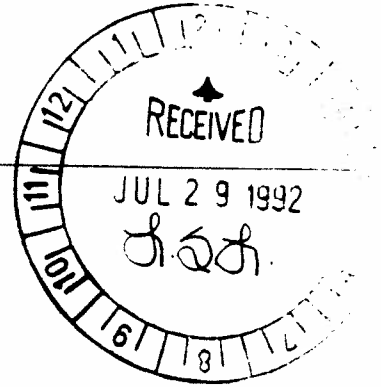




*Territory of Guam  
Territorio de Guam*



JUL 28 1992

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

RECEIVED TO  
LEGISLATIVE DEPARTMENT

Dear Mr. Speaker:

Transmitted herewith is Bill No. 897 which I have signed into law this date as  
Public Law 21-130.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Frank F. Blas".

FRANK F. BLAS  
Governor of Guam  
Acting

Attachment

**210912**

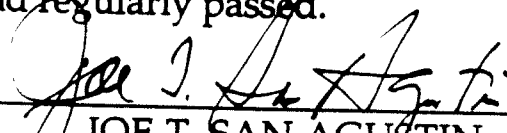


Commonwealth Now!

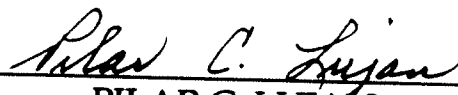
TWENTY-FIRST GUAM LEGISLATURE  
1992 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

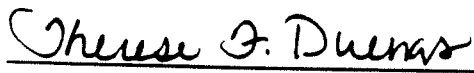
This is to certify that Substitute Bill No. 897 (COR), "AN ACT TO AMEND PUBLIC LAW 21-35 TO IDENTIFY A PARCEL OF GOVERNMENT LAND IN MANGILAO FOR THE CONSTRUCTION OF A "SAGAN POLICIA" AND TO AUTHORIZE CERTAIN LAND EXCHANGES ALONG THE AGAT-UMATAAC ROAD, TO AUTHORIZE OTHER LAND EXCHANGES, AND TO AMEND SUBPARAGRAPH (b) OF §18005 OF THE GOVERNMENT CODE ON ROADWAYS IN CERTAIN SUBDIVISIONS," was on the 10th day of July, 1992, 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 10th day of July, 1992,  
at 4:55 o'clock P.M.

  
\_\_\_\_\_  
Theresa G. Duenas  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
\_\_\_\_\_  
FRANK F. BLAS  
Governor of Guam  
Acting

Date: JUL 28 1992

Public Law No. 21-130

TWENTY-FIRST GUAM LEGISLATURE  
SECOND REGULAR (1992) SESSION

Bill No. 897 (COR)

As further amended and substituted by the  
Committee on Housing, Community Development,  
Federal and Foreign Affairs

Introduced by:

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

AN ACT TO AMEND PUBLIC LAW 21-35 TO IDENTIFY A PARCEL OF GOVERNMENT LAND IN MANGILAO FOR THE CONSTRUCTION OF A "SAGAN POLICIA" AND TO AUTHORIZE CERTAIN LAND EXCHANGES ALONG THE AGAT-UMATAC ROAD, TO AUTHORIZE OTHER LAND EXCHANGES, AND TO AMEND SUBPARAGRAPH (b) OF §18005 OF THE GOVERNMENT CODE ON ROADWAYS IN CERTAIN SUBDIVISIONS.

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

2 Section 1. **Legislative intent.** The Legislature has been approached by  
3 the Mayor of Mangilao requesting identification and parcelling of  
4 government property in order to create a new lot on which can be built a  
5 "Sagan Policia" for the village of Mangilao. The Mayor and the Municipal  
6 Planning Council of Mangilao have identified the government parcel from  
7 which the new lot will be subdivided and designated for such purpose. The  
8 Legislature, having reviewed the proposed area, agrees that the construction  
9 of a "Sagan Policia" on the corner of Route 10 and Route 15 will result in  
10 benefits to Mangilao, as well as in the management of vehicular traffic along  
11 those highly travelled primary highways.

12 Section 2. **PL 21-35 amended to identify parcel.** Public Law 21-35 is  
13 hereby amended by adding new Sections 4 and 5 to read:

14 "Section 4. **Sagan Policia in Mangilao.** The Director of  
15 Land Management shall cause to have surveyed, parcelled and  
16 mapped, a portion of the government land designated as Lot No.  
17 2288-1-1, Mangilao, said portion, at the northwest corner  
18 fronting on Route 15 and Route 10, not to exceed One Thousand  
19 (1000) square meters, for the purpose of creating a new lot on  
20 which shall be constructed a "Sagan Policia" for the village of  
21 Mangilao.

22 Section 5. **Appropriations authorized.** There is hereby  
23 authorized to be appropriated such funds as are required for the  
24 performance of the parcelling, survey, mapping and construction  
25 authorized in Section 4 hereof."

1           **Section 3. Legislative findings.** The Legislature has been apprised by  
 2 the Department of Land Management and the Department of Public Works  
 3 that the continuation of the work on Route 2, the Agat-Umatac Highway, is  
 4 totally dependent on the acquisition of certain parcels of private property.  
 5 The Legislature finds that such widening and reconstruction of the Agat-  
 6 Umatac Highway must continue, and thus it is clear that private properties  
 7 which have not been condemned for such purposes must be utilized. With this  
 8 in mind, it is the intent of the Legislature that the owners of such properties  
 9 either be justly compensated or be afforded the opportunity to exchange the  
 10 lands required for the reconstruction and widening with government  
 11 properties on a value-for-value basis.

12           **Section 4. Land exchanges authorized.** (a) Notwithstanding any other  
 13 provision of law, the Governor of Guam is authorized to exchange  
 14 government property, on a value-for-value basis, with the following owners  
 15 for their respective parcels situated along the proposed route for the Agat-  
 16 Umatac Highway:

17			Areas in
18	<b>Owners:</b>	<b>Parcels:</b>	<b>square meters:</b>
19	Louise G. Sanchez,	Tract 3331, Lot 2-2-3G-R/W,	519,
20	Herbert R. Gofigan,	Tract 3331, Lot 2-2-1G-R/W,	1370,
21		Tract 3331, Lot 3-1G-R/W and	
22		Tract 3331, Lot 4-1G-R/W,	1256,
23	Victoria G. Sanchez and		
24	Gregorio Q. Gofigan (dec),	Tract 3331, Lot 5-1G R/W, and	
25		Tract 3331, Lot 10,	7899,

1 Sylvia G. Quinata, Tract 3331, Lot 9-1G R/W, 919,  
2 Vicente A. Quinata (dec), Lot 40-1G R/W, 1164.

3 (b) The privately-owned parcels set out in subsection (a) hereof shall be  
4 exchanged for the following government parcels, each containing an area of  
5 926 square meters, on a value-for-value basis. Should the value of the  
6 government land exceed the value of the private land for which it is to be  
7 exchanged, the owner with whom the land exchange is to be made shall be  
8 required to pay the difference.

9 **Owners:**

**Government lots to be exchanged:**

10 Louise G. Sanchez,	Tract 3241, Block 5, Lot 8, and
11	Tract 3241, Block 5, Lot 9,
12 Herbert R. Gofigan,	Tract 3241, Block 3, Lot 19, and
13	Tract 3241, Block 4, Lot 15,
14 Victoria G. Sanchez and	
15 Gregorio Q. Gofigan (dec),	Tract 3241, Block 6, Lot 4,
16	Tract 3241, Block 7, Lot 1,
17	Tract 3241, Block 7, Lot 2,
18	Tract 3241, Block 7, Lot 5,
19	Tract 3241, Block 9, Lot 8,
20	Tract 3241, Block 9, Lot 9,
21	Tract 3241, Block 9, Lot 10,
22	Tract 3241, Block 9, Lot 11,
23 Sylvia G. Quinata,	Tract 3241, Block 2, Lot 20,
24 Vicente A. Quinata (dec),	Tract 3241, Block 5, Lot 12,
25	Tract 3241, Block 5, Lot 13.

1 The government land to be exchanged consists of fifteen (15) lots totalling  
2 13,935 square meters. The private land to be exchanged consists of 13,127  
3 square meters.

4 **Section 5. Appraisals.** In order to comply with the requirement for two  
5 (2) appraisals to determine the value upon which these exchanges shall be  
6 based, the Department of Land Management shall conduct and provide,  
7 without any charge to the owners of the private properties involved, one (1)  
8 appraisal for each private and government parcel involved in the exchange,  
9 and the Department of Public Works shall provide all costs for a second  
10 appraisal of the same private and government parcels.

11 **Section 6. No further legislation required.** Aware of the importance of  
12 this Act toward the most expeditious and economical completion of the Agat-  
13 Umatac Highway, the passage of this Act and its enactment into law shall be  
14 deemed approval by the Legislature of the exchanges and no further  
15 legislative action shall be required.

16 **Section 7. (a) Legislative intent.** Because of the delays in the  
17 implementation of a waste-to-energy program which would reduce the need  
18 for more and more landfill area to supplement the already overloaded Ordot  
19 landfill, the Legislature finds it necessary to provide for the expansion of the  
20 Ordot Landfill by purchasing or exchanging private property adjacent to and  
21 contiguous to the area now being utilized for the Ordot Solid Waste Landfill  
22 with government property elsewhere.

23 **(b) Land exchange authorized.** For the purpose of expanding the  
24 Ordot Solid Waste Landfill, the Governor of Guam is hereby authorized to  
25 exchange government property, on a value-for-value basis, for Lot No. 17,

1 Tract 198, Ordot, containing an area of 4,522 ± square meters, and owned by  
2 Steve Herring (the "Owner").

3 (c) The Department of Land Management shall determine, with the  
4 Owner, a parcel of suitable government property acceptable to the Owner  
5 and the government for the land exchange authorized in this section.

6 (d) **Appraisals.** The value of the properties to be exchanged as  
7 authorized in this Section 7 hereof, shall be determined by two (2)  
8 independent appraisals, commissioned by the Director of Land Management  
9 and performed within six (6) months of the enactment of this Act.

10 (e) **Survey, mapping and registration.** The cost of surveying, mapping  
11 and registration of the government land to be exchanged under this Section  
12 shall be for the account of the Owner. The cost of surveying, mapping and  
13 registration of the private property to be exchanged under this Section shall  
14 be for the account of the Department of Land Management.

15 **Section 8. (a) Land exchange authorized.** The Governor of Guam is  
16 hereby authorized to exchange government property, on a value-for-value  
17 basis, for Lots Nos. 36 and 36A, situated in Ordot, Municipality of Sinajaña,  
18 and owned by the Guam Cursillo in Christianity, as shown on Map Drawing  
19 No. ASA-67-02-R, as recorded with the Department of Land Management.

20 (b) **Appraisals, survey, mapping and registration.** The values for  
21 properties to be exchanged as authorized in this section shall be determined  
22 by two (2) independent appraisals commissioned by the Department of Land  
23 Management. The survey, mapping and registration of the properties  
24 exchanged shall be commissioned and at the direction of the Department of  
25 Land Management. All costs for the appraisals, survey, mapping and



1 registration authorized herein shall be for the account of the Department of  
2 Land Management. The Director of Land Management shall submit to the  
3 Legislature, as a request for appropriations, an estimate of the funds required  
4 to perform the provisions of this Section.

5 **Section 9. Legislative intent.** The Legislature has been approached by  
6 many landowners requesting an amendment to the law requiring fifty-(50-)  
7 foot roadways and rights-of-way through agricultural and parental  
8 subdivisions. The landowners point out that such requirement for fifty-(50-)  
9 foot roadways necessitates the setting aside of an inordinate amount of land  
10 for areas that are not subject to heavy vehicular traffic. In contrast, the  
11 landowners point out that Single Family Residential (R-1), Multi-family  
12 Residential (R-2), Commercial (C), Hotel (H) and even Light Industrial (M-1)  
13 zones require only forty-(40-) foot rights-of-way. Relative to parental  
14 subdivisions, the landowners point out that property subdivided into parental  
15 subdivisions is normally very limited in size and the requirement for fifty-(50-)  
16 foot rights-of-way dictates that much of the land area be dedicated to  
17 roadways that are not heavily used, thus preventing some parents from  
18 dividing and passing on to their children lots which would otherwise be  
19 utilizable to build their homes. It has been pointed out that the requirement  
20 for lot sizes in residential and parental subdivisions (500 square meters) at  
21 times makes these lot sizes smaller than the rights-of-way required by this  
22 outdated statute. It should be noted that the Bureau of Planning has been  
23 suggesting a reduction in the width of the required rights-of-way and the  
24 Department of Land Management concurs with this suggestion.

1           **Section 10. Public easements in agricultural zones and parental**  
2 **subdivisions. Subparagraph (b) of §18005 of Title XIX, Government Code, is**  
3 **hereby amended to read:**

4           "(b) Cause every lot to abut a roadway right-of-way  
5           having a minimum width of forty (40) feet; **provided**, however,  
6           that in agricultural zones and in parental subdivisions, every lot  
7           shall abut a roadway right-of-way having a minimum width of  
8           twenty (20) feet."

Date: \_\_\_\_\_

VOTING SHEET

Bill No. 897

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

	AYE	NO	NOT VOTING	ABSENT/ OUT DURING ROLL CALL
<u>AGUON, John P.</u>	✓			
<u>ARRIOLA, Elizabeth P.</u>	✓			
<u>BAMBA, J. George</u>				✓
<u>BLAZ, Anthony C.</u>	✓			
<u>BORDALLO, Madeleine Z.</u>	✓			
<u>BROOKS, Doris F.</u>	✓			
<u>DIERKING, Herminia D.</u>	✓			
<u>DUENAS, Edward R.</u>	✓			
<u>ESPALDON, Ernesto M.</u>	✓			
<u>GUTIERREZ, Carl T.C.</u>	✓			
<u>LUJAN, Pilar C.</u>	✓			
<u>MAILLOUX, Gordon</u>	✓			
<u>MANIBUSAN, Marilyn D.A.</u>	✓			
<u>PARKINSON, Don</u>	✓			
<u>REIDY, Michael J.</u>	✓			
<u>RUTH, Martha C.</u>	✓			
<u>SAN AGUSTIN, Joe T.</u>	✓			
<u>SANTOS, Francisco R.</u>	✓			
<u>SHIMIZU, David L.G.</u>				✓
<u>TANAKA, Thomas V.C.</u>	✓			
<u>UNPINGCO, Antonio R.</u>	✓			

19

2

Introduced

TWENTY FIRST GUAM LEGISLATURE  
SECOND REGULAR (1992) SESSION

111 6 '92

Bill No. 897(LS)

Introduced by:

F.R. Santos

AN ACT TO IDENTIFY A PARCEL OF  
GOVERNMENT PROPERTY IN MANGILAO FOR  
THE CONSTRUCTION OF A "SAGAN POLICIA"  
IN MANGILAO.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:  
2

3 SECTION 1. LEGISLATIVE STATEMENT. The Guam  
4 Legislature has been approached by the Mayor of Mangilao  
5 requesting the identification and parcelling of government  
6 property in order to create a new lot on which will be built a  
7 "Sagan Policia" for the village of Mangilao. The Mayor and the  
8 Municipal Planning Council of Mangilao has identified the  
9 government parcel from which the new lot will be subdivided  
10 and designated for the purposes herein stated. The Legislature,  
11 having reviewed the proposed area, agrees that the construction  
12 of a "Sagan Policia" on the corner of Route 10 and Route 15 will  
13 result in benefits to the village of Mangilao, as well as, the

1 management of vehicular traffic along those highly travelled  
2 primary highways.

3       **SECTION 2. LAND IDENTIFIED.** The Director of Land  
4 Management shall have surveyed, parcelled, mapped, at the  
5 northwest corner fronting on Route 15 and Route 10, a portion  
6 of the government land designated as Lot No. 2288-1, Mangilao,  
7 said portion not to exceed 1000 square meters, for the sole  
8 purpose of creating a new lot on which shall be constructed a  
9 "Sagan Policia" for the village of Mangilao.

10       **SECTION 3. APPROPRIATIONS AUTHORIZED.** There is  
11 hereby authorized to be appropriated such funds as are  
12 required for the performance of the parcelling survey, mapping  
13 and registration authorized in Section 2 herein.