



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UFSINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

MAY 17 1991

REFERRED TO
LEGISLATION

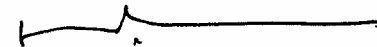


The Honorable Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hessler Street
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 307, which has been signed into law this
date as Public Law No. 21-32.

Sincerely,


FRANK F. BLAS
Governor of Guam
Acting


Attachment

210260

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

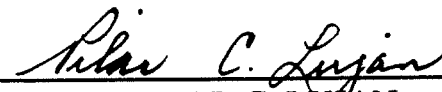
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill 307 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO EXCHANGE AND SELL GOVERNMENT REAL PROPERTY IN TUMON," was on the 2nd day of May, 1991, duly and regularly passed.



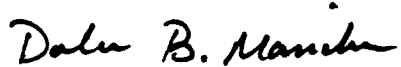
JOE T. SAN AGUSTIN
Speaker

Attested:




PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 7th day of May, 1991, at
4:10 o'clock P. M.



Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
Acting

Date: MAY 17 1991

Public Law No. 21-32

TWENTY-FIRST GUAM LEGISLATURE
1991 (FIRST) Regular Session

Bill No. 307 (COR)

Introduced by:

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

AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO
EXCHANGE AND SELL GOVERNMENT REAL PROPERTY IN
TUMON.

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

2 **Section 1.** The Governor is authorized to exchange a portion of Lot C,
3 Tract 111, Tumon, Dededo, for portions of Lots Nos. 16 and 17, Tract 111,
4 Tumon, Dededo, belonging to Betty S. Guerrero, containing areas of thirteen
5 (13) and sixty-six (66) square meters, respectively, which portions were
6 taken in the San Vitores Road expansion project. Such exchange shall be on a

1 value for value basis based upon the fair market values of the properties at
2 the time the private properties were acquired by the government.

3 **Section 2.** The Governor is authorized to sell the portion of Lot C,
4 Tract 111, Tumon, Dededo contiguous and abutting Lots Nos. 16 and 17, Tract
5 111, and containing an area of 692 square meters, to Betty S. Guerrero. Such
6 sale shall be based upon fair market value at the time negotiations were
7 entered into and as evidenced by documents executed by the Governor of
8 Guam, the Department of Land Management and the Attorney General of
9 Guam.

10 **Section 3.** No further legislative approval of the transactions set out
11 in Sections 1 and 2 of this Act is hereafter required, and such transactions are
12 exempt from the provisions of Public Law 12-226, the Chamorro Land Trust
13 Act.



GOVERNMENT OF GUAM
AGANA, GUAM 96910

November 13, 1987

Memorandum

To: Director, Department of Land Management
From: Attorney General
Subject: Land Exchange
Jose C. Guerrero et. al.
S.C. No. 1171-85

In the above mentioned case, all the land taken by the Government was taken in 1985, therefore the evaluation date of Government land offered in exchange should also be 1985, not 1987, as we deprived these people of their land in 1985 not 1987.

OFFICE OF THE ATTORNEY GENERAL

By: *Roland Fairfield*
ROLAND FAIRFIELD
Assistant Attorney General

cc: ✓ Jose C. Guerrero

RF1/em

MAY 12 1988

Honorable Franklin J.A. Quitugua
Speaker, Nineteenth Guam Legislature
P. O. Box CB-1
Agana, Guam 96910

Dear Mr. Speaker:

Forwarded for your favorable and expeditious action is a proposed disposal to exchange portion of government land, more particularly designated as Lot C, Tract 111, Tumon-Dededo, containing an area of 929± square meters with portion of Lot Nos. 16 and 17, Tract 111, Tumon-Dededo, containing an area of 79± square meters, now designated as Lot Nos. 16-1G and 17-1G. To effectuate this disposal, legislation is needed since statutory procedures for disposal has been repealed by Public Law 12-226 ("Chamorro Land Trust Commission Act").

The applicant, Mr. Jose Guerrero, has expressed the desire to exchange that portion of his lot taking as a result of the Tumon Road Expansion.

With this in mind, an analysis of the properties affected were prepared by Department of Land Management which I have fully endorsed to be fair and equitable. Copy of which is enclosed for your review and references.

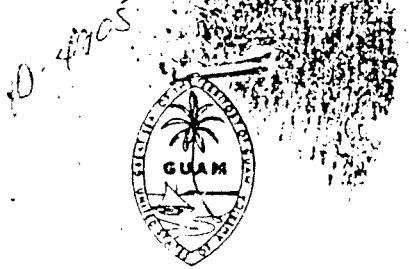
Additionally, I would like to point out that the disposal of this government parcel will not in anyway create a landlocked situation to any abutting and interior properties. Nor the government has plans now or in the future on the above-mentioned government parcel.

In light of the above, I have given my consent and I trust the Legislature will act similarly.

With warm personal regards, I remain,

Sincerely,

Joseph F. Ada
JOSEPH F. ADA
Governor of Guam



DEPARTMENT OF LAND MANAGEMENT
GOVERNMENT OF GUAM
AGANA GUAM 96910

DEC 18 1987

Memorandum

To: The Governor
From: Director of Land Management
Subject: Exchange Request by Mr. Jose C. Guerrero
owner of Lot Nos. 16 and 17, Tract 111,
Tumon, Dededo

This office met with Mr. Jose C. Guerrero owner of Lot Nos. 16 and 17, Tract 111, Tumon, Dededo, containing an area of 13 square meters and 66 square meters, respectively, which were taken as a result of the San Vitores Road Expansion.

Mr. Guerrero expressed the desire to exchange his lot taking with Government land, more particularly designated as portion of Lot C, Tract 111, Tumon, Dededo. In this respect, Mr. Guerrero offered the following:

- 1. That the government land be valued at \$40.00 per square meter to offset whatever amount offered to his property, taking and the additional area be valued at \$65.00 per square meters which was the same value set for the Dragon Inc. (Mr. William Au-Yeung). Analysis is attached for your review and comment. Additionally, all pertinent data are also attached.

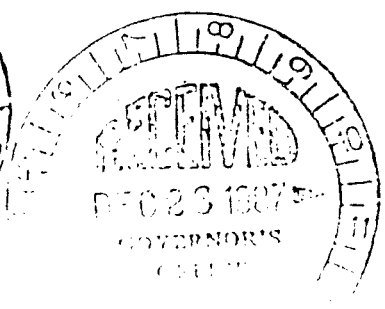
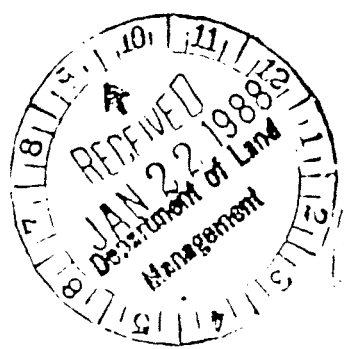
It should be noted that the offer was fair and equitable in our opinion.

If the above meets your approval or disapproval, a space is provided below for your signature. Upon affixing your signature, please provide us a copy for our file and advisement to Mr. Jose C. Guerrero.

[Signature]
F. L. S. CASTRO
Acting

APPROVED DISAPPROVED ()

Joseph F. Ada
Joseph F. Ada
Date: Jan. 15, 1988



Attachments

DEPARTMENT OF LAND MANAGEMENT
GOVERNMENT OF GUAM

AGANA

Memorandum

To: Bureau of Planning
Commissioner of Tamuning
Department of Agriculture
Department of Commerce
Department of Education
Department of Labor
Department of Public Works
Department of Parks and Recreation
Department of Public and Social Services
Guam Economic Development Authority
Guam Power Authority
Guam Telephone Authority
Public Utility Agency of Guam

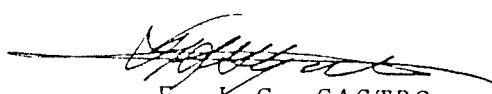
From: Director of Land Management

Subject: Exchange - Jose C. Guerrero

This Department is currently reviewing a request for exchange of Government property, Municipality of Dededo as shown on attached sketch shaded yellow.

We solicit your comments for the disposition of said lot as it affects your Department's plans and projects.

Kindly submit your Department's position within thirty (30) days upon your receipt of this memorandum. If we do not obtain your comments within the allotted time, we presume then that you do not have any objection.


F. L.G. CASTRO
Acting

Attachment

SETBISION MAMPLANEHA

MAY 05 1988

Memorandum

To: The Governor
From: Director, Bureau of Planning
Subject: Letter to Speaker of the Nineteenth Guam Legislature
Re: Land Exchange - Mr. Jose C. Guerrero

The Bureau of Planning has completed its review of the above subject matter concerning the exchange of portion of Mr. Guerrero's property (Lots 16 and 17, Tract 111, Tumon), for portion of Government of Guam property (Lot C, Tract 111, Tumon), necessitated by the taking of Mr. Guerrero's property for the San Vitores right-of-way.

The Bureau finds said document to be in order and therefore recommends your signature.

/s/
PETER P. LEON GUERRERO
Acting

Attachment

929

Doc. 384123

54' 00" W 482.15)
14 50" W 482.10

285.04

5142-1-4NEW-R1

A=44,368 SQ. FT.
=4121.94 SQ. M.
CT # 75241

5142-1-4NEW-R2

A=41,893± SQ. FT. = 3892± SQ. M.

(SEE SPECIAL NOTE)

5142-1-4NEW-2G

A=2,475± SQ. FT. = 230± SQ. M.

P.O.B. N 174.178.74
E 178.801.42
142.00'

Δ=07°00'38" R=900.00'
L=110.12' C=110.05'
CHB=S 70° 37' 00" N

S 67° 02' 18" W 97.34

Δ=5°12'49" R=1677.72 L=152.66
C=152.61 N 69° 38' 43" E

S 47° 04' 51" E 27.90

Δ=11°17'31" R=1618.43 L=318.96

C=137.10' CB=N 69° 29' 39" E (N 69° 27' 44" E)
Δ=4°54'43" R=1599.72 L=137.14

Δ=06°27'50" R=800.00'
L=90.25' C=90.20
CHB=N 70° 20' 36" E

P.O.B. N 174.186.19

161.58)
151.67

P.O.B. #9
N 110° 09' 00" W 161.58)
E 174.086.98
E 178.566.79

LOT 17-CT #21155
A=11,051± SQ. FT.
=1026.65 SQ. M.

LOT 17-RI

A=10,237± SQ. FT.
=960± SQ. M.

(RIGHT OF WAY) OF LOT 17-16
A=718± SQ. FT.
=66± SQ. M.
Δ=05°50'24" R=900.00'
L=93.88' C=79.79'
CB=N 77° 06' 31" E

P.I. NO. 11
N 174,116.23
E 178,544.42

Δ=04°48'18" E 57.32
C=318.45 T=160.00 CB=N 73° 23' 50" E

(N 74° 54' 14" E)
C=165.02' N 74° 55' 24" E
Δ=5°54'47" R=1599.72 L=165.09'

CHB=S 76° 50' 07" W
Δ=06°31'12" R=800.00'
L=91.04' C=90.99'

5144-R3-1-2G
A=2,758± SQ. FT.

337e.m.
140.12

LOT 16-RI
A=11,127± SQ. FT.
=1,033± SQ. M.

LOT 16-16
A=144± SQ. FT.
=13± SQ. M.

Δ=03°23'27" R=1677.72'
L=99.29' C=99.29'
CHB(N 77° 01' 47" E)
N 77° 51' 28" E

(N 110° 16' 30" W 111.15)
(N 110° 16' 30" W 117.09)

Δ=03°23'27" R=1677.72'
L=99.29' C=99.29'
CHB(N 77° 01' 47" E)
N 77° 51' 28" E

N 80° 05' 43" E 99.27'
N 174,048.01
E 178,371.98
(100.00)

(N 76° 43' 30" E)

CB=N 78° 27' 36" E (N 78° 25' 49" E)
Δ=01°11'36" R=1599.72
L=33.32' C=33.32'

5144-R3-4G
(RIGHT OF WAY)

(S 79° 02' 25" W 616.35)
S 79° 03' 24" W 616.35
A=15,985± SQ. FT.
=1,460± SQ. M.

LOT "C"

43' 00" W 491.86)
(100.39) (100.39)

(NOT PART OF SURVEY)

(N 110° 16' 30" W 125.69)

(N 110° 16' 30" W 134.45)

102 R.12
145.12



NINETEENTH GUAM LEGISLATURE

163 Chalan Santo Papa Street
P.O. Box CB-1
Agana, Guam 96910
Tel: 472-3425/3426/3427

Senator
Madeleine Z. Bordallo

CHAIRPERSON

COMMITTEE ON
HOUSING & COMMUNITY
DEVELOPMENT

August 30, 1988

MEMBER:

Committee on Justice,
Judiciary & Criminal Justice

Committee on Youth,
Human Resources, Senior
Citizens & Cultural Affairs

Committee on Ways & Means

Committee on General
Governmental Operations

Committee on Health,
Welfare & Ecology

Committee on Energy,
Utilities & Consumer
Protection

Committee on Rules

Mrs. Betty Guerrero
Post Office Box 1097
Agana, Guam 96910

Dear Mrs. Guerrero:

Bill 774, which I introduced, was referred to my Committee and entertained at a public hearing held April 26, 1988. The committee report has been completed, and members of the Housing Committee have recommended Passage of the Bill, as Substituted, by the Nineteenth Guam Legislature.

The Substituted Bill has now been placed in the Rules Committee, awaiting placement on a Session agenda for discussion and voting.

Please do not hesitate to call my office regarding the status of this Bill. My staff is available to assist you to improve the Bill's chances for passage into law. You may call or visit my office anytime.

Thank you for your patience.

Sincerely,

Madeleine Z. Bordallo
MADELEINE Z. BORDALLO

Enclosure

NINETEENTH GUAM LEGISLATURE
1988 (SECOND) REGULAR SESSION

SUBSTITUTE BILL NO. 774
By the Committee on Housing
and Community Development

Introduced by:

M. Z. BORDALLO

[Handwritten signature]
[Handwritten signature]
[Handwritten signature]

AN ACT TO AUTHORIZE THE EXCHANGE AND SALE
OF GOVERNMENT OWNED REAL PROPERTY,
SITUATED IN TUMON, MUNICIPALITY OF DEDEDO

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

2 Section 1. The Government of Guam is authorized to
3 exchange government owned real property, described as a portion
4 of Lot C, Tract 111 Tumon, Municipality of Dededo for Jose C.
5 Guerrero's real property, described as a portion of Lot Nos. 16
6 and 17, Tract 111 Tumon, Municipality of Dededo, containing an
7 area of 13 sq. meters and 66 sq. meters, respectively, which
8 were taken as a result of the San Vitores road expansion. An
9 equal area of government owned real property may be exchanged
10 to offset private property taken, and any additional area
11 remaining on the adjacent portion of Lot C is to be sold for
12 Sixty Five Dollars (\$65.00) per sq. meter to Mr. Jose C.
13 Guerrero.

14 In addition, the Government of Guam is authorized to sell
15 government owned real property contained in Lot A, Tract 111,
16 Mamajano Tumon, Municipality of Dededo,

1 portions of which are adjacent to the rear of the homes of
2 and to be sold to the following at fair market value:

- 3 1. Lot A-2, containing an area of 302 sq. meters to
4 Mr. & Mrs. Joaquin C. Arriola
- 5 2. Lot A-4, containing an area of 348 sq. meters to
6 Mr. Douglas Edwards
- 7 3. Lot A-5, containing an area of 348 sq. meters to
8 Mr. and Mrs. Cecil D. Edwards
- 9 4. Lot A-6, containing an area of 302 sq. meters to
10 Mr. & Mrs. Frank Martin
- 11 5. Lot A-7 (FRAGMENT) containing an area of 70 sq.
12 meters to owner of Lot No.
13 5147-1-1C-R1-New-New.

14 The provisions of Section 3 of P.L. 12-61, as
15 amended, shall not apply to the land exchange and sale
16 authorized by this Act.

17 Section 2. Notwithstanding any other provision of
18 law, rule or regulation to the contrary, the sale and
19 exchange as authorized in Section 1 is approved by the
20 Legislature.

OFFICE OF THE COMMISSIONER
Municipality of Tamuning-Tumon
P.O. Box 786 Agana, Guam 96910
646-8646/5211

01 June 1989

Senator Gordon Mailloux
Chairman
Committee on Housing &
Development
20th Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

Re: Testimony on behalf of the late Jose C. Guerrero's
request for land exchange

Dear Mr. Chairman:

On behalf of the late Mr. Jose C. Guerrero, I hereby submit my testimony on Bill No. 108, introduced by Senator Madelene Z. Bordallo, an act to authorize the Governor to exchange Government of Guam real property, on a value for value basis, situated in Tumon, Municipality of Dededo.

Mr. Guerrero, owner of Lot Nos. 16 and 17, Tract 111, Tumon, has been seeking the exchange of land, designated as Lot C at a value of \$40.00 per square meter, to offset whatever amount offered to his property, taking and the additional area be value at \$65.00 per square meter (fair market value at the time the property was condemned).

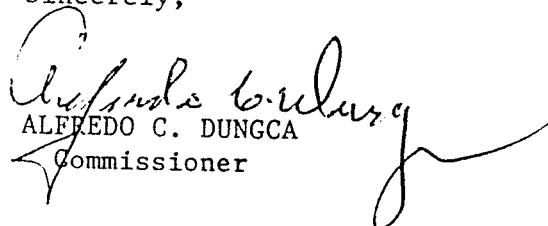
I strongly support Mr. Guerrero's desire for this exchange. Since my acquaintance with Joe, as he is known for, is a patient man, but when he sets his mind on something, he is determined to follow through until it is completed.

I strongly urge you and Senator Bordallo and the rest of the Committee members to consider his request. I feel that the Government is somewhat obligated to fulfill its part of the exchange, at the fair market value, of course, when the his property was condemned during the San Vitores Road Expansion.

I thank you for giving me this opportunity to testify on behalf of Mr. and Mrs. Guerrero.

If you or the other members have any questions, please feel free to contact my Office as soon as possible. Perhaps you can keep me updated should there be any news.

Sincerely,


ALFREDO C. DUNGCA
Commissioner

TWENTY FIRST GUAM LEGISLATURE
FIRST REGULAR (1991) SESSION

Introduced

APR 30 '91

Bill No. 307 (cor)

Introduced by:

F.R. Santos

AN ACT TO AUTHORIZE THE GOVERNOR OF
GUAM TO EXCHANGE AND SELL
GOVERNMENT REAL PROPERTY IN TUMON.

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

3
4 Section 1. The Governor is authorized to exchange a portion of Lot
5 C, Tract 111, Tumon, Dededo, for portions of Lot Nos. 16 and 17, Tract
6 111, Tumon Dededo, belonging to Betty S. Guerrero, containing areas of
7 thirteen (13) and sixty-six (66) square meters, respectively, which portions
8 were taken in the San Vitories Road expansion project. Such exchange
9 shall be on a value for value basis based upon the fair market values of the
10 properties at the time the private properties were acquired by the
11 government.

12 Section 2. The Governor is authorized to sell the portion of Lot C,
13 Tract 111, Tumon, Dededo contiguous and abutting Lot Nos. 16 and 17,
14 Tract 111, and containing an area of 692 square meters, to Betty S.
15 Guerrero. Such sale shall be based upon fair market value at the time
16 negotiations were entered into and as evidenced by documents executed by
17 the Governor of Guam, the Department of Land Management and the
18 Attorney General of Guam.

19 Section 3. No further legislative approval of the transactions
20 identified in Sections 1 and 2 are hereinafter required.

21 Section 4. The transactions identified in Sections 1 and 2 heretofore
22 are exempt from the provisions of Public Law 12-226, the Chamorro Land
23 Trust Act.
