



FILE 2016

***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***  
THIRTY THIRD GUAM LEGISLATURE  
155 Hesler Place, Hagåtña, Guam 96910

September 14, 2016

The Honorable Edward J.B. Calvo  
*I Maga'låhen Guåhan*  
*Ufisinan I Maga'låhi*  
*Hagåtña, Guam*

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill Nos. 297-33 (COR), 322-33 (COR) and 333-33 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on September 14, 2016.

Sincerely,

TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosure (3)

**OFFICE OF THE GOVERNOR  
CENTRAL FILES**

RECEIVED BY \_\_\_\_\_  
DATE 14 SEPT 16  
TIME 3:00 pm

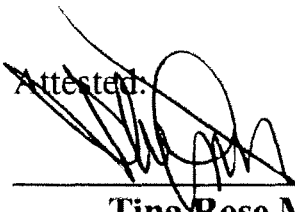
***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***  
**2016 (SECOND) Regular Session**

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

This is to certify that **Bill No. 322-33 (COR)**, "AN ACT TO REZONE LOTS 2260 AND 2261, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL ZONE (A) TO SCHOOL ZONE (S-1)," was on the 14<sup>th</sup> day of September 2016, duly and regularly passed.

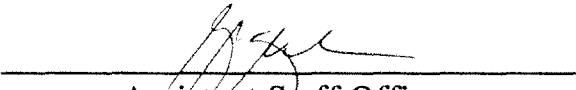


**Judith T. Won Pat, Ed.D.**  
**Speaker**

Attested: 

**Tina Rose Muña Barnes**  
**Legislative Secretary**

This Act was received by *I Maga'låhen Guåhan* this 14<sup>th</sup> day of SEPT, 2016, at 3:00 o'clock P..M.

  
**Assistant Staff Officer**  
***Maga'låhi's Office***


**APPROVED:**

\_\_\_\_\_  
**EDWARD J.B. CALVO**  
***I Maga'låhen Guåhan***

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

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

**OFFICE OF THE GOVERNOR**  
**CENTRAL FILES**

RECEIVED BY   
TIME 3:00 PM DATE 14 SEPT 16

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2016 (SECOND) Regular Session

**Bill No. 322-33 (COR)**

As amended by the Sponsor; and  
further amended on the Floor.

Introduced by:

T. C. Ada  
Judith T. Won Pat, Ed.D.  
R. J. Respicio  
V. Anthony Ada  
FRANK B. AGUON, JR.  
Frank F. Blas, Jr.  
B. J.F. Cruz  
James V. Espaldon  
Brant T. McCreddie  
Tommy Morrison  
T. R. Muña Barnes  
Dennis G. Rodriguez, Jr.  
Michael F.Q. San Nicolas  
Mary Camacho Torres  
N. B. Underwood, Ph.D.

**AN ACT TO REZONE LOTS 2260 AND 2261,  
MUNICIPALITY OF BARRIGADA, FROM  
AGRICULTURAL ZONE (A) TO SCHOOL ZONE (S-1).**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that Lots 2260 and 2261, municipality of *Barrigada*, (“*Lots*”), were returned federal  
4 excess lands. As such, § 61217 of Article 2 of Chapter 61 Title 21, Guam Code  
5 Annotated, effectively zoned all returned federal excess lands as Agricultural Zone  
6 (A).

1            *I Liheslaturan Guåhan* further finds that the Lots have recently been  
2 purchased by the *Guåhan* Academy (Academy) as part of its plan to build a  
3 permanent school campus.

4            *I Liheslaturan Guåhan* also finds that the Academy’s lease for its temporary  
5 campus at *Tiyan* expires in June 2016. However, the *Tiyan* lease is currently under  
6 consideration for a one (1)-year extension.

7            *I Liheslaturan Guåhan* also finds that the Academy has submitted applications  
8 for federal grants for the construction of a permanent campus. The furtherance of the  
9 grant applications is contingent upon proof of ownership and site control of real  
10 property conforming to local land use laws for the intended use of such property.  
11 Hence, the purchased Lots upon which construction of a school is to be undertaken  
12 must be properly zoned to School Zone (S-1).

13            *I Liheslaturan Guåhan* also finds that the Academy’s grant also includes  
14 funding for the construction of a road, from Route 15 to the lots, on a previously  
15 established and approved public rights-of-way access and utilities easement to the  
16 permanent school site. The opening of the public access will enable the construction  
17 of the permanent campus and supporting infrastructure. The public access will also  
18 enable development in the surrounding area.

19            *I Liheslaturan Guåhan*, therefore, intends to rezone Lots 2260 and 2261,  
20 municipality of *Barrigada*, from Agricultural Zone (A) to School Zone (S-1) in order  
21 to enable the construction of a permanent school campus by the *Guåhan* Academy.

22            **Section 2. Lots Rezoned.** Notwithstanding any other provision of law, Lot  
23 2260 and Lot 2261, municipality of *Barrigada*, as shown on Department of Land  
24 Management Drawing No. 059FY2014 recorded under Document No. 861354  
25 (Attachment A), are hereby rezoned from Agricultural Zone (A) to School Zone (S-  
26 1).

27            **Section 3. Access Road.**

1 (a) Access to Lots 2260 and 2261, municipality of *Barrigada*, shall  
2 be constructed by the *Guåhan* Academy on previously established and  
3 approved public rights-of-way access and utilities easements to the permanent  
4 school site, as partially shown on Department of Land Management Drawing  
5 No. 281FY2015 recorded under Document No. 886921 (Attachment B).

6 (b) Issuance of partial or full occupancy construction permits for the  
7 permanent school campus or parts thereof shall be contingent upon the  
8 completion of construction of the local rural access road by the *Guåhan*  
9 Academy on the established rights-of-way easement, and compliance with all  
10 permit requirements for construction. The easement shall be a public right-of-  
11 way. No partial or full occupancy permits shall be issued without completion  
12 of the access road herein described being constructed and accessible. For  
13 purposes of this Section, "local rural access road" shall mean "Local Rural  
14 Road" with design criteria and dimensions conforming to and as defined in  
15 Chapter 5 of AASHTO "Greenbook – A Policy on Geometric Design of  
16 Highways and Streets, 2011."

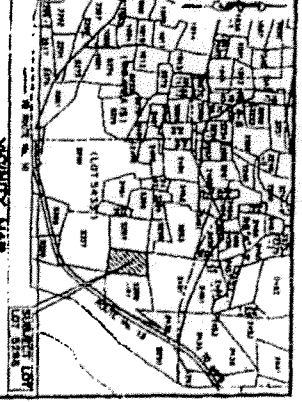
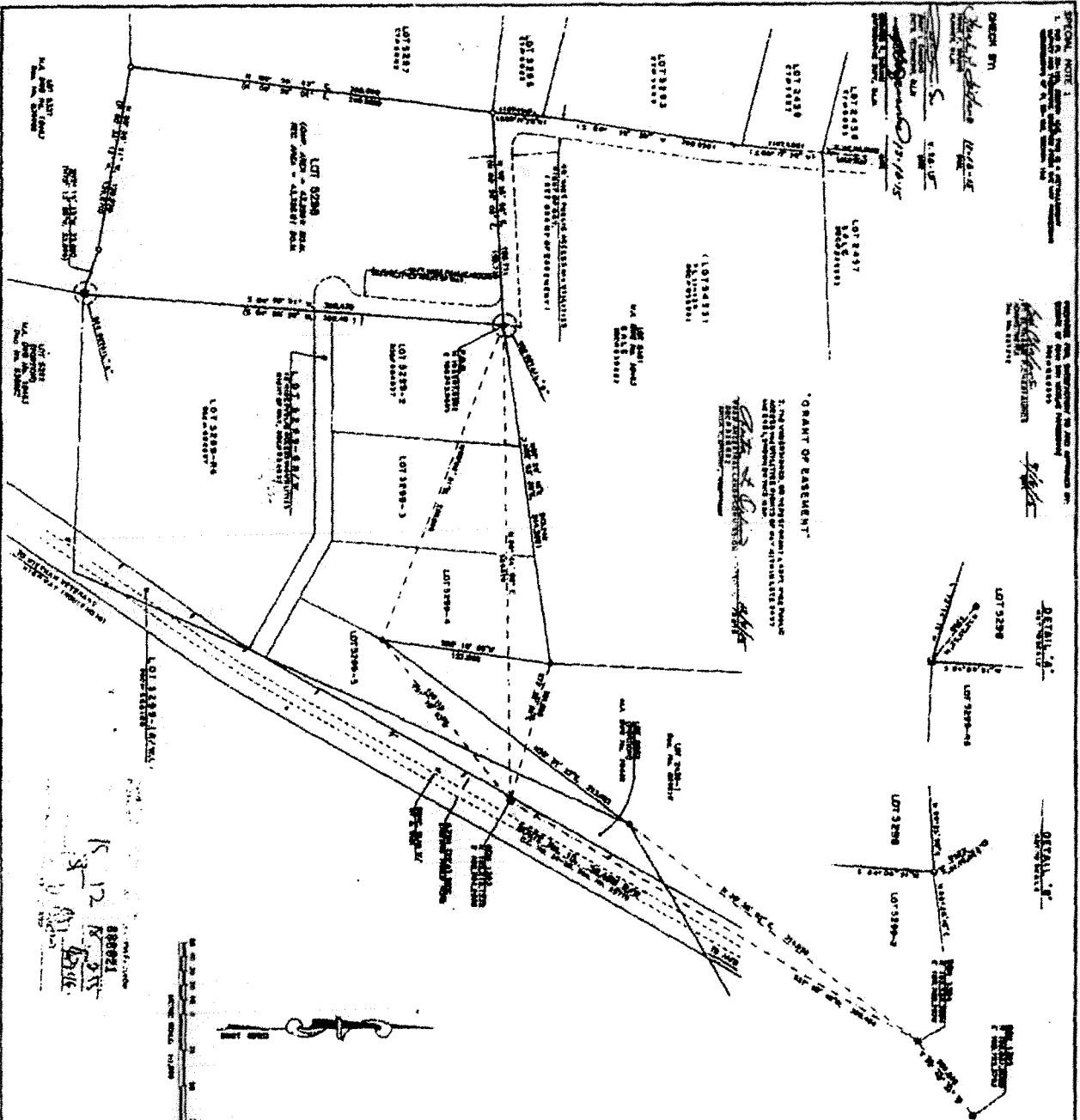
17 (c) The *Guåhan* Academy shall be responsible for the cost of  
18 surveying the easement to establish the boundary markers.

19 **Section 4. Waiver of Agricultural Impact Statement.** 21 GCA § 61637,  
20 relative to agricultural impact statements shall not apply to this Act.

21 **Section 5. Severability.** If any provision of this law or its application to  
22 any person or circumstance is found to be invalid or contrary to law, such invalidity  
23 shall not affect other provisions or applications of this law that can be given effect  
24 without the invalid provisions or applications and to this end the provisions of this  
25 law are severable.



# Attachment B of Bill No. 392-33 (cont)



**NOTE 1:**  
 This map is prepared in accordance with the provisions of Chapter 129, Florida Statutes, and Chapter 61, Florida Administrative Code. The map is subject to the provisions of the Florida Statutes and the Florida Administrative Code. The map is not to be construed as a warranty of accuracy or as a representation of the actual conditions of the property. The map is for informational purposes only and should not be used for any other purpose.

**SYMBOLS:**  
 1. Lot boundaries  
 2. Easements  
 3. Streets  
 4. Alleys  
 5. Utility easements  
 6. Other easements

**CERTIFICATION**  
 I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the original plat as recorded in the public records of this State.

*[Signature]*  
 12-09-23

**NOT REQUIRED**  
 This section is not required for this type of plat.

**FIGG FRANK L.G. CASTRO**  
 REGISTERED SURVEYOR  
 OR  
 REGISTERED SURVEYOR

*[Signature]*  
 12-09-23

PLAT NO.	5298-1
SECTION	12
TOWNSHIP	31N
RANGE	18W
DATE	12-09-23
BY	FIGG FRANK L.G. CASTRO
FOR	FRANK L.G. CASTRO
RECORDING AGENCY	DEPARTMENT OF REVENUE
RECORDING FEE	\$100.00
TOTAL FEE	\$100.00

S-14840