



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

11 AUG 2009

2009 AUG 11 PM 4:13

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 39 (LS), "AN ACT TO AUTHORIZE *I MAGA 'LAHEN GUAHAN* TO SELL THE EASEMENT KNOWN AS THE "GOVERNMENT ALLEY" THAT IS BOUND BY THE U.S. DISTRICT COURT ON THE WESTERN BOUNDARY, SOUTH O'BRIEN DRIVE ON THE SOUTHERN BOUNDARY, AND THE METES AND BOUNDS OF THE WESTERN BOUNDARY OF LOT 239-4-1, ALL IN THE MUNICIPALITY OF *HAGATNA*, WITH A TOTAL AREA OF FIFTY EIGHT AND FIVE TENTHS PLUS OR MINUS SQUARE METERS (58.5 ±SQ. M.) TO MR. AND MRS. RALPH SABLAN (RALPH AND JANIECE) FOR ITS APPRAISED FAIR MARKET VALUE" which I have signed into law on July 14, 2009 as **Public Law 30-46**.

Please note that "Government Alley" is a substandard unregistered government of Guam property. It must go through land registration with the Superior Court of Guam to determine ownership before the government can dispose of the property and therefore implement the legislation.

Sinseru yan Magåhet,

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan, para pa'go
Acting Governor of Guam

Attachment: copy of Bill

30-09-0995

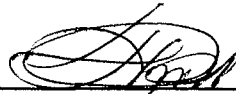
Office of the Speaker
Judith T. Won Pat, Ed. D.

Date: 8/11/09
Time: 4:13
Received by: [Signature]

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

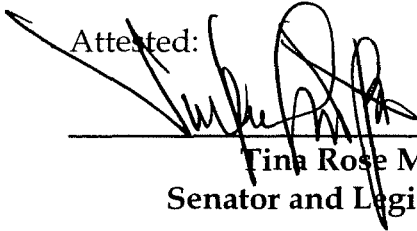
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 39 (LS)**, "AN ACT TO AUTHORIZE I MAGA'LAHEN GUÅHAN TO SELL THE EASEMENT KNOWN AS THE "GOVERNMENT ALLEY" THAT IS BOUND BY THE U.S. DISTRICT COURT ON THE WESTERN BOUNDARY, SOUTH O'BRIEN DRIVE ON THE SOUTHERN BOUNDARY, AND THE METES AND BOUNDS OF THE WESTERN BOUNDARY OF LOT 239-4-1, ALL IN THE MUNICIPALITY OF HAGATNA, WITH A TOTAL AREA OF FIFTY EIGHT AND FIVE TENTHS PLUS OR MINUS SQUARE METERS (58.5 ± SQ. M.) TO MR. AND MRS. RALPH SABLAN (RALPH AND JANIECE) FOR ITS APPRAISED FAIR MARKET VALUE," was on the 2nd day of July 2009, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Legislative Secretary

This Act was received by I Maga'lahaen Guåhan this 2 day of July, 2009, at
4:30 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: 07 14 09

Public Law No. 30-46

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 39 (LS)

As amended on the Floor.

Introduced by:

E. J.B. Calvo
T R. Muña Barnes
R. J. Respicio
T. C. Ada
F. F. Blas, Jr.
F. B. Aguon, Jr.
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
Adolpho B. Palacios, Sr.
v. c. pangelinan
M. J. Rector
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO SELL THE EASEMENT KNOWN AS THE "GOVERNMENT ALLEY" THAT IS BOUND BY THE U.S. DISTRICT COURT ON THE WESTERN BOUNDARY, SOUTH O'BRIEN DRIVE ON THE SOUTHERN BOUNDARY, AND THE METES AND BOUNDS OF THE WESTERN BOUNDARY OF LOT 239-4-1, ALL IN THE MUNICIPALITY OF *HAGATNA*, WITH A TOTAL AREA OF FIFTY EIGHT AND FIVE TENTHS PLUS OR MINUS SQUARE METERS (58.5 ± SQ. M.) TO MR. AND MRS. RALPH SABLAN (RALPH AND JANIECE) FOR ITS APPRAISED FAIR MARKET VALUE.

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

2 **Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds**

1 that Mr. Ralph Gregory and Mrs. Janiece Annette Sablan (the Sablans) are the
2 owners of Lot 239-4-1 (246 ± sq. m.) in the Municipality of *Hagåtña*. The lot,
3 *supra*, together with South O'Brien Drive and the U.S. District Court, contiguously
4 border an appurtenant easement known as the "Government Alley" (58.5 ± sq. m.).
5 The properties are marked and designated on Map Drawing No. CC-7807A
6 (LM#323FY78), dated June 12, 1978 and recorded on July 17, 2000, under
7 Instrument No. 624375.

8 *I Liheslatura* further finds that the Sablans desire to develop the property for
9 mix-use development of commercial and residential space and further find that the
10 "Government Alley", because of its size, has no significant practical purpose
11 because it is too small to be used for rights of way. The "Government Alley" is
12 accessible from South O'Brien Drive, but provides *no* easement of any kind. Upon
13 consolidation of Lot 239-4-1 and the "Government Alley", the property can be
14 developed to its maximum potential.

15 *I Liheslatura* further finds that the "Government Alley" is located parallel to
16 Lot 239-4-1 and due to the minimum legal setback requirements from the
17 "Government Alley" it would be impractical for the Sablans to develop their
18 property. Therefore, it is the Sablans' desire to purchase the 58.5 square meter
19 appurtenant easement known as the "Government Alley" from the government of
20 Guam for its fair market value.

21 It is the intent of *I Liheslatura* to allow the Sablans to purchase the easement
22 known as the "Government Alley" that is appurtenant to Lot 239-4-1, *supra*.

23 **Section 2. Authorization to Sell Government Alley Easement.** *I*
24 *Maga'lahañ Guåhan* is hereby authorized to sell the easement known as the
25 "Government Alley", currently bound by the U.S. District Court on the western
26 boundary, South O'Brien Drive on the southern boundary, and the metes and
27 bounds of the western boundary of Lot 239-4-1, all in the municipality of *Hagåtña*,

1 that has a total land area of fifty eight and five tenths plus/minus square meters
2 (58.5 ± sq. m.) to Mr. Ralph Gregory and Mrs. Janiece Annette Sablan for its
3 appraised fair market value. The Director of the Department of Land Management
4 shall select two (2) appraisers to determine the fair market value of the
5 “*Government Alley.*” The cost of the appraisal and all necessary fees *shall* be paid
6 by the Sablans.