 §6814101. Title.**

- 1           **§6814102.           Legislative Findings and Intent.**  
2           **§6814103.           Authorization to Return Properties.**  
3           **§6814104.           Facilitation of Land Exchange.**  
4           **§6814105.           No Prohibition Against Building.**  
5           **§6814106.           Inclusion of Parcels in Real Estate Tax Roll.**  
6           **§6814107.           Severability.**

7           **§6814101. Title.** This Act may be cited or referred to as “*The*  
8           *Return of Private Properties Act of 2008.*”

9           **§6814102. Legislative Findings and Intent.** Public Law 17-54  
10          created a protective zone surrounding the perimeter of the Department of  
11          Corrections (DOC) in Mangilao and further authorized *I Maga’lahen*  
12          *Guåhan* to conduct land exchanges on an area-for-area basis with the  
13          affected land owners. This zone affected those properties contained within  
14          the five hundred foot (500’) radius surrounding the Department of  
15          Corrections.

16          *I Liheslaturan Guåhan* finds that these families whose properties have  
17          been adversely affected by the protective zone, and who should have been  
18          granted an exchange with government of Guam land, have been left in an  
19          uncertain situation for over thirty (30) years. Furthermore, the government  
20          left the landowners in a position where they were unable to improve their  
21          properties *or* to even construct safe and decent homes. *I Liheslaturan*  
22          *Guåhan* finds that, through no fault of their own, these families faced  
23          condemnation of their land by default.

24          More importantly, *I Liheslaturan Guåhan* finds that the Department of  
25          Corrections is desirous of returning unused properties back to the original  
26          landowners.

1           Therefore, it is the intent of *I Liheslaturan Guåhan* to come to a fair  
2 and equitable resolution of this thirty (30) year old continuing problem by  
3 returning the properties mentioned herein to the families at no cost.

4           **§6814103. Authorization to Return Properties.** *I Maga'lahen*  
5 *Guåhan* is authorized to return the following private properties back to the  
6 respective owners:

- 7           (1) Lot No. 3339-4A-3, Mangilao, containing an area of 4,046 ±  
8 square meters belonging to Bernadette Salas Atoigue with  
9 reference map filed at the Department of Land Management as  
10 Document Number 321816.
- 11          (2) Lot No. 3339-4A-R5, Mangilao, containing an area of 24,083 ±  
12 square meters belonging to Raymond C. Salas with reference  
13 map filed at the Department of Land Management as Document  
14 Number 321816.
- 15          (3) Lot No. 3339-8-3, Mangilao, containing an area of 1,858.24 ±  
16 square meters belonging to Raymond C. Salas with reference  
17 map filed at the Department of Land Management as Document  
18 Number 333641.
- 19          (4) Lot No. 3339-8-4, Mangilao, containing an area of 1,858.06 ±  
20 square meters belonging to Raymond C. Salas with reference  
21 map filed at the Department of Land Management as Document  
22 Number 333641.
- 23          (5) Lot No. 3339-8-5, Mangilao, containing an area of 1,868.49 ±  
24 square meters belonging to Jesse C. Salas with reference map  
25 filed at the Department of Land Management as Document  
26 Number 333641.

- 1 (6) Lot No. 3339-8-6, Mangilao, containing an area of 1,858 ±  
2 square meters belonging to Jesus M. Salas with reference map  
3 filed at the Department of Land Management as Document  
4 Number 333641.
- 5 (7) Lot No. 3339-8-7, Mangilao, containing an area of 1,868.49 ±  
6 square meters belonging to Jesus M. Salas with reference map  
7 filed at the Department of Land Management as Document  
8 Number 333641.
- 9 (8) Lot No. 3348, Mangilao, containing an area of 65,506.62 ±  
10 square meters belonging to Manuel C. Salas with reference map  
11 filed at the Department of Land Management as Document  
12 Number 234754.
- 13 (9) Lot No. 5400-2, Mangilao, containing an area of 7,594 ± square  
14 meters belonging to Priscilla U. Mesa, reference to Drawing  
15 No. LCJ66T131 at the Department of Land Management as  
16 Document Number 83310.
- 17 (10) Lot No. 5400-3, Mangilao, containing an area of 7,594 ± square  
18 meters belonging to Priscilla U. Mesa, reference to Drawing  
19 No. LCJ66T131 at the Department of Land Management as  
20 Document Number 83310.
- 21 (11) Lot No. 2406-7, Mangilao, containing an area of 4,000 ± square  
22 meters belonging to Larry Ko, as designated on Map Drawing  
23 Number RRV83-26S, recorded as Instrument Number 347003.
- 24 (12) Lot No. 2406-9, Mangilao, containing an area of 3,874 ± square  
25 meters belonging to Larry Ko, as designated on Map Drawing  
26 Number RRV83-26S, recorded as Instrument Number 347003.

1 (13) Lot No. 2406-12, Mangilao, containing an area of 3,874 ±  
2 square meters belonging to Larry Ko, as designated on Map  
3 Drawing Number RRV83-26S, recorded as Instrument Number  
4 347003.

5 (14) Lot No. 2406-13, Mangilao, containing an area of 3,874 ±  
6 square meters belonging to Larry Ko, as designated on Map  
7 Drawing Number RRV83-26S, recorded as Instrument Number  
8 347003.

9 (15) Lot No. 2406-14, Mangilao, containing an area of 3,874 ±  
10 square meters belonging to Larry Ko, as designated on Map  
11 Drawing Number RRV83-26S, recorded as Instrument Number  
12 347003.

13 **§6814104. Facilitation of Land Exchange.** (a) The Director of  
14 Land Management *shall* facilitate for *I Maga'lahañ Guåhan* the return of  
15 those properties identified in §6814103 of this Chapter. The return of these  
16 properties *shall* be accomplished within thirty (30) days *or* sooner, from the  
17 date of enactment.

18 (b) The Director of Land Management is hereby authorized to  
19 expend such sums as are necessary to effectuate the return of properties  
20 mentioned herein.

21 **§6814105. No Prohibition Against Building.** Nothing contained in  
22 this Act *shall* be construed to prevent *or* prohibit the party receiving the  
23 properties from improving such land *or* from building, erecting *or*  
24 constructing structures approved in accordance with the building and zoning  
25 codes of Guam.

26 **§6814106. Inclusion of Parcels in Real Estate Tax Roll.** Because  
27 of the government's failure to utilize the parcels identified herein as part of a

1 government facility, inclusive of roadways and utility easements, the  
2 Director of Land Management *shall* transmit to the Director of Revenue and  
3 Taxation those parcels identified herein for inclusion in the real estate tax  
4 rolls. Upon verification, the Director of Revenue and Taxation *shall* include  
5 the parcels back into the real estate tax rolls and *shall* be applied  
6 prospectively and *not* retroactively.

7 **§6814107. Severability.** *If* any provision of this Act or its  
8 application to any person or circumstance is found to be invalid or contrary  
9 to law, such invalidity shall *not* affect other provisions or applications of this  
10 Act which can be given effect without the invalid provisions or application,  
11 and to this end the provisions of this Act are severable.”