

Territory of Guam Territorion Guam

OFFICE OF THE CATVERNOR UFISINAN I MAGAILAHI AGANA, GUAM 96910 U.S.A.

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MAR 2 1 1990

The Honorable Joe T. San Agustin Speaker. Twentieth Guam Legislature Post Office Box CB-1 Agana. Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 741. which I have signed into law this date as Public Law No. 20-152.

Sigcerely.

JOSEPH F. ADA

Governor

200790

Attachment

TWENTIETH GUAM LEGISLATURE 1990 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 741 (LS), "AN ACT AUTHORIZING THE GOVERNOR TO SELL CERTAIN GOVERNMENT REAL PROPERTY IN AGANA AND TO EXCHANGE CERTAIN REAL PROPERTY IN TUMON," was on the 7th day of March, 1990, duly and regularly passed.

JOE T. SAN AGUSTIN Speaker

Attested:

PILAR C. LUJAN
Senator and Legislative Secretary

Senator and Degislative Secretary

This Act was received by the Governor this 9th day of March, 1990, at 5'.00 o'clock p.m.

Assistant Staff Officer
Governor's Office

APPROVED:

JOSEPH F. ADA Governor of Guam

Date: MAR 21 1990

Public Law No. 20-152

TWENTIETH GUAM LEGISLATURE 1990 (SECOND) Regular Session

Bill No. 741 (LS) As amended by the Committee on Housing and Community Development and further substituted by Committee on Rules

Introduced by:

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P. C. Lujan T. S. Nelson J. P. Aguon

E. P. Arriola
M. Z. Bordallo
H. D. Dierking
C. T. C. Gutierrez
G. Mailloux
D. Parkinson

F. J. A. Quitugua E. D. Reyes

F. R. Santos J. T. San Agustin M. D. A. Manibusan

J. G. Bamba
D. F. Brooks
E. R. Duenas
E. M. Espaldon
M. C. Ruth

T. V. C. Tanaka A. R. Unpingco

AN ACT AUTHORIZING THE GOVERNOR TO SELL CERTAIN GOVERNMENT REAL PROPERTY IN AGANA AND TO EXCHANGE CERTAIN REAL PROPERTY IN TUMON.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM: Section 1. The Governor of Guam is authorized to sell at its fair market value as of the effective date of this Act to Edith Rosario Blankenfeld ("Applicant"), in order to comply with the block requirements of New Agana, portions of old Gerona Street containing an aggregate area of 21.30 square meters within Lot No. 6, Block 2, adjoining Lot No. 1180, Agana, and a portion of old Dr. Hessler Street containing an area of 100 square meters within said Lot No. 6, Block 2. The remaining portion of Dr. Hessler Street containing 95.96 square meters may be sold to Applicant

if she obtains the adjoining Lot No. 1179-R. Applicant, at her expense, must provide the Department of Land Management an appraisal by a licensed appraiser of the fair market value of the parcels of property described in this section in order to effectuate their purchase. The Director of Land Management shall take all necessary action to effectuate the land sales authorized by this section. Notwithstanding any other provision of law, the sales authorized in this section are approved by the Legislature.

 Section 2. Notwithstanding any other provision of law, the Governor of Guam is hereby authorized to exchange government-owned land described as Lot No. 5115-1-1, Tumon, Dededo, Guam, with the owner of that land (Nanyo Company, Ltd.) which the government of Guam took for the Tumon water percolation system near the Fujita Hotel, Tumon, Dededo, Guam and for the widening of San Vitores Boulevard, on a value for value basis, with Lots Nos. 10 and 11 (now 10G and 11G), Block 5, Tract 95, and Lots Nos. 1-1G and 1-2G, Tract 111, all in Tumon, Dededo, Guam.

TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

ROLL CALL SHEET

Bill No. 741			Date	: <u>3/7/90</u>
Resolution No				
QUESTION:				
	AYE	NAY	NOT VOTING	ABSENT
J. P. Aguon	~			
E. P. Arriola				
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F. R. Santos	September			
T. V. C. Tanaka				
A. R. Unpingco		Lander		
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TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

Bill No. 74/
Introduced by:

P. C. Lujan RL

AN ACT AUTHORIZING THE GOVERNOR TO CONVEY TO THE QUALIFIED APPLICANT GOVERNMENT OWNED REAL PROPERTY IN AGANA.

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

SECTION 1. The Governor of Guam is authorized to convey to the qualified applicant, Mrs. Edith R. Blankenfeld, portions of old Gerona Street within Lot No. 6 Block 2 adjoining Lot No. 1180, containing an area of 21.30 square meters; and a portion of old Dr. Hessler Street within Lot No. 6 Block 2 adjoining Lot No. 1179-1-1 and Lot No. 1179-Rem containing an area of 195.96 square meters, with a combined area of 217.26 square meters.



Vice-Chairman on the committee on Health, Welfare and Ecology

Member of the Committees on:

- e General Governmental Operation
- e Economic Development
- Justice, Judiciary
 Criminal Justice
- Energy, Utilities and Consumer Protection
- e Youth, Human Resources, Senior Citizen & Cuitural Affairs

Ethics

SENATOR GORDON MAILLOUX

CHAIRMAN, COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT TWENTIETH GUAM LEGISLATURE

December 4, 1989

Honorable Joe T. San Agustin Speaker, Twentieth Guam Legislature 163 Chalan Santo Papa Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Housing and Community Development, to which was referred Bill No. 741, "AN ACT AUTHORIZING THE GOVERNOR TO CONVEY TO THE QUALIFIED APPLICANT GOVERNMENT REAL PROPERTY IN AGANA," do recommend Bill No. 741, as Amended, to Pass by the Twentieth Guam Legislature.

Votes of the Committee Members are as follow:

To Do Pass 10

To Not Pass 1

To Report Out Only 0

To Place in Inactive File 0

A copy of the Committee Report and other pertinent documents are enclosed for your perusal.

Sincerely,

GÓRDON MAILLOUX

Enclosures

GM/cq

P.O. Box GL, Agana, Guam 96910 • (671) 472-3436/3498

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

VOTE SHEET

BILL NO. 741, AS AMENDED

"AN ACT AUTHORIZING THE GOVERNOR TO CONVEY TO THE QUALIFIED APPLICANT GOVERNMENT REAL PROPERTY IN AGANA"

COMMITTEE MEMBERS	TO DO PASS	TO NOT PASS	REPORT OUT ONLY	INACTIVE FILE	OTHER
GORDON MAILLOUX	/				<u> </u>
Chairman					
~ 1	ll <u></u>				
JOHN P. AGUON					
ELIZABETH P. ARRIOLA					
PILAR d. LOSAN					
TED S. NELSON	Aut				
DON PARKINSON	De la				
EDWARD D. REYES					
FRANCISCO R. SANTOS					
J. GEORGE BANBA					
Marilyn Manibusan MARILYN D.A. MANIBUSAN	Vndn 11/30/89				

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

PUBLIC HEARING MINTUES ON BILL NO. 741

"AN ACT AUTHORIZING THE GOVERNOR TO CONVEY TO THE QUALIFIED APPLICANT GOVERNMENT OWNED REAL PROPERTY IN AGANA"

DATE: SEPTEMBER 20, 1989

TIME: 9:00 A.M.

PLACE: LEGISLATIVE SESSION HALL

MEMBERS PRESENT: Chairperson Senator Gordon Mailloux; Members Vice-Speaker Ted S. Nelson, Senator Pilar C. Lujan. NON-MEMBER: Senator Martha C. Ruth.

WITNESS PRESENT: Mr. Felix C. Benavente, Acting Director, Department of Land Management (DLM); Ms. Edith R. Blankenfeld.

SUMMARY OF TESTIMONIES

The Acting Director of DLM has no objection to the disposal of public land parcel, more particularly identified as Gerona Street within Lot 6, Block 2, New Agana. He, however, recommended that any action be held in abeyance on another public land parcel, more particularly identified as Dr. Hessler Street within Lot 6, Block 2, New Agana, until the applicant meets the following:

- 1. Applicant must obtain full ownership of Lot No. 1179-Rem.
- 2. Applicant acquired only 2/3 of said lot as claimed. No evidence of Deed recorded without specific portion recognizing which portion belongs to her.

In reference to the above land transactions, the applicant must provide an appraisal by a licensed appraiser on the fair market value of the above parcels at the applicant's expense, and provide an approved map on the area of interest.

Mrs. Blankenfeld stated that the No. 2 concern of the Department of Land Management does not make sense. She informed the Committee that there is already an approved map filed at DLM. She has already completed an appraisal of said properties. As soon as she buys the Manibusan property and the government portions, she would provide a final survey to delete all the partitions that exist in the present map.

FINDINGS/RECOMMENDATIONS

Portions of old Gerona Street within Lot No. 6 Block 2, adjoining Lot No. 1180, containing an area of 21.30 square meters has no problems as far as DLM is concerned.

The Department recommends to hold in abeyance any action on a portion of old Dr. Hessler Street within Lot No. 6 Block 2 adjoining Lot No.

1179-1-1 and Lot No. 1179-Rem, containing an area of 195.96 square meters because Mrs. Blankenfeld has yet to purchase Lot No. 1179-Rem.

The Members of the Committee agreed that a portion of Dr. Hesler St., amounting to 100 square meters be sold to Mrs. Blankenfeld. The remaining portion of 95.96 square meters will automatically be sold to her upon acquisition of Lot No. 1179-R. The 100 square meters is the portion adjoining Lot No. 1179-1-1, belonging to Mrs. Blankenfeld. The remaining 95.96 square meters of Dr. Hessler Street is the portion adjoining Lot No. 1179-R, belonging to Mr. Tomas Manibusan. The applicant is currently trying to purchase Lot No. 1179-R from Mr. Tomas Manibusan.

The Committee hereby recommends Bill No. 741, as Amended, be passed by the Twentieth Guam Legislature.

ATTACHMENTS:

- 1.
- 2.
- Bill No. 741, as Amended, by the Committee. Bill No. 741, as referred to the Committee. Testimony of the Director of Dept. of Land Management (DLM). 3.
- Letter from Ms. Blankenfeld to DLM, dated May 4, 1989 4. w/ attachments.
- 5. Map of subject area.
- Attendance Sheet. 6.

TWENTIETH GUAM LEGISLATURE 1989 (FIRST) REGULAR SESSION

BILL NO. 741 Amended by the Committee on Housing and Community Development

Introduced by:

AN ACT AUTHORIZING THE GOVERNOR M.D. Manuhusan

NVEY] SALE TO THE QUALIFIED ADDRESS OF THE QUALI

TO [CONVEY] SALE TO THE QUALIFIED APPLICANT GOVERNMENT OWNED REAL PROPERTY IN AGANA.

1	BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2	SECTION 1. The Governor of Guam is authorized to sale
3	[convey] to the qualified applicant, Mrs. Edith R. Blankenfeld,
4	to comply with Block Requirement of New Agana, portions of old
5	Gerona Street within Lot No. 6 Block 2 adjoining Lot No. 1180,
6	containing an area of 21.30 square meters; and a portion of old
7	Dr. Hessler Street within Lot No. 6 Block 2, containing an area
8	of 100 square meters. The remaining portion of 95.96 square
9	meters will automatically be sold to her upon acquisition of
10	Lot No. 1179-R. The 100 square meters is the portion adjoining
11	Lot No. 1179-1-1, belonging to Mrs. Blankenfeld. The remaining
12	95.96 square meters of Dr. Hessler Street is the portion
13	adjoining Lot No. 1179-R. [adjoining Lot No. 1179-1-1 and Lot
14	No. 1179-Rem containing an area of 195.96 square meters, with a
15	combined area of 217.26 square meters.]
16	SECTION 2. The applicant must provide the Department of
17	Land Management an appraisal by a licensed appraiser on the fair
18	market value of the above parcels at the applicant's expense in
19	order to effectuate the sale of said parcel(s). An approved map

- of the area of interest shall be provided to the Department of
- 2 Land Management upon finalization of sales transaction. The
- 3 Director of Land Management shall take all necessary action to
- 4 effectuate the land sale.
- 5 Section 3. Notwithstanding any other provisions of law,
- 6 rule, or regulation, the sale as authorized in Section 1 of
- 7 this Act is approved by the Legislature.

TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

Bill No. 74

Introduced by:

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P. C. Lujan

AN ACT AUTHORIZING THE GOVERNOR TO CONVEY TO THE QUALIFIED APPLICANT GOVERNMENT OWNED REAL PROPERTY IN AGANA.

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

SECTION 1. The Governor of Guam is authorized to convey to the qualified applicant, Mrs. Edith R. Blankenfeld, portions of old Gerona Street within Lot No. 6 Block 2 adjoining Lot No. 1180, containing an area of 21.30 square meters; and a portion of old Dr. Hessler Street within Lot No. 6 Block 2 adjoining Lot No. 1179-1-1 and Lot No. 1179-Rem containing an area of 195.96 square meters, with a combined area of 217.26 square meters.



DEPARTMENT OF LAND MANAGEMENT GOVERNMENT OF GUAM

AGANA GUAM 96910

September 20, 1989

Senator Gordon Mailloux Chairperson, Committee on Housing and Community Development Twentieth Guam Legislature Agana, Guam 96910

Subject: Bill No. 741 which is "An Act Authorizing the Governor to Convey to the qualified applicant government owned real property in Agana.

Dear Senator Mailloux:

We are here to comment on Bill No. 741, An Act authorizing the Governor to convey to Mrs. Edith Blankenfeld certain Guam public lands in Agana.

Bill No. 741 proposes to convey the following:

Portions of Old Gerona Street within Lot No. 6, Block 2 adjoining Lot No. 1180 containing an area of 21.30 square meters.

Portions of Old Dr. Hessler street within Lot No. 6, Block 2, adjoining Lot No. 1179-1-1 and Lot No. 1179-Rem containing an area of 195.96 square meters.

Total combined area is 217.26 square meters.

We have no objections to the disposal of a public land parcel more particularly identified as Gerona Street within Lot 6, Block 2, New Agana. Value determination shall be based on the Fair Market Value appraised by a Licensed Appraiser at the expense of the applicant. Additionally, Mrs. Blankenfeld must provide an approved map of the area of interest. With regards to another public land parcel more particularly identified as Dr. Hessler Street within Lot 6, Block 2, New Agana, we recommend that any action shall be held in abeyance for the following reasons:

1. Mrs. Blankenfield must obtain full ownership of Lot No. 1179-Rem;

Senator Gordon Mailloux RE: Bill No. 741 September 20, 1989 Page 2

2. Mrs. Blankenfield acquired only-2/3 of said lot as claimed. No evidence of Deed recorded without specific portion recognizing which portion belongs to her;

3. Additionally, Mrs. Blankenfield must provide approved map of the area of interest.

For greater clarification enclosed is a map comparing Mrs. Blakenfeld's interest and Guam Public Lands siting.

Thank you for this opportunity to comment.

Sincerely,

FELIX C. BENAVENTE

Director, Department of Land Management, Acting

COMMONWEALTH NOW!!!
CLOSER PARTNERSHIP WITH AMERICA LONG OVERDUE

P. O. Box 1728 Agana, Guam 96910 May 4, 1989

Mr. Francisco L.G. Castro Director, Land Management Government of Guam Agana, Guam 96910

Dear Mr. Castro:

On October 19, 1983, I applied to purchase portions of Gerona Street (area 21.30 sq. meter) adjoining Lot No. 1180 within Lot No. 6, Block No. 2 (City of New Agana, Municipality of Agana, and portion of Dr. Hesler Street (area 195.96) adjoining Lot No. 1179-1-1 and Lot No. 1179-Rem. My application was submitted with my personal check #1536 payable to the Treasurer of Guam.

At that time Mr. Jose Cruz, Administrator of Land Management, advised me to purchase the other properties belonging to Tomas C. Manibusan. This is to advise you that on April 18, 1987, I did purchase Lot No. 1180, filed for record in the Department of Land Management on April 18, 1989, under Document No. 415658. I am also in the process of obtaining Lot No. 1179-Rem. from Mr. Tomas C. Manibusan and his aunt Maria C. Camacho.

Therefore, I would appreciate any action you can give my 1983 application for the purchase of the old bull cart trails, portions of Gerona Street and Dr. Hesler Street for a total area of 217.26 square meters.

It is very unfortunate that the Government mandated all these little portions of Agana into New Agana blocks after World War II and has not resolved these problems to date.

Your assistance in expediting this request is greatly appreciated.

Sincerely yours,

Edith R. Blankenfeld Owner of large portion of Lot No. 6, New Agana

GOVERNMENT OF GUAM AGANA

FNT OF GUAM WORK:

HOME: 632-0196 Application No: \$10.00 Filing Dates: Oct 19, 1983 ERRITORY OF GUAM GANA, GUAM : I, dedith R. Blankenfeld. of Latte Heights unicipality of Bourgada, Guam, do hereby make application to the Director of Land enegement to (PURCHASE) (LEASE) (EXCHANGE) Public Land for mercase Ling in accord with block upposes, situated in hew agana Municipality of agan _____, which authorizes the Director of Land a accordance with Public Law ____ anagement with the approval of the Governor and the Legislature to sell, lease, or exchange ublic Land. In support of this application, I do under oath, solemnly swear 1. That I am 53 years old. That I was born in again from on Sept 16, 1930 That I am a () Male (> Female That I am () Married () Single () Divorced () Legally Separated Wide 5. That my () Husband's () Wife's full name is 6. That (I/We) have a gross income for all wages, salaries, bonuses, commissions, tips and other compensation received before payroll deductions, surmarized below. WHERE EMPLOYED Other income (Dividends, interest, rents, etc.) _____

- 7. That (I/We) or either of us, neither own land suitable for residential use.
- 8. That I am under no civil disability for any offense.
- 9. That I am not delinquent in the payment of any taxes assessed or payable under the territory of Guam.

- 10. That (I/We) will furnish the Director of Land Management Certification relative to Items 6, 7 and 9.
- ll. That (I/We) understand that any falsification of this Affidavit will automatically disqualify (Me/Us) from acquiring Government Land.

Clith R: Blankenfeld (SIGNATURE)

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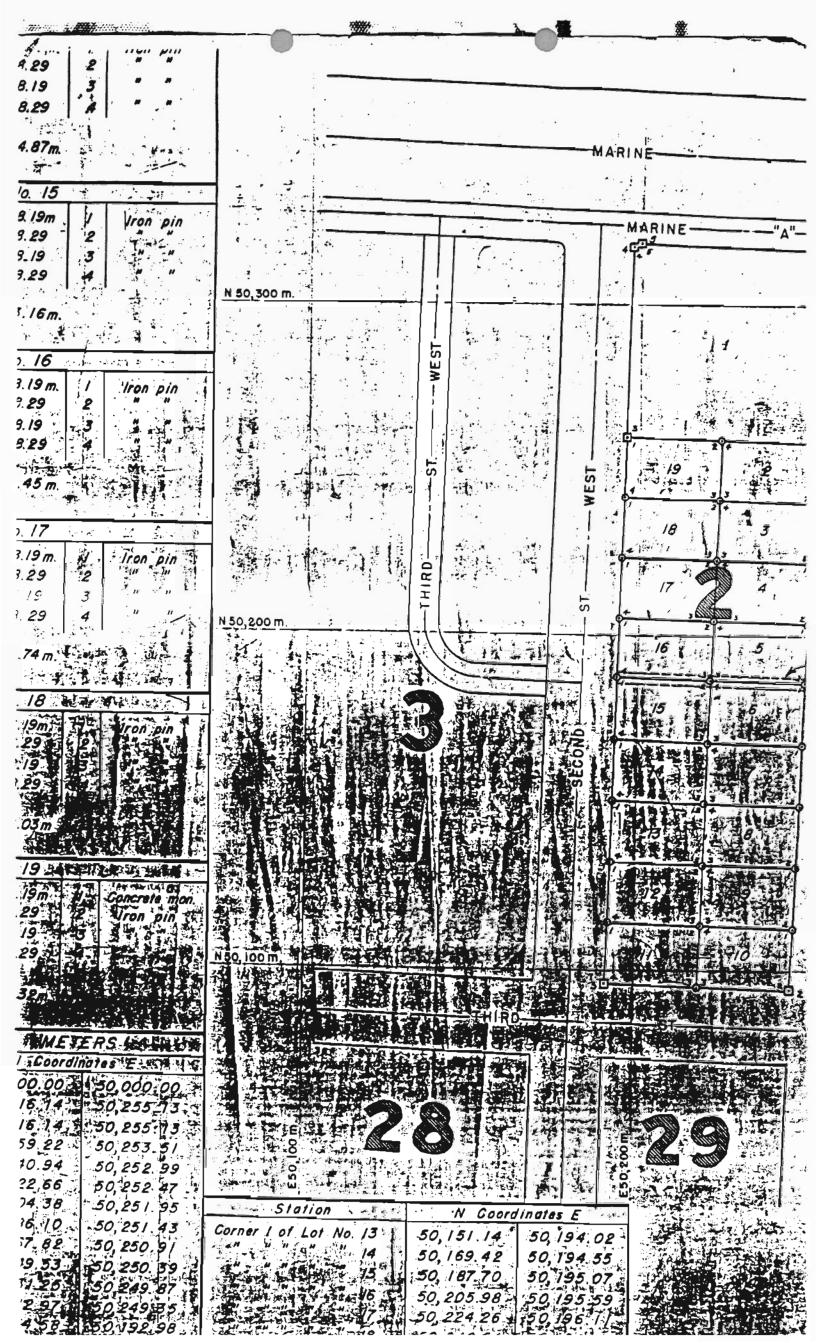
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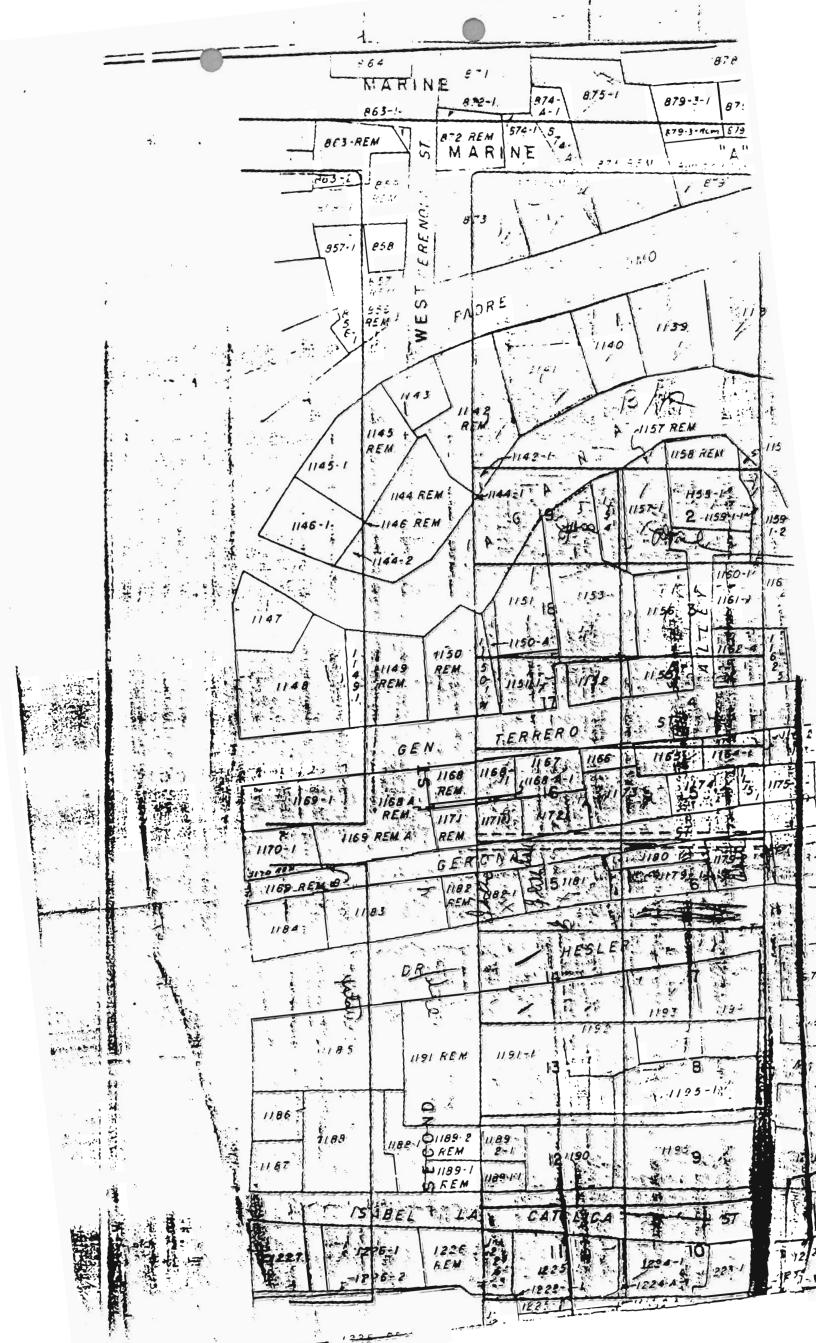
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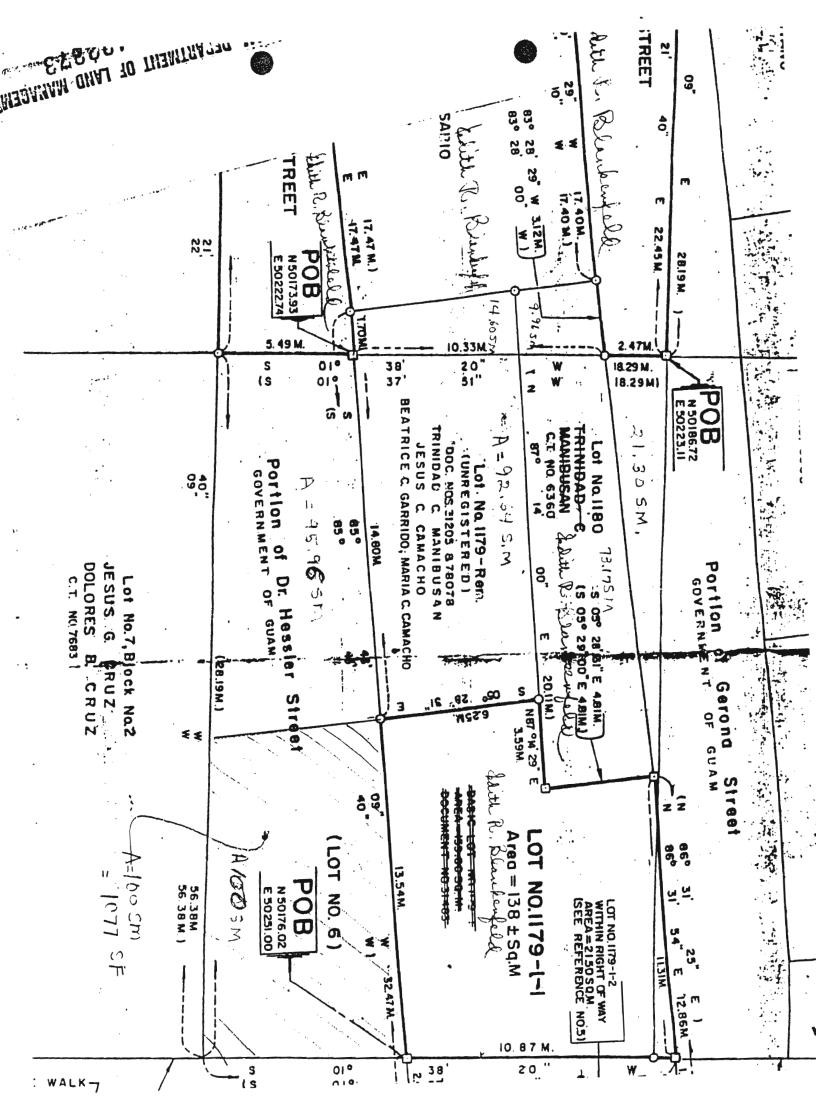
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ATTENDANCE SHEET

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

DATE: SEPTEMBER 20" 1989

BILL NO.:

AN ACT AUTHORIZING THE GOVERNOR TO CONVEY TO THE QUALIFIED

APPLICANT GOVERNMENT OWNED REAL PROPERTY IN AGANA.

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NAME		TESTIMONY		AGENCY/INTEREST GROUP	COMMENT	
Print:	Sign:	Written:	Oral:		Favor:	Against:
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