

ELEVENTH GUAM LEGISLATURE
1972 (SECOND) Regular Session

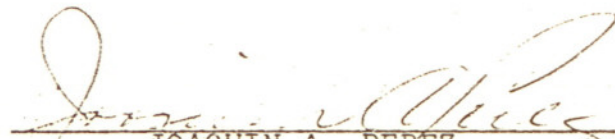
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 24, "An Act authorizing a residential subdivision in the municipality of Umatac, the sale of lots therein at less than fair market value and setting up priorities in connection with such sales or leases", was on the 9th day of March, 1972, duly and regularly passed.



G. M. BAMBA
Acting Speaker

ATTESTED:



JOAQUIN A. PEREZ
Acting Legislative Secretary

This Act was received by the Governor this 22nd day
of March, 1972 at 3:45 o'clock p.M.



VINCENT T. PEREZ
Attorney General of Guam

APPROVED:


CARLOS G. CAMACHO
Governor of Guam

DATED: MAR 30 1972

3:06 p.m.

Public Law 11-127

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ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session

Bill No. 24
Substitute Bill by Committee
on Agriculture, Resources
and Development

Introduced by

- G. M. Bamba
- J. A. Perez
- V. D. Ada
- C. C. Barrett
- P. J. Bordallo
- J. B. Butler
- P. M. Calvo
- T. C. Charfauros
- A. L. Cristobal
- O. L. Delfin
- J. R. Duenas
- W. D. L. Flores
- F. G. Lujan
- L. S. N. Paulino
- P. D. Perez
- F. T. Ramirez
- A. C. Sanchez
- F. R. Santos
- T. R. Santos
- A. A. Sekt
- T. S. Tanaka

AN ACT AUTHORIZING A RESIDENTIAL SUBDIVISION
IN THE MUNICIPALITY OF UMATAC, THE SALE OF
LOTS THEREIN AT LESS THAN FAIR MARKET VALUE
AND SETTING UP PRIORITIES IN CONNECTION WITH
SUCH SALES OR LEASES.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. The Director of Land Management, with the approval of the Governor, is hereby authorized to subdivide or have subdivided into residential lots, not to exceed seventy (70) such lots, for sale or lease pursuant to the provisions of this Act that unsurveyed government property located in the municipality of Umatac, to the north of Fort Soledad across Route 4 (Chalan Canton Tasi) also known as the old dump site. The subdivision herein authorized shall conform to the provisions of Title XIX of the Government Code of Guam.

Section 2. Subject to the approval of the Territorial Planning Commission, the Director of Land Management shall develop a plan for the subdivision which, after survey and registration of the area, shall be submitted through the Governor to the Guam

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1 Legislature where it shall lie for a period of thirty (30) days.
2 If the Legislature does not disapprove of the plan within that
3 period, the Director may proceed with the subdivision in accor-
4 dance with such plan and the provisions of this Act.

5 Section 3. Notwithstanding any other provisions of law
6 (including the provisions of Chapter 6, Title XIV of the Govern-
7 ment Code of Guam) with respect to the sale of government land,
8 the Director of Land Management, subject to approval of the
9 Governor, is authorized to sell or lease lots for residential
10 purposes in the subdivision authorized by this Act in accordance
11 with the provisions of this Act.

12 Section 4. In carrying out the mandate of this Act, the
13 Director shall observe the following priorities in selling and
14 leasing said lots:

15 (1) First preference shall be given to those
16 purchasers who are tenants of any part or portion of the
17 government property described herein, and who are with-
18 out fee title to any real property of their own and
19 who are not at the time of application entitled to
20 receive by right of inheritance any real property
21 upon which safe, sanitary and decent housing could
22 be erected;

23 (2) Second preference should be given to those
24 owners of property along the coastline south of
25 Route 4 (Chalan Canton Tasi) within the old village
26 of Umatac between Salupa Bridge and Fort Santa Cruz
27 who desire to exchange their properties, including
28 improvements thereon, for a lot within the subdivision
29 authorized by this Act.

30 (3) Third preference shall be given to those
31 purchasers who reside in Umatac and who are without

amended by P.L. 12-91

1 fee title to any real property of their own and who
2 are not at the time of application entitled to
3 receive by right of inheritance any real property
4 upon which safe, sanitary and decent housing could
5 be erected; and

6 (4) Fourth preference shall be given to those
7 purchasers who reside in Merizo and who are without
8 fee title to any real property of their own and who
9 are not at the time of application entitled to receive
10 by right of inheritance any real property upon which
11 safe, sanitary and decent housing could be erected; and

12 (5) Fifth preference shall be given to those
13 purchasers who are residents of the territory of Guam
14 and who are without fee title to any real property of
15 their own and who are not at the time of application
16 entitled to receive by right of inheritance any real
17 property upon which safe, sanitary and decent housing
18 could be erected.

19 In selling said lots under the second preference
20 foregoing, the Governor may accept land and improvements
21 thereon, if any, belonging to the buyer, in full or
22 partial payment of the subdivision lot, the value of
23 the land and improvements so exchanged by the buyer
24 to be taken from the appraised value for the most
25 current real property tax assessment roll.

26 Section 5. The Director, subject to the approval of the
27 Governor, is authorized to sell or lease lots in the subdivision
28 authorized by this Act at less than the fair market value of the
29 lots, and at less than the cost expended by the government of
30 Guam in developing said lots; provided, however, that the pur-
31 chasers thereof shall have no income ability or property

1 ownership higher than those who are eligible to subsidized rent
2 housing under Title 1 of P. L. 75-412. All other persons pur-
3 chasing lots under the provisions of Section 2 of this Act shall
4 pay current market value for the improved property.

5 Section 6. In any contract of sale or deed of conveyance
6 or lease agreement executed as a result of the provisions of this
7 Act, a covenant shall be included whereby the purchaser, grantee
8 or lessee agrees that any residential building erected on the lot
9 subject to the contract or deed shall be constructed in conformity
10 with the residential construction requirements of the Guam Housing
11 Corporation in effect at the time of the construction.

12 Section 7. The Director, subject to the approval of the
13 Governor and the provisions of the Administrative Adjudication
14 Act, shall adopt necessary rules and regulations to effect the
15 purpose of this Act and any sale or lease made without the public-
16 ation of such rules and regulations in a newspaper of general
17 circulation shall be void and shall have no effect.

18 Section 8. No lot may be sold or leased pursuant to this
19 Act unless the publication requirement provided by the provisions
20 of Section 13505.1 of the Government Code of Guam shall first be
21 met, and any such sale or lease made in violation of the provi-
22 sions of said Section 13505.1 shall be void and shall have no
23 effect.

24 Section 9. There is hereby authorized to be appropriated
25 from any available funds in the Unappropriated Surplus of the
26 General Fund of the government of Guam the sum of Four Hundred
27 Sixty-Two Thousand Dollars (\$462,000) for the purpose of carrying
28 out the provisions of this Act.

29 Section 10. Public Law 9-235 as amended by Public Law
30 10-159 is hereby repealed in its entirety.

Amended by P.L. 12-91