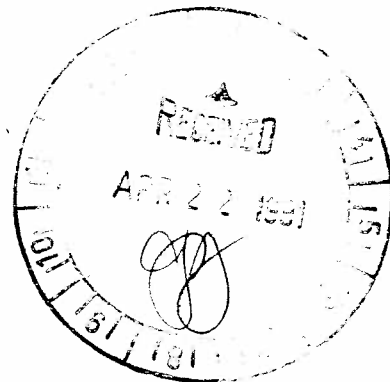




Territory of Guam
Territorio de Guam

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LEGISLATIVE

APR 22 1991

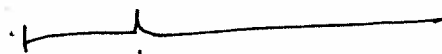


The Honorable Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 291, which became law without the Governor's signature and was designated Public Law 21-13.

Sincerely yours,


FRANK F. BLAS
Governor of Guam
Acting


Attachment

210203

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

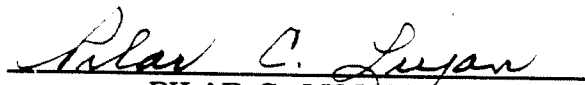
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 291 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE A PORTION OF THE SOUTHWEST CORNER OF TRACT FA, AGAT, FOR LOTS NOS. 1301-2, 1313, 1315, AND 1301-4, IN THE CITY OF AGAÑA ON A VALUE FOR VALUE BASIS AS DETERMINED AS OF THE DATE THE AGAÑA LOTS WERE CONDEMNED BY THE GOVERNMENT," was on the 3rd day of April, 1991, duly and regularly passed.



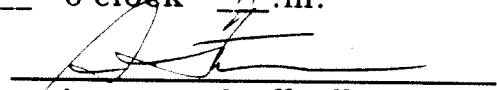
JOE T. SAN AGUSTIN
Speaker

Attested:



PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 3rd day of April, 1991, at 11:30 o'clock A.m.



Assistant Staff Officer
Governor's Office

APPROVED:

~~_____
JOSEPH F. ADA
Governor of Guam~~

Date: _____

Public Law No. 21-13

Became law without Governor's
signature.

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 291 (COR)

Introduced by:

C. T. C. Gutierrez
J. P. Aguon
E. P. Arriola
J. G. Bamba
A. C. Blaz
D. F. Brooks
H. D. Dierking
E. R. Duenas
E. M. Espaldon
P. C. Lujan
G. Mailloux
M. D. A. Manibusan
D. Parkinson
M. J. Reidy
M. C. Ruth
J. T. San Agustin
F. R. Santos
D. L. G. Shimizu
T. V. C. Tanaka
A. R. Unpingco

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE A PORTION OF THE SOUTHWEST CORNER OF TRACT FA, AGAT, FOR LOTS NOS. 1301-2, 1313, 1315, AND 1301-4, IN THE CITY OF AGAÑA ON A VALUE FOR VALUE BASIS AS DETERMINED AS OF THE DATE THE AGAÑA LOTS WERE CONDEMNED BY THE GOVERNMENT.

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

2 **Section 1. Exchange.** The Governor shall exchange a portion of the
3 southwest corner of Tract FA, Agat, known as **Taelayac Sanhilo**, for Lots Nos.
4 1301-2, 1313, 1315, and 1301-4 in the city of Agaña, containing an aggregate
5 area of 1,480.08± square meters, (the "Agaña Lots"), owned by Mr. and Mrs.
6 Frank B. Sablan (the "Sablans"), on a value for value basis determined as of the
7 date the Agaña Lots were condemned by the government; **provided**, (i) that
8 such exchange is subject to approval of a severance map of **Taelayac Sanhilo** by
9 the Director of Land Management (the "Director") to be prepared at the

1 expense of the Sablans, and (ii) that the Director certifies that such properties
2 are of equal value.

3 **Section 2. Conditions to exchange.** The land exchange described in
4 Section 1 of this Act shall be subject to the following provisions to determine
5 the fair market value of the properties being exchanged:

6 (a) Each parcel shall be the subject of no less than two (2)
7 written appraisals prepared by qualified licensed Guam appraisers, one
8 (1) to be selected by the Director and one (1) by the Sablans, such
9 appraisals to be completed no earlier than six (6) months prior to the
10 date of exchange of the parcels; if neither of such two (2) appraisals is
11 acceptable to both parties, the two (2) appraisers so selected shall select
12 a third appraiser who shall mediate between the two (2) appraisals to
13 attempt to arrive at an appraisal acceptable to both parties.

14 (b) Such appraisals shall be based on the current highest and
15 best use of the parcels being appraised without regard to such parcels'
16 current zoning.

17 **Section 3. Costs.** The cost of such appraisals and of any severance or
18 other survey map necessary for the exchange shall be paid by the Sablans and
19 no deed of exchange may be recorded until such costs are paid. Such survey, as
20 well as the appraisals required in Section 2 of this Act, are subject to the
21 approval of the Director.

22 **Section 4. Inapplicability of Chamorro Land Trust Act.** The provisions
23 of Chapter 75, Title 21, Guam Code Annotated (the Chamorro Land Trust Act),
24 shall not apply to the exchange authorized by this Act.

Bill No. 291

Resolution No. _____

Date: 4/3/91

Question: _____

	Ayes	Noes	NOT Voting	Absent
1. AGUON, John Perez	✓			
2. ARRIOLA, Elizabeth Perez	✓			
3. BAMBA, J. George	✓			
4. BLAZ, Anthony Crisostomo	✓			
5. BROOKS, Doris Flores	✓			
6. DIERKING, Herminia Duenas	✓			
7. DUENAS, Edward Ramirez				✓
8. ESPALDON, Ernesto M. (M.D.)	✓			
9. GUTIERREZ, Carl T. C.	✓			
10. LUJAN, Pilar Cruz	✓			
11. MAILLOUX, Gordon	✓			
12. MANIBUSAN, Marilyn D. A.	✓			
13. PARKINSON, Don	✓			
14. REIDY, Michael	✓			
15. RUTH, Martha Cruz	✓			
16. SAN AGUSTIN, Joe Taitano	✓			
17. SANTOS, Francisco Rivera	✓			
18. SHIMIZU, David L. G. (M.D.)	✓			
19. TANAKA, Thomas V. C.	✓			
20. UNPINGCO, Antonio Reyes	✓			

19

1

Introduced

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

APR 03 '91

Bill No. 291 (COR)

Introduced by:


C.T.C. GUTIERREZ

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE A PORTION OF TRACT FA, AGAT, ("TAELAYAC SANHILO") FOR LOTS 1301-2, 1313, 1315, AND 1301-4 AGANA OWNED BY MR. AND MRS. FRANK B. SABLAN.

BE ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

1 **BE ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 Section 1. (a) The Governor shall exchange a portion of the
3 southwest corner of Tract FA, Agat, known as "Taelayac Sanhilo", for Lots
4 Nos. 1301-2, 1313, 1315, and 1301-4 in the city of Agana, containing an
5 aggregate area of 1,480.08± square meters, (the "Agana Lots"), owned by
6 Mr. and Mrs. Frank B. Sablan (the "Sablans"), on a value for value basis
7 determined as of the date the Agana Lots were condemned by the
8 government; provided, (i) that such exchange is subject to approval of a
9 severance map of Taelayac Sanhilo by the Director of Land Management
10 (the "Director") to be prepared at the expense of the Sablans, and (ii) that
11 the Director certifies that such properties are of equal value.

12 (b) The land exchange described in subsection (a) of this section
13 shall be subject to the following provisions to determine the fair market
14 value of the properties being exchanged:

15 (i) Each parcel shall be the subject of no less than two (2)
16 written appraisals prepared by qualified licensed Guam appraisers,
17 one (1) to be selected by the Director and one (1) by the Sablans,
18 such appraisals to be completed no earlier than six (6) months prior
19 to the date of exchange of the parcels; if neither of such two (2)
20 appraisals is acceptable to both parties, the two (2) appraisers so

1 selected shall select a third appraiser who shall mediate between
2 the two (2) appraisals to attempt to arrive at an appraisal
3 acceptable to both parties.

4 (ii) Such appraisals shall be based on the current highest and
5 best use of the parcels being appraised without regard to such
6 parcels' current zoning.

7 (c) The cost of such appraisals and of any severance or other
8 survey map necessary for the exchange shall be paid by the Sablans and no
9 deed of exchange may be recorded until such costs are paid. Such survey,as
10 well as the appraisals required in subparagraph (b) of this section, are
11 subject to the approval of the Director.

12 (d) The provisions of Chapter 75, Title 21, Guam Code Annotated
13 (the Chamorro Land Trust Act) shall not apply to the exchange authorized
14 by this section.