



Territory of Guam  
Territorio de Guam

OFFICE OF THE GOVERNOR  
UPFINAN I MAGALAHI  
AGANA, GUAM 96911, S.A.

JAN 27 1992

REFER TO  
LEGISLATIVE SECRETARY

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. 435, which I have signed into  
law this date as Public Law No. 21-84.

Sincerely,

JOSEPH F. ADA  
Governor

Attachment

210601




Commonwealth Now!

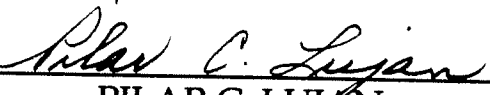
TWENTY-FIRST GUAM LEGISLATURE  
1992 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 435 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE GOVERNMENT OF GUAM LAND WITH LOT NO. 5149-2-1, HARMON, GUAM," was on the 10th day of January, 1992, duly and regularly passed.

  
\_\_\_\_\_  
JOE T. SAN AGUSTIN  
Speaker

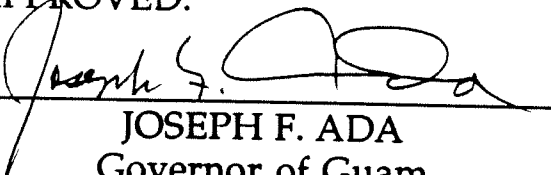
Attested:

  
\_\_\_\_\_  
PILAR C. LUJAN  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 15<sup>th</sup> day of January, 1992,  
at 5:05 o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
\_\_\_\_\_  
JOSEPH F. ADA  
Governor of Guam

Date: JAN 27 1992

Public Law No. 21-84

TWENTY-FIRST GUAM LEGISLATURE  
(1991) FIRST Regular Session

Bill No. 435 (COR)

Introduced by:

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

AN ACT TO AUTHORIZE THE GOVERNOR TO  
EXCHANGE GOVERNMENT OF GUAM LAND WITH  
LOT NO. 5149-2-1, HARMON, GUAM.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:  
2 **Section 1. Legislative findings and intent.** The Legislature finds that  
3 when the government of Guam condemned a portion of Lot No. 5149-2-1 in

1 Harmon, Municipality of Dededo, containing an area of 1,725± square  
2 meters (the "Property"), owned by Edward A. and Evelyn B. Leon Guerrero  
3 (the "Owners"), the Property was split into two (2) substandard lots which  
4 prevent the Owners from developing the Property.

5 **Section 2. Authorization.** The Governor is authorized to exchange  
6 with the Owners government-owned real property in the Municipality of  
7 Dededo for the Property on a value-for-value basis.

8 **Section 3. Land to be exchanged.** The Director of Land Management  
9 (the "Director") is hereby directed to identify the government of Guam land  
10 within the Municipality of Dededo to be used for the exchange authorized in  
11 this Act. The Director shall cause such exchange of land to be accomplished  
12 within one hundred eighty (180) days from enactment of this Act.

13 **Section 4. Approval.** The exchange authorized in this Act is hereby  
14 approved by the Legislature.

**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,  
FEDERAL AND FOREIGN AFFAIRS  
TWENTY-FIRST QUAM LEGISLATURE  
163 Chalan Santo Papa  
Agaña, Guam 96910**

Senator Francisco R. Santos  
Chairman

Tel: (671) 472-3414/3415  
Fax: (671) 477-3048

January 6, 1992

The Honorable Joe T. San Agustin  
Speaker  
21st Guam Legislature  
Agaña, Guam

Dear Mr. Speaker,

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred **Bill No. 435, An Act to the Governor to exchange government land with Lot No. 5149-2-1, located in Harmon, Dededo**, has had the same under consideration. The Committee herewith transmits its Committee Report with its **recommendation TO DO PASS** Bill No. 435 as amended by the Committee. Committee votes were as follows:

<b>TO DO PASS</b>	<b>- 8 -</b>
<b>TO DO NOT PASS</b>	<b>- 0 -</b>
<b>TO REPORT OUT ONLY</b>	<b>- 0 -</b>
<b>TO PASS ON FILE</b>	<b>- 0 -</b>
<b>NOT VOTING</b>	<b>- 2 -</b>

Sincerely yours,

  
F.R. Santos

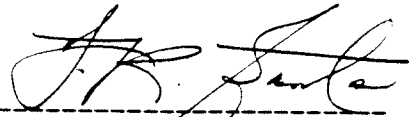


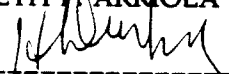
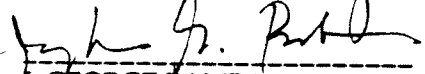
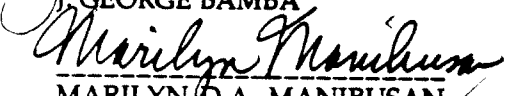
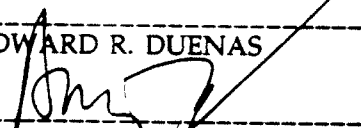
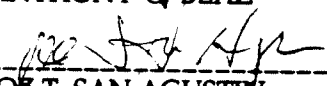
**COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,  
FEDERAL, AND FOREIGN AFFAIRS  
TWENTY FIRST GUAM LEGISLATURE  
155 Hesler Street  
Agaña, Guam 96910**

Senator Francisco R. Santos  
Chairman

Tel: (671) 472-3414/3415  
Fax: (671) 477-3048

**Voting Sheet**

**Bill 435 An Act to authorize the Governor to exchange government  
land with Lot No. 5149-2-1, situated in Harmon, Dededo.**

	TO DO PASS	TO DO NOT PASS	TO REPORT OUT ONLY	NOT VOTING/ OFF ISLAND
 FRANK R. SANTOS	✓			
----- PILAR C. LUJAN				
 JOHN P. AGUON	✓			
 ELIZABETH P. PARRIOLA	L			
 HERMINIA D. DIERKING	✓			
 GEORGE BAMBA	✓			
 MARILYN D.A. MANIBUSAN	✓			
----- EDWARD R. DUENAS				
 ANTHONY C. BLAZ	✓			
 JOE T. SAN AGUSTIN	✓			

# Committee Report

on

## Bill No. 435

*An Act to Authorize the Governor to  
exchange government land with Lot No.  
5149-2-1, located in Harmon, Dededo.*

**Twenty First Guam Legislature  
Committee on Housing,  
Community Development,  
Federal and Foreign Affairs**

**Senator Francisco R. Santos  
Chairman**

**January 6, 1992**

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Introduced

Bill No. 435 (COR)

AUG 27 '91

Introduced by:

J.P. AGUON *ppa*

---

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE  
GOVERNMENT OF GUAM LAND WITH LOT NO. 5149-2-1  
LOCATED IN HARMON.

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

2 Section 1. Legislative Findings and Intent. The Legislature finds that  
3 the Government of Guam has condemned a portion of Lot No. 5149-2-1 in  
4 Harmon,  
5 Municipality of Dededo, containing an area of 1,725 +/- s.m. owned by Mr.  
6 Juan Cruz Leon Guerrero. The Legislature further finds that said  
7 condemnation split the real property into two (2) substandard lots which  
8 hampered the owner from developing his property.

9 Section 2. The Governor is authorized to exchange government-owned  
10 real property in the Municipality of Dededo on a value-for-value basis with  
11 Mr. Juan Cruz Leon Guerrero, owner of Lot No. 5149-2-1.

12 Section 3. The Department of Land Management is hereby directed to  
13 provide for the land exchange authorized herein with any available  
14 Government of Guam land within the Municipality of Dededo.

15 Section 4. The Director of Land Management shall cause the exchange of  
16 land authorized herein to be accomplished within one hundred eighty (180)  
17 days from enactment of this Act.

18 Section 5. Notwithstanding any other provision of law, rule, or  
19 regulation, the exchange authorized in this Act is hereby approved by the  
20 Legislature.



TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Introduced

Bill No. 435 (COR)

06 27 '91

Introduced by:

J.P. AGUON *aga*

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE  
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7 condemnation split the real property into two (2) substandard lots which  
8 hampered the owner from developing his property.

9 Section 2. The Governor is authorized to exchange government-owned  
10 real property in the Municipality of Dededo on a value-for-value basis with  
11 Mr. Juan Cruz Leon Guerrero, owner of Lot No. 5149-2-1.

12 Section 3. The Department of Land Management is hereby directed to  
13 provide for the land exchange authorized herein with any available  
14 Government of Guam land within the Municipality of Dededo.

15 Section 4. The Director of Land Management shall cause the exchange of  
16 land authorized herein to be accomplished within one hundred eighty (180)  
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18 Section 5. Notwithstanding any other provision of law, rule, or  
19 regulation, the exchange authorized in this Act is hereby approved by the  
20 Legislature.

TWENTY-FIRST GUAM LEGISLATURE

COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT,  
FEDERAL AND FOREIGN AFFAIRS  
SENATOR FRANCISCO R. SANTOS, CHAIRMAN

COMMITTEE REPORT ON BILL NO. 435

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE  
GOVERNMENT OF GUAM LAND WITH LOT NO.  
5149-2-1 LOCATED IN HARMON

JANUARY, 1992

## I. INTRODUCTION

THE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT, FEDERAL AND FOREIGN AFFAIRS CONDUCTED A PUBLIC HEARING ON TUESDAY, AUGUST 20, 1991 AT THE OFFICES OF THE TWENTY-FIRST GUAM LEGISLATURE (PACIFIC ARCADE BLDG.), 155 HESLER STREET, AGANA, GUAM AT 9:00 A.M. TO RECEIVE PUBLIC TESTIMONY ON BILL NO 435.

### COMMITTEE MEMBERS IN ATTENDANCE WERE:

SENATOR F.R. SANTOS,	CHAIRMAN
SENATOR P.C. LUJAN	VICE-CHAIR
SENATOR E.P. ARRIOLA	MEMBER
SENATOR J.P. AGUON	MEMBER
SENATOR H.D. DIERKING	MEMBER
SENATOR A.C. BLAZ	MEMBER
SENATOR J. GEORGE BAMBA	MEMBER
SENATOR M.D.A. MANIBUSAN	MEMBER

### WITNESSES APPEARING TO TESTIFY WERE:

MR. FRANK L.G. CASTRO,	DIRECTOR, DEPARTMENT OF LAND MANAGEMENT
MAYOR RAYMOND LAGUANA	MAYOR OF BARRIGADA
MR EDWARD A. LEON GUERRERO	RESIDENT OF GUAM

## II. SUMMARY OF TESTIMONY

THE COMMITTEE RECEIVED WRITTEN AND ORAL TESTIMONY ON THE SUBJECT BILL FROM THE DIRECTOR OF LAND MANAGEMENT, MR. FRANK CASTRO. THE DIRECTOR EXPRESSED THE GOVERNMENT'S FULL SUPPORT OF THE BILL AND FURTHER INDICATED THAT HIS DEPARTMENT HAD ALREADY BEGUN INITIATING A LAND EXCHANGE INVOLVING THE PARCEL DESCRIBED IN THE PROPOSED ACT. MR. CASTRO ALSO INDICATED THAT SEVERAL AGENCIES HAVE REVIEWED AND APPROVED THE PROPOSED LAND EXCHANGE AND THAT ONLY A FEW REMAINING GOVERNMENT CLEARANCES ARE PENDING. WITH THE PASSAGE OF BILL NO. 435, FURTHER DELAY ON THIS ISSUE WOULD NOT BE NECESSARY.

MAYOR RAYMOND LAGUANA APPEARED IN FAVOR OF THE BILL AND ADVISED THE COMMITTEE THAT HE HAS BEEN APPRISED OF THIS LAND DILEMMA SINCE THE ACQUISITION OCCURED OVER TWENTY YEARS AGO. IT IS IN HIS OPINION THAT THE LEON GUERRERO'S SHOULD BE AFFORDED THE LAND EXCHANGE AS A MEANS OF RESOLVING THE ISSUE ONCE AND FOR ALL. THE DEPARTMENT OF PUBLIC WORKS HAS DOCUMENTED THE FACT THAT THE PROPERTY IN QUESTION IS NEEDED BY THE GOVERNMENT FOR BOTH VEHICULAR AND UTILITY EASEMENT PURPOSES.

EDWARD A. LEON GUERRERO APPEARED WITH ORAL AND WRITTEN TESTIMONY SUMMARIZING THE LAND ISSUE ADDRESSED IN BILL NO. 435, AND THE ASSISTANCE BEING SOUGHT FROM THE LEGISLATURE. MR. LEON GUERRERO CITED HIS EFFORTS TO COMMUNICATE WITH THE PARTICIPATING AND RESPONSIBLE GOVGUAM AGENCIES AND THE FACT THAT MOST AGENCIES HAVE BEEN SUPPORTIVE AND HELPFUL. ALL COMMUNICATION AND CORRESPONDENCE IN THIS REGARD MAY BE FOUND IN THE APPENDIX TO THIS REPORT.

MR. LEON GUERRERO THANKED THE COMMITTEE FOR CONSIDERING BILL NO. 435 AND EXPRESSED HIS HOPE THAT FAVORABLE ACTION ON BILL NO. 435 MAY BE FORTHCOMING.

### III. COMMITTEE RECOMMENDATIONS

THE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT, FEDERAL AND FOREIGN AFFAIRS UPON ITS REVIEW AND CONSIDERATION OF BILL NO. 435 HEREBY RECOMMENDS THE PASSAGE OF BILL NO. 435 AS AMENDED BY THE COMMITTEE TO REFLECT THE STANDARD CONDITIONS AND RESTRICTIONS PLACED ON OTHER LEGISLATION WHERE GOVERNMENT LAND IS EXCHANGED OR SOLD.

TWENTY FIRST GUAM LEGISLATURE  
FIRST REGULAR (1991) SESSION

Bill No. 435

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

Introduced by:

J.P. Aguon

*M. Manibusan*

AN ACT TO AUTHORIZE THE GOVERNOR TO  
EXCHANGE GOVERNMENT OF GUAM LAND  
WITH LOT NO. 5249-2-1 LOCATED IN  
HARMON.

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

2 Section 1. Legislative Findings and Intent. The Legislature finds that the  
3 Government of Guam has condemned a portion of Lot No. 5149-2-1 in Harmon,  
4 Municipality of Dededo, containing an area of 1,725 +/- s.m. owned by Mr. Juan  
5 Cruz Leon Guerrero. The Legislature further finds that said condemnation split  
6 the real property into two (2) substandard lots which hampered the owner from  
7 developing his property.

8 Section 2. The Governor is authorized to exchange government-owned  
9 real property in the Municipality of Dededo on a value-for-value basis with Mr.  
10 Juan Cruz Leon Guerrero, owner of Lot No. 5149-2-1.

11 Section 3. The Department of Land Management is hereby directed to  
12 provide for the land exchange authorized herein with any available Government  
13 of Guam land within the Municipality of Dededo.

1           Section 4. The Director of Land Management shall cause the exchange of  
2 land authorized herein to be accomplished within one hundred eighty (180) days  
3 from enactment of this Act.

4           Section 5. Notwithstanding any other provision of law, rule, or regulation,  
5 the exchange authorized in this Act is hereby approved by the Legislature.

6           Section 6. The land exchange authorized herein shall be governed by the  
7 following terms and conditions:

8           (a) The parties agree that there shall be no transfer or conveyance, in  
9 any manner or through any form, of the exchanged lands for a period of ten  
10 (10) years beginning on the date the parties accept the applicable deeds for each  
11 parcel.

12           (b) The parties agree to incorporate, into the exchange document and  
13 applicable deeds, reversion clauses to the effect that any conveyance or transfer  
14 of the exchanged lands, or any part thereof, the exchanged lands shall be reverted  
15 to the original owners.

16           (c) Nothing contained herein shall be construed to prevent or prohibit  
17 the parties from improving or having improved the properties or from building,  
18 erecting or constructing structures approved in accordance with the building and  
19 zoning codes of Guam.

20  
21

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

**Introduced**

Bill No. 435 (COR)

**AUG 27 '91**

Introduced by:

J.P. AGUON *gpa*

---

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE  
GOVERNMENT OF GUAM LAND WITH LOT NO. 5149-2-1  
LOCATED IN HARMON.

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

2 Section 1. Legislative Findings and Intent. The Legislature finds that  
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8 hampered the owner from developing his property.

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11 Mr. Juan Cruz Leon Guerrero, owner of Lot No. 5149-2-1.

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16 land authorized herein to be accomplished within one hundred eighty (180)  
17 days from enactment of this Act.

18 Section 5. Notwithstanding any other provision of law, rule, or  
19 regulation, the exchange authorized in this Act is hereby approved by the  
20 Legislature.







SETBISION MAMPLANEHA  
Bureau of Planning  
GOVERNMENT OF GUAM  
AGANA GUAM 96910

AUG 20 1991

Honorable Francisco R. Santos  
Chairman, Committee on Housing, Community  
Development, Federal and Foreign Affairs  
Twenty-First Guam Legislature  
163 Chalan Santo Papa  
Agana, Guam 96910

Hafa Adai Senator Santos:

I wish to request that the hearing on bill 435 be postponed in order to allow more time to research the circumstances surrounding acquisition of Lot 5149-2-1. While we are aware that the acquisition occurred many years ago and has adversely impacted the Leon Guerrero family, it was only recently that such issues were raised to our attention via the land exchange request recently submitted to the Department of Land Management by Mr. Edward Leon Guerrero and via bill 435.

The Department of Public Works (DPW) has advised my office that additional research is required. According to DPW, it appears that the Leon Guerrero property was acquired by the Government for a utility easement. It also appears that the property was reserved for vehicular access pursuant to the 1966 Territory of Guam Master Plan, but compensation for such vehicular access was not made. If the foregoing is determined by DPW to be correct, then compensation for the utility easement should be at the time of taking while compensation for vehicular access should be at current fair market value.

Thank you for the opportunity to provide testimony.

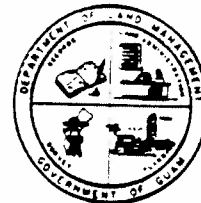
Si Yu'os Ma'ase',

  
MICHAEL J. CRUZ  
Acting Director





DEPARTMENT OF LAND MANAGEMENT  
(DIPATTAMENTON MANMANEHAN TANO')  
GOVERNMENT OF GUAM  
P.O. BOX 2950  
AGANA, GUAM 96910



TEL: (671) 475-LAND/FAX: (671) 477-0883

JOSEPH F. ADA  
Governor

F. L.G. CASTRO  
Director

FRANK F. BLAS  
Lieutenant Governor

JOAQUIN A. ACFALLI  
Deputy Director

August 20, 1991

The Honorable Frank R. Santos  
Chairman, Committee on Housing  
and Community Development  
Twenty-First Guam Legislature  
Agana, Guam 96910

Subject: L.B. No. 435  
Lot No. 5149-2-1

Dear Mr. Chairman:


I am in full support of the context and intent of Bill 435 and Land Management stands prepared into carrying out the said intent when the subject Bill becomes Law.

With the situation which existed on Mr. Leon Guerrero's case, I am supporting Bill 435.

As a matter of fact, the Department of Land Management has already initiated the proposed land exchange movement with that of a government property in Barrigada, namely, a part of Lot No.5380-1, which the current owner of the Harmon property has agreed to accept for the exchange. In that connection, five government agencies have already responded favorably to the exchange but of course, eleven others have to submit their inputs. With the passage of Bill 435 into Law, we need not have to seek for other agencies comments.

Thank you for allowing us to comment on this matter.

Sincerely yours,

  
F. L.G. CASTRO  
Director, Department of  
Land Management



**TESTIMONY ON BILL NOS. 435 and 436**

**"An Act To Authorize The Governor To Exchange  
Government Land With Lot No. 5149-2-1"**

**Prepared and Submitted by:**

**EDWARD A. LEON GUERRERO  
Landowner**

**08/20/91**

TESTIMONY ON BILL NOS. 435 and 436

Mr. Chairman, Committee Members, Hafa Adai and thank you for allowing me to appear before you in support of Bill Nos. 435 and 436, "An Act to Authorize the Governor to Exchange Government of Guam Land with Lot #5149-2-1 located in Harmon".

The passage of this Bill, Mr. Chairman, will pave the way toward resolving the painful predicament that our Government has inflicted in our family. Specifically, on May 10, 1965, the Government of Guam condemned a portion of Lot #5149-2-1 for water and sewer right-of-way. Our family were never notified nor were we ever compensated for property the Government obtained. But worst, the Government's action to condemn a portion of Lot 5149-2-1 left that lot inappropriate to build a structure. In short, our property was practically left useless.

On April 17, 1991, we wrote a letter to all our Senators requesting for legislative action that will resolve this long and overdue problem. On May 11, 1991, we wrote to the Department of Land Management requesting their assistance because we know that it will take both the Legislative and Executive Branches' action to fully rectify this problem. On June 24, 1991, the Department of Land Management wrote to sixteen (16) agencies requesting for their input. So far, I have received copies of eleven (11) positive replies. The other five (5) agencies, i.e. Guam Power Authority (GPA), Department of Public Works (DPW), Guam Economic Development Authority, Department of Parks and Recreation and Bureau of Planning have informed me that they are in the process of transmitting their responses to the Department of Land Management. GPA's Rights-of-Way Planner has acknowledged that the Agency's

power line is encroaching our property and that GPA has no objection in the land exchange. DPW's Rights-of-Way Supervisor has also informed me that DPW is requesting to condemn more of Lot #5149-2-1 for the expansion of Route 1 and Harmon Loop by-pass. The other three agencies need a little more time to prepare their responses.

In support of Bills 435 and 436, we request the following changes in the language of the Bill:

1. Section 1, Lines 5 and 6, owned by Juan C. Leon Guerrero should read - Edward A. and Evelyn B. Leon Guerrero. I'm submitting a copy of our Deed of Gift from our parents that was registered on the 19th day of March, 1991, Document #00000451666.
2. Section 2, Lines 11 and 14, "...in the municipality of Dededo or adjacent municipalities". This will remove the restriction for only Dededo municipality.
3. Section 2. The exchange should also consider that the Leon Guerreros were deprived of the use of the land for twenty-five (25) years and reasonable value for the Government's utilization of said property is to be included in the total land exchange agreement.

In closing, I wish to thank all of you for your understanding and I request this Committee to help us expedite this Bill for full Senate consideration and passage.

EDWARD A. LEON GUERRERO  
Landowner

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60588

INDEXED 60588  
DATE 5-10-65 TIME 10:02 P.M.

- (1) TEMPORARY INDEX (LAND) \_\_\_\_\_ ( )
- (2) NUMERICAL INDEX UR. \_\_\_\_\_ SID. \_\_\_\_\_ VOL. \_\_\_\_\_ ( )
- (3) ALPHABETICAL GRANOR (LAND) (MISC.) \_\_\_\_\_ ( )
- (4) ALPHABETICAL GRANTEE (LAND) (MISC.) \_\_\_\_\_ ( )
- (5) MARGINAL NOTATION C.T. NO. 6774 G.C. NO. \_\_\_\_\_ ( )
- (6) ISSUANCE OF C.T. NO. \_\_\_\_\_ G.C. NO. \_\_\_\_\_ ( )
- (7) CANCELLATION OF C.T. NO. \_\_\_\_\_ G.C. NO. \_\_\_\_\_ ( )
- (8) COMPLETED DOCUMENT PROCESSED, FILED BY \_\_\_\_\_ ( )

GRANTEE \_\_\_\_\_ C. I. NO. \_\_\_\_\_ AGE \_\_\_\_\_  
 OCCUPATION \_\_\_\_\_ & HIS WIFE \_\_\_\_\_  
 C. I. NO. \_\_\_\_\_ AGE \_\_\_\_\_ OCCUPATION \_\_\_\_\_  
 RESIDING AT \_\_\_\_\_  
 MAILING ADDRESS \_\_\_\_\_  
 CHANGES PROPERTY LISTING DAILY SALES DATA NO. \_\_\_\_\_

REMARKS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

35-709

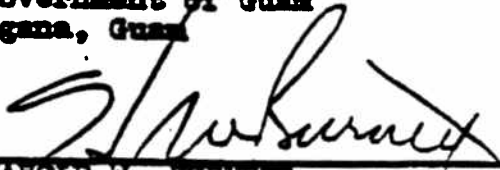
~~PROPOSED RAILROAD PLANT~~  
~~NOTICE OF CONDEMNATION~~

NOT RE  
Notice is hereby given that on the 20th day of April, 1965, Civil Action No. 35-65 was commenced in the District Court of Guam by the Government of Guam, plaintiff, against the land hereafter described and against the persons named in Schedule A, attached to and made a part of this notice.

The object of this action is to condemn under power of eminent domain easements in perpetuity in, on, under and over the lands hereafter described, together with all rights and privileges necessary for the enjoyment of the said interests, including without limitation the rights of ingress and egress. The said easements are taken for the construction, installation, reconstruction, operation, maintenance, and removal of water pipe lines and sewer systems, access for such purposes, and all things necessary or incidental thereto.

The lands affected by the aforesaid action are fully described in Exhibit "A," attached to and made a part of this notice.

  
OLAN W. BURNETT  
Attorney for Plaintiff

Government of Guam  
Agaña, Guam  
  
HAROLD W. BURNETT  
Attorney General of Guam

1 5/17

PROPOSED HARMON ROAD AND UTILITIES BASEMENT

<u>LOT NO.</u>	<u>AREA</u>	<u>(Nominal) ESTIMATED COMPENSATION</u>	<u>POTENTIAL OWNERS</u>
✓ 5108 ✓	290 Sq M	\$ 2.00	Jose Rivera Uppingco
✓ 5106	1,100 Sq M	2.00	Jose Guerrero Cruz, Paulino Guerrero Cruz, H. O. Rosa Guerrero Cruz, dec., Juliana Guerrero Salas, Admr. H. O. Paula Guerrero Cruz, dec., Jose Guerrero Cruz, Admr.
✓ 5105-1	1,500 Sq M	2.00	Carmen D. Perez, Frank D. Perez
✓ 5105-2	3,400 Sq M	2.00	Ana Torres Cruz
✓ 5100	2,170 Sq M	2.00	Nicolasa Castro Guerrero, H. O. Jose Pangelinan Guerrero, dec., Jose Perez, Guerrero, Admr
✓ 5099	2,830 Sq M	2.00	H. O. Jose Manalisay Duenas, dec., Jesus Espiritusanto Duenas, Admr.
✓ 5101	340 Sq M	2.00	H. O. Maria Salas San Nicolas dec., Maria S. San Nicolas, Admr H. O. Antonia Salas San Nicolas, dec., Maria S. San Nicolas, Adm H. O. Carlina San Nicolas Rapolla, dec., Enrique Chaupaco Rapolla, Admr. Joaquin S. San Nicolas, Jose S. San Nicolas, H. O. Juan Salas San Nicolas dec., Maria Mata San Nicolas, Admr. Ignacia S. San Nicolas, Maria S. San Nicolas, Consolacion S. San Nicolas, Ana S. San Nicolas, Luis S. San Nicolas
✓ 5026	1,500 Sq M	2.00	Concepcion Guerrero San Agustin, Francisco Guerrero San Agustin, Doroteo Guerrero San Agust:

<u>LOT NO.</u>	<u>AREA</u>	<u>CONTRIBUTION</u>	<u>OSTENSIBLE OWNERS</u>
5119-2	990 Sq M	\$ 2.00	Juan L. G. Leon Guerrero
5119-1	500 Sq M	2.00	Maria Arceo Ulloa
/5022	360 Sq M	2.00	Maria Arceo Ulloa
/5021	2,200 Sq M	2.00	Maria Arceo Ulloa
40062	240 Sq M	2.00	Francisco Duenas Palomo, Vicente Duenas Palomo, Rita Palomo Torres, Juan Duenas Palomo

---

\$ 28.00

UNKNOWN OWNERS 22.00

Total Deposit: \$ 50.00

60580  
3

**CENTER LINE DESCRIPTION  
PROPOSED HARMON ROAD AND UTILITIES EASEMENT**

<u>Course</u>	<u>Bearing</u>	<u>Distance</u>	<u>East</u>	<u>North</u>
0 + 00	Along Curve △ 03 44 24 Ch Bearing	L = 114.00 m 374.00 ft C = 113.97 m 373.93 ft	56,029.66 m 183,823.97 ft R = 1,746.38 m 5,729.58 ft	53,378.05 175,124.49 T = 157.02 187.07
3 + 74.00	N 73 30 32 E	154.85 m	56,138.94 m	53,410.41
3 + 74.00	N 75 22 44 E	508.04 ft	184,182.52 ft	175,230.64
8 + 82.04				
8 + 82.04	Along Curve △ 05 15 36 Ch Bearing	L = 160.33 m 526.00 ft C = 160.27 m 525.82 ft	56,288.78 m 184,674.11 ft R = 1,746.38 m 5,729.58 ft	53,449.49 175,358.88 T = 80.22 263.18
14 + 08.04	N 72 44 56 E	472.48 m	56,441.84 m	53,497.02
14 + 08.04	N 70 07 08 E	1,550.14 ft	185,176.28 ft	175,514.82
29 + 58.18				
29 + 58.18	Along Curve △ 08 28 33 Ch Bearing	L = 258.34 m 847.58 ft C = 258.11 m 846.81 ft	56,886.17 m 186,634.03 ft R = 1,746.38 m 5,729.58 ft	53,657.71 176,041.94 T = 129.41 424.5
38 + 05.76	N 65 52 51.5 E	146.32 m	57,121.74 m	53,763.11
38 + 05.76	N 61 38 35 E	480.05 ft	187,406.91 ft	176,388.0
42 + 85.81				
42 + 85.81	Along Curve △ 08 39 36 Ch Bearing	L = 263.96 m 866.00 ft C = 263.71 m 865.18 ft	57,250.50 m 187,829.36 ft R = 1,746.38 m 5,729.58 ft	53,832.6 176,616.0 T = 132.2 433.8
51 + 51.81	N 65 58 23 E	1,651.09 m	57,491.36 m	53,940.0
51 + 51.81	N 70 18 11 E	5,416.94 ft	188,619.58 ft	176,968.0
105 + 68.75				
105 + 68.75	Along Curve △ 31 59 04 Ch Bearing	L = 307.86 m 1,010.03 ft C = 303.88 m 996.97 ft	59,045.84 m 193,719.57 ft R = 551.49 m 1,809.34 ft	54,496.0 178,794.0 T = 158.0 518.0
115 + 78.78	N 86 17 43 E			
115 + 78.78			59,349.09 m 194,714.46 ft	54,516.0 178,858.0

536  
+

**EXHIBIT "A"**

~~The easement covers a strip of land forty feet (40')~~  
in width beginning at the eastern boundary of Route No. 1  
and running thence easterly, parallel to and twenty feet (20')  
northerly of the line above-described, to a location forty feet  
(40') east of the eastern boundary of Route No. 16; and a strip  
of land forty feet (40') in width beginning at the eastern  
boundary of Route No. 16 and thence easterly following the  
line above-described to a junction with the ROW of Route No. 1,  
the last mentioned strip of land being symmetrical about the  
said line and lying twenty feet on each side thereof.

60588  
5

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT  
OFFICE OF THE RECORDER  
INSTRUMENT NUMBER 60588  
This instrument was filed for record on 18  
day of May, 1964, at 10:00 P.M.  
and duly recorded in Book 116, at Page  
130, Recording Fee: \_\_\_\_\_ Voucher No. \_\_\_\_\_

Deputy Recorder





372 Gloria Circle  
Dededo, Guam 96912

April 17, 1991

Dear Senators:

Our family is seeking your assistance in obtaining justice and fair treatment from our government. To be more specific, we have enclosed a photo copy of a cadastral map showing Lot #5149-2-1 and it's adjacent lots. Lot #5149-2-1 is the subject lot in which our family owns and have had trouble developing and/or utilizing to its full potential due to the Government's action.

On April 20, 1965, the Government of Guam through eminent domain condemned certain portion of our property for water and sewer easement. The Government concluded that a fee of \$2 is an appropriate payment for property condemned. At that time, Land Management planners rationalized that the Government's installation of sewer and water lines within the immediate area would increase the value of the property and the property taken by the Government is compensated by improved infrastructure for the private landowners. However, they failed to consider other adverse impact of the condemnation, which were:

1. The easement cut through the middle of our property living both sides impractical for building a permanent structure that will meet Building Laws under any zone;
2. The whole neighborhood benefited by the infrastructure and they continue to enjoy having their total property size, we in turn have a smaller size property;
3. The Government continues to charge us for property taxes for land in which the Government is utilizing;
4. We can not even sell the property because of its irregular dimension and no building could be built on it.

At this time, I would like for you to review the enclosed Government records. Please note that the property was condemned "for the construction, installation, reconstruction, operation, maintenance and removal of water pipe lines and sewer system....". However, GPA and GTA had since entered and placed their lines and poles. Such action was not in accord with the Government's notice of Lis Pendens, the instrument of condemnation.

In closing, the Federal Government has made fair restitution to the people of Guam for properties condemned. We feel that the Government of Guam owes the people of Guam the same fair restitution.

Recently, the Pacific Daily News stated that the Twenty-First Legislature passed a Bill in which the Government is directed to resolve problems similar to this case. It is our hope that the Governor would sign said Bill.

We will appreciate if the Government could trade value-for-value Lot #5149-2-1 with other Government property that we may be able to develop to its fullest potential.

Thank you for your assistance and understanding.

Sincerely,



EDWARD A. LEON GUERRERO  
Family Representative

372 Gloria Circle  
Dededo, Guam 96912

May 11, 1991

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

Dear Mr. Castro:

I am requesting your assistance in resolving a long and painful problem of our useless property, Lot No. 5149-2-1, located in Harmon as the result of our Government's action in which a main portion of our lot was condemned through "eminent domain". Enclosed is a copy of our letter to Senator Tanaka seeking his personal assistance.

A review of this letter together with the supporting documents enclosed herewith will convince you that we deserve some just treatment from our Government. Please note that Senator Tanaka's staff met with one of your staff (Mr. Garcia) in response to our request. Mr. Garcia recommended that we write to you and submit a proposal that we feel is fair. Henceforth, we herewith submit the following proposal and alternate proposal as an initial move in an effort to start a negotiable solution.

We request a value-for-value exchange of government property. We hope that one or a combination of either of these two locations could be possible:

First, a portion(s) of the lot located on the southeastern corner of Camp Madussa, i.e. corner of Route 1 and Santa Monica Avenue.

Second, a portion of Lot #5280 located on Macheche Hill adjacent to the Latte Heights road.

Another point of interest we wish to stress is the fact that Government of Guam utilized said property for twenty nine (29) years and we have been paying property taxes and at the same time we were not able to fully optimize the property's potential. Is there any way we maybe compensated for this inequity? We will appreciate compensation in terms of additional property in lieu of cash settlement.

Please contact me at 646-1851 or my wife, Evelyn, at 646-3138 and let us know of your response. A copy of this letter will be transmitted to Senator Tanaka inasmuch as they are waiting to hear your response.

Thank you for your understanding and assistance.

Sincerely,



EDWARD A. LEON GUERRERO

Enclosures

cc: Senator T. Tanaka  
Senator D. ...



DEPARTMENT OF LAND MANAGEMENT  
GOVERNMENT OF GUAM

June 24, 1991

Memorandum

To: Bureau of Planning  
Department of Agriculture  
Department of Commerce  
Department of Education  
Department of Labor  
Department of Parks and Recreation  
Department of Public Health and Social Services  
Department of Public Works  
Guam Economic Development Authority  
Guam Environmental Protection Agency  
Guam Housing and Urban Renewal Authority  
Guam Police Department  
Guam Power Authority  
Guam Telephone Authority  
Mayor of Barrigada  
Public Utility Agency of Guam

From: Director, Department of Land Management

Subject: Land Exchange Request

Reference: Applicant - Edward A. Leon Guerrero

This Department is currently reviewing the request to exchange his privately owned property that has been condemned by PUAG as 40 ft. sewer and water rights-of-way, Lot No. 5149-2-1, Dedeo, to exchange with government land, portion of Lot No. 5380, located on Macheche Hill, Municipality of Barrigada, as shown on the attached sketch shaded yellow.

We solicit your comments for the exchange request as it affects your Department's plans and projects.

Your Department's position is required regardless of whether or not an objection is being expressed on the proposed disposition.

  
F. L.G. CASTRO

Attachment

August 09, 1991

Memorandum

To: Director, Department of Land Management  
From: Director, Department of Agriculture  
Subject: Land Exchange Request  
Ref: Applicant - Edward A. Leon Guerrero

This Department has reviewed the application by Mr. Leon Guerrero to exchange his privately owned property with government land within Lot No. 5380, located on Macheche Hill, municipality of Barrigada.

From all indication, this has been a long standing problem to the people of Guam, that privately owned properties had been condemned by our government to establish sewer, water and utility Rights of Way without adequate restitution.

Our review included an on-site inspection on the proposed subject Lot No. 5380, the inspection reveals that there is an existing water tank and the adjacent land user are residential dwellings. The area has limited or no significant agricultural value to affect our immediate plans and projects.

Should this request be approved, this department further recommends a compensation on portion of Lot No. 5380. Therefore, we have no objections on behalf of Mr. Leon Guerrero's land exchange request.

ANTONIO S. QUITOGUA  
ANTONIO S. QUITOGUA

RCPABLO/gcm

cc: Chrono

	INITIAL	DATE
R.P.		
Asst III	YJA	8-9-91
g.m.		
Deputy	JL	8/9



DEPARTMENT OF COMMERCE  
DIPATTAMENTON I KUMETSIO  
Suite 601, 6th Floor GTC Bldg.  
Tamuning, Guam 96811  
Tel.: (671) 646-5841 Fax: (671) 646-7242  
GOVERNMENT OF GUAM  
AGANA, GUAM 96810

AUG 05 1991

Memorandum

To: Director, Department of Land Management  
From: Director, Department of Commerce  
Subject: Land Exchange Request  
Reference: Applicant - Edward A. Leon Guerrero

The Department of Commerce has no objection to the request to exchange private property condemned by PUAG as a 10 ft. sewer and water rights-of-way, Lot No. 5149-2-1, Dededo, for a portion of Government of Guam land on Lot No. 5380, provided that the exchange is made on a value for value basis.

  
PETER R. BARCINAS





ANITA A. SUKOLA  
Director of Education

OFFICE OF THE DIRECTOR  
DEPARTMENT OF EDUCATION  
GOVERNMENT OF GUAM  
P.O. BOX DE  
AGANA, GUAM 96910  
TEL.: 472-8901/2/3/4



Deputy Director

August 13, 1991

MEMORANDUM

To: Director of Land Management  
From: Director of Education  
Subject: Land Exchange Request  
Ref.: Applicant - Edward A. Leon Guerrero

A review of the Request for Land Exchange between Edward A. Leon Guerrero's Lot #5149-2-1, Dededo, and Government of Guam's Lot #5380, (portion of) have been made by our Department and find no negative impact on such request.

Should you have any question, please contact Mr. Joe Benavente, Administrator, C.I.P. Section at 472-1193.

LOUIS S.N. REYES  
Acting

Attachments



## GUAM ENVIRONMENTAL PROTECTION AGENCY

D-107 HARMON PLAZA, 130 ROJAS ST., HARMON, GUAM 96911 TEL. NO. 646-8863/5 FAX 646-8402  
 AGENSIAN PRUTEKSION LINA'LA GUAHAN

AUG 19 1991

### INTER-AGENCY MEMORANDUM

**TO:** Frank L.G. Castro  
 Director  
 Department of Land Management

**FROM:** Administrator

**SUBJECT:** Land Exchange Request (Lot 5149-2-1, Dededo for a portion of lot 5380, Macheche Hill, Barrigada).

The Agency has reviewed the subject land exchange request for Edward A. Leon Guerrero.

The government lot under consideration is a portion of lot 5380 Macheche Hill near the PUAG water tank (Barrigada Heights). We understand the exchange is to be value for value.

The Agency does not foresee use of this lot for any future projects and therefore has no objection to the exchange request.

If your department or the applicant has any further questions as to natural or man-made constraints to development on the subject lot please do not hesitate to call us.

Thank you for the opportunity to comment.

Fred M. Castro

CC: PUAG




**GUAM ECONOMIC DEVELOPMENT AUTHORITY**
**ATURIDAD INADILANTON IKUNUMIHA GUAHAN**
**GEDA**

August 29, 1991

**MEMORANDUM**

**TO:** Director, Department of Land Management  
**FROM:** Administrator, GEDA  
**SUBJECT:** Land Exchange Request - Portion of Lot 5380, Barrigada  
 Applicant: Edward A. Leon Guerrero

This is in response to your Memorandum dated June 24th and the additional information received by fax today, concerning Mr. Edward Leon Guerrero's request as captioned above.

The Authority has no objection to exchanging a portion of Lot No. 5380, located on Macheche Hill, in the Municipality of Barrigada, for the portion of Lot 5149-2-1, Dededo, taken by the government, provided the exchange is made on a value-for-value basis.

Thank you for the opportunity to comment on this matter.

**CHARLES P. CRISOSTOMO**
**CPC/KL/dc**
**cc: Mr. Edward A. Leon Guerrero**
**FAX: 649-6178**
**ATTN: Evelyn L.G.**



# GHURA

Guam Housing and Urban Renewal Authority  
P.O. Box CS Agana, Guam 96910  
(671) 477-9851 to 4 • Fax: (671) 477-4184

*Joseph F. Ada*  
Governor

*Frank F. Blas*  
Lieutenant Governor

*Pilar A. Cruz*  
Executive Director

*Ricardo A. Calvo*  
Deputy Director

**Board of Commissioners**

*Vicente C. San Nicolas*  
Chairman

*Evelyn A. Blas*  
Vice-Chairperson

*olas D. Francisco*  
Member

*Jesus T. Lizama*  
Member

*Marilyn Megofna*  
Member

*Galo E. Camacho*  
Member

*Jesus L. Perez*  
Member

AUG 01 1991

## MEMORANDUM

**TO:** Director, Department of Land Management

**FROM:** Executive Director

**SUBJECT:** Request to Exchange and Lease  
Government of Guam Properties

Guam Housing and Urban Renewal Authority has no objection to the following request:

- 1) Exchange of Government Land  
Portion of Lot 5380, Barrigada, Guam  
Applicant: Edward A. Leon Guerrero
- 2) Lease of Government Land  
Lots 2150-3-10, 2150-3-11, 2150-3-12R1, Tamuning, Guam  
Applicant: Wellcon Corporation  
c/o Landmark

The above transactions would have no adverse impact on any of our plans or project

  
PILAR A. CRUZ



DEPARTMENT OF  
**LABOR**

DEPARTAMENTON HUTNALERO

EDWARD A. GUERRERO, Director • JOHN VEGA Deputy C

JOSEPH F. ADA  
Governor

FRANK F. BLAS  
Lieutenant Governor

JUL 25 1991

Memorandum No. 91-464

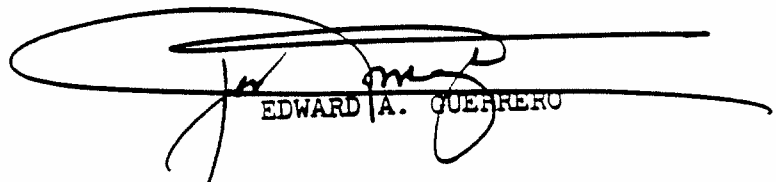
To: Director of Land Management

From: Director of Labor

Subject: Land Exchange Request

Reference: Applicant - Edward A. Leon Guerrero

Please be informed that this department has no existing nor proposed plans or projects at this time that would be affected should subject request be granted approval. We will support any action considered by your concern as long as it is initiated in accordance with all existing statutes and in the best interest of the government and the people of Guam.

  
EDWARD A. GUERRERO



GOVERNMENT OF GUAM  
AGANA, GUAM 96910

July 19, 1991

Memorandum

To: Director, Department of Land Management  
From: Chief of Police (Code SD)  
Subject: **LAND EXCHANGE REQUEST**  
Ref: Applicant - Edward A. Leon Guerrero

The subject item has been reviewed and submitted without objection.

There are no plans contemplated for the subject area by this department.

A handwritten signature in black ink, appearing to read "H.S. Terlaje", written over a horizontal line.

H.S. TERLAJE  
By direction



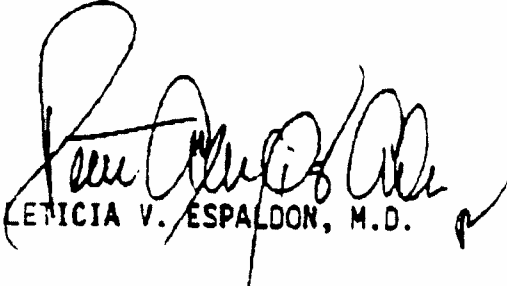
AUG 07 1991

## Memorandum

To: Director of Land Management  
From: Director of Public Health and Social Services  
Subject: Land Exchange Request

Please be informed that our office interposes no objection in the land exchange of Lot #5149-2-1, in Dededo with the Government land lot #5380, located on Macheche Hill, Barrigada, provided the use of the Government land will not cause any health hazard or be injurious to property or neighborhood in which the property is located.

Your concern is appreciated.

  
LETICIA V. ESPALDON, M.D.





PUBLIC UTILITY AGENCY OF GUAM  
GOVERNMENT OF GUAM  
POST OFFICE BOX 3010, AGANA  
GUAM, U.S.A. 96910

AUG 07 1991

MEMORANDUM

TO: Director, Department of Land Management

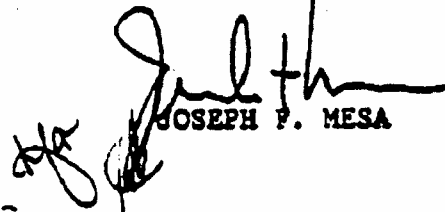
FROM: Chief Officer

SUBJECT: Land Exchange

This is in response to your memorandum dated June 24, 1991, regarding the request to exchange privately owned property condemned by PUAG for a 40 feet sewer and water rights of way on a portion of Lot No. 5149-2-1, in the municipality of Dededo, in exchange for a portion of government land on Lot No. 5380, in the vicinity of Macheche Hill, and in the municipality of Barrigada.

The Public Utility Agency of Guam has two (2) existing reservoirs and has plans to put an additional 2.0 million gallon reservoir on the said government property. We would like to reserve approximately one (1) acre of land on Lot No. 5380 before any exchange is made.

Should you need more information, please feel free to call our office at 646-8891, ext. 235.

  
JOSEPH P. MESA

SEP 17 1991

MEMORANDUM

TO: Director of Land Management  
FROM: Director of Public Works  
SUBJECT: Land Exchange Request  
REF.: Applicant - Edward A. Leon Guerrero

This Department has no objections to the proposed land exchange on a "value for value" basis.

Contrary to the claims of Civil Case No. 35-65, which formally acquired easement rights (sewer and water) within the subject Lot et al, we feel there were "severance damages" suffered by the remaining portions of Lot 5149-2. The proposed land exchange would "cure" the oversight caused by the condemnation action.

Thank you for allowing us to comment on this matter.

ORIGINAL SIGNED BY  
/S/ BENIGNO M. PALOMO

BENIGNO M. PALOMO

FTAITANO:APD:md  
09/13/91

cc: ROW  
COE  
DD  
Dir's Chrono  
Highway Planning  
Bureau of Planning  
Attorney General - Attn.: Roland Fairfield  
Speaker San Agustin



# GUAM TELEPHONE AUTHORITY

POST OFFICE BOX 9008 • TAMUNING, GUAM 96931

August 2, 1991

**MEMORANDUM**

To: Director, Dept. of Land Management

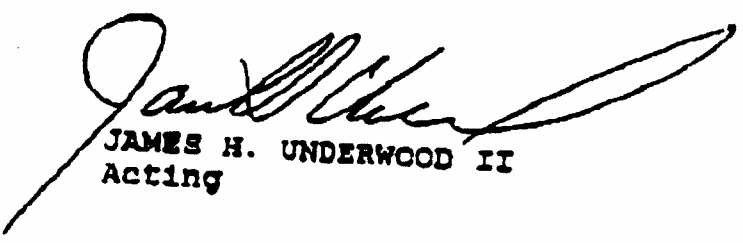
From: General Manager

Subject: Land Exchange Request

This memorandum is in response to your request regarding Edward A. Leon Guerrero, who seeks to exchange his privately owned property designated as Lot No. 5149-2-1, Dededo for a portion of government land designated as Lot No. 5380, Macheche Hill, Municipality of Barrigada.

GTA Engineering's review of the vicinity map indicate no existing telephone facilities on the property considered for exchange. Furthermore, the exchange of properties will not conflict with GTA's future plans.

In this regard, Guam Telephone Authority has no objection to the exchange of government land designated as Lot No. 5380, Macheche Hill, Municipality of Barrigada.

  
JAMES H. UNDERWOOD II  
Acting

xc: Engineering, GTA



## DEPARTMENT OF PARKS AND RECREATION

SEP 09 1991

## MEMORANDUM

**To:** Director, Department of Land Management

**From:** Director, Department of Parks and Recreation

**Subject:** Land Exchange Request

**Ref:** Applicant - Edward A. Leon Guerrero

This memorandum supersedes our memorandum of August 26, 1991, regarding the land exchange request of Mr. Edward A. Leon Guerrero.

This department originally opposed the land exchange request of a portion of Lot No. 5280, Machoche, Dededo, based on the Department of Agriculture's memorandum of October 14, 1989 and March 22, 1990 to the Director, Department of Land Management and Department of Parks and Recreation. The Department of Agriculture has requested that this lot be reserved as conservation area and to transfer this lot to their jurisdiction. Based on a telephone verification of August 29, 1991 with Mr. Antonio Quitugua, Director of the Department of Agriculture, Mr. Quitugua confirmed of their recent field inspection that this particular lot has no conservation value because of previous clearing. Therefore, this department interposes no objection of this land exchange request as opposed to our original response.

ORIGINAL SIGNED BY: *Diniz for*

ANTHONY C. MARIANO

cc: Dept. of Agriculture

ACM/PV/trt  
 September 6, 1991  
 Director's Chrono  
 Parks Chrono/file  
 Originator

DEPARTMENT OF PARKS AND RECREATION

AUG 26 1991

AUG 23 1991

MEMORANDUM

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: Land Exchange Request

Ref: Applicant - Edward A. Leon Guerrero

The government land (portion of Lot No. 5280, Machache, Dededo), Mr. Edward Leon Guerrero wishes to exchange with his land, which was condemned by the government of Guam for sewer and water rights-of-way, is classified as "conservation" in the Public Land Use Plan (page 105). Further, the Department of Agriculture is requesting that the Department of Land Management reserve this particular lot along with other various lots to be transferred under the Department of Agriculture's jurisdiction (see attached memorandum, dated March 12, 1990). These lots offer a well developed secondary forest and is valuable as habitat for birds and other urban wildlife. For this reason, this department opposes this land exchange request.

ORIGINAL SIGNED BY:

ANTHONY C. MARIANO

Attachment

AGM/PV/bt  
 August 23, 1991  
 Director's Chrono  
 Parks Chrono/file  
 Originator



MAYOR  
RAYMOND S. LAGUANA  
OFFICE: 734-3859



Office of the Mayor  
Municipality of Barrigada  
Government of Guam  
Barrigada, Guam 96913

VIC  
JESSIE B. F  
OFFICE.

August 19, 1991

To: Director of Land Management  
Frank L.G. Castro

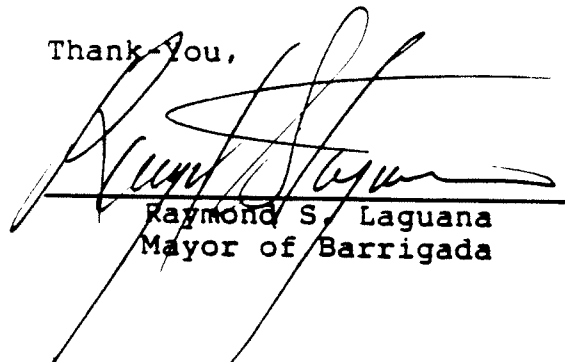
From: Mayor of Barrigada  
Raymond S. Laguana

Subject: Land Exchange

I have no question on Land Exchange for Mr. & Mrs. Edward Leon Guerrero. But, once again to remind you, most of the Government Land in Barrigada, that we have are limited. And we need it for furture development such as Schools, Recreational Facility, and other Community needs.

For futher information concerning Land in Barrigada contact our office at 734-3737 or at 734-3859.

Thank-You,



Raymond S. Laguana  
Mayor of Barrigada

DEPT  
LAND MANAGEMENT  
JUL 31 10 49 AM '91

July 31, 1991

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

Dear Mr. Castro:

The Legislature's Committee on Housing and Community Development will be hearing Bill 435 (copy enclosed) in mid-August, 1991. This bill is congruent with our efforts for land exchange in which your department is currently reviewing.

To enhance the progress of the land exchange, we are requesting for your department to participate or submit testimonial comments to the Committee on or prior to the public hearing.

We thank you for your assistance and once again, we will appreciate your continuous support.

Sincerely,



EDWARD A. LEON GUERRERO

cc: Sen. Frank Santos  
Chairman, Committee on Housing  
and Community Development

Sen. John P. Aguon  
Vice Speaker and Sponsor of Bill 435

AUG 27 '91

Bill No. 435 (COR)

Introduced by:

J.P. AGUON *gpa*

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE  
GOVERNMENT OF GUAM LAND WITH LOT NO. 5149-2-1  
LOCATED IN HARMON.

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

2 Section 1. Legislative Findings and Intent. The Legislature finds that  
3 the Government of Guam has condemned a portion of Lot No. 5149-2-1 in  
4 Harmon,  
5 Municipality of Dededo, containing an area of 1,725 +/- s.m. owned by Mr.  
6 Juan Cruz Leon Guerrero. The Legislature further finds that said  
7 condemnation split the real property into two (2) substandard lots which  
8 hampered the owner from developing his property.

9 Section 2. The Governor is authorized to exchange government-owned  
10 real property in the Municipality of Dededo on a value-for-value basis with  
11 Mr. Juan Cruz Leon Guerrero, owner of Lot No. 5149-2-1.

12 Section 3. The Department of Land Management is hereby directed to  
13 provide for the land exchange authorized herein with any available  
14 Government of Guam land within the Municipality of Dededo.

15 Section 4. The Director of Land Management shall cause the exchange of  
16 land authorized herein to be accomplished within one hundred eighty (180)  
17 days from enactment of this Act.

18 Section 5. Notwithstanding any other provision of law, rule, or  
19 regulation, the exchange authorized in this Act is hereby approved by the  
20 Legislature.