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OFFICE OF THE COVERNOR UFSINAN I MAGAILAHI AGANA, GUAM 96910 U.S.A.

SEP 1 4 1989

MEROLDINGSE

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. 756 which I signed into law this date as Public Law 20-91.

Sincerely yours,

OSEPH F. ADA

Governor

Enclosure

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TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 756 (LS), "AN ACT TO APPROPRIATE ONE HUNDRED SIXTY-ONE THOUSAND DOLLARS TO COMPENSATE THE OWNER OF LAND IN IPAN, TALOFOFO TAKEN BY THE GOVERNMENT OF GUAM FOR ROADWAY PURPOSES", was on the 29th day of August, 1989, duly and regularly passed.

JUE T. SAN AGUSTIN Speaker

Attested:

Senator and Legislative Secretary

This Act was received by the Governor this ____ day at ____ o'clock ___ m.

Assistant that Officer Governor's Office

APPROVED:

JOSEPH F. ADA Governor of Guam

Date: September 14, 1989

Public Law No. 20-91

والمستعمض أمكمشم للالمشاء الراج

TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

Bill No. 756 (LS)

Introduced by:

C. T. C. Gutierrez

T. S. Nelson

H. D. Dierking

J. T. San Agustin F. J. A. Quitugua

F. R. Santos

A. R. Unpingco

D. F. Brooks

J. G. Bamba M. C. Ruth

J. P. Aguon

E. P. Arriola

M. Z. Bordallo E. R. Duenas

E. M. Aspaldon

P. C. Lujan

G. Mailoux

M. D. A. Manibusan

D. Parkinson

E. D. Reyes

T. V. C. Tanaka

AN ACT TO APPROPRIATE ONE HUNDRED SIXTY-ONE THOUSAND DOLLARS COMPENSATE THE OWNER OF LAND IN IPAN, TALOFOFO TAKEN BY THE GOVERNMENT OF GUAM FOR ROADWAY PURPOSES.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM: Section 1. Legislative Intent. It is the intent of the Legislature to justly compensate those citizens whose properties were taken from them by the government of Guam. Section 2. Appropriation. One Hundred Sixty-One Thousand Dollars (\$161,000) are hereby appropriated from the General Fund to the Department of Land Management to compensate Antonio D. Roberto for his property taken for easement purposes by the government of Guam,

consisting of portions of Lot No. 5, Municipality of Talofofo, containing an

area of 4,585.10 square meters.

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TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

ROLL CALL SHEET

Bill No. <u>756</u>			Date:	8129189
Resolution No.				
QUESTION:				
	AYE	NAY	NOT VOTING	ABSENT
J. P. Aguon				
E. P. Arriola				
J. G. Bamba				
M. Z. Bordallo				
D. F. Brooks	V			
H. D. Dierking	Variation			
E. R. Duenas				L.
E. M. Espaldon				
C. T. C. Gutierrez				
P. C. Lujan	-			
G. Mailloux				
M. D. A. Manibusan				
T. S. Nelson				
D. Parkinson				
F. J. A. Quitugua	-			
E. D. Reyes				:
M. C. Ruth				
J. T. San Agustin				
F. R. Santos				
T. V. C. Tanaka	-			
A. R. Unpingco	1			
	101			7

JUN 16'89

TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

Bill No. 756 (15)

Introduced by:

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C.T.C. Gutierrez

E. Probuena

A.R. UnpINGO D. F. Brooks

F. J. A. Quitugua

J. T. San Agustin

F. R. Santos A M. C. Ruth J. G. Bamba

H. D. Dierking

AN ACT TO APPROPRIATE FUNDS COMPENSATE ANTONIO D. ROBERTO, OWNER OF AN ESTATE IN LAND SITUATED IN TALOFOFO TAKEN BYGOVERNMENT OF GUAM FOR ROADWAY PURPOSES.

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

Section 1. Legislative intent. It is the intent of the legislature to justly compensate those citizens whose properties were taken from them by the Government of Guam.

Section 2. The sum of One Hundred Sixty One Thousand Dollars (\$161,000) is hereby appropriated from the General Fund to the Department of land Management for the purpose of Compensating Antonio D. Roberto for the property taken by the Government of Guam on portions of Lot No. 5, Municipality of Talofofo containing an area of 4,585.10 square meters for Route 4 Easements.



Twentieth Guam Legislature

163 Chalan Santo Papa St. Agana, Guam U.S.A. 96910 (671) 472-3407/8/9/10



Chairman, Committee on Ways & Means Vice-Chairman, Committee on Tourism & Transportation

July 31, 1989

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

Via: Chairman, Committee on Rules

Dear Mr. Speaker:

The Committee on Ways and Means, to which was referred <u>Bill No. 756</u>, "An act to appropriate the sum of One Hundred Sixty-One Thousand Dollars (\$161,000) from the General Fund to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo taken by the Government of Guam for roadway purposes," has had the same under consideration and now wishes to report back the same with the recommendation to do pass.

The Committee votes are as follows:

To do pass	9
Not to pass	0
To report out only	<u> </u>
Off-island	3
To place in Inactive File	0
Other	0

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

Sincerely,

CARI T.C. GUTIERRE

Enclosures



COMMITTEE ON WAYS AND MEANS VOTE SHEET ON BILL NO. 756

AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED SIXTY ONE THOUSAND DOLLARS (\$161,000) FROM THE GENERAL FUND TO COMPENSATE ANTONIO D. ROBERTO, OWNER OF AN ESTATE IN LAND SITUATED IN IPAN, TALOFOFO TAKEN BY THE GOVERNMENT OF GUAM FOR ROADWAY PURPOSES.

WITH THE RECOMMENDATION TO DO PASS

COMMITTEE MEMBERS:	TO DO PASS:	NOT TO PASS:	REPORT	INACTIVE FILE:	OTHER:
C. T.C. Sutierrez, Cha					
H. D. Dierking, Vice C	AND hairperson				
J. P. Aguon Member					
T. S. Nelson, Member					
D. Parkinson Member					
F. J.A. Quitugua, Memb	er				
J. San Agustin, Spe	aker & Ex-C	fficio			
J. G. Bamba, Member				***************************************	
E. M. Espaldon, Member					
M. D.A. Manibusan, Mem	ber 7/2	4/89			

M. C. Ruth, Member



JOINT REPORT OF THE COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS AND THE COMMITTEE ON WAYS AND MEANS ON BILL NO. 756

AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED SIXTY ONE THOU-SAND DOLLARS (\$161,000) FROM THE GENERAL FUND TO COMPENSATE ANTONIO D. ROBERTO, OWNER OF AN ESTATE IN LAND SITUATED IN IPAN, TALOFOFO TAKEN BY THE GOVERNMENT OF GUAM FOR RAODWAY PURPOSES. [Attachment 1]

Introduced by Senators
Carl T.C. Gutierrez, Ted S. Nelson, Herminia D. Dierking,
Joe T. San Agustin, Franklin J.A. Quitugua, Frank R. Santos,
Antonio R. Unpingco, Doris F. Brooks, J. George Bamba, and
Martha C. Ruth.

PREFACE:

The Committee on General Government Operations, together with the Committee on Ways and Means, conducted a public hearing on Bill No. 756, "An act to appropriate the sum of One Hundred Sixty One Thousand Dollars (\$161,000) from the General Fund to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo taken by the government of Guam for roadway purposes," on Wednesday, June 21, 1989 at 9:45 a.m. in the Legislative Session Hall. [Attachment 2]

Committee members present were Senator Ted S. Nelson, Chairman, Committee on General Governmental Operations, and Senators J. George Bamba, Tommy V.C. Tanaka, Eddie R. Duenas, and Doris F. Brooks. [Attachment 3]

NOTIFICATION:

Letters [Attachment 4] of notification were sent to: the Acting Governor; Mr. Antonio D. Roberto; the Attorney General; the Director, Bureau of Budget and Management Research; the Director of Administration; the Director of Public Works; the Director of Land Management; and the Commissioner of Talofofo.

TESTIMONY:

At the onset, the Chairman announced that testimonies [Attachment 5] supporting Bill No. 756, were received from Messrs. Roman Quinata and Antonio S. Quitugua.



At this time, the Chairman called on Commissioner Tito Mantanona and Mr. Francisco Fiores. [Attachment 6] Commissioner Mantanona informed the Committee that he fully supports the passage and enactment of Bill No. 756. Mr. Flores at this time testified that he supports the intent of Bill No. 756. The legislation, said Mr. Flores, corrects an injustice of the past. He emphasized that he supports the passage and enactment of Bill No. 756. Justice must be served, and justice demands it, concluded Mr. Flores. There being no other witnesses, the Chairman called on Mr. Antonio D. Roberto to submit testimony on Bill No. 756. [Attachment 7]

Mr. Roberto testified that he is the owner of a portion of Lot No. 5, which consists of approximately 4,585.10 square meters which is currently being used as a roadway on Route 4. Mr. Roberto also expressed his desire to convey the roadway portion of his property to the government of Guam in lieu of a tax credit. However, in 1987, the 19th Guam Legislature enacted Public Law 19-5. He said that Section 113(f) of Public Law 19-5 states that "...no real property or property other than money may be accepted by the Department of Revenue and Taxation as settlement for any outstanding tax liability." Mr. Roberto went on to say that prior to the enactment of Section 113(f), landowners whose properties were acquired by government of Guam were allowed to receive tax credits in lieu of cash payments under Public Law 14-69.

With that in mind, he urged the Committee to correct this inequity that has occurred. According to Mr. Roberto, the passage of Bill No. 756 will insure that justice is served.

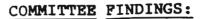
There being no further witnesses, the Chairman at this time, allowed the other members to query the witnesses.

At this time, Senator J. George Bamba asked why it took this long for Mr. Roberto to request for compensation. Mr. Roberto responded saying that he was serving in the Armed Forces and was stationed overseas, until recently when he retired. Mr. Roberto also said that with his continued presence, he can now follow up on other matters.

For the record, Mr. Roberto submitted two appraisal reports, one from The Appraisal Desk, and the other from Victor's Appraisal Service. [Attachments 8 and 9] In addition, Mr. Roberto also submitted a Certificate of Real Property Acquired for Government Use, issued by the Director of Land Management on August 27, 1982. [Attachment 10]

In closing, Mr. Roberto also informed the Committee that on January 27, 1988, the Director of Revenue and Taxation, issued a memorandum to the Lieutenant Governor concerning tax credits in lieu of cash payment for the Roberto property. [Attachment 11] The Director of Revenue and Taxation noted that the only way to settle this issue is for the government of Guam to pay Mr. Roberto cash if funds for such compensation are available.

There being no further questions, the Chairman adjourned the Committee hearing on Bill No. 756.



The Committee on General Governmental Operations, together with the Committee on Ways and Means, finds that:

- 1. The request of Mr. Antonio D. Roberto to accept tax credit in lieu of cash payment for conveying a portion of his land to the government of Guam is prohibited by Section 113(f) of the Public Law. 19-5.
- 2. Section 113(f) of Public Law 19-5 states in part: "No real property or property other than money may be accepted by the Department of Revenue and Taxation as a settlement for any outstanding liability nor may be received by the Government of Guam pursuant to Section 19900 of the Government Code of Guam without prior specific statutory authority for the transaction."
- 3. Prior to the enactment of Section 113(f) of Public Law 19-5, landowners whose properties were acquired by the Government of Guam were allowed to receive tax credits in lieu of cash payment under Public Law 14-69. The only way to settle this issue is for the government of Guam to compensate Mr. Antonio D. Roberto the amount of \$161,000.
- 4. Mr. Antonio D. Roberto owns a portion of Lot No. 5, Ipan, Talofofo, consisting of 4,585.10 square meters which is currently being used by the government of Guam as a roadway on Route 4. That Mr. Roberto desires to convey the roadway portion of his property to the government of Guam, provided that he be justly compensated for the his property.
- 5. The Committee supports the passage and enactment of Bill No. 756 and urges the members of the Legislature to do likewise.

SECTION ANALYSIS:

Please refer to Page 4, "Profile on Bill No. 756."

COMMITTEE RECOMMENDATION:

The Committee on General Governmental Operations, together with the Committee on Ways and Means, to which was referred Bill No. 756, "An Act to Appropriate the sum of One Hundred Sixty One Thousand Dollars from the General Fund to Compensate Mr. Antonio D. Roberto, owner of an Estate in land Situated in Ipan, Talofofo taken by the Government of Guam for roadway purposes," has had the same under consideration, and now wishes to report back the same with the recommendation to do pass.



PROFILE ON BILL NO. 756

Brief Title: "Antonio D. Roberto Compensation Act."

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Main Sponsors: Senators Carl T.C. Gutierrez, Ted S. Nelson, and

Herminia D. Dierking.

Date Introduced: Transmitted to the Legal Office on Friday, June

9, 1989 and introduced during the Friday, June

16, 1989 Legislative Session.

Assigned Committee: Referred to the Committee on Ways and Means Tuesday, June 20, 1989. on

Public Hearing: Wednesday, June 21, 1989, at 9:45 a.m. in the

Legislative Session Hall.

Official Title: "An Act to Appropriate the sum of One Hundred

Sixty One Thousand Dollars (\$161,000) from the General Fund to Compensate Mr. Antonio D. Roberto, owner of an Estate in land situated in Ipan, Talofofo taken by the Government of Guam for Roadway

Purposes."

Co-Sponsors: Senators Joe T. San Agustin, Franklin J.A. Quituqua,

Frank R. Santos, Antonio R. Unpingco, Doris F.

Brooks, J. George Bamba, and Martha C. Ruth.

BILL DIGEST

Section 1. States that it is the intent of the Legislature to provide just compensation to citizens whose properties were taken by the government of Guam.

Section 2. Provides that Mr. Antonio D. Roberto be compensated the sum of \$161,000 for property taken and used as part of the Route 4 easement. The area in question consists of approximately 4,585.10 square meters and is located on a portion of Lot 5, Ipan, Talofofo. The money is to be appropriated from the General Fund to the Department of Land Management. The Department in turn would compensate Mr. Antonio D. Roberto the amount of \$161,000.

TWENTIETH GUAM LEGISLATURE 1989 (FIRST) Regular Session

Bill No. 756

Introduced by:

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C.T.C. Gutierrez T.S. Nelson

A. R. Unprison
D. F. Brooks

D. F. Brooks

F. J. A. Quitugua

J. T. San Agustin

F. R. Santos

M. C. Ruth

J. G. Bamba

H. D. Dierking

ACT TO APPROPRIATE FUNDS COMPENSATE ANTONIO D. ROBERTO, OWNER OF AN ESTATE IN LAND SITUATED IN IPAN ... TALOFOFO TAKEN BY THE GOVERNMENT OF GUAM FOR ROADWAY PURPOSES.

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

Section 1. Legislative intent. It is the intent of the legislature to justly compensate those citizens whose properties were taken from them by the Government of Guam.

Section 2. The sum of One Hundred Sixty One Thousand Dollars (\$161,000) is hereby appropriated from the General Fund to the Department of land Management for the purpose of Compensating Antonio D. Roberto for the property taken by the Government of Guam on portions of Lot No. 5, Municipality of Talofofo containing an area of 4,585.10 square meters for Route 4 Easements.



TWENTIETH GUAM LEGISLATURE JOINT PUBLIC HEARING

COMMITTEE ON WAYS & MEANS and

COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS

A G E N D A 9:30 a.m., Wednesday, June 21, 1989, Legislative Session Hall

Substitute

Bill No. 247

An act to repeal and reenact Section 6201 of Title 4, Guam Code Annotated, setting forth the Pay Range and Wage Schedule for Government employees, to amend Subparagraph (a) of Section 6305 of said title to require wage and classification studies, to authorize employment of experts by the Civil Service Commission, to appropriate funds therefor, and to make the pay change retroactive to October 1, 1986, to authorize the Bureau of Budget to schedule and to authorize the Governor to pay all outstanding personnel obligations of the Government of Guam.

- Bill No. 395 An act to authorize the Governor to compensate employees their overtime pay.
- Bill No. 573 An act to appropriate the sum of Twelve Thousand Eight Hundred Forty-Nine and Thirty-Six Cents (\$12,849.36) from the General Fund to the Department of Administration for express payment to Mr. David V. Camacho.
- Bill No. 660 An act to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to the Department of Public Works for property acquisition and widening of the Canada-Toto Road.
- Bill No. 729 An act to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) from the General Fund to the Department of Administration for the retroactive payment of Option I salaries due the Public Health nurses.
- Bill No. 730 An act making appropriations for infrastructure improvements in the Municipality of Yigo.
- Bill No. 735 An act to appropriate the sum of Three Hundred Fifty Thousand Dollars (\$350,000) to the Department of Public Works for the purpose of constructing a multi-purpose court and a community center in Pagachao, Agat.
- Bill No. 736 An act to appropriate the sum of Thirty Thousand Dollars (\$30,000) to the Guam Power Authority for power extensions in the Municipality of Talofofo.

- Bill No. 734 An act to appropriate the sum of Thirty Thousand Dollars (\$30,000) to the Department of Public Works for the purpose of installing street lights along the Paseo Joggers' Lane.
- Bill No. 742 An act making appropriations for infrastructure improvements in the Municipality of Barrigada.
- Bill No. 756 An act to appropriate funds to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo, taken by the Government of Guam for roadway purposes.
- An act to allow residents of the Federated States of Micronesia, the Republic of Belau and the Republic of the Marshall Islands to be eligible for employment within the Government of Guam, and to cite the act as the Guam-Micronesian Employment Act of 1989.
- Bill No. 752 An act to amend Section 15000 of the Government Code relative to the apportionment of Assistant Commissioners.

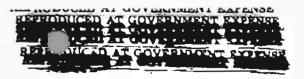


COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS ATTENDANCE SHEET

9:45.m.; Wednesday, June 21, 1989; Legislature Session Hall on Bill No. 756

(Compensation to Antonio D. Roberto for land taken by the Government in Talofofo for roadway purposes)

Committee Members	Present	Absent	Other
Ted S. Nelson, Chairman			
Elizabeth P. Arriola			
Madeleine Z. Bordallo	13		
J. George Bamba			
Herminia D. Dierking, Vice-Chairp	person		
Eddie R. Duenas			
Carl T.C. Gutierrez			
Pilar C. Lujan			
Gordon Mailloux			
Don Parkinson			
Eddie D. Reyes			
Joe P. San Agustin, Speaker			
Frank R. Santos			
DORUS F. ROBOUS		. ——	
Staff Assigned:	1	-	





Committee on General Governmental Operations

E Twentieth Guam Legislature

TEDS. NELSON

Member

Committee on Pales

Committee at Committee Christians

Comments on Groups, United &

Committee on Federal, Foreign S

Committee on Health, Windows &

Convention on Hansing & Communic

Committee on Juddiny & Change

Connection on Female, Summer Chilosop,

The Honorable Frank F. Blas
Acting Governor
Territory of Guam
Agana, Guam

Dear Governor Blas:

The Committees on General Governmental Operations and Ways and Means will hold a joint public hearing on Wednesday, June 21, 1989 at 9:30 a.m. in the Legislative Session Hall. We invite you and your Cabinet to attend and to present the Administration's position on the following bills:

Substitute

BIII No. 247

An act to repeal and reenact Section 6201 of Title 4, Guam Code Annotated setting forth the Pay Range and Wage Schedule for Government employees, to amend Subparagraph (a) of Section 6305 of said title to require wage and classification studies, to authorize employment of experts by the Civil Service Commission, to appropriate funds therefor, and to make the pay change retroactive to October 1, 1986, to authorize the Bureau of Budget to schedule and to authorize the Governor to pay all outstanding personnel obligations of the Government of Guam.

Covernment of Guam

Bill No. 395

An act to authorize the Governor to compensate employees their overtime pay.

BIII No. 573

An act to appropriate the sum of Twelve Thousand Eight Hundred Forty-Nine and Thirty-Six Cents (\$12,849.36) from the General Fund to the Department of Administration for express payment to Mr. David V. Camacho.

Bill No. 660

An act to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to the Department of Public Works for property acquisition and widening of the Canada-Toto Road.

Bill No. 729

An act to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) from the General Fund to the Department of Administration for the retroactive payment of Option I salaries due the Public Health nurses.

162 Chaire Same Prop

June 15, 1989



The Honorabie Frank F. Blas Page 2 June 15, 1989

- Bill No. 730 An act making appropriations for infrastructure improvements in the Municipality of Yigo.
- Bill No. 735 An act to appropriate the sum of Three Hundred Fifty Thousand Dollars (\$350,000) to the Department of Public Works for the purpose of constructing a multi-purpose court and a community center in Pagachao, Agat.
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- Bill No. 734 An act to appropriate the sum of Thirty Thousand Dollars (\$30,000) to the Department of Public Works for the purpose of installing street lights along the Paseo Joggers' Lane.
- Bill No. 742 An act making appropriations for infrastructure improvements in the Municipality of Barrigada.
- Bill No. 756 An act to appropriate funds to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo, taken by the Government of Guam for roadway purposes.
- Bill No. 728 An act to allow residents of the Federated States of Micronesia, the Republic of Belau and the Republic of the Marshall Islands to be eligible for employment within the Government of Guam, and to cite the act as the Guam-Micronesian Employment Act of 1989.
- Bill No. 752 An act to amend Section 15000 of the Government Code relative to the apportionment of Assistant Commissioners.

We trust that you and your Cabinet members will join us at this hearing.

Sincereix

TEO S. NELSON

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Committee on General Governmental Operations

June 15, 1989

Twentieth Guam Legislature

TEDS. NELSON

Member

Constitute on Rules

Commence on Supreme Constitution

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Committee on Federal, Foreign &

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Commission on Authory & Column

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Calendary or York, Sour Chinese, Calend Affect & Harry Reserves. Dear Mr. Roberto:

#70 Route 4 Ipan, Talofofo

Mr. Antonio D. Roberto

The Commission

The Committees on General Governmental Operations and Ways and Means will hold a joint public hearing on Wednesday, June 21, 1989 at 9:30 a.m. in the Legislative Session Hall.

The Committees invite you to attend and to present your position on

The Committees invite you to attend and to present your position on Bill No. 756 "An act to appropriate funds to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo, taken by the Government of Guam for roadway purposes."

As this measure directly affects you, we trust that you will join us at this hearing.

Sincerely.

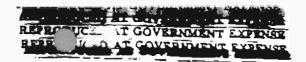
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Enclosure

cc: Chairman, Committee on Ways and Means

Agent, Steen 1997

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Committee on General Governmental Operations

Twentieth Guam Legislature

TEDS. NELSON

June 15, 1989

ATTORNEY GENERAL'S OFFIC

Member

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Commission on George, Children &

Committee on Federal, Female 6

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Committee on Pearly, Source China,

Mrs. Elizabeth Barrett-Andersen Attorney General Department of Law 7th Floor, PDN Building Agana, Guam

Dear Attorney Barrett-Andersen:

The Committees on General Governmental Operations and Ways and Means will hold a joint public hearing on Wednesday, June 21, 1989 at 9:30 a.m. in the Legislative Session Hall. We invite you to attend and to present the Department's position on the following bills:

Substitute Bill No. 247

An act to repeal and remact Section 6201 of Title 4, Guam Code Annotated setting forth the Pay Range and Wage Schedule for Government employees, to amend Subparagraph (a) of Section 6305 of said title to require wage and classification studies, to authorize employment of experts by the Civil Service Commission, to appropriate funds therefor, and to make the pay change retroactive to October 1, 1986, to authorize the Bureau of Budget to schedule and to authorize the Governor to pay all outstanding personnel obligations of the Government of Guam.

Bill No. 395

An act to authorize the Governor to compensate employees their overtime pay.

Bill No. 573

An act to appropriate the sum of Twelve Thousand Eight Hundred Forty-Nine and Thirty-Six Cents (\$12,849.36) from the General Fund to the Department of Administration for express payment to Mr. David V. Camacho.

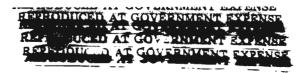
Bill No. 660

An act to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to the Department of Public Works for property acquisition and widening of the Canada-Toto Road.

Bill No. 729

An act to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) from the General Fund to the Department of Administration for the retroactive payment of Option I salaries due the Public Health nurses.

151 Own See Page



Mrs. Elizabeth Barrett-Anderson

Page 2

June 15, 1989

- Bill No. 730 An act making appropriations for infrastructure improvements in the Municipality of Yigo.
- Bill No. 735 An act to appropriate the sum of Three Hundred Fifty Thousand Dollars (\$350,000) to the Department of Public Works for the purpose of constructing a multi-purpose court and a community center in Pagachao, Agat.
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- Bill No. 742 An act making appropriations for infrastructure improvements in the Municipality of Barrigada.
- Bill No. 756

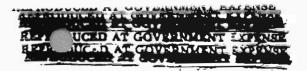
 An act to appropriate funds to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo, taken by the Government of Guam for roadway purposes.
- Bill No. 728 An act to allow residents of the Federated States of Micronesia, the Republic of Belau and the Republic of the Marshall Islands to be eligible for employment within the Government of Guam, and to cite the act as the Guam-Micronesian Employment Act of 1989.
- Bill No. 752 An act to amend Section 15000 of the Government Code relative to the apportionment of Assistant Commissioners.

We trust that you or your designee will join us at this hearing.

Sincerely,

EDAS. NELSON

rtig Enclosures





Committee on General Governmental Operations

Twentieth Guam Legislature

TEDS. NELSON Daime

June 15, 1989

Mr. Michael J. Reidy

Director

Bureau of Budget and Management

Research Agana, Guam

Dear Mr. Reidy:

The Committees on General Governmental Operations and Ways and Means will hold a joint public hearing on Wednesday, June 21, 1989 at 9:30 a.m. in the Legislative Session Hall. It is requested that the Bureau provide comments and fiscal notes on the following bills:

Substitute

An act to repeal and reenact Section 6201 of Title 4, Guam Code Annotated setting forth the Pay Range and Wage Schedule for Government employees, to amend Subparagraph (a) of Section 6305 of said title to require wage and classification studies, to authorize employment of experts by the Civil Service Commission, to appropriate funds therefor, and to make the pay change retroactive to October 1, 1986, to authorize the Bureau of Budget to schedule and to authorize the Governor to

pay all outstanding personnel obligations of the Government of Guam.

Bill No. 395 An act to authorize the Governor to compensate employees their overtime pay.

An act to appropriate the sum of Twelve Thousand Eight Hundred Forty-Nine and Thirty-Six Cents (\$12,849.36) Bill No. 573 from the General Fund to the Department of Administration for express payment to Mr. David V.

Camacho.

An act to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to the Department of Public Bill No. 660 Works for property acquisition and widening of the

Canada-Toto Road.

An act to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) from the General Fund to the Bill No. 729 Department of Administration for the retroactive payment

of Option I salaries due the Public Health nurses.

BIII No. 247

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IL Tente



Mr. Michael . Reidy Page 2 June 15, 1989

- Bill No. 730 An act making appropriations for infrastructure improvements in the Municipality of Yigo.
- Bill No. 735 An act to appropriate the sum of Three Hundred Fifty Thousand Dollars (\$350,000) to the Department of Public Works for the purpose of constructing a multi-purpose court and a community center in Pagachao, Agat.
- Bill No. 736 An act to appropriate the sum of Thirty Thousand Dollars (\$30,000) to the Guam Power Authority for power extensions in the Municipality of Talofofo.
- An act to appropriate the sum of Thirty Thousand Dollars (\$30,000) to the Department of Public Works for the purpose of installing street lights along the Paseo Joggers' Lane.
- Bill No. 742 An act making appropriations for infrastructure improvements in the Municipality of Barrigada.
- Bill No. 756 An act to appropriate funds to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo, taken by the Government of Guam for roadway purposes.

Your response to the Committees' request is appreciated.

Sincerely,

TRO S. NELSON

rtig Enclosures



Committee on General Governmental Operations

June 15, 1989

TEDS. NELSON

Dear Mr. Aflague:

Agana, Guam

Mr. Wilfred G. Aflague

Department of Administration

The Committees on General Governmental Operations and Ways and Means will hold a joint public hearing on Wednesday, June 21, 1989 at 9:30 a.m. in the Legislative Session Hall. We invite you to attend and to present the Department's position on the following bills:

Substitute Bill No. 247

Director

An act to repeal and reenact Section 6201 of Title 4, Guam Code Annotated setting forth the Pay Range and Wage Schedule for Government employees, to amend Subparagraph (a) of Section 6305 of said title to require wage and classification studies, to authorize employment of experts by the Civil Service Commission, to appropriate funds therefor, and to make the pay change retroactive to October 1, 1986, to authorize the Bureau of Budget to schedule and to authorize the Governor to pay all outstanding personnel obligations of the

Government of Guam.

Bill No. 395 act to authorize the Governor to compensate

employees their overtime pay.

An act to appropriate the sum of Twelve Thousand Eight Bill No. 573 Hundred Forty-Nine and Thirty-Six Cents (\$12,849.36)

from the General Fund to the Department Administration for express payment to Mr. David V.

Camacho.

An act to appropriate the sum of Two Hundred Fifty Bill No. 660

Thousand Dollars (\$250,000) to the Department of Public Works for property acquisition and widening of the

Canada-Toto Road.

An act to appropriate the sum of Two Hundred Thousand Bill No. 729

Dollars (\$200,000) from the General Fund to the Department of Administration for the retroactive payment

of Option I salaries due the Public Health nurses.

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Mig. Wilfred G. Aflague Page 2 - F June 15, 1989

- Bill No. 730 An act making appropriations for infrastructure improvements in the Municipality of Yigo.
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- Bill No. 742 An act making appropriations for infrastructure improvements in the Municipality of Barrigada.
- Bill No. 756
 An act to appropriate funds to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo, taken by the Government of Guam for roadway purposes.
- An act to allow residents of the Federated States of Micronesia, the Republic of Belau and the Republic of the Marshall Islands to be eligible for employment within the Covernment of Guam, and to cite the act as the Guam-Micronesian Employment Act of 1989.
- Bill No. 752 An act to amend Section 15000 of the Covernment Code relative to the apportionment of Assistant Commissioners.

We trust that you or your designee will join us at this hearing.

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TED SE NELSON

rtig Enclosures





Committee on

General Governmental Operations

TEDS. NELSON

June 15, 1989

rest & Server

Mr. Benigno M. Palomo Director of Public Works

Tamuning, Guam

Dear Mr. Palomo:

Bill No. 735

BIII No. 734

The Committees on General Governmental Operations and Ways and Means will hold a joint public hearing on Wednesday, June 21, 1989 at 9:30 a.m. in the Legislative Session Hall. We invite you to attend and to present the Department's position on the following bills:

An act to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to the Department of Public Bill No. 660 Works for property acquisition and widening of the Canada-Toto Road.

Bill No. 730 An act making appropriations for infrastructure improvements in the Municipality of Yigo.

> An act to appropriate the sum of Three Hundred Fifty Thousand Dollars (\$350,000) to the Department of Public Works for the purpose of constructing a multi-purpose

court and a community center in Pagachao, Agat.

An act to appropriate the sum of Thirty Thousand

Dollars (\$30,000) to the Department of Public Works for the purpose of installing street lights along the Paseo

Joggers' Lane.

An act making appropriations for infrastructure improve-Bill No. 742

ments in the Municipality of Barrigada.

An act to appropriate funds to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Bill No. 756

Talofofo, taken by the Government of Guam for roadway

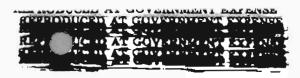
S. LNELSON

purposes.

We trust you will join us at this hearing.

Sincerely,

REED BY: B. San





Committee on General Governmental Operations Twentieth Guam Legislature

June 15, 1989

TEDS. NELSON

Mr. Frank L.G. Castro

Director

Director of Land Management

Agana, Guam

Dear Mr. Castro:

The Committees on General Governmental Operations and Ways and Means will hold a joint public hearing on Wednesday, June 21, 1989 at 9:30 a.m. in the Lagislative Session Hall. We invite you to attend and to present the Department's position on the following bills:

Bill No. 660

An act to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to the Department of Public Works for property acquisition and widening of the Canada-Toto Road.

Bill No. 756

An act to appropriate funds to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo, taken by the Government of Guam for roadway purposes.

We trust you will join us at the hearing.

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Committee on General Governmental Operations

June 15, 1989

- Twentieth Guam Legislature

TEDS. NELSON

Member

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Committee on Energy, Million &

Committee on Federal, Parago II

Committee on Health, Madess &

Committee on Heading & Comme

Committee on Architecy & Chinese

Justine .

Constitute on Major & Marrie

Commence on Profit, South Chines,

Mr. Tito A. Mantanona Commissioner Municipality of Talofofo Talofofo, Guam

Dear Commissioner Mantanona:

The Committees on General Governmental Operations and Ways and Means will hold a joint public hearing on Wednesday, June 21, 1989 at 9:30 a.m. in the Legislative Session Hall. We invite you to attend and to present your position on the following bills:

Bill No. 736 An act to appropriate the sum of Thirty Thousand Dollars (\$30,000) to the Guam Power Authority for power extensions in the Municipality of Talofofo.

Bill No. 756 An act to appropriate funds to compensate Antonio D. Roberto, owner of an estate in land situated in Ipan, Talofofo, taken by the Government of Guam for roadway purposes.

We trust that you will join us at this hearing.

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JED S. NELSON

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oc: Chairman, Committee on Ways and Means

Constitute in Sportland Constitution (Sportland

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June 20, 1989

Herminia D. Dierking
Acting Chairperson
Committee on Way & Means
163 Chalan Santo Papa St.
Agana, Guam 96910

Dear Senator Dierking & members of the committee,

My name is Roman Quinata, a resident of Ipan, Talofofo and former commissioner of Talofofo for 12 years. I am here this morning testifying in favor of Bill 756. This bill adresses the unfair treatment that has faced Mr. Roberto for many years. Others that have faced similar situations have already received fair & equitable treatment such as tax breaks from the government. It is indeed high time that the government correct this injustice. Bill 756 is a step in the right direction. Thank you for the opportunity to comment.

the little

June 15, 1989

Herminia Dierking Acting Chairperson Committee on Ways and Means 163 Chalan Santo Papa St. Agana, Guam 96910

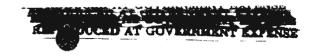
Dear Senator Dierking:

My name is Antonio S. Quitugua and I am testifying in favor of Bill No. 756 relative to appropriating Funds to compensate Mr. Tony Roberto for land taken for Roadway purposes. As the land in question benefits the people of Guam, I feel it is just and fair that compensation be granted; therefore, I urge the Committee to pass this bill to correct an injustice. Thank you for the opportunity to comment on this Bill.

ANTONIO S. QUITUGUA

P.O. Box 2950

Agana, Guam 96910



A 36 J

June 15, 1989

Herminia D. Dierking Acting Chairperson Committee on Ways & Means 163 Chalan Santo Papa St. Agana, Guam 96910

Dear Senator Dierking:

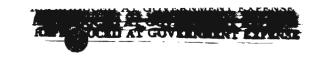
My name is Francisco Flores and I am a resident of Ipan Talofofo. I am testifying in favor of Bill 756.

The intent of the bill is honorable as it attempts to correct an injustice of the past. The passage of the Bill will accomplish this. In this light, I urged Committee members to act favorably towards the passage of this bill.

Thank you for the opportunity to comment on Bill 756.

Sincerely,

FRANCISCO FLORES



June 15, 1989

Herminia D. Dierking Acting Chairperson Committee on Ways & Means 163 Chalan Santo Papa St. Agana, Guam 96910

Dear Senator Dierking:

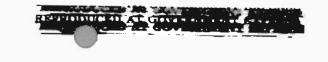
My name is Antonio D. Roberto owner of an estate taken by the Government for Roadway purposes specifically for Route 4 easements.

I want to take this opportunity to thank the sponsors of Bill 756 for their efforts in correcting an equity that has occurred. With the passage of Bill 756, justice will indeed be rendered.

In this light, I ask the members of the Committee to act in favor of passage of this bill in the interest of justice and fair play.

Sincerely,

ANTONIO D. ROBERTO





"First in GUAM Real Estate Appraisals"

APPRAISAL REPORT

ROUTE# 4, IPAN
PORTION OF LOT NO. 5 TALOFOFO, GUAM.

PREPARED FOR

ANTONIO D. ROBERTO TIPAN TO ALDFORD, GUAM...

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		2,110,	TIMORE	TIEFOTT		
Borrower An	itonio D. Robert	0		c	Insus Tract _	Map Reference Talofofo
Property Address .	Ipan, Talofofo	- Route #4				Sweb Helerence
City	Talofofo	County	· · · · · · · · · · · · · · · · · · ·		State Guam	
	Dontion of Lot	No. 5, Municipa	lity of			Zip Code
Legal Description _						
Sale Price \$		Loan Term				Leasehold De Minimis PUI
Actual Real Estate To		(yr.) Loan charges to be pak	d by seller \$	Other	sales concessions	
Lender/Client	N/A		Address			
Occupant Rt.#	4 Easement Appri	The Appraisal	Desk Instr	ructions to Appraise	<u>Estimate Mark</u>	et Value
Location	Urban	X Suburban	Rue	rai		
Built Up	Over 75%			der 25%	E-day-and Chapitte.	Good Avg. Fair Poor
Growth Rate	Fully Dev. Rapid	Steady	Sio		Employment Stability	
Property Values	Increasing				Convenience to Employm	
,		, Jan. 1		elining	Convenience to Shopping	
Demand/Supply	Shortage	··· Odiance		r Supply	Convenience to Schools	
Marketing Time	Under 3 M			r 6 Mos.	Adequacy of Public Trans	portation \(\times \)
	60 % 1 Family 05 % 24 Fi		% Condo <u>05</u>	_ % Commercial	Recreational Facilities	
i -	% Industrial 25 % Vac	ant %			Adequacy of Utilities	
Change in Present L	and Use X Not Likely	Likely (*)	Tak	ing Place (*)	Property Compatibility	
	(*) From	To			Protection from Detriment	
Predominant Occupa	, (v	Tenant		Vacant		
	70 000				Police and Fire Protection	====
Single Family Price F	NEW	20		15	General Appearance of Pr	operties
Single Family Age		yrs. Predomi	nant Age	yra.	Appeal to Market	
				'		
Comments including	those factors, favorable or un	favorable, affecting marketab	lity (e.g. public	parks, schools, vi	ew. noise) Neighborh	ood comprises of the
						e area comprises of
						. Nearest major con-
		ofo village. App	eal cons	<u>idered ave</u>	erage and incre	asing.
Dimensions See	Attached Site M	lap		4,585sm	Sq. Ft. XXXXXX	Corner Lot
Zoning classification	NOT ZONED					
				. Present improve	ments do d	o not conform to zoning regulations
Highest and best use		Other (specify) OFF SITE IMPROVEMENTS		Level		
Public	Other (Describe)		Topo	Adaguata		
Elec. X		ot Access: X Public		Adequate		
Gas	Private sunta	ce Asphalt		Rectangul	ar	
water X _	Main	tenance: X Public	Private View	None		
San. Sewer X	X	Storm Sewer Curb/	Gutter Drain	Appears	s positive FEMA	0100B 11/85
Und	lerground Elect. & Tel.	Sidewalk X Street	Lights is the	property located	In a HUD Identified Special	Fleod Hazard Area? X No Yes
						prises a 4.585 sq. mtr
nontion of	the post war Pou	to #4 theresisher	are lim	iting any	development du	e to its current use.
Site is paved, improving the property with a 2-lane access. All utilities are on-site. Usability would appear to be limited to its current state- that of providing public access.						
• •				•	• •	
						alysis. The description includes a dollar the comparable property is superior to, or
						omparable is inferior to, or less favorable
than, the subject prop	perty, a plus (+) adjustment is	s made, thus increasing the ir	idicated value of	of the subject.		
ITEM	Subject Property 1	COMPARABLE NO		COM	PARABLE NO. 2	COMPARABLE NO. 3
1164	Portion of Lot	Lot 14-2-NEW-		Lot 56-1-		Lot 17-1-2-2
Address			-			Ipan, Talofofo, Guam
	5, Ipan, latoro	to Ipan, Talofo	to, Guam	Ipan, rai	tororo, duam.	ipan, raiororo, cuam
Proximity to Subj.		Approx. 1.5 M	ile	Approx.	.5 Mile	Approx. 1.5 Mile
Sales Price	\$		75,000		\$64,000	\$ 60,000
Price	s		35.09		\$80.00	\$ 32.05
Data Source		M.L.S. Files	33. U9	M.L.S. Fi	les	M.L.S. Files
	05000:07:01	DESCRIPTION	- ()\$ Adjustment	DESCRIPTION		DESCRIPTION Adjustment
Date of Sale and Time Adjustment	DESCRIPTION			Nov. '86	+ 10,000	
Title Adjustitions		Feb. '87	7 9,000		10,000	
Location	Average	Average	1	Average	1 12 000	Average 1872sm/Beach +98,000
Site/View	4585sm/None		+78,000	800sm/Nor		
Zoning:	None stated	Agricultural	1	Commercia		
Usability:		80%	- 2,000	100%	- 24,500	100%
	Limited					
	Limited	,	1		11	
	Limited		1	•	1	
	Limited		1	• • • • • • • • • • • • • • • • • • • •	1	
Sales or Financing Concessions		Cash Sale	1	Cash Sale		Cash/Terms
Sales or Financing Concessions	N/A	Cash Sale	85,000	Cash Sale		· · · · · · · · · · · · · · · · · · ·
Sales or Financing Concessions Net Adj. (Total)		Cash Sale	85,000	Cash Sale		Cash/Terms X Plus; Minus \$ 97,200
Sales or Financing Concessions Net Adj. (Total)		X Plus; Minus 8		X Plus; A	s 101,100	X Plus: Minus \$ 97,200
Sales or Financing Concessions Net Adj. (Total) Indicated Value of Subject	N/A	X Plus; Minus 3	60.000	X Plus; A	\$ 101,100	X Plus: Minus \$ 97,200
Sales or Financing Concessions Net Adj. (Total) Indicated Value of Subject	N/A Above compa	(\$34.90/sm) sl	60,000	\$36.00/s	\$ 101,100 \$ 165,100 1 the subject v	X Plus: Minus: \$97,200 \$34.29/sm \$157,200 icinity, sharing in
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PHOTOGRAPH ADDENDUM

State Guam	Zip Code
	State Guam

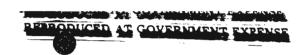


FRONT OF SUBJECT PROPERTY

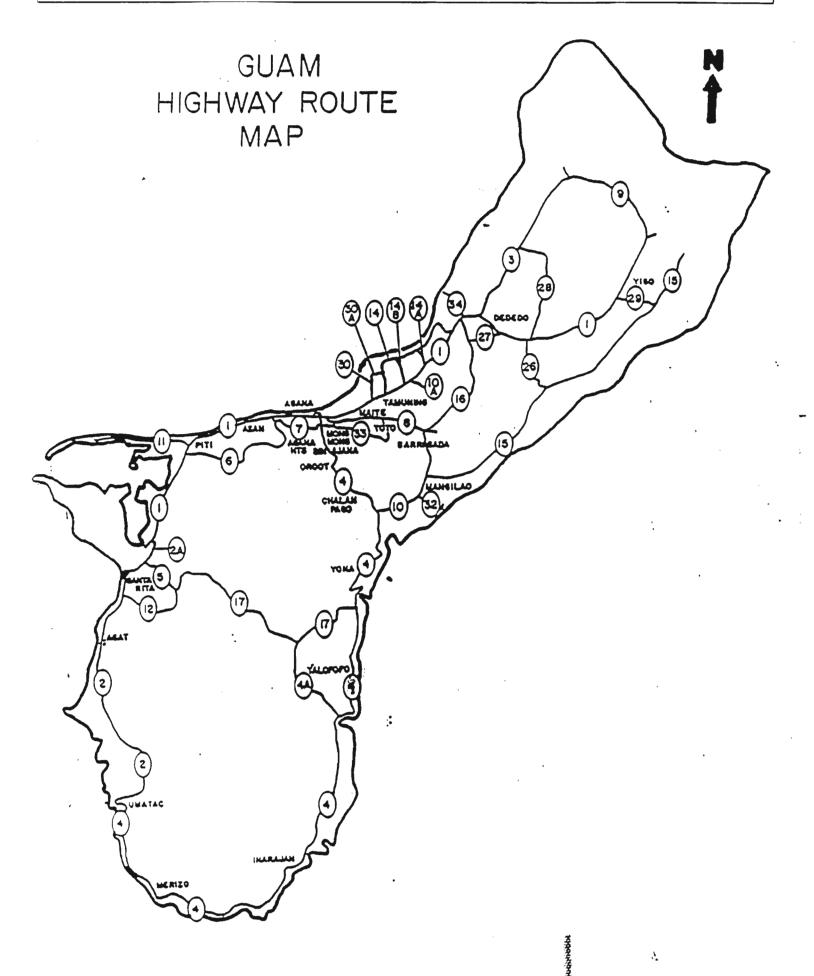


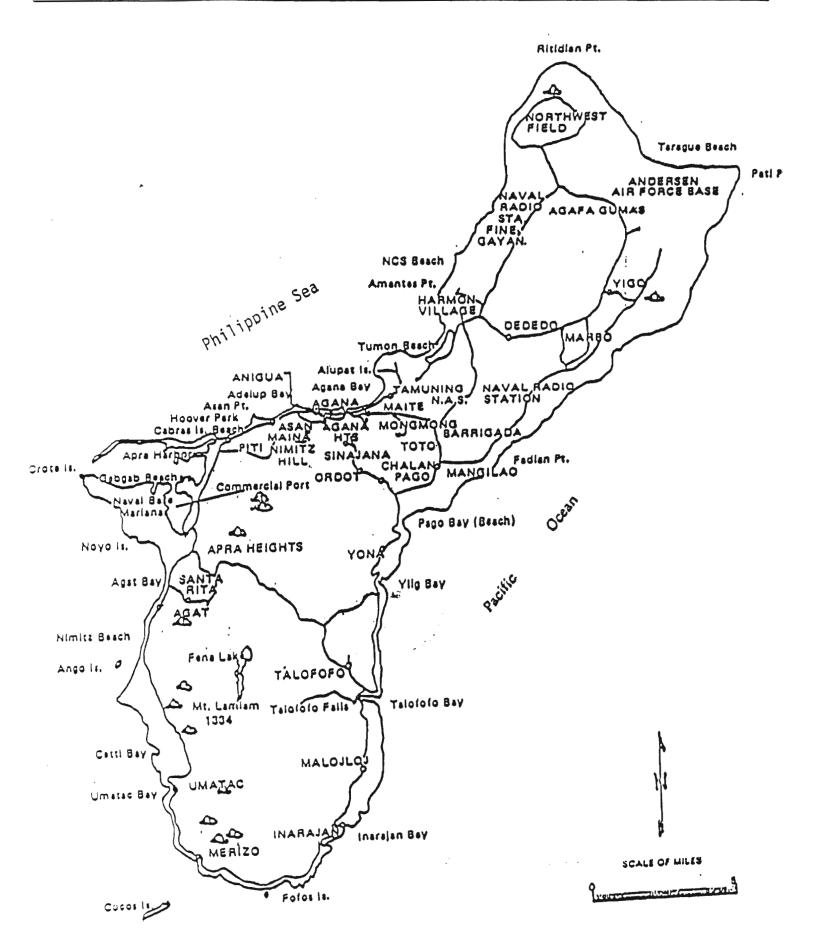
STREET SCENE

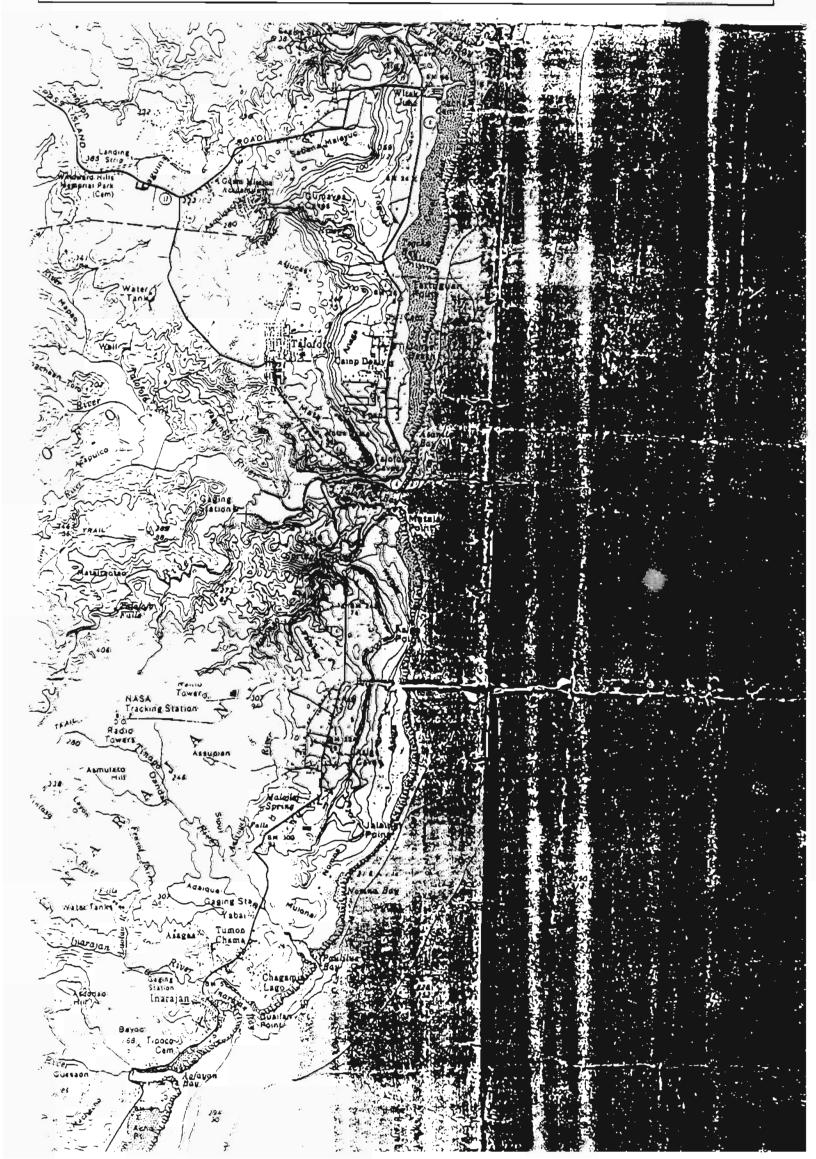
ADDITIONAL PHOTOGRAPHS ON REVERSE SIDE

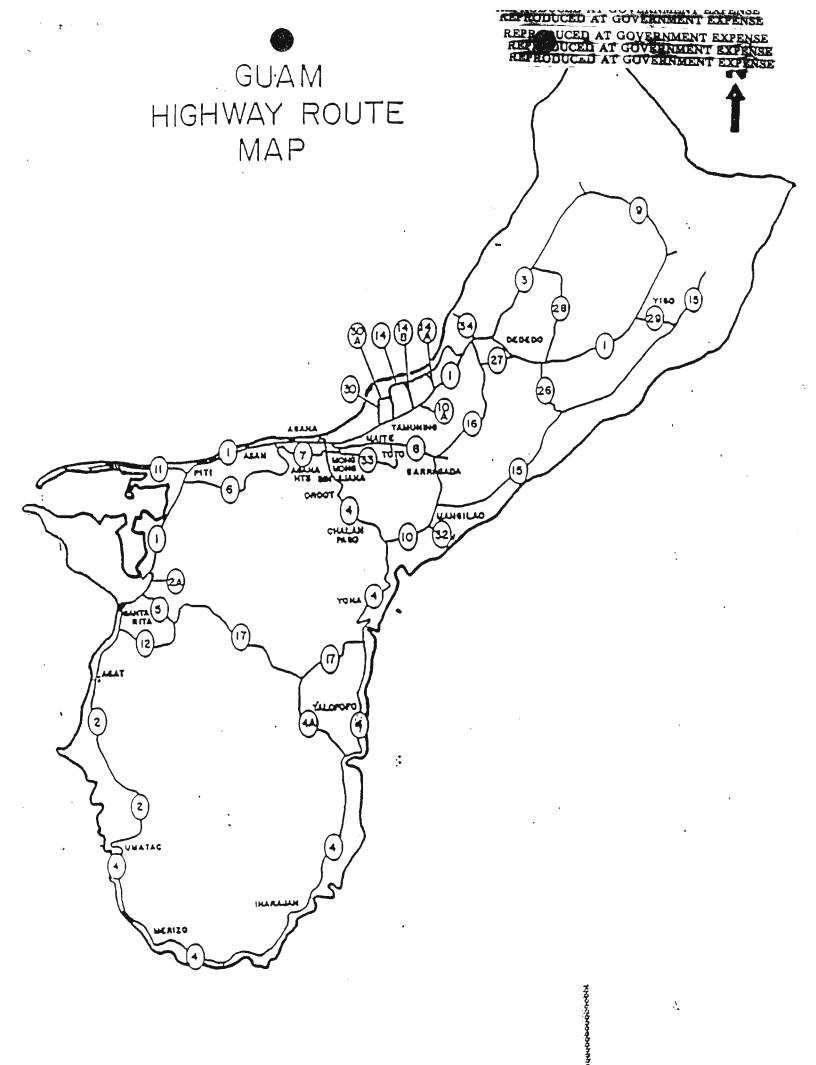


XXXXXXX/Client Antonic	D.	Roberto				
Property AddressPortion	Of	Lot#,5,	Route#4			
City Talofofo		County -		State Guam	Zip Code	
Lender N/A						









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INITIAL IDENTIFICATION:

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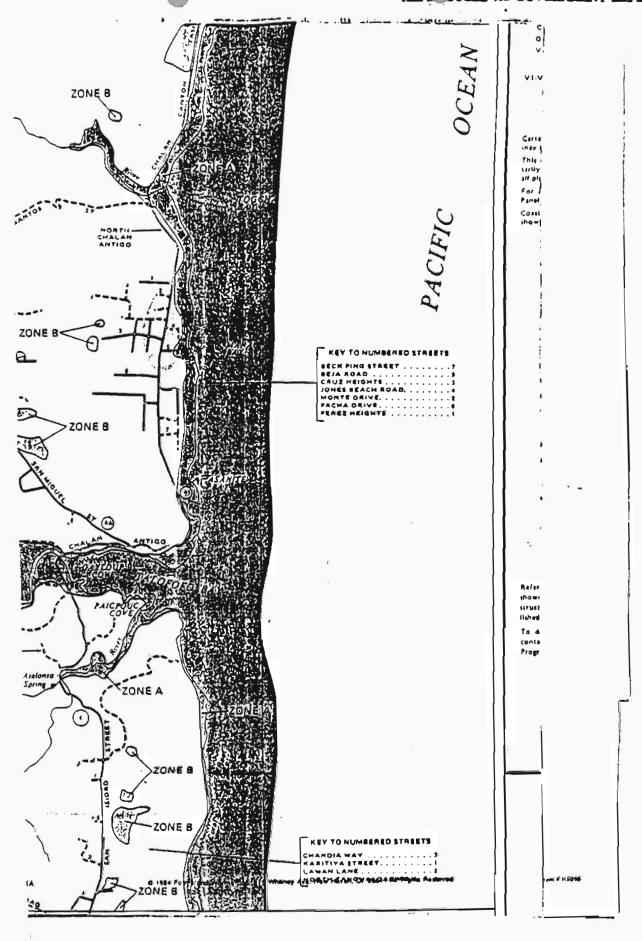
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. :.....

To determine is flood insurance is available in this community, contact your insurance agent, or call the Mational Flood insurance ages m, st (800) 518-650.

DEFINITION OF MARKET VALUE: The most pr The state of the s

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Eduardo dela Pena, Sr.

Victor dela Pena

June 19 1989

Mr Antonio D. Roberto Ipan Talafofo

RE: R-W route 4, portion of Lot No. 5, Municipality of Talofofo Guer

Dear Client:

Forsuant to your request for an appraisal of the above described property, we render herewith our analysis and valuation contained in this appraisal report.

We have studied and scrutinized economic as well as factual data influencing value appertaining to the property under appraisal. In arriving at our value indices, we have utilized the universal valuation principles, processes and techniques.

the value expressed herein in the frontpage Certificate of Valuation is our professional judgment, collated with our experience as a licensed Real Estate Appraiser and a Real Estate Broker on Guam.

Thank you for your continuing patronage of our appraisal firm.

()

Eduardo F de la Fena

Senior Appraiser



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Eduardo dela Pena, Sr.

Victor dela Pena

E280

APPRAISAL REPORT

CLIENT:

Mr Antonio D. Roberto

LENDER:

Government of Guam

PURPOSE OF APPRAISAL:

the purpose of the appraisal is to determine the current market value. The definition of Market Value is as set forth in Certification and Statement of limiting condition on the backpage of Certificate of Valuation, made herewith a part of this report.

PRUPERTY ADDRESS:

Right of Way- Route 4

Municipality of Talafofo, Ipan, Guam.
LEGAL DESCRIPTION:

A portion of Lot No. 5 Route 4, Right of Way, Doc. No. 60428

LAND AREA:

4,585.10 square meters.

PROPERTY RIGHTS APPRAISED:

fee Simple

LESSUR:

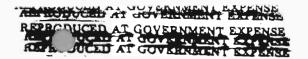
n/a

LESSEE:

n/a

SUB-LESSEE:

n/a





PROPERTY RATINGS: "

. 25

Victor's Appraisal Services

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Eduardo dela Pena, Sr. Appraiser

Victor dela Pena Appraiser

page

FOUR

FAIR

NEIGHBORHOOD RATINGS:	GOOD	AVG.	FAIR	PUOR
	0000	AVO.	1 711	POOR
Vehicular density:	X			
Pedestrian density	X			
Employment oppurturati		X		
Convenience to employment		A.	-	
Convenience to school	X			
Convenience to shopping	14 ·	- 4	生 3	
Police & Fire Protection	ing.	X	E ' -1	
Adequacy of utilities	X	The second second		
Recreational facilities	**			
Compatibility to neighborhood .		x		
Protection from detrimental condition	1	x		
General appearance of properties		X		
Appeal to market		X		
<i>‡</i>	*			
	_			

GOOD

AVG.





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P.O. Box 2364 • Aguna, Guam 96910

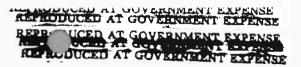
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Eduardo dela Pena, Sr.

Victor dela Pena Appraiser

pace

NEIGHBORHOOD BUILTUR over 75% PRESENT LAND USE:	234 483 1/.	under 25%
5 % Commercial % Apartment	/ Londown 3 / Condown 3 / Hotes Reserve	30 % Residentia 50 % Vacant
CHANGE IN PRESENT LAND USE:		-
X Not likely	Likely	Taking place
From	to	
PROPERTY VALUES:		
_X Increasing	Stable	Declining
DEMAND/SUPPLY:		•
ln balance	Shortage	Over Supply
TYPICAL RENTS:		
Xlncreasing .	Stable	Declining
RENT CONTROLS:		
X No Yes	Not likely=	Likely
PREDOMINANT OCCUPANCY:		-
X Owner	l'enant	% Vacant





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Eduardo dela Pena, Sr.

Victor dela Pena

SITE ANALYSIS:		
Utilities available to the site	•	
x felephonex Powerx Sewerx Paved	StreetX Water	_x Cable T.V. Sidewalks
ZONING:		
R-W: Does present improvements yes		? x vacant
HIGHEST AND BEST USED:		
x Present use. Other specif		
		
OFF SITE IMPROVEMENTS:		
Street access:	x Public	Private
Surface: ASPAHLT		
Maintenance:	x Fublic	Private
Storm sewerx_ Street	lights Sidewalks	Curb/Sutter
Topography: LEVEL	Shape: RECTANGULAR	View: YES
GOOD Drainage. Is property in s	pecial hazard area? Yes	No.
CUMMENTS: (Adverse condition	s)	
Favorable or unfavorable condit	ions including any apparent a	dverse easement:

the site is presently utilized as a 100 ' Right of Way known as Route 4.



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Eduardo dela Pena, Sr.

Victor de Pena

Page

IMPROV	ZEMENTS:		
Refer	to construction de	tail:	
			•
	Existing	Proposed	Under construction
	Elevator No. of stories	Walk up Elevator	Walk up
	No. 01 Stories		
	Detached	Semi detached	Row
Numbe	er of building:		Adequacy of parking:
COMMEN	1fS:		
			d.ddewniantine
rung tu	ionai, economic, or	physical inadequacy, rep	air needed, modernization.
The 51	te is vacant and u	tilized as Right of Way k	nown as Route 4.
OTHERS	š:		



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Eduardo dela Pena, Sr. Appraiser

Victor dela Pena

pade

VALUATION

MAKET DATA APPROACH:-Traditionally, an appraisal procedure in which the marker value estimate is predicated upon prices paid in actual market transactions an current listings, the former fixing the lower limit of value in a static or advancing market (pricewise), and fixing the higher limit of value in a declining market; and the latter fixing the higher limit in any market. It is a process of analyzing sales of similar recently sold properties in order to derive a indication of the most probable sales price of the property being appraised

COMPARABLE:

	DESCRIPTION		ZONING	AREA-SQM	DATE	FRI	DE/SUM
1.	Lot 11-10-3 Talafofo Guam		R-1	2,074.36	12/88	\$	38,57
2.	Lot 260-6-1-R1 Merizo Guam	·	R-1	2,200.00	2/ 89	\$	100.00
3.	Lot 17-1-2-2 (pan Taiofofo Guam		F:-1	1,872.00	3/88	₹5	32,05

COMMENTS AND RECONCILIATION:

Without resorting to detailed Sales Adjustment grid, it is our opinion that Fair Market Value of Subject Property based in our opinion as Appraiser-Broker is...

ESTIMATED LAND VALUE:

4,585.10 square meters @ \$

34.50 /sqm. = \$ 158,196.00

Say = \$ 158,200.00



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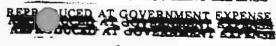
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Eduardo dela Pena, Sr. Appraiser

Victor dela l'ena









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Eduardo dela Pena, Sr.

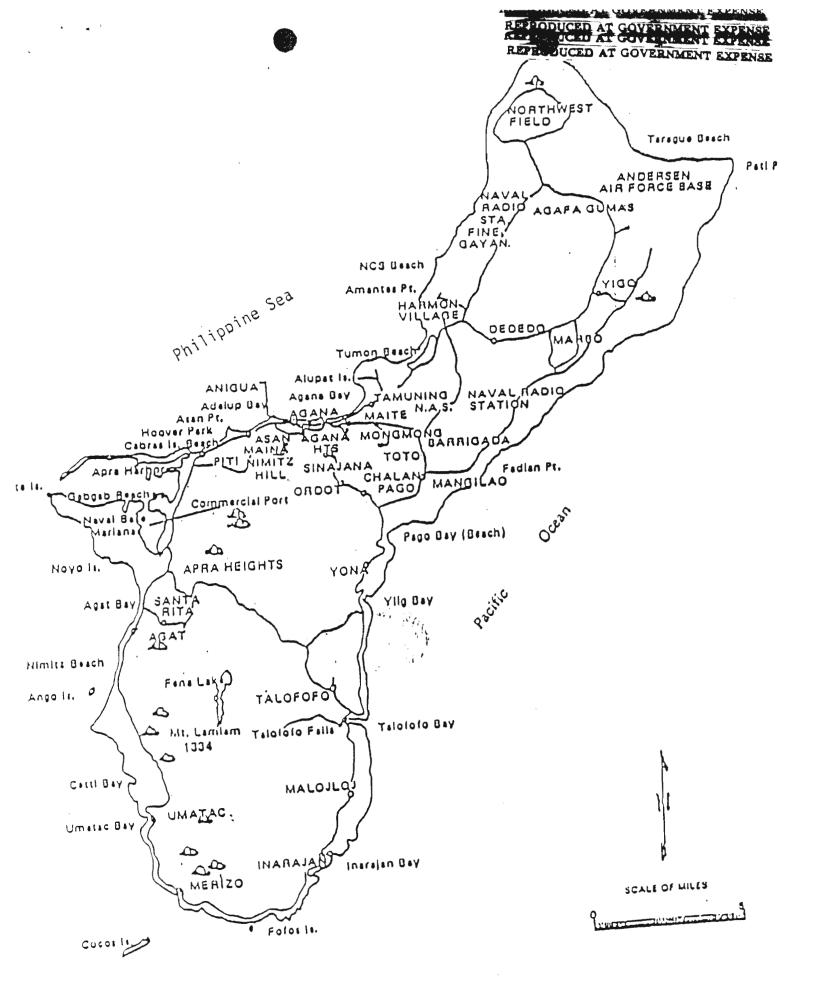
Victor dela Pena Appraiser

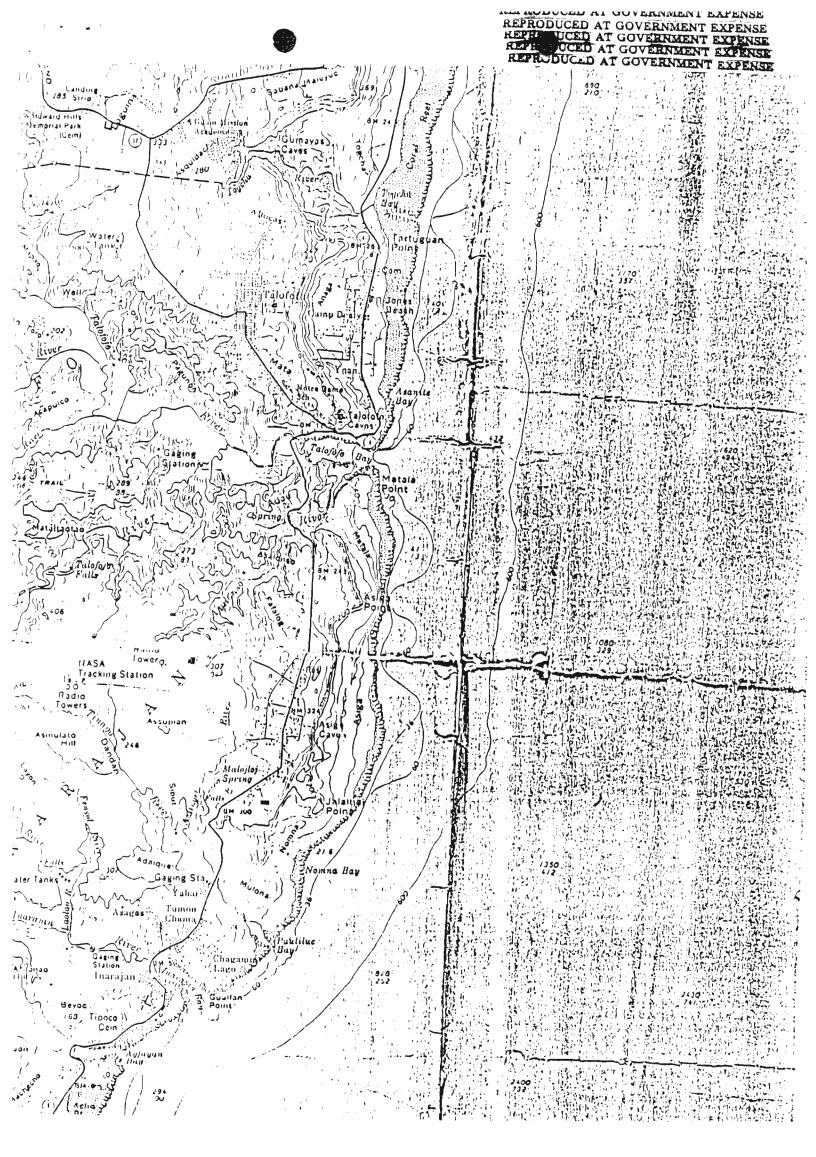


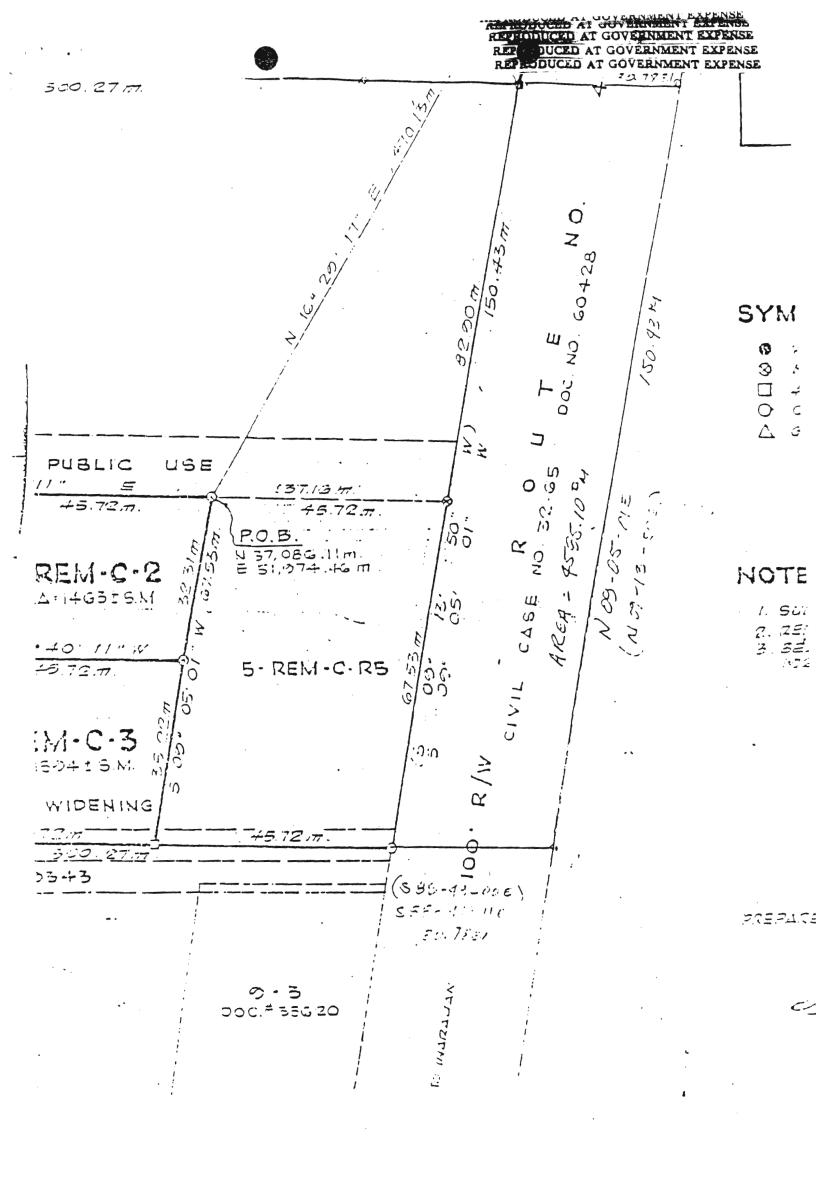


	FERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT
RECORDER'S	OFFICE OF THE RECORDER INSTRUMENT NUMBER 416207
OFFICE	This instrument was filed for record on
DEPARTMENT) Pay of
OF ·) duly recorded in Book P.M.
LAND	Recording Fee 3 Voucher No. 14/8306
MANAGEMENT,	NE NEW YORK OF THE PARTY OF THE
GOVERNMENT	Deputy Recorder
OF) }
GUAM))
*************	, ====================================
	QUITCLAIM DEED
KNOW ALL MEN BY TH	ESE PRESENTS:
That	I, CONCEPCION D. ROBERTO, a resident of Mongmong, Guam, hereinafter
called "GRANTOR",	for and in consideration of the sum of TEN DOLLARS (\$10.00) and other
good and valuable	consideration, receipt of which is hereby acknowledged, do hereby
DEMISE, RELEASE and	d QUITCLAIM unto ANTONIO D. ROBERTO, of Ipan Talofofo, Guam, all of
my right, title an	d interest in and to the following-described real property located
within the Territo	ry of Guam, to-wit:
	A portion of Lot No. 5, Municipality of Talofofo, Guam, being the travelled portion of Route 4, Talofofo, Guam, containing an area of approximately 4,585.10 square meters.
IN WI	TNESS WHEREOF, GRANTOR has hereunto set her hands on this 2nd
day of March	, 1989.
•	Concepcion Quenas Polierto. CONCEPCION D. ROBERTO

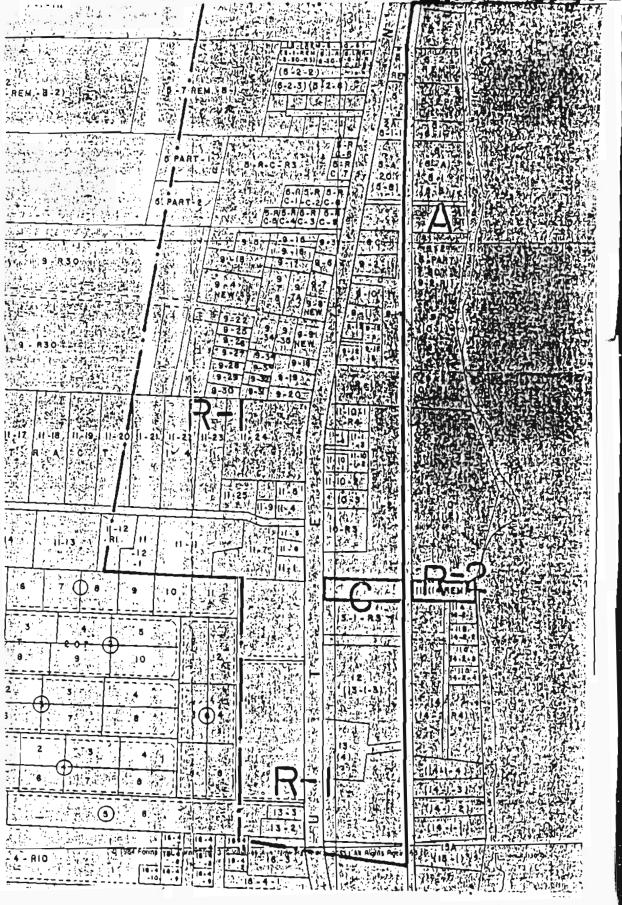
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REPRODUCED AT GOVERNMENT EXPENSE

CERTIFICATE

To:	Director, Department of Revenue and Taxation
From:	Director, Department of Land Management
Subject:	Certification of Real Property Acquired for Government Use
•	Document No: 326712 Dated: February 5, 1982
This is to	certify that the property of Ramon T. Paulino and
Carmen K. Pa	ulino, has been acquired for government
use under au	uthority of Public Law 14-69
and filed w	nder Document No. 326712 , with the Department
of Land Mana	agement.
The gross an	mount payable to the property owner is \$ 160,787.50 .
The amount o	outstanding, as of August 26,1982, is \$160,787.50

I understand that the purpose of this statement is for the Real Property owner to elect tax credit in lieu of cash for the taking of Real Property for government use.

D:

DOMETRO K. PABLO

Director of Land Management

Date:

Attachment

FORM DRT 12/21/77-3

PERPONICED AT COVERNMENT EXPENSE

المناسل المناسل المستمال

January 25, 1982

DEPARTMENT OF LAND MANAGEMENT Government of Guam Agana, Guam

MR. DOMETRO FABLO Director

SUBJECT:

REQUEST FOR TAX CREDIT IN LIEU OF CASH PAYMENT

(AS PER PUBLIC LAW 14-69, Chapter XI)

Dear Sir:

I am the owner of a private property located at Lot 13, Ipan, Talofofo, Guam. A portion of that property within Route 4 is being used by the government as a public road. I have never been compensated for the property, nor have I formally turned over the land to the government.

I should like to request for payment now for said property, but I am asking for a tax credit in lieu of cash payment, to settle my tax liabilities to the government. (I am referring to Chapter XI of Public Law No. 14-69).

I hereby authorize Mr. Francisco P. Cruz to negotiate with your office as to the cost per square meter for said property, and as soon as an agreement is reached between you and him and I receive a written approval from you, I will formally release the land to the government.

Hoping for your immediate attention and kind consideration regarding this matter.

Very truly yours,

CARLET R. PAULTIO

areby adminutedged, a DEED of DEED, to give, grant and convey to ANTONIO D. ROBERTO, 26 years, of age, C. I. No. 34206; a citizen of the United States and residing in the Village of Mongmong, Municipality of Sinajana, Territory of Guam, all that real proper situated in the Municipality of Talofofo, Anaga, Lot No. 5-Rem. - C, described as follows siculted in the multiplication of the sign of the sign

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COURSE	BEARING	DIST. WETERS	4
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	88 - 49 - 00 -		
7	09 13 50	E.= 150.43	
- 4 - 1 1 E E E E E S. 5	88 2 - 49 00	E. 300.27	
TALOFOFO MON.	100000		
NO83152 E. 1	End of the same of		10 X
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Grantor covenants with grantee that the former is now seized in fee simple of the property granted; that the same is free from all liens and encumbrances; and that the and the same grantor will warrant to the grantee all the said property against every person lawful claiming the same.

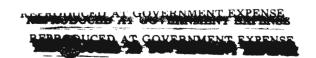
IN WITNESS WHEREOF, I have hereunto set my hand this Ist day of Movember, 1960.

CONCEPCION D. ROBERTO, GRANTOR

TERRITORY OF GUAM. On this lst day of November, 1960, before me, Enrique R. Mesa, a Notary Public, and for the Territory of Guam, personally appeared CONCEPCION D. ROSERTO, known to me be the person whose name is subscribed to the foregoing DEED OF GITT, and acknowled

that she executed the same.

Enrique. 9. Mesa, Notar che farritory of Guad.



JOAQUIN V. E. MANIBUSAN, JR. ATTORNEY AT LAW

Calvo's insurance bldg. 113 Chalan Santo Papa Agana, Guam 96910

TELEPHONE 477-7496

September 18, 1987

Francisco L.G. Castro, Director Department of Land Management Agana, GU

RE: Tax Credit Request for roadway portion of Lot 5, Ipan, Talofofo

portion of Lot 5, Ipan, Talofof

Dear Director Castro:

This letter will acknowledge the tentative settlement reached between your department and my client regarding valuation of a portion of his property (Lot 5) Ipan, being used as a roadway.

After much discussion, my client has agreed to a value of \$15.00 per square meter plus 25% on top for his property within the roadway. This valuation is based upon the fact that he sold his property, Lot 5-Rem-C-I and Lot 5-Rem-I-) in April, 1370 for \$15.00 a square meter. The properties sold are adjacent to the roadway portion.

Needless to say, the settlement was less than expected by my client since \$15.00 was the price he sold his property for over 14 years ago.

It is my understanding that the settlement we have reached must go through other agencies. Please be advised that any change in terms of the value agreed upon by my client by any other agency is subject to the approval of my client.

In closing, I wish to thank you for taking time out of your busy schedule to meet with us.

JVEM, JR./srd

cc: Antonio D. Roberto

 5-Ren-C-3 5-Ren-C-9	- Contine	Alggo WEAT Dev. Co	18p. 1594 pg. ~
 223076 - Coc 223105-	2 Anton	io Roberto	# C.I.C.
\$ 47,820, W \$ 13,867.80	_	prici	
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	. <u> </u>		

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That ANTONIO ROBERTO, of the Territory of Juam, JRANTOR, for TEN DOLLARS (\$10.00) and other good, valuable and legally sufficient consideration, the receipt of which is hereby acknowledged, have granted, bargained, and sold, and by these presents do give, grant, bargain, sell, convey, and confirm unto the CONTINENTAL DEVELOPMENT CORPORATION, A Guam Corporation, GRANTEE, its successors and assigns forever, all of that certain real property within the Territory of Guam described as follows:

Lot No. 5-REM-C-3 and Lot No. 5-REM-C-9

Ipan, Municipality of Talofofo, Territory
of Guam, Land Square 28, Section 3, each
containing an area of 1,594 square meters.

Grantor, his heirs, executors, and administrators, do hereby according to the covenant, grant, and agree to and with Grantae and its assigns, that, until the delivery hereof, he is the lawful owner of said realty, and he is seized and possessed thereof in his own right in fee simple and has full power and has lawful authority to grant and convey said realty in the manner aforesaid; that the premises are free and clear from all and every encumbrance whatsoever; and that he and his heirs, executors, and administrators shall and will warrant and defend the same to Grantee and its assigns against the lawful claims and demands of any person or persons whomsoever. TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, and the reversions, remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD the granted premises, with all the privileges and appurtenances to it belonging to the grantee, its successors and assigns, to its use and benefit forever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand this 9th day of April, 1973.

GRANTOR:

ANTONIOPROBERTO

Territory of Guam;)
)ss
Municipality of Agana)

Before me, a Notary Public in and for the Territory of Guam, personally appeared ANTONIO ROBERTO known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as his own free act and deed.

WITNESS my hand and official seal this 9th day of April, 1973.

Down C. Janel

Notary Public My commission expires: 7-20-77

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That on this date , January <u>M</u>, 1932, we, RAMON T. PAULINO and CARMEN K. PAULINO, undersigned, do make, constitute, and appoint, FRANCISCO P. CRUZ, our true and lawful attorney-in-fact, to act for us in our name, place and stead, for the following purpose:

To negotiate and conclude the sale of that certain portion of Lot 13, Ipan, Talofofo, Guam, currently being used by the Government of Guam as a road, known as Route 4, and the contiguous public utility easements, pursuant to the provisions of Public Law 14-69.

GIVING AND GRANTING unto my said attorney full power and authority to do and perform any act, deed, matter and thing necessary, desirable or expedient to accomplish the foregoing specified purposes and ratifying and confirming all acts necessary, desirable or expedient to accomplish the specifically defined purpose, lawfully done pursuant to the authority hereinabove conferred.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year first above written.

RAMON T. PAULINO

Carren 1. Dulino

TERRITORY OF GUAM)

)SS.

CITY OF AGANA

BEFORE ME, a Notary Public in and for the Territory of Guam, personally appeared RAMON T. PAULINO and CARMEN K. PAULINO, known to me to be the persons whose names are subscribed to the foregoing instrument, and after the contents thereof had been read and understood, acknowledged to me that they had signed said instrument freely and voluntarily for the use, purpose and consideration set forth herein.

this Moral day of Mary In 1900.

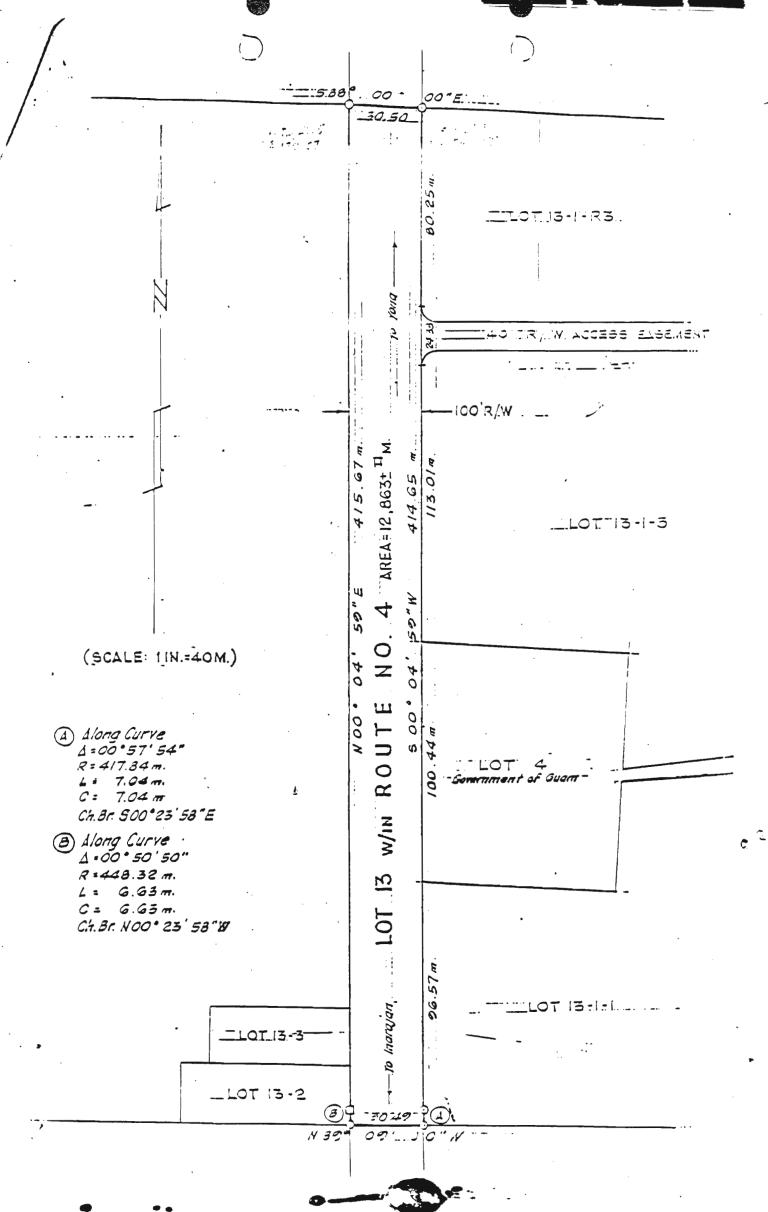
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My commission expires:

WILLIAM J. BLAIR, Notary Public in and for the Territory of Guam My commission expires: 9/29/85





AREA OF LOT 13 WITHIN

GOVERNMENT OF GUAM

DEPARTMENT OF LAND MANAGEMENT

LANG RECORDS SECTION

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(5) MARGINAL NOTATION C. T. NO.						
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2 3 4 5	RECORDER'S) OFFICE, DEPARTMENT OF) LAND) MANAGEMENT) GOVERNMENT)	TERRITORY OF GUAM, DEPT. OF LAND MANAGEMENT OFFICE OF THE RECORDER 328712 This instrument was filed for record on		
7	, · · · · · · · · · · · · · · · · · · ·			
8	GUAM)			
9 10		WARRANTY DEED TY DEED made this made day of filmer, 1982, between CARMEN		
12		AMON T. PAULINO, whose address is Ipan, Talofofo, Guam, herein		
13		RANTORS, and GOVERNMENT OF GUAM, herein referred to as GRANTEE		
14	GRANTORS, in consideration of the sum of ONE HUNDRED SIXTY THOUSAND			
15	SEVEN HUNDRED EIGHTY SEVEN & 50/100 ONLY (\$160,787.50) DOLLARS, paid by GRANTS			
16	TO GRANTORS, as	evidenced by a tax credit for said amount, do grant to GRANTEE		
17	and its heirs an	d assigns forever the following described property which is		
18	situated in the	Territory of Guam more particularly described as:		
19	-	Portion of Lot 13, within 100' Right of Way of Route 4, Ipan,		
20		Talofofo, Guam, as shown by the attached sketch.		
21	TOGETH	ER with the tenements, hereditaments and appurtenances there-		

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD the above-described premises, together with the appurtenances, unto GRANTEE and its heirs and assigns. And GRANTORS and their heirs shall and will warrant and defend the properties conveyed unto the GRANTEE and its heirs and assigns against the lawful claims of any person or persons whomsoever.

IN WITNESS WHEREOF, GRANTORS have executed this Deed the day and year first above written.

GRANTORS:

GARMEN K. PAULINO

RAMON T. PAULINO

A. MATDRIBAS J. N. BIT STANS LESS J. N. BIT STANS LESS J. N. BIT STANS LESS J. N. BIT STANS LICENS LESS J. N. BIT STANS LICENS L

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NOTARY PUBLIC

In and for the Territory of Guam

WILLIAM J. ELAIR, Notary Public in and for the Territory of Juam

My commission expires: 9/29/85

My Commission Expires:

TERRITORY OF GUAM) 2 : 35. CITY OF AGANA 3 On this Medday of Folguar, 19 77, before me, a Notary 4 5 Public in and for the Territory of Guam, personally appeared CARMEN.K. PAULING Ó and RAMON T. PAULING, herein referred to as GRANTORS, and they acknowledged 7 to me that they executed the within instrument, being duly authorized to do so 8 and for the consideration therein contained. 9 IN WITNESS WHEREOF, I have hereunco set my hand and affixed my 10 official seal the date first above written. 11 12 13 14 15 16 17 ACCEPTANCE OF DEED 18 On behalf of the Government of Guam, I hereby accept the property conveyed 19 above. 20 21 22 PAUL M. CALVO 23 Governor of Guam 24 25 - Daved ivan 26 27 28 29 30

MY 17 THESETT ---

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GOVERNMENT OF GUAM

DEPARTMENT OF LAND MANAGEMENT

LAND RESORDS SECTION

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GOVERNMENT)
OF))
GUAM))

WARRANTY DEED

WARRANTY DEED made this 17th day of fuguet 1981, between FRANCISCO P. CRUZ and MARIA F. CRUZ, whose address is Ipan Talofofo, Guam, herein referred to as GRANTORS, and GOVERNMENT OF GUAM, herein referred to as GRANTEE.

GRANTORS, in consideration of the sum of ONE
HUNDRED THIRTEEN THOUSAND FIVE HUNDRED TWENTY FIVE DOLLARS
\$113,525.00), paid by GRANTEE to GRANTORS, as evidenced by
a tax credit for said amount, does grant to GRANTEE and its
heirs and assigns forever the following described property
which is situated in the Territory of Guam more particularly described as:

Portion of LOT NO. 9, within Route 4, Ipan Talofofo, Guam, as shown by the attached sketch.

TOGETHER with the tenements, hereditaments, and appurtenances thereunto belonging, and the rents, issues, and profits thereof.

TO HAVE AND TO HOLD the above-described premises, together with the appurtenances, unto GRANTEE and its heirs and assigns. And GRANTORS and their heirs shall and will

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warrant and defend the properties conveyed unto the GRANTER and its heirs and assigns against the lawful claims of any person or persons whomsoever.

IN WITNESS WHEREOF, GRANTORS have executed this Deed the day and year first above written.

GRANTORS:

FRANCISCO P. CRUZ

MARIA F. CRUZ

By:

FRANCISCO P. CRUZ,
pursuant to that power of attorney recorded under Instrument
No. 288936

TERRITORY OF GUAM)
: SS.
CITY OF AGANA)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date first above written.

JOAQUÍN V. E. MANIBUSAN, JR.

NOTARY PUBLIC In and for the Territo

In and for the Territory of Guam My Commission Expires: 6-20-32

TERRITORY OF GUAM) : SS.
CITY OF AGANA)

On this MTL day of August , 1981, before me, a Notary Public in and for the Terrtory of Guam, personally appeared FRANCISCO F. CRUZ, known to me

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to be the person whose name is subscribed to the within instrument as attorney in fact of MARIA F. CRUZ and acknow-ledged to me that he subscribed the name of MARIA F. CRUZ thereto as principal, and his name as attorney in fact.

MANIBUSAN,

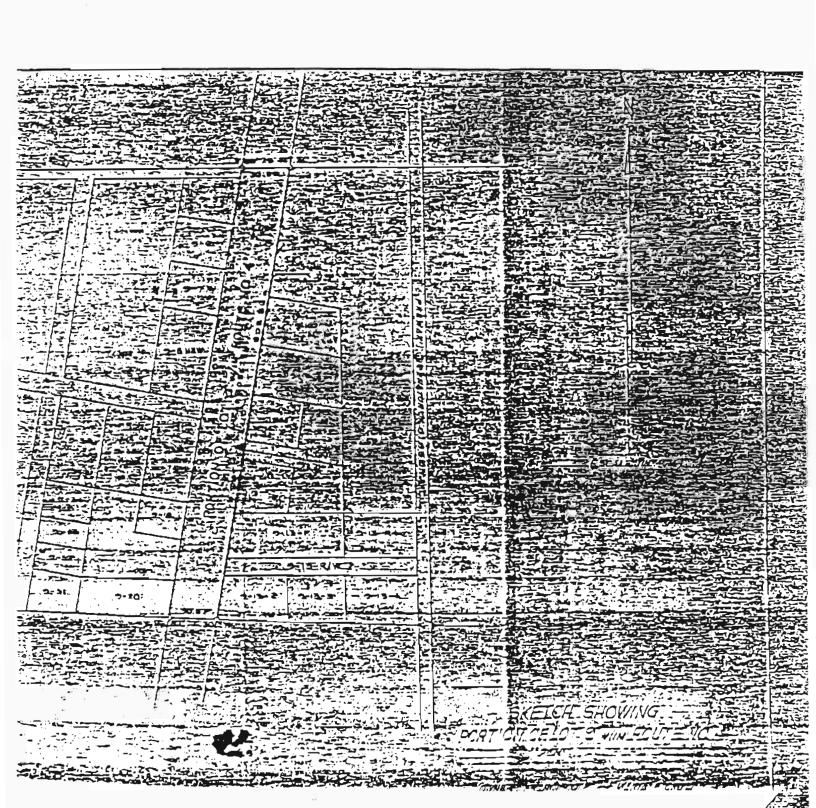
NOTARY PUBLIC In and for the Territory of Guam My Commission Expires: 6-20-32

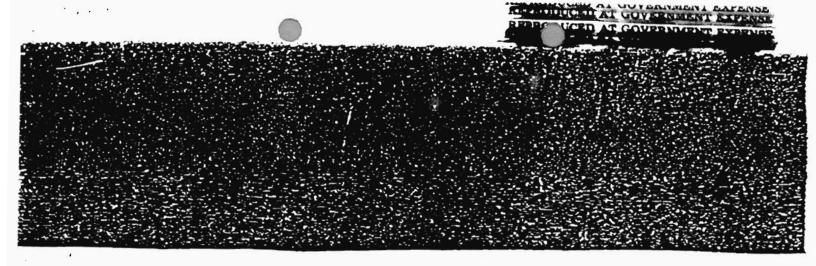
ACCEPTANCE OF DEED

On behalf of the Government of Guam, I hereby accept the property conveyed above.

PAUL M. CALVO Governor of Guam

L ALBITELLE, .E.





RECORDER'S

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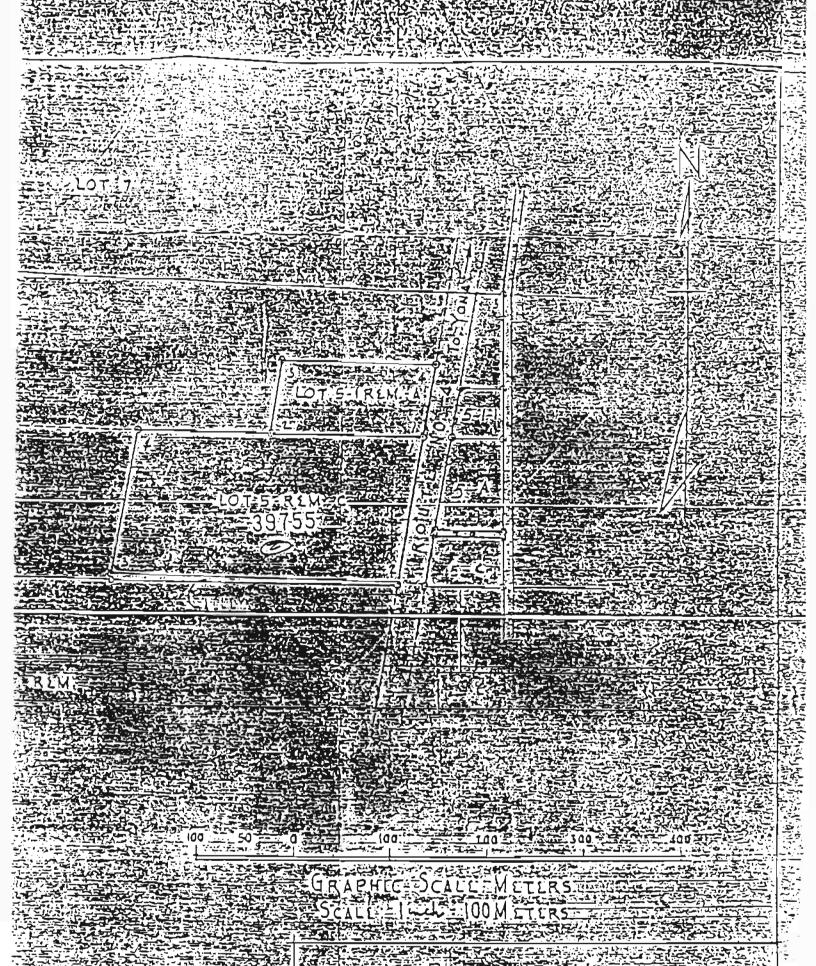
QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That I, CONCEPCION D: ROBERTO, a resident of Mongmong, Guam, hereinafter called "GRANTOR", for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, do hereby DEMISE, RELEASE and QUITCLAIM unto ANTONIO D. ROBERTO, of Ipan Talofofo, Guam, all of my right, title and interest in and to the following-described real property located within the Territory of Guam, to-wit:

LOT NO. 5, the travelled portion of Route 4, Talofofo, Guam, containing an area of approximately 4,585.10 square meters.

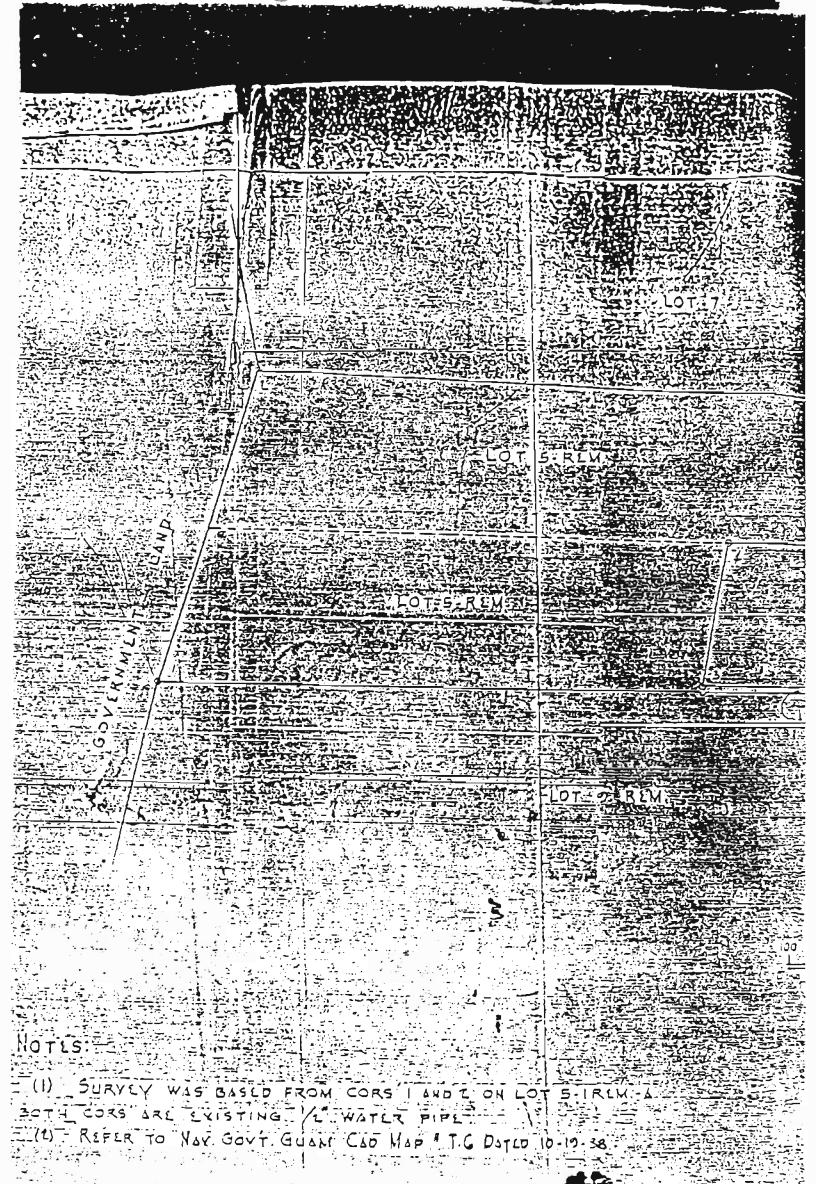
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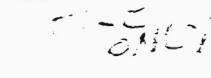
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/. M. CONCEPCION
Deputy Director

DEPARTMENT OF REVENUE & TAXATION

GOVERNMENT OF GUAM

355 WEST MARINE DRIVE AGANA, GUAM 36910 TEL: (671) 477-1040 TELEX: 721-6218 GOVGUAM

JAN 27 1988

MEMORANDUM

→To:

Lt. Governor

From:

Director, Department of Revenue and Taxation

Subject:

Tax Credits In Lieu of Cash Payments

The request of Mr. Antonio D. Roberto to accept tax credit in lieu of cash payment for conveying portion of his land to Government of Guam may be prohibited by Public Law 19-5.

Section 113(f) of Public Law 19-5 states in part: "No real property or property other than money may be accepted by Department of Revenue and Taxation as a settlement for any outstanding tax liability nor may be received by the Government of Guam pursuant to Section 19900 of Government Code of Guam without prior specific statutory authority for the transaction."

Prior to the enactment of Public Law 19-5, landowners whose properties were acquired by Government of Guam were allowed to receive tax credits in lieu cash payment under Public Law 14-69.

Obviously, the only way to settle this issue now is pay Mr. Roberto cash if funds for such compensation are available.

JOAQUIN G. BLAZ



JOAQUIN V. E. MANIBUSAN, JR. ATTORNEY AT LAW

CALVO'S INSURANCE BLDG. 113 CHALAN SANTO PAPA AGANA, GUAM 96910

TELEPHONE 477-7496

March 16, 1987

MR. FRANCISCO L.G. CASTRO
Acting Director, Department of Land Management
Agana, Guam

RE: TAX CREDIT FOR ROADWAY

Dear Director Castro:

My office represents Antonio D. Roberto of Ipan, Talofofo.

My client owns a portion of Lot No. 5, consisting of approximately 4,585.10 square meters which is used as a roadway on Route 4.

My client desires to convey the roadway portion of his property to the government of Guam in exchange for a tax credit pursuant to P.L. 14-69.

Please advise whether your department can entertain Mr. Roberto's request so that we can meet and discuss terms for the transaction.

Sincerely,

TOAQUEN V.E. MANIBUSAN, JR.

Approved by Antonio D. Roberto.

ANTONIO D. ROBERTO

RECORDER'S)

OFFICE,

DEPARTMENT)

OF

LAND)

MANAGEMENT,)

GOVERNMENT)

GUAM)

WARRANTY DEED

WARRANTY DEED made this 6th day of October, 1987, between ANTONIO D. ROBERTO, whose address is #70, Ipan, Talofofo, GU 96914, herein referred to as "GRANTOR", and the GOVERNMENT OF GUAM, herein referred to as "GRANTEE".

GRANTOR, in consideration of the sum of EIGHTY-FIVE
THOUSAND NINE HUNDRED SEVENTY DOLLARS AND SIXTY-TWO CENTS

(\$85,970.62), paid by GRANTEE to GRANTOR, as evidenced by a tax
credit for said amount in accordance with P.L. 14-69, does grant to
GRANTEE and its successors and assigns forever the following
described property which is situated in the Territory of Guam, more
particularly described as:

A portion of Lot No. 5, being the travelled and right of way portion within Route 4, Ipan, Talofofo, Guam, containing an area of approximately 4,585.10 square meters.

TOGETHER WITH the tenements, hereditaments, and appurte-

Page 1 of 3 Pages

nances thereunto belonging, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD the above-described premises, together with the appurtenances, unto GRANTEE and its successors and assigns. And GRANTOR and his heirs shall and will warrant and defend the property conveyed unto the GRANTEE and its successors and assigns against the lawful claims of any person or persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has executed this Deed the day and year first above written.

GRANTOR:

Intrais D. Dohnto ANTONIO D. ROBERTO

ACKNOWLEDGMENT

TERRITORY OF GUAM)
: SS.
CITY OF AGANA)

On this <u>fill</u> day of <u>Catalise</u>, 1987, before me, a Notary Public in and for the Territory of Guam, personally appeared ANTONIO D. ROBERTO, known to me to be the person whose name is subscribed to the within instrument, and he acknowledged to me that he executed the same.

!! ||

Page 2 of 3 Pages

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date first above written.



NOTARY PUBLIC
In and for the Territory of Guam
My Commission Expires: 6/20/89

ACCEPTANCE OF DEED

On behalf of the Government of Guam, I hereby accept the property conveyed above.

JOSEPH Governor		
Dat	e	

TWENTIETH GUAM LEGISLATURE COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS WITNESS SHEET

Bill No. 756 - Compensation to Antonio D. Roberto for land taken by the Government in Talofofo for roadway purposes

136 .m., Wednesday, June 21, 1989, Legislative Session Hall

	AGENCY/DEPT. REPRESENTING		TESTIMONY
NAME OF WITNESS	(if representing Self, a Firm,	STATEMENT	[Check (\checkmark) if
(Please print clearly)	etc., please indicate)	(W or O)*	For or Agains
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Antonio D. Zoberto	Resident of Ipan talotofo	$-\omega$	<u> </u>
Antonio S. Quitagua		$\overline{\omega}$	<u> </u>
Francisco Flores		\underline{w}	
Roman Quinata		<u> </u>	<u> </u>

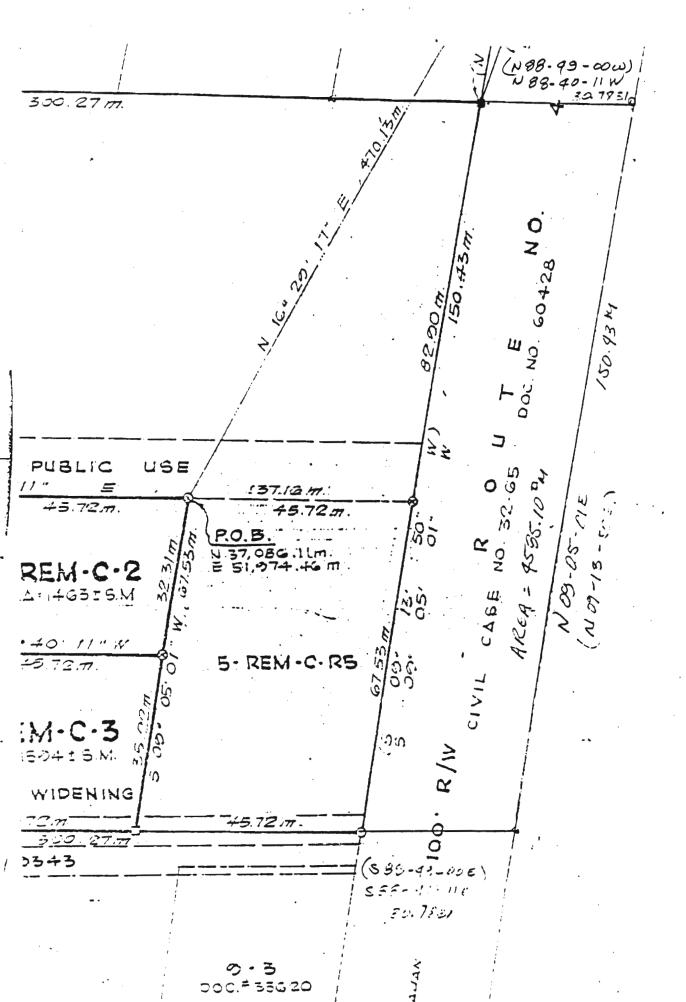
^{*} Written or Oral

XXXXXXX/Client Antonio D. Roberto

Property AddressPortion Of Lot#.5. Route#4

City Talofofo County- State Guam Zip Code

Lender N/A



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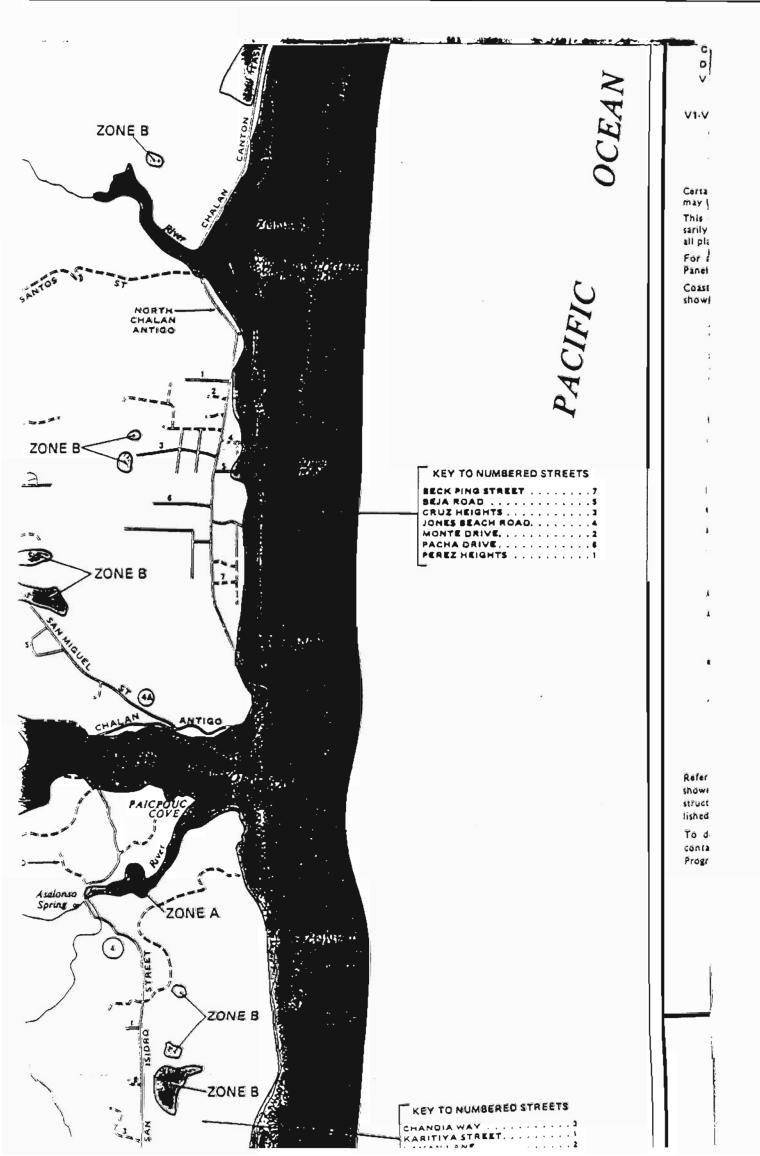
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DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

"Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

CERTIFICATION AND STATEMENT OF LIMITING CONDITIONS

CERTIFICATION: The Appraiser certifies and agrees that:

- 1. The Appraiser has no present or contemplated future interest in the property appraised; and neither the employment to make the appraisal, nor the compensation for it, is contingent upon the appraised value of the property.
- 2. The Appraiser has no personal interest in or bias with respect to the subject matter of the appraisal report or the participants to the sale. The "Estimate of Market Value" in the appraisal report is not based in whole or in part upon the race, color, or national origin of the prospective owners or occupants of the property appraised, or upon the race, color or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.
- 3. The Appraiser has personally inspected the property, both inside and out, and has made an exterior inspection of all comparable sales listed in the report. To the best of the Appraiser's knowledge and belief, all statements and information in this report are true and correct, and the Appraiser has not knowingly withheld any significant information.
- 4. All contingent and limiting conditions are contained herein (imposed by the terms of the assignment or by the undersigned affecting the analyses, opinions, and conclusions contained in the report).
- 5. This appraisal report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics and Standards of Professional Conduct of the appraisal organizations with which the Appraiser is affiliated.
- 6. All conclusions and opinions concerning the real estate that are set forth in the appraisal report were prepared by the Appraiser whose signature appears on the appraisal report, unless indicated as "Review Appraiser." No change of any item in the appraisal report shall be made by anyone other than the Appraiser, and the Appraiser shall have no responsibility for any such unauthorized change.

CONTINGENT AND LIMITING CONDITIONS: The certification of the Appraiser appearing in the appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Appraiser in the report.

- 1. The Appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the Appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
- 2. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The Appraiser has made no survey of the property.
- 3. The Appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made therefor.
- 4. Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.
- 5. The Appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The Appraiser assumes no responsibility for such conditions, or for engineering which might be required to discover such factors.
- 6. Information, estimates, and opinions furnished to the Appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the Appraiser can be assumed by the Appraiser.
- 7. Disclosure of the contents of the appraisal report is governed by the Bylaws and Regulations of the professional appraisal organizations with which the Appraiser is affiliated.
- 8. Neither all, nor any part of the content of the report, or copy thereof (including conclusions as to the property value, the identity of the Appraiser, professional designations, reference to any professional appraisal organizations, or the firm with which the Appraiser is connected), shall be used for any purposes by anyone but the client specified in the report, the borrower if appraisal fee paid by same, the mortgagee or its successors and assigns, mortgage insurers, consultants, professional appraisal organizations, any state or federally approved financial institution, any department, agency, or instrumentality of the United States or any state or the District of Columbia, without the previous written consent of the Appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the Appraiser.
- 9. On all appraisals, subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner.

Date: 05/12/89 Appraiser(s) L.P.A.CRUZ-CREA J.CONCEPCION-CHEIF APPRA.

FW 439N-1004B/N CADXX C 1986 Forms and Worms Inc. 315 Whitney Ave. New Haven, Ct 06511 All Rights Reserved 1 (800) 243-4545 Item # 157500

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