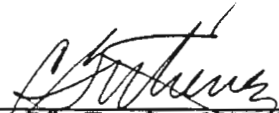


EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

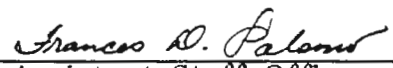
This is to certify that Substitute Bill No. 386 (COR), "AN ACT PROVIDING AUTHORIZATION FOR THE GOVERNOR TO SELL PRE-WAR ROAD SITUATED BETWEEN LOT NOS. 5078-4 AND 5082, TUMON, GUAM AND OTHER PURPOSES," was on the 18th day of December, 1985, duly and regularly passed.



CARL T. C. GUTIERREZ
Speaker

Attested:


ELIZABETH P. ARRIOLA
Senator and Legislative Secretary

This Act was received by the Governor this 20th day of December, 1985, at 4:55 o'clock p.m.


Assistant Staff Officer
Governor's Office

APPROVED: 

RICARDO J. BORDALLO
Governor of Guam

Date: 12/21/85 (11:15 AM)

Public Law No. 18-24

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 386 (COR)
Substitute by Committee on
Economic Development, Housing
& Community Development

Introduced by:

Committee on Rules, at the request
of the Governor in accordance with
the Organic Act of Guam

AN ACT PROVIDING AUTHORIZATION FOR THE
GOVERNOR TO SELL PRE-WAR ROAD SITUATED
BETWEEN LOT NOS. 5078-4 AND 5082, TUMON, GUAM
AND OTHER PURPOSES.

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

2 Section 1. The Governor is authorized to exchange on a value for
3 value basis with Mr. Edward S. Terlaje the portion of pre-war road in
4 Tumon, Municipality of Dededo situated between Lot Number 5078-4, Tumon,
5 Municipality of Dededo and Lot Number 5082, Tumon, Municipality of
6 Dededo, containing an area of ±335 square meters, with the portion of such
7 Lot Number 5082 which is bordered on one entire side by the beach
8 adjacent to such Lot Number 5082, and which is bordered on the opposite
9 side entirely by a straight line approximately parallel to the side of such
10 portion adjacent to the beach.

11 Section 2. The Governor is authorized to convey to qualified
12 applicants Yuk Lan Moylan and Francis L. Moylan Lot No. 150, Hernan
13 Cortez Avenue, Block 7, New Agana, Territory of Guam, containing an area
14 of 1,529.4 square meters more or less and Lot No. 182, Hernan Cortez
15 Avenue, Block 7, New Agana, Territory of Guam, containing an area of
16 1,161 square meters. The sale price shall be the fair market value of the
17 property to be established by two (2) independent appraisals to be obtained
18 and paid for by the Department of Land Management.

19 Section 3. The Governor is authorized to convey or exchange
20 Government of Guam real property described as Lot Nos. 122 and 123,
21 Merizo, Guam containing an area of 119 square meters and 157 square

1 meters, respectively, as shown on the attached sketch and market Exhibit
 2 "A" to Francisco San Nicolas. The sale price shall be the fair market value
 3 of the property to be established by two (2) independent appraisals to be
 4 obtained and paid for by the Department of Land Management.

5 Section 4. The Governor of Guam is hereby authorized to convey to
 6 the qualified applicants Aurelia Castandiello and Wilfredo Bearingco the bull
 7 cart trail situated between Not No. 242-1-4, New Agat, owned by Aurelia
 8 Castandiello and Lot No. 242-1-3, New Agat, owned by Wilfredo Bearingco.
 9 The sale price shall be the fair market value of the property to be
 10 established by two (2) independent appraisals to be obtained and paid for
 11 by the Department of Land Management.

12 Section 5. Notwithstanding any other provision of law, the Department
 13 of Administration shall implement the reclassification/reassignment of pay
 14 ranges approved by the Civil Service Commission dated November 15, 1985
 15 for Department of Administration employees, retroactive to October 1, 1984.

16 Section 6. Notwithstanding any other provision of law, funds
 17 appropriated to the Department of Administration in Part I of Chapter II of
 18 the General Appropriation Act of 1986 for personnel services and in Section
 19 3 of Public Law 16-100 may be used to implement Section 5 of this Act.

20 Section 7. The following positions in the Guam Fire Department are
 21 reclassified as follows:

24 POSITION	22 Existing Pay 23 Range Under			22 Reclassified 23 Pay Range	
24 POSITION	4 GCA Section 6201 (a)			4 GCA Section 6201 (a)	
25 Firefighter I	from	24	to	28	
26 Firefighter II	from	26	to	30	
27 Fire Service Specialist	from	29	to	33	
28 Fire Captain	from	31	to	35	
29 Fire Inspector	from	33	to	37	
30 Fire Battalion Chief	from	35	to	39	
31 Assistant Fire Chief	from	38	to	42	
32 Deputy Fire Chief	from	42	to	49	

1 The reclassification shall take effect January 1, 1986. Each employee
2 affected shall remain in the same step as he or she holds prior to the
3 reclassification but shall have his pay range adjusted according to the
4 schedule set forth in this Section.

5 Section 8. The sum of Seven Hundred Fifty Thousand Dollars
6 (\$750,000) is appropriated from the fees to be realized from the sale of the
7 Three Hundred Million Dollar (\$300,000,000) bond issue approved by P.L.
8 18-20 to the Guam Fire Department to implement the provisions of Section 7
9 of this Act.

10 Section 9. Item (i) of Section 31(a) of Chapter X of Public Law 18-15
11 is amended to read:

12 "(i). The sum of Three Million Six Hundred Thousand Dollars
13 (\$3,600,000) is appropriated from the General Fund to all Territorial
14 Agencies to which appropriations are made pursuant to this Act and to
15 the Legislature Operations Fund to pay Four Hundred Nineteen Dollars
16 (\$419.00) throughout FY 1986 to each person occupying a classified
17 position in the Territorial Agencies to which appropriations are made
18 pursuant to this Act, to the members and employees of the
19 Commissioner's Council and to each person occupying a position in the
20 Legislature. The appropriation in this section shall include all
21 applicable benefits in addition to the Four Hundred Nineteen Dollars
22 (\$419.00) paid to each employee. Payments shall be made pro rata in
23 the bi-weekly compensation of the employees and shall not apply to
24 elected officials.

25 Section 10. The following positions in the Department of Agriculture
26 are reclassified as follows:

	Existing Pay			Reclassified	
	Range Under			Pay Range	
<u>POSITION</u>	<u>4 GCA Section 6201 (a)</u>			<u>4 GCA Section 6201 (a)</u>	
30 Conservation Officer I	from	23	to	28	
31 Conservation Officer II	from	26	to	30	
32 Conservation Officer III	from	29	to	33	

1 The reclassification shall take effect January 1, 1986. Each
2 Conservation Officer shall remain in the same step as he or she holds prior
3 to the reclassification but shall have his pay range adjusted according to
4 the schedule set forth in this Section.

5 Section 11. 10 GCA §67105 is renumbered to be 10 GCA §67106 and a
6 new 10 GCA §67105 is added to read:

7 "§67105. Any veteran of the United States Armed Forces shall be
8 buried without charge to the family of the deceased veteran in the
9 Veteran's Cemetery of Guam."

10 Section 12. "Notwithstanding any other law, rule, or regulation,
11 funds derived from the sale of residue from cafeteria operations, otherwise
12 known as wet garbage, shall be deposited to the Student Activity Fund.
13 These funds shall be used exclusively to benefit students and their various
14 educational activities in accordance with approved procedures established by
15 Board of Education Policies. From these funds, the amount of Sixteen
16 Thousand Five Hundred Sixty-seven Dollars (\$16,567.00) shall also be used
17 for the purpose of sending a delegation from two public high schools to
18 participate in the Close Up Program in Washington, D.C. from March 22,
19 1986 through April 5, 1986, to be expended as follows:

20	(a) John F. Kennedy High School	
21	students and one (1) teacher	\$9,415.00
22	(b) Simon Sanchez High School	
23	students and one (1) teacher	7,152.00."

GOVERNMENT LAND
UNREGISTERED

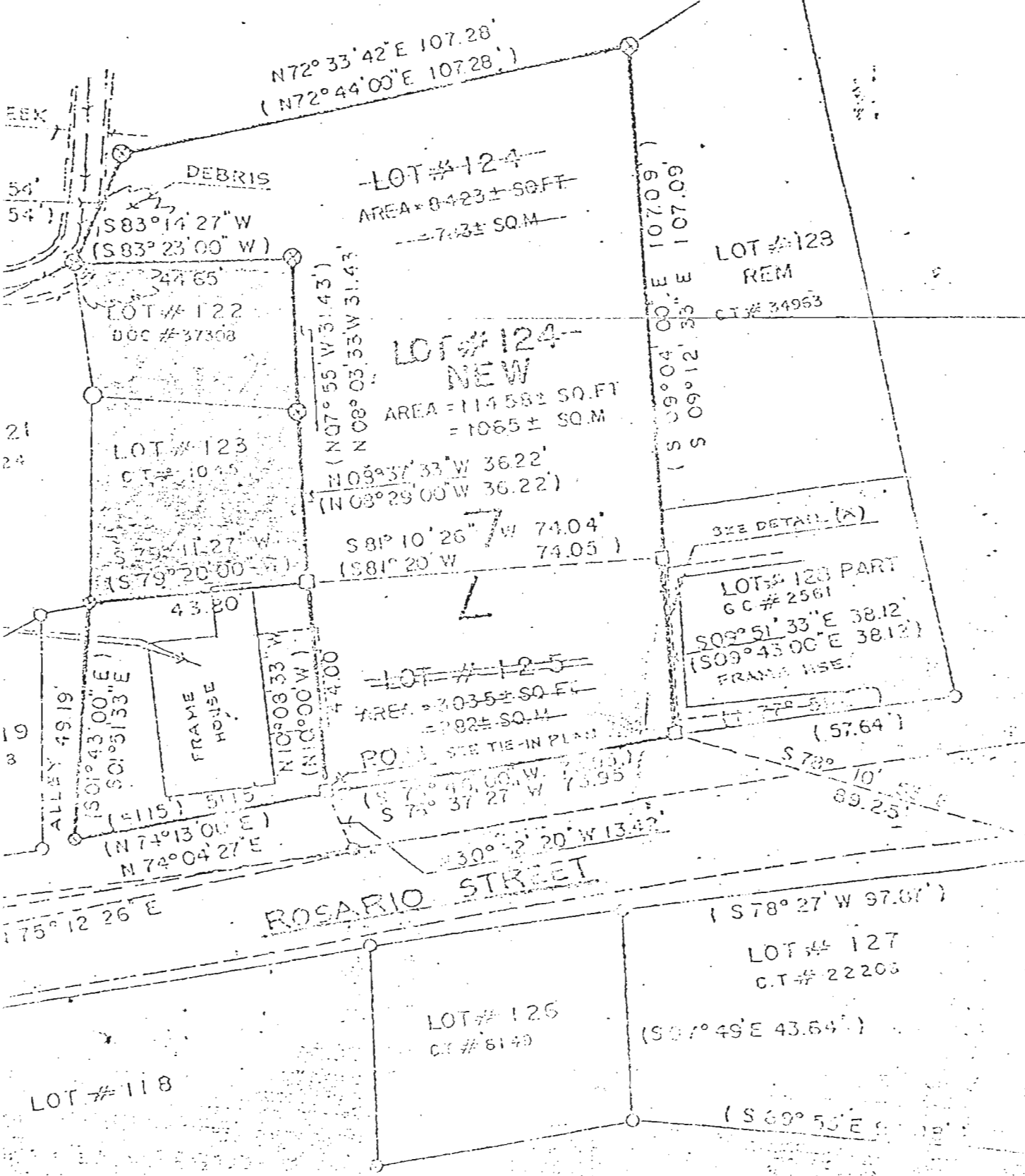


EXHIBIT A

THE-LINE
NOT TO SCALE

N 75° 51' 23" W 55.06
N 33° 20' 21" W 20.45
W 64.59

P.O.B.
N 56° 41' 29" S
E 52° 11' 27" W

LOT 13-1-R2
DOC 83591

LOT 12-1-R1

SEE DETAIL BELOW

N 88° 09' 32" E 50.70
N 00° 09' 32" E
N 00° 07' 00" W
N 00° 09' 32" E

LOT 12-1-R1
AREA = 527 ± SQ.M.

S 85° 50' 28" E 16.00
S DUE SOUTH 0.44

S 89° 19' 03" E 68.65

E 9° 03' 35" S 35.29

W 142.03

LOT 14-REM
AREA = 3,255 ± SQ.M.
LOT 14-REM
AREA = 3,257 ± SQ.M.

LOT No 14-REM-NEW
AREA = 3,845 ± SQ.M.

MEAN HIGH
WATER LINE

(N 01° 20' 00" W)
(N 01° 03' 28" W)

23.00 (23.00)

N 89° 19' 03" E 141.32 (9 89° 35' 35")
W 142.03 (N 89° 19' 03")

28.60
28.66

(S 02° 07' 00" W)
(S 02° 49' 30" W)
(S 02° 00' 00" W)
(S 02° 00' 00" W)

AREA
701.91

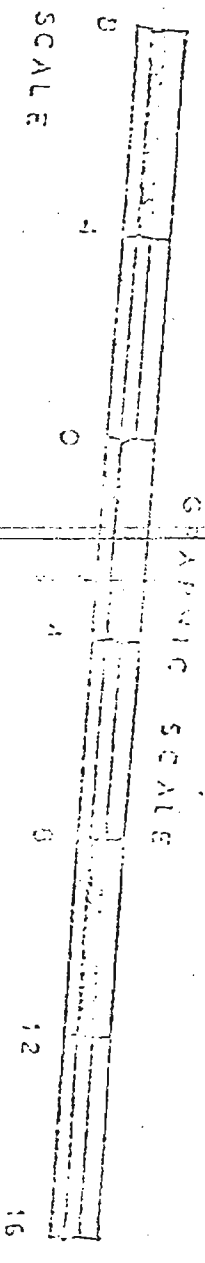
SCALE 1" = 15 Meters
ENLARGED PLAN

3255
4527

AREA 701.91

LEGEND

- 4 REG
- ⊙ SHIP SPIK
- ⊙ 4 REG
- PREWAR



LOT 119
GC 2436

LOT 121
GC 2424

LOT 123
CT 1045

LOT 124
CT 7681

LOT 120
A = 203.00 S M

LOT 125
CT 415

ALLEY
S 01° 01' 53" E
(S: 01° 01' 43" E)

14.99

(S

90°

01 05

20 00

W

13.35

13.41

(W
N 10° 00' 00" W
N 09° 18' 55" W

POB (1963)
N 268.47.141
E 41495.233

15.59

83°

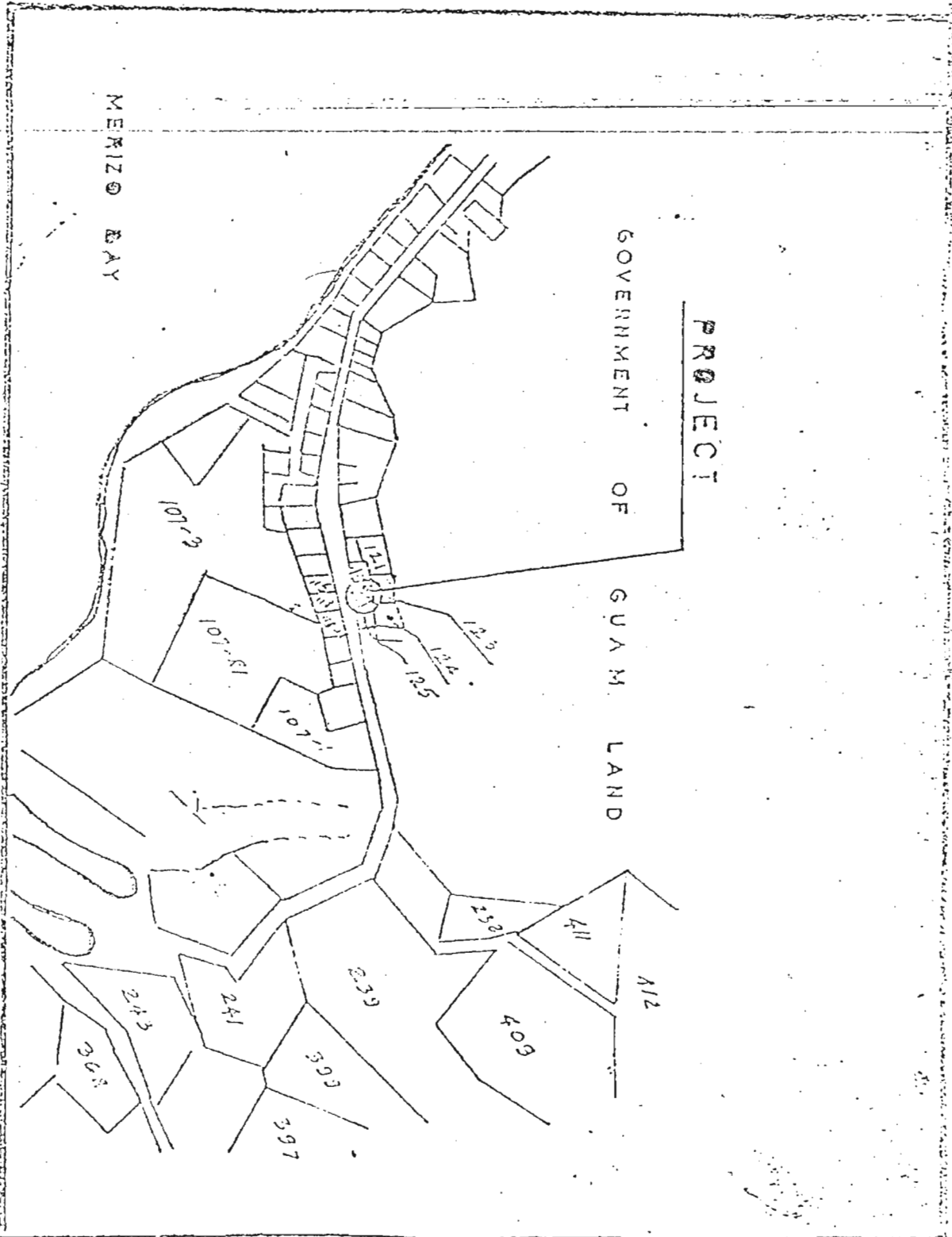
TO AGAIIA

GGTN TS 4,109

GGTN 1963

NOTES

1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN.
2. RECORD DATA ARE IN PARENTHESES, OTHERS ARE 1963 VALUES



TERRITORIAL SURVEYOR

I, GREGORIO S. TORRES, JR. HEREBY CERTIFY THAT THIS MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION THAT IT IS BASED UPON A FIELD SURVEY MADE ON NOVEMBER 1972 IN CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

Gregorio S. Torres, Jr.

Nov. 14, 1972

GREGORIO S. TORRES, JR.

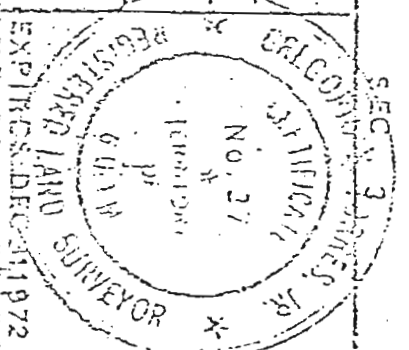
RLS 27

DATE

WR DOC NO 84746

DOC. NO. 84746

REVISION	DATE	BRIEF DESCRIPTION	BY	APPROVED
SURVEY DATA	DATE	GREGORIO S. TORRES, JR. REGISTERED LAND SURVEYOR NO. 27		
RESEARCHED JS	NOV 72	BOX 330		AGANA GUAM
FIELD BY JS	"	<p style="text-align: center;">RETRACEMENT SURVEY MAP</p> <p style="text-align: center;">OF LOT 120</p> <p style="text-align: center;">MUNICIPALITY OF MERIZO</p>		
COMPUTED BY JS	"			
DRAWN JS	"			
FIELD BOOK	"			
CHECKED JT	"			
SATISFACTORY TO				
DATE <i>11/14/72</i>				
OWNER: <i>Gregorio S. Torres, Jr.</i>				
OWNERS: DOC NO 92600				
LAND MANAGEMENT DATA				
L.H. NO.				
299, FY 73				
SHEET: 1 OF 1	DRAWING NO.			
SCALE: 1"=40'	7211 - 03			
IN NAME OF: <i>MICHAEL E SAN NICOLAS</i>				
REGISTERED ON: <i>SEPT 7, 1972</i>				
CERTIFICATE NO. <i>GC NO. 2423</i>				
BASIC LOT <i>120</i>				
L 5 38				



EIGHTEENTH GUAM LEGISLATURE

ROLL CALL SHEET

(PL. 15-24)

Bill No.: 372

DATE: 12-18-85

Resolution No.: _____

QUESTION: _____

<u>SENATOR</u>	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
J. F. Ada	✓			
J. P. Aguon	✓			
E. P. Arriola	✓			
J. G. M. Bamba	✓			
F. F. Blas	✓			
H. D. Dierking	✓			
E. R. Duenas	✓			
C. T. C. Gutierrez	✓			
F. J. Gutierrez				✓
A. C. Lamorena III	✓			
P. C. Lujan ++	✓			
M. D. A. Manibusan ⁺	✓			

T. S. Nelson	✓			
D. Parkinson	✓			
F. J. Quitugua	✓			
J. M. Rivera	✓			
J. T. San Agustin	✓			
F. R. Santos	✓			
T. V. C. Tanaka	✓			
A. R. Unpingco	✓			



EIGHTEENTH GUAM LEGISLATURE

P.O. BOX CB-1
AGANA, TERRITORY OF GUAM
U.S.A. 96910

Chairman
PILAR C. LUJAN
Senator

**COMMITTEE ON ECONOMIC DEVELOPMENT,
HOUSING AND COMMUNITY DEVELOPMENT**

September 10, 1985

Members
Senator John P. Aguon
Senator Elizabeth P. Arriola
Senator Edward R. Duenas
Senator Franklin Gutierrez

The Honorable Carl T. C. Gutierrez
Speaker, Eighteenth Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

Via: Chairman, Committee on Rules

Dear Mr. Speaker;

The Committee on Economic Development, Housing and
Community Development to which Bill No. 386, as substituted
was referred, wishes to report its findings and recommendation.

The Committee voting record is as follows:

TO PASS	5
TO NOT PASS	0
ABSTAIN	0
COMMENTS	0

A copy of the Committee Report and all pertinent documents are
enclosed for your information.

Sincerely,

Pilar C. Lujan
Pilar C. Lujan
Committee Chairwoman

12

**COMMITTEE ON ECONOMIC DEVELOPMENT,
HOUSING AND COMMUNITY DEVELOPMENT**

**Committee Report on
Bill No. 386**

On Thursday, July 11, 1985, the Committee on Economic Development, Housing and Community Development convened in the Legislative Session Hall to hear testimony relative to Bill No. 386 (see exhibit "A").

Testimonies were received from Atty. Edward S. Terlaje, private citizen, Paul B. Souder, Director, Bureau of Planning and Antonio Charfauros, Director, Department of Land Management.

Background

Bill No. 386 seeks to authorize the Governor of Guam to convey a portion of a bull cart trail to Atty. Edward S. Terlaje situated between his Lot Nos. 5078-4 and 5082, Tumon, Dededo (see exhibit "B"). Total area of the subject parcel is 335 square meters; estimated current market value is between thirty five dollars (\$35.00) and sixty five dollars (\$65.00) per square meter as per the Governor's Office and an in-house appraisal conducted by the Department of Land Management estimated the fair market value of subject parcel at thirty five dollars (\$35.00) per square meter.

Testimony

Appearing before the Committee with oral testimony was Atty. Edward S. Terlaje who explained that the acquisition of the subject portion of government land is essential in the development plans for his property. He also reported that he would be personally developing the property without any foreign capital or interest involved.

A discrepancy involving the identification of Atty. Edward S. Terlaje's properties as referenced in the Governor's letter to the Speaker's Office and in Bill No. 386 was noted by Paul B. Souder (see exhibit "C" and "D"). Aside from this variance the administration of the Bureau of Planning provided favorable testimony on Bill No. 386.

Committee Findings

At the Committee's request the Department of Land Management has identified the correct designation for Atty Edward S. Terlaje's property as Lot Nos. 5078-4 and 5082, Tumon, Dededo, Guam (see exhibit "E").

The Committee further finds that Substitute Bill No. 386 should be submitted to indicate that the selling price of subject portion of government land shall be at current fair market value.

Committee Recommendation

The Committee hereby recommends **TO PASS** Bill No. 386 as Substituted by the Committee on Economic Development, Housing and Community Development.

Attachments

1. Exhibit "A" - Bill No. 386 as introduced by Committee on Rules
2. Exhibit "B1 & B2" - Delineation, Lot Nos. 5078-4 and 5082, Tumon, Dededo
3. Exhibit "C" - Testimony, Paul B. Souder, Director, Bureau of Planning
4. Exhibit "D" - Letter from the Office of the Governor
5. Exhibit "E" - Reply to questions raised in public hearing
6. Exhibit "F" - Testimony, Antonio Charfauros, Director, Dept. of Land Management
7. Exhibit "G" - Substitute Bill
8. Exhibit "H" - Delineation Lots Nos. 150 and 182 New Agana Territory of Guam

referred to ED, H & CD



NO. 386 (CDR)

roduced By:

Committee on Rules, at the request of the
Governor in accordance with the Organic Act
of Guam.

**AN ACT PROVIDING AUTHORIZATION FOR
GOVERNOR TO SELL PRE-WAR ROAD SITUATED
BETWEEN LOT NOS. 5078-4 AND 5082, TUMON,
GUAM**

Introduced

MAY 17 '85

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

Section 1. The Governor of Guam is hereby authorized to convey the qualified applicant, Mr. Edward S. Terlaje, portion of pre-war road in Tumon, Municipality of Dededo, Guam, containing an area of 335 square meters, situated between Lot Nos. 5078-4 and 5082, Tumon, Municipality of Dededo, Guam.

EXHIBIT "A"

EXHIBIT B-2





BUREAU OF PLANNING
GOVERNMENT OF GUAM
AGANA, GUAM 96910

EXHIBIT 'C'

TESTIMONY OF THE DIRECTOR
OF BUREAU OF PLANNING
ON BILL NO. 386 (COR)

JUL 11 1985

AN ACT PROVIDING AUTHORIZATION FOR GOVERNOR
TO SELL PRE-WAR ROAD SITUATED BETWEEN LOT NOS.
5078-4 AND 5082, TUMON, GUAM.

The Bureau of Planning, in general, supports the intent of Bill No. 386 (COR) to convey a portion of a bull-cart trail situated between Lot Nos. 5078-4 and 5082, Tumon.

The Bureau, however, suggests another alternative to exchange the parcel on a square-meter-per-square-meter basis for land within Lot No. 5082 abutting the public beach area. Said exchange would benefit both the owner of Lot Nos. 5082 and 5078-4 by providing an opportunity to consolidate the two lots into a more usable lot and the general public by providing additional beach area for public use. The Bureau further suggests that any sale of public lands, now or in the future, be based on current fair market value by a certified land appraiser.

The Bureau has identified a discrepancy in the adjoining Lot No. 5078-4 as designated on Bill 386. Said lot is referred to in the Governor's letter as Lot No. 5089-4, in the Bill as 5078-4, and is designated in the Official Zoning Map as Lot No. 5074-4. The Bureau regrets that it does not have the needed information to correct this discrepancy but suggests that the Department of Land Management resolve this problem prior to passage of Bill No. 386 (COR).

Paul B. Souder
PAUL B. SOUDER



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM 96910
U.S.A.



EDUARDO J. BORDALLO
GOVERNOR

MAR 29 1985

Rec'd

EXHIBIT "D"

The Honorable
Carl T.C. Gutierrez
Speaker, Eighteenth
Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

Dear Mr. Speaker:

This office is in receipt of an application from Mr. Edward S. Terlaje, expressing the desire to purchase an abandoned pre-war road between Lot Nos. 5082 and 5089-4, Tumon, Dededo. In the absence of statutory procedures for disposal caused by the enactment of Public Law 12-226, we are, therefore, seeking legislation authorizing said disposal.

The pre-war road sought for purchase is adjoining Mr. Terlaje's properties (Lot Nos. 5082 and 5089-4, Tumon, Dededo), containing an area of 335 square meters delineated on the enclosed sketch marked "Exhibit A".

It should be noted that this government parcel has not been used for the last twenty (20) years, and it has never been earmarked for future use by the public and Government of Guam. Moreover, the disposal of said parcel will provide a more developable and usable lot as intended. This will allow Mr. Terlaje the maximum use of his property economically. It will not landlock any of the surrounding properties.

The current market value, in our opinion, ranges between thirty-five dollars (\$35.00) to sixty-five dollars (\$65.00). Considering the use and lot configuration, we concluded that the marketable value consideration shall be twenty-five dollars (\$25.00) per square meter. This action is in line with the most recent disposal of pre-war road in Tumon sold to Mr. Eulogio Del Carmen pursuant to Public Law 17-81.

*Rec'd
Legal
3/29/85
11:30 a.m.*

180330

Since the Government has no plans now or in the future for this pre-war road, I have given my consent on this proposal and trust the legislators will act similarly. Enclosed is pertinent data to the proposed disposal of the pre-war road.

With warmest personal regards, I remain

Sincerely yours,

~~RICARDO J. BORDALLO~~

Enclosure

180070



Department of Land Management
Government of Guam



Antonio R. Charfauros, Director

Tel. 472-8851-52

EXHIBIT "E"

July 15, 1985

Honorable Pilar C. Lujan
Chairperson
Committee on Economic Development,
Housing and Community Development
Eighteenth Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

Dear Senator Lujan:

The following information is submitted in response to questions you raised during the Public Hearing on Legislative Bill No. 386, held on July 11, 1985.

The correct designation for the lots owned by Mr. Edward S. Terlaje is: Lot No. 5082, and Lot No. 5078-4, Tumon, Dededo, Guam. The bullcart trail, located between these lots, is the portion to be acquired by Mr. Terlaje, and the total area of the subject property is 335± square meters.

Based on the appraisal conducted by the Department of Land Management, the fair market value of the bullcart trail to be acquired by Mr. Terlaje is the sum of Thirty Five Dollars (\$35.00) per square meter.

Should you need additional information, please advise.

Sincerely yours,


ANTONIO R. CHARFAUROS



Department of Land Management
Government of Guam



Antonio R. Charfauros, Director

Tel. 472-8851-52

EXHIBIT "F"

July 11, 1985

Honorable Pilar C. Lujan
Chairperson
Committee on Economic Development,
Housing and Community Development
Eighteenth Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

Legislative Bill No. 386, "AN ACT PROVIDING
AUTHORIZATION FOR GOVERNOR TO SELL PRE-WAR ROAD
SITUATED BETWEEN LOTS NOS. 5078-4 AND 5082, TUMON,
GUAM".

Dear Senator Lujan:

This Act is needed to effectuate the disposal of the pre-war
road as requested by the owner of the adjoining properties.

This pre-war has long outlived its usefulness. We support
the passage of this Bill.

Sincerely yours,


ANTONIO R. CHARFAUROS

EIGHTEENTH GUAM LEGISLATURE
1985 (First) Regular Session

referred to EA, H & CD

BILL NO. 386

Introduced By:

Committee on Rules, at the request of the
Governor in accordance with the Organic Act
of Guam.

AN ACT PROVIDING AUTHORIZATION FOR
GOVERNOR TO SELL PRE-WAR ROAD SITUATED
BETWEEN LOT NOS. 5078-4 AND 5082, TUMON,
GUAM

Introduced

MAY 17 '85

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

2 Section 1. The Governor of Guam is hereby authorized
3 to convey the qualified applicant, Mr. Edward S. Terlaje,
4 portion of pre-war road in Tumon, Municipality of Dededo,
5 Guam, containing an area of 335 square meters, situated
6 between Lot Nos. 5078-4 and 5082, Tumon, Municipality
7 of Dededo, Guam.

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