



*Territory of Guam*  
*Territorio Guam*

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

RECEIVED  
OFFICE OF THE SPEAKER  
DATE: 4/28/94  
TIME: 8:45 PM  
RECD BY: FONY

APR 26 1994

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

Dear Mr. Speaker:

Transmitted herewith is Bill No. 730 which I have signed into law this date as  
Public Law 22-117.

Sincerely yours,

FRANK F. BLAS  
Governor of Guam  
Acting

220668

Attachment

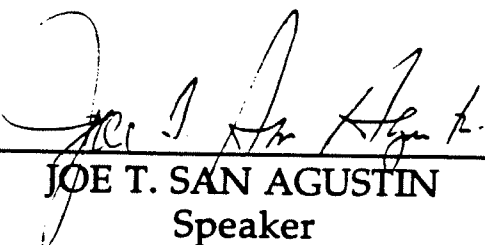


Commonwealth Now!


TWENTY-SECOND GUAM LEGISLATURE  
1994 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

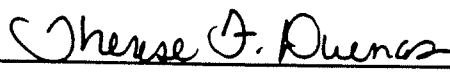
This is to certify that Substitute Bill No. 730 (LS), "AN ACT TO AMEND SECTION 2 AND SUBSECTION (h) OF SECTION 5, PUBLIC LAW 21-127 AND TO REPEAL AND REENACT SECTION 8 OF SAID LAW IN CONNECTION WITH THE LEASE OF LOT NO. 7159 BETWEEN DEDEDO AND YIGO," was on the 14th day of April, 1994, duly and regularly passed.

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

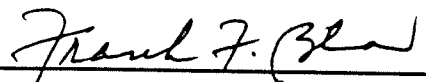
Attested:

  
\_\_\_\_\_  
HERMINIA D. DIERKING  
Senator and Acting Legislative Secretary

-----  
This Act was received by the Governor this 15th day of April,  
1994, at 5:11 o'clock P.M.

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

APPROVED:

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

Date: APR 21 1994

Public Law No. 22-117

TWENTY-SECOND GUAM LEGISLATURE  
1993 (FIRST) Regular Session

Bill No. 730 (LS)  
As substituted by the  
Committee on Rules

Introduced by:

T. S. Nelson  
T. C. Ada  
J. P. Aguon

---

E. P. Arriola  
M. Z. Bordallo  
H. D. Dierking  
C. T. C. Gutierrez  
P. C. Lujan  
V. C. Pangelinan  
D. Parkinson  
E. D. Reyes  
J. T. San Agustin  
F. E. Santos  
D. L. G. Shimizu  
J. G. Bamba  
A. C. Blaz  
D. F. Brooks  
F. P. Camacho  
M. D. A. Manibusan  
T. V. C. Tanaka  
A. R. Unpingco

AN ACT TO AMEND SECTION 2 AND SUBSECTION  
(h) OF SECTION 5, PUBLIC LAW 21-127 AND TO  
REPEAL AND REENACT SECTION 8 OF SAID LAW IN  
CONNECTION WITH THE LEASE OF LOT NO. 7159  
BETWEEN DEDEDO AND YIGO.

1

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

1           **Section 1. Legislative intent.** Felix P. Quan is a successful farmer  
2 utilizing land leased from the government of Guam to raise and harvest fresh  
3 produce for sale to the local community. The Legislature believes that such  
4 use of government land is for the long term benefit of the community and thus  
5 encourages such land use. Furthermore, the Legislature finds that such  
6 utilization of government land will help maintain competition, resulting in  
7 reasonable prices for locally-grown fresh produce. Public Law 21-127 which  
8 authorizes the lease of additional government property to Felix P. Quan  
9 should be amended in order to permit him to expand his present agricultural  
10 operations for the benefit of the people of Guam.

11           **Section 2.** Section 2 of Public Law 21-127 is hereby amended to read:

12           **"Section 2. Authorization to lease to Felix Quan.** The  
13 Governor is authorized to enter into a long-term agricultural lease  
14 agreement with Felix Perez Quan, for a portion, not to exceed forty-  
15 two (42) acres, of Lot No. 7159, situated between the municipalities  
16 of Dededo and Yigo."

17           **Section 3.** Subsection (h) of Section 5 of Public Law 21-127 is hereby  
18 amended to read:

19           "(h) The rent shall be based on the leased property's fair  
20 market value as agricultural and not commercial land. To determine  
21 such value, the leased property shall be appraised by a registered  
22 appraiser, licensed to do business on Guam, at the expense of the  
23 lessee. Every ten (10) years thereafter, the rent shall be adjusted in  
24 accordance with its fair market value as reflected in the most recent  
25 triennial real estate appraisal for real estate tax purposes."

26           **Section 4.** Section 8 of Public Law 21-127 is hereby repealed and a new  
27 Section 8 is hereby added to read as follows:

1  
2  
3

**"Section 8. Rent to Chamorro Land Trust. All rent arising from the lease authorized by this Act shall be deposited in the Chamorro Land Trust Fund."**

61

**TWENTY-SECOND GUAM LEGISLATURE**  
1993 (FIRST) Regular Session

Date: 4/14/94

**VOTING SHEET**  
(AS REVISED)

Bill No. 730  
Resolution No. \_\_\_\_\_  
Question: \_\_\_\_\_

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George	✓			
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	✓			
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente	✓			
PARKINSON, Don				✓
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francis E.	✓			
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.	✓			
UNPINGCO, Antonio R.	✓			

TOTAL 20 0            1

# Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development

Twenty-Second Guam Legislature

228 Archbishop Flores St.  
Agana, Guam 96910

Tel: (671) 472-3453 ~ 4

Fax: (671) 477-6338

April 11, 1994

SPEAKER JOE T. SAN AGUSTIN  
Twenty-Second Guam Legislature  
155 Hesler St.  
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Housing and Community Development, to which was referred **Bill No. 730**, wishes to report back to the Legislature with its recommendation to **pass Bill No. 730** - "An Act to Repeal and Reenact Section 5.(h) of P.L. 21-127 and to Repeal Section 8 of P.L. 21-127".

The voting record is as follows:

TO PASS	<u>7</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.



EDWARD D. REYES

Attachments

# Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development

Twenty-Second Guam Legislature

228 Archbishop Flores St.  
Agana, Guam 96910

Tel: (671) 472-3453 ~ 4

Fax: (671) 477-6338

April 8, 1994

## MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - **Bill No. 730** - "An Act to Repeal and Reenact Section 5.(h) of P.L. 21-127 and to Repeal Section 8 of P.L. 21-127"

Transmitted herewith for your information and action is the Committee on Housing and Community Development's Report on the subject Bill.

The narrative report is accompanied by the following:

1. Bill 730;
2. Committee Voting Sheet;
3. Testimony and Sign-in Sheet;
4. Public Hearing Notice.

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.

Your attention and cooperation in this matter is greatly appreciated.

  
EDWARD D. REYES



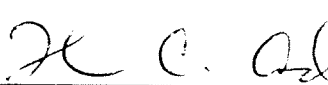

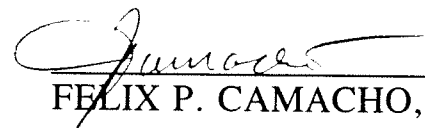
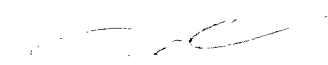
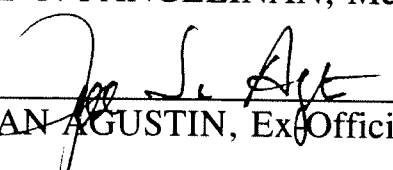
Attachments.



**COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT**  
**22nd Guam Legislature**

**VOTING RECORD**

**Bill No. 730 - "An Act to Repeal and Reenact Section 5.(h) of P.L. 21-127 and to Repeal Section 8 of P.L. 21-127"**

	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 EDWARD D. REYES, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 TED S. NELSON, Vice-Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 THOMAS C. ADA, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 ELIZABETH P. ARRIOLA, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. GEORGE BAMBA, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ANTHONY C. BLAZ, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 FELIX P. CAMACHO, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARILYN D.A. MANIBUSAN, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 VICENTE C. PANGELINAN, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 JOE T. SAN AGUSTIN, Ex Officio Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMITTEE ON HOUSING AND  
COMMUNITY DEVELOPMENT  
*Twenty-Second Guam Legislature*

COMMITTEE REPORT  
BILL NO. 730

“AN ACT TO REPEAL AND REENACT SECTION  
5.(h) OF P.L. 21-127 AND TO REPEAL §8 OF P.L. 21-  
127”

March 31, 1994

## **I. OVERVIEW**

The Committee on Housing and Community Development held a public hearing on December 27, 1993 at 9:00 a.m. at the Legislative Public Hearing Room. Public notice was printed in the Pacific Daily News on December 26, 1993. Members present were:

Senator Edward Reyes, Chairman  
Senator Ted Nelson, Vice-Chairman  
Senator Tom Ada  
Senator Felix Camacho

Appearing before the Committee to testify on the bill were:

Felix Quan  
Wilfred Leon Guerrero

## II. SUMMARY OF TESTIMONY

Mr. Leon Guerrero testified verbally in support of this bill. He indicated that he has known Mr. Quan for years and that he has had occasion during his tenure at the University of Guam to work with Mr. Quan on plant experiments. He vouched for Mr. Quan's devotion to farming, noting his involvement as well with the Soil and Water Conservation Board, and asked the Committee for its favorable consideration.

Mr. Quan testified that P.L. 15-18 in 1979 facilitated his lease of government land in Dededo for agricultural use. He secured eight (8) acres and proceeded to farm the land. In 1992, P.L. 21-127 authorized the Governor to lease fifty (50) acres to him. That same law, however, requires that he return the eight acres under the previous lease before he can lease the fifty acres. To do so would mean that he would lose his investment on all the improvements to his farm. Considering that those improvements are the reason for his successful operation, it is senseless for him to abandon them now. This bill would remove that requirement and allow him to maintain the existing farm as well as to expand his operations.

The Department of Agriculture submitted written testimony opposing the bill as introduced. The Department opposes the requirement for the government to pay for the land appraisal because it conflicts with their policy that all expenses for appraisal, survey, and mapping should be borne by the lessee. The Department also opposes the bill's provision calling for rent adjustment according to the most recent triennial real property tax appraisal because, in its opinion, rent value would still be reasonable and not abruptly changed in the years to come even if the land is appraised as agricultural, rather than commercial, land. Finally, the Department supports repeal of Section 8, P.L. 21-127, because that provision of law requires Mr. Quan to return any currently-leased land to the government before he can lease another government lot. In effect, it would render Mr. Quan and his family homeless.

### III. FINDING AND RECOMMENDATION

The Committee on Housing and Community Development finds that Mr. Felix Quan is a successful farmer utilizing land leased from the government of Guam to raise and harvest fresh produce for sale to the local community. Such use of government land is for the long term benefit of the community, helping to maintain competition which keeps prices for locally-grown fresh produce reasonable.

Mr. Quan currently leases from the government Lot 1, Block 11, Tract 1021, Dededo, consisting of some 8.99 acres. Authorization for such lease is found in P.L. 15-18. Having improved his farming operations, Mr. Quan's crop production is now limited only by the lack of additional acreage to till. In 1992, P.L. 21-127 authorized the Governor to lease 50 acres to Mr. Quan for the same purpose. A portion of Lot 7159, Dededo, containing 119.6 acres, has been identified as the site. However, the Committee takes exception to Section 8 of P.L. 21-127 because it requires that Mr. Quan quitclaim his interest in Lot 1 before he can lease the 50 acres. Mr. Quan has invested substantial sums to maximize crop output there and it is senseless that he should now cease farming, vacate the lot, and start from scratch again. Accordingly, the Committee supports the bill's repeal of Section 8.

The Committee also finds that Bill 730's proposed amendment of Section 5(h) of P.L. 21-127 is appropriate, given previous statutes which were enacted to help farmers lease government land. When P.L. 12-226 established the Chamorro Land Trust Commission in 1975, that law repealed authority for agricultural leases through the Department of Agriculture. A respite was provided by P.L. 15-18, enacted in 1979, for agricultural leases executed between January 1, 1975 and April 18, 1979 to continue and remain in effect until the Chamorro Land Trust Commission convened. The Commission members were appointed by the Governor and confirmed by the Legislature in early 1993, holding their first meeting on March 16, 1993.

Mr. Quan's original lease of farm land was made possible through P.L. 15-18 and additional farm land was authorized to be leased to him through P.L. 21-127. Both authorizations occurred before the Commission was put in place so the Committee is of the opinion that the land proposed for lease to Mr. Quan is not under the Commission's purview yet.

Also, as a way to motivate farmers to maximize use of farm lands, P.L. 15-18 called for the establishment of a rental schedule which would operate in inverse proportion to the investment made on the leased land. The law specified that the Director of Agriculture shall award those lessees who make maximum investment in the

leased land and penalize those who make the least use. Furthermore, in no event would the annual rent exceed six percent of the property's fair market value.

Bill 730 proposes that farm land be treated as agricultural, and not as commercial, land. In that event, the Bill calls for land valuation to be based on the government's most recent triennial real estate appraisal for real estate tax purposes. Because government policy is to extend assistance to farmers so they may produce more for the market place, the Committee that the Bill's intent to minimize the farmer's administrative costs while emphasizing productivity is consistent with such policy. More fresh produce means more goods for the market, all the better for consumers and the agricultural sector of the economy. However, the Committee takes notice that the Department of Agriculture may not be carrying out the spirit and intent of the rent/investment inverse formula and advises the Legislature that bureaucracy may be hindering our farmers' ability and capacity to be more productive.

Accordingly, the Committee on Housing and Community Development to which was referred **Bill No. 730** does hereby submit its findings and recommendation to the Twenty-Second Guam Legislature "**TO DO PASS**" **Bill No. 730** [An Act to Repeal and Reenact Section 5.(h) of P.L. 21-127 and to Repeal Section 8 of P.L. 21-127].

TWENTY-SECOND GUAM LEGISLATURE  
1993 (First) Regular Session

BILL No. 730

Introduced by:

T. S. Nelson

93 NOV 18 11 19 35  
81 AON 66

AN ACT TO REPEAL AND REENACT SECTION 5.(h)  
OF P.L. 21-127 AND TO REPEAL §8 OF P.L.21-127.

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

2 **Section 1. Legislative intent.** Felix P. Quan is a successful farmer utilizing land  
3 leased from the government of Guam to raise and harvest fresh produce for sale  
4 to the local community. The Legislature believes that such use of government  
5 land is for the long term benefit of the community and thus encourages such land  
6 use. Furthermore, the Legislature finds that such utilization of government land  
7 will help maintain competition, resulting in reasonable prices for locally grown  
8 fresh produce. Public Law 21-127 which authorizes the lease of additional  
9 government property to Felix P. Quan should be amended in order to permit him  
10 to expand his present agricultural operations for the benefit of the people of  
11 Guam.

12 **Section 2.** Subsection (h) of Section 5 of Public Law 21-127 is hereby amended  
13 to read:

14 "(h). The rent shall be based on the leased property's fair  
15 market value as agricultural and not commercial land. To determine  
16 such value, the leased property shall be appraised by a registered  
17 appraiser, licensed to do business on Guam, at the expense of the

1 [lessee] government. Every ten (10) years thereafter, [~~such property~~  
2 ~~shall be similarly reappraised and~~ the rent shall be adjusted in  
3 accordance with the most recent triennial real estate appraisal for real  
4 estate tax purposes."

5 **Section 3.** Section 8 of Public Law 21-127 is hereby repealed.



**§46101. Prohibition of Age or Sex Discrimination.**

It shall be unlawful for an employer:

(a) to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions or privileges of employment because of such individual's age or sex; or

(b) to limit, segregate or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee because of such individual's age or sex.

Provided, however, that it shall not be unlawful for any employer to take any affirmative action where such action is based upon reasonable factors other than age or sex.

**§46102.** The prohibition regarding discrimination based on age of this Chapter shall be limited to individuals who are at least forty (40) years of age.

**§46103. Enforcement.**

(a) Any person alleging a violation of this Chapter may bring a civil action in the Superior Court for such legal or equitable relief as will effectuate the purposes of this Chapter.

(b) In any action brought to enforce this Chapter, the court shall have jurisdiction to grant such legal or equitable relief as may be appropriate to effectuate the purposes of this Chapter, including without limitation judgments compelling employment, recovery of attorney fees, reinstatement or promotion or enforcing the liability for amounts deemed to be unpaid wages.

**§46104. Rules and Regulations.**

The Director of the Department of Labor may issue such rules and regulations as may be considered necessary or appropriate for carrying out this Chapter.

**§46105. Invalidity.**

If any provision of this Chapter is held by a court to be invalid, such invalidity shall not affect the remaining provisions of this Chapter and to this end the provisions of this Chapter are declared severable."

PUBLIC LAW NO. 15-18

Bill No. 100A  
 Enacted: April 18, 1979  
 Governor's Action: Approved  
 Riders: None

Introduced by:	→ J.T. San Agustin
K.B. Aguon	C.C. Bamba
E.F. Blas	→ E.T. Charfauros
T.C. Crisostomo	E.R. Duenas
S.M. Espaldon	C.A. Kasperbauer
A.M. Palomo	A.C. Lamorena III
B.M. Palomo	P.F. Perez, Jr.
→ J.F. Quan	→ F.J. Quitugua
→ F.R. Santos	→ R.Q. Sudo
→ R.F. Taitano	T.V.C. Tanaka
J.H. Underwood	A.R. Unpingco

AN ACT TO AUTHORIZE THE GOVERNMENT OF GUAM TO ENTER AGRICULTURAL LEASES.

- Section 1 .... Agricultural land available for lease: selection.
- Section 2 .... Definitions.
- Section 3 .... Regulation by Department of Agriculture.
- Section 4 .... Eligibility.
- Section 5 .... Application for leases.
- Section 6 .... Approval of applications.

Section 7	....	Form of lease.
Section 8	....	Rent.
Section 9	....	Cancellation.
Section 10	....	Taxes.
Section 11	....	Transfers or encumbrances; approval required.
Section 12	....	Required annual financial statement.
Section 13	....	Ratification of leases entered after January 1, 1975.
Section 14	....	Termination of Sections 1 through 13 of this Act.

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

**Section 1. Agricultural Leases.** Agricultural Land Available for Lease: Selection. The Department of Land Management, subject to approval by the Governor, is authorized to declare available for lease under the provision of this Act government real property as may be suitable for agriculture and which is not required for public use or reserved for other purposes by any other provision of law. Such land shall then be transferred for administrative purposes to the Department of Agriculture for lease in accordance with the provisions of this Act to qualified persons for the purposes of agriculture. The provisions of Chapter VI of this Title shall not apply to any leases executed hereunder.

**Section 2. Definitions.** As used in this Act, the term "agriculture" shall include also grazing, stock raising and aquaculture. References to the Department of Agriculture or Director of Agriculture shall be construed to mean any successor to said department or director.

**Section 3. Regulation by Department of Agriculture.** The Department of Agriculture shall process all applications for lease made under the provisions of this Act. It shall determine the best agricultural uses for which the available land should be put and the size of the tracts to be leased, keeping in mind that successful commercial production on such government land is desired by the Legislature and that, therefore, the parcels should be large enough to make such production possible.

**Section 4. Eligibility.** Any person who is a citizen of the United States and of legal age, any corporation authorized to do business in the territory of Guam and authorized by its articles of incorporation to engage in agriculture and any partnership, limited or general, licensed to do business in the territory of Guam, shall, in accordance with the provisions of this Act, be eligible to lease government of Guam land for agriculture purposes. No such person, corporation or partnership shall be eligible to lease more than one tract.

**Section 5. Application for Leases.** Application for leases of agricultural land hereunder shall be made to the Department of Agriculture. The application shall be made in such form as the Director of Agriculture, with the approval of the Governor, shall by rule or regulation prescribe, and the application shall contain such data as the director, with the approval of the Governor, may, by rule or regulation, require.

**Section 6. Approval.** The Department of Agriculture shall verify the eligibility of the applicant and all essential facts set forth by the applicant. The department shall then approve or disapprove the application in accordance with such reasonable standards as the director, with the approval of the Governor, may prescribe by rule or regulation, not inconsistent with law. Such standards shall include the previous experience and background in agriculture of the applicant, the financial ability of the applicant insofar as his ability to make maximum productive use of the land leased in concern, the proposed investment of the applicant and the local need and marketability of the crop or other agricultural product to be raised or derived from the land to be leased, it being the intent of the Legislature that agricultural land belonging to the government be leased to those who will make maximum productive use thereof.

**Section 7. Form of Lease.** Upon approval of the application and approval of the Legislature as required by P.L. No. 12-61, the Governor shall execute a lease with the applicant, in a form approved by the Attorney General, which, among other lease provisions, shall include the following:

- (1) The maximum term shall be fifty (50) years, to be divided into ten (10) year increments, renewable at the option of the lessee.
- (2) No rent shall be collected for the first five (5) years operation under the lease and thereafter, rent will be due on an annual basis at the end of the sixth year and those years following.

## P.L. No. 15-18

**Section 8. Rent.** The amount of rent due shall be established by using a schedule to be promulgated by the director, with the approval of the Governor, which shall operate in inverse proportion to the investment made on the lease land, as such investment is certified by the Department of Agriculture. The director, in establishing the schedule, shall attempt to award thereby those lessees who make maximum investment in the leased land and penalized those who make the least. In no event, however, shall the annual rent exceed six percent (6%) of the fair market value of the land at the time of the execution of the lease.

**Section 9. Cancellation.** The government of Guam shall reserve the right to cancel at any time, any lease executed hereunder if the lessee is not using the land for the purpose for which leased, unless good cause for such failure can be shown, except that no lease can be cancelled without a hearing thereon pursuant to the provisions of the Administrative Adjudication Act.

**Section 10. Taxes.** During the first five (5) years of occupancy of government real property under an agricultural lease executed pursuant to the provisions of this Act, the said land shall not be subject to real estate taxes, except that any improvements shall be taxed in the same manner as any other private property. At the end of the first five (5) years, both the leasehold interest as well as the improvements shall be subject to real estate taxes.

**Section 11. Transfers or Encumbrances; Approval Required.** (a) No rights derived from any lease executed under the provisions of this Act shall be assigned, sold, subleased, encumbered or hypothecated with approval of the Director of Agriculture unless such encumbrance is in accordance with the provisions of Subsection (b) of this Section.

(b) A lessee may obtain a purchase money mortgage for improvement to the leased property. If such mortgage is obtained, then transfer of the title of the lease is authorized to the mortgagee provided the property is continued to be used in accordance with the provisions of this Act. Provided further, that the term of any mortgage may not extend beyond the maximum period which the lessee may renew his lease.

(c) Subsection (b) of this Section is adopted because the Legislature finds that the lessees of agricultural land have had considerable difficulty in improving the property so that they can have a decent place to live. The Legislature finds that the main reason for the difficulty is inability to obtain adequate financing and the Legislature finds that if the lessees were permitted to mortgage their own homes, this problem would be greatly alleviated. The Legislature further finds that lessees of government land at the GHURA 500 low cost housing project are permitted to mortgage their property in a manner outlined in Subsection (b) of this Section. The Legislature, therefore, concludes that the lessees of agricultural land should be permitted to mortgage their homes in order to improve their property.

**Section 12. Annual Financial Statement.** Every lessee under a lease executed pursuant to provisions of this Act shall annually submit to the Department of Agriculture a financial statement and report setting forth in detail the improvements on and the income derived from the leased land. The director, may, with the approval of the Governor, prescribe by rule or regulation, the form of such financial statement and the data required.

**Section 13. Public Law No. 12-226 repealed authority for agricultural leases effective January 1, 1975.** During the time between the effective date of this Act and January 1, 1975, numerous agricultural leases have been entered by the government of Guam. Such leases may be in violation of the provisions of Chapter VI of Title XIV of the Government Code relating to the Chamorro Land Trust Commission. All agricultural leases entered between the government of Guam and any person after January 1, 1975 and prior to the effective date of this Act are ratified and shall remain in effect according to the terms of said leases notwithstanding any provision of law to the contrary.

**Section 14.** Sections 1 through 13 of this Act are repealed upon the convening of the Chamorro Land Trust Commission as provided in Chapter VI of Title XIV of the Government Code.

PUBLIC LAW NO. 21-127

Bill No. 214 (COR)	Introduced by:	C.T.C. Gutierrez
Date Became Law: July 28, 1992	H.D. Dierking	E.P. Arriola
Governor's Action: Approved	J.P. Aguon	M.Z. Bordallo
	P.C. Lujan	G. Mailloux
	D. Parkinson	J.T. San Agustin
	F.R. Santos	D.L.G. Shimizu
	J.G. Bamba	A.C. Blaz
	D.F. Brooks	E.R. Duenas
	E.M. Espaldon	M.D.A. Manibusan
	M.J. Reidy	M.C. Ruth
	T.V.C. Tanaka	A.R. Unpingco

AN ACT TO AUTHORIZE THE GOVERNOR TO LEASE ON A LONG TERM AGRICULTURAL BASIS A PORTION OF LOT NO. 7159, YIGO-DEDEDO AND OTHER LANDS IN YIGO AND BARRIGADA.

- Section 1... Legislative Statement.
- Section 2... Lease authorized to Felix Perez Quan in Dededo and Yigo.
- Section 3... Lease authorized to Martha Rubic in Yigo.
- Section 4... Lease authorized to Michael Kuhlman in Barrigada.
- Section 5... Terms, conditions and restrictions.
- Section 6... Surveying, mapping and registration.
- Section 7... Review by Attorney General.
- Section 8... Reversion of other leased property.
- Section 9... Final approval by the Legislature.

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

Section 1. Legislative statement. The Legislature finds that the diversified economic development of Guam's natural resources should be encouraged and bolstered. In so doing, the Legislature will encourage energetic, local entrepreneurs to participate and contribute to goals and objectives designed to decrease Guam's dependency on a single economic lifeline. Likewise, the Legislature finds that there exists a need to encourage the development by local people of an agricultural industry capable of providing fresh produce. The Legislature is aware that there are energetic individuals with the spirit and determination to successfully enter the demanding vocation of commercial agriculture. In authorizing long-term agricultural leases, the Legislature is promoting a diversified use of Guam's public lands with the hope and confidence that the diversity will not only succeed but will flourish, providing an incentive for other ventures. Likewise, because the public lands will be protected by long-term leases

with stringent terms and conditions, the trust of the people will be secured.

Section 2. Authorization to lease to Felix Quan. The Governor is authorized to enter into a long-term agricultural lease agreement with Felix Perez Quan, for a portion, not to exceed fifty (50) acres, of Lot No. 7159, situated between the municipalities of Dededo and Yigo.

Section 3. Authorization to lease to Martha Rubic. The Governor is hereby authorized to enter into a long-term agricultural lease agreement with Martha Ann Rubic, for a portion, not to exceed twenty (20) acres, of Lots Nos. 7150-R4NEW-5 and 7150-R4NEW-7, Municipality of Yigo.

Section 4. Authorization to lease to Michael Kuhlman. The Governor is hereby authorized to enter into a long-term agricultural lease agreement with Michael W. Kuhlman, not to exceed twenty (20) acres, of that portion of Lot No. 5412, Municipality of Barrigada, shown on Land Management land registration survey plat Drawing No. 597-FY74 I4-74T019, bordered on the northeast by Lots Nos. 5328-2, 5329 and 5292-3 PART.

Section 5. Terms, conditions and restrictions. The leases authorized in Sections 2, 3 and 4 of this Act shall each contain, at a minimum, the following provisions:

(a) The leased property may be used only for agricultural purposes and for the production of commodities derived from the type of farming applied for and as approved by the Department of Agriculture (the "Department").

(b) No permanent buildings may be constructed upon the leased property.

(c) The removal of top soil, coral, or rock aggregate from the leased property for any purpose is strictly prohibited.

(d) All storage, preparation, mixing and clean-up of agricultural chemicals must be conducted in a storm-proof containment structure and as promulgated by rules and regulations by the Guam Environmental Protection Agency.

(e) Excavation or other earth work shall be subject to the permits, rules and regulations of appropriate government agencies.

(f) The sale, mortgage, hypothecation, collateralization, or subordination of the lease in any manner, means or form, and the sublease or assignment of the lease to secure any financing or in any joint venture or partnership shall require the prior statutory authorization of the Legislature and the prior approval of the Governor.

(g) If at least fifty percent (50%) of the leased property is not used for any significant agricultural purposes for three (3) consecutive years, or if the lessee defaults under the terms of the lease, the lease shall be terminated upon sixty (60) days'

PL15-18

P.L. 21-127

notification by the Department, and the leased property shall revert to the government of Guam without compensation to the lessee.

(h) The rent shall be based on the leased property's fair market value as agricultural and not commercial land. To determine such value, the leased property shall be appraised by a registered appraiser licensed to do business on Guam at the expense of the lessee. Every ten (10) years thereafter such property shall be similarly reappraised and the rent adjusted accordingly.

(i) The government of Guam shall be indemnified and held harmless for any losses, claims, property damage, injuries or deaths which may occur on the leased property.

(j) The lease term shall be for an initial ten (10) years, renewable every ten (10) years thereafter, up to a maximum of fifty (50) years.

**Section 6. Surveying, mapping and registration.** The survey, mapping and registration of the leased property herein shall be performed at the direction of the Director of Land Management with the cost for such to be borne by the lessees.

**Section 7. Review by Attorney General.** The Attorney General shall insure that the provisions specified in this Act are made an integral part of the lease agreements herein authorized. The Department, together with the Attorney General, who shall insure compliance with the provisions thereof, shall prepare the lease agreements herein authorized for final approval and execution by the Governor.

**Section 8. Reversion of other leased property.** The proposed lessee of the lease set out in Section 2 of this Act is a current lessee of other government of Guam land. If such lessee wishes to be lessee under the lease authorized in such section, he shall first relinquish and quitclaim to the government of Guam the other leased properties; without compensation, or payment for any standing crops thereon.

**Section 9. Final approval.** Passage of this Act by the Legislature shall constitute final approval by the Legislature of the leases authorized herein and no further legislative action is required.

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PUBLIC LAW NO. 21-128

Bill No. 771(LS)  
Date Became Law: July 28, 1992  
Governor's Action: Approved

Introduced by: J.G. Bamba  
J.T. San Agustin C.T.C. Gutierrez  
J.P. Aguon E.P. Arriola  
M.Z. Bordallo H.D. Dierking  
P.C. Lujan G. Mailloux

## NOTICE OF PUBLIC HEARING



**Senator Edward D. Reyes**

**Chairman**

**Committee on Housing and Community Development  
Twenty-Second Guam Legislature**

- Bill No. 778** - An act to Rezone Lot No. 3415-R2, Maimai, Sinajana, Guam owned by Marcelo C. and Maria C. Biscoe from Agriculture ("A") to Single Family Residential ("R1"); by C.T. Gutierrez;
- Bill No. 783** - An act to Rezone Lot No. 402-10-6-R8NEW on the Municipality of Santa Rita, Guam owned by Fred and Dorothea Constantino From Agriculture ("A") to Multiple Dwelling ("R2"); by E.D. Reyes;
- Bill No. 623** - An act to Rezone Lot No. 90-C-5-1-1, Yona, Guam Owned by David J. and Anna B. Lujan from Agriculture ("A") to Multiple Dwelling ("R2"); by A.C. Blaz;
- Bill No. 787** - An act to Rezone Lot No. 5292-3-2-2, Barrigada, Guam Owned by Michael Guzman, from Agriculture ("A") to Light Industrial ("M"); by T. Nelson;
- Bill No. 785** - An act to Rezone Lot No. 2396-NEW-1-R1, Barrigada, Guam. Estate No. 22110, Suburban, containing an area of 1,457.92 square meters, owned by Nicolas Francisco Campos and Frances Techaira Campos, from Single Family Residential ("R1") to Commercial ("C"); by E.D. Reyes and J.P. Aguon;
- Bill No. 786** - An act to Grant Conditional Use on Lot No. 22-19L-3-R1, Agana Heights, in the Municipality of Sinajana, Owned by Peter P.F. Cruz; by E.D. Reyes and J.P. Aguon;
- Bill No. 784** - An act to Grant Conditional Use on Lot No. 2368-F.16, Barrigada, Owned by the Harvest Baptist Church; by E.D. Reyes;
- Bill No. 718** - An act to Authorize the Sale of Government Owned Land Lot No. 20 Block 27 in Agat, to occupants, Mr. and Mrs. Edward T. Rios; by T. S. Nelson;
- Bill No. 668** - An act to Authorize the Governor of Guam to sell Government of Guam Real Property Designated as Lot No. 6, Block 4, Tract 17, West Acres Subdivision, Municipality of Dededo, Containing an area of 957.58 square meters; by T.S. Nelson;
- Bill No. 728** - An act to Lease Government Land and Property to Goodwill Industries of Guam Inc., a Non-Profit Organization; by T.S. Nelson;
- Bill No. 730** - An Act to Repeal and Reenact Section 5. (h) of P.L. 21-127 and to repeal §8 of P.L. 21-127; by T. S. Nelson.

**DATE: MONDAY, December 27, 1993**

**TIME: 9:00 AM**

**PLACE: Public Hearing Room, Guam Legislature Building  
155 Hesler St., Agana**

**The Public is Invited to Attend and Participate**

COPY

**TESTIMONY ON BILL NO. 730**  
**By Jose A.E. Manibusan,**  
**Acting Director, Department of Agriculture**

Mr. Chairman, members of the Committee on Housing and Community Development, thank you for allowing me to testify on Bill 730 - An Act to Repeal and Reenact Section 5(h) of PL 21-127 and to repeal Section 8 of PL 21-127.

As you know, Public Law 21-127 became law on July 28, 1992. This law authorized the lease of government land to Felix Quan, Martha Rubic, and Michael Kuhlman. If passed, Bill 730 will in our opinion, conflict with existing Department policies.

Section 5(h) of PL 21-127 declares that:

"The rent shall be based on the leased property's fair market value as agricultural and not commercial land. To determine such value, the leased property shall be appraised by a registered appraiser licensed to do business on Guam at the expense of the lessee. Every ten (10) years thereafter such property shall be similarly reappraised and the rent adjusted accordingly."

Section 8 of PL 21-127 also declares that:

"The proposed lessee of the lease set out in Section 2 of this act is a current lessee of other government of Guam land. If such lessee wishes to be lessee under the lease authorized in such section, he shall first relinquish and quit claim to the government of Guam the other leased properties without compensation, or payment for any standing crops thereon."

Mr. Chairman and members of the Committee, I would like to bring to your attention the following concerns:

> If Section 5(h) is repealed and reenacted, the Government of Guam would burden the expense of the appraisal; and every ten years thereafter, the rent would be adjusted in accordance with the most recent triennial real estate appraisal for real estate tax purposes, and not on the reappraised fair market value as agricultural land, as called forth in PL 21-127.

> The repeal of Section 8 of PL 21-127 would do away with requiring a current lessee of other government of Guam land to first relinquish and quitclaim to the government of Guam the other leased properties without compensation, or payment for standing crops thereon (in order that he or she may lease additional government land).



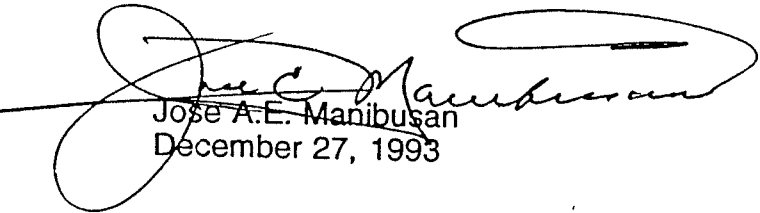
Mr. Chairman, we support the idea for the leased property be based on the fair market value as agricultural land. However, the government should not burden the expense for appraisal. The government at this time has limited cash flow. Since this involves a commercial agricultural activity; we suggest that the lessees include this expense in their financial plan. The Department of Agriculture, as well as GEDA, could perhaps assist on this through a low interest farm loan. It has been a Department policy to have all expenses related to appraisal, survey, and map costs paid by those who wish to lease government land. In fact, some of these individuals have hired private appraisors and surveyors, but are now in limbo with their land lease application since the convening of the Chamorro Land Trust Commission. Except for current leases, the Comission took control of the Department's land lease program.

We also don't believe that the rent should be adjusted in accordance with the most recent triennial real estate appraisal for real estate tax purposes. We feel the rent value would still be reasonable and not abruptly change in the years to come even if the land is appraised based as agricultural and not commercial.

Repealing Section 8 of PL 21-127 would affect Mr. Felix Quan since he currently has a government lease. Mr. Quan resides on the leased government land with his family. PL 21-127 requires that in order for him to lease other government land, he must first relinquish and quitclaim the existing leased property back to the government of Guam without compensation. Mr Quan and his family would ultimately be left homeless if he complies with Section 8 of PL21-127 since it restricts him from building on the additional property that he wishes to lease.

Mr. Chairman and members of the Committee, in conclusion, I would like to finally comment that Bill 730 address the plight of the single farmer. There are many farmers with similar problems as well. Let us not ignore their situations since they are contributing members to Guam's agricultural industry. The Department of Agriculture will support Bill 730 provided that the government is not burdened with appraisal costs; the adjusted rent is based on the fair market value as agricultural land; and for the Committee to address those farmers that were under consideration for a government land lease prior to the convening of the Chamorro Land Trust Commission.

Thank you very much for allowing me to comment on Bill 730.

  
Jose A.E. Manibusan  
December 27, 1993

APPRAISAL

210/10/11  
ADDRESS - why  
DA Did NOT  
ADDRESS ?

GOVERNMENT OF GUAM  
AGANA, GUAM 96910

December 16, 1992

Re: (Informational) Ref: AGR 92-1826

To: Director, Department of Agriculture

From: Attorney General *AGP*

Subject: Ability to Transfer Current Lease

We are in receipt of your memorandum dated November 30, 1992 in which you requested the following:

QUESTIONS: Can Felix Quan, who has an existing agricultural lease, assign that lease to his son and still be eligible to obtain another agricultural lease under P.L. 21-127?

Re:

STATEMENT OF FACTS

P.L. 21-127 authorizes the Governor to enter into long-term agricultural leases with certain named individuals, including Felix Quan.

Section 2 of the public law provides that if Mr. Quan wishes to lease property designated in section 2, he must first assign and quitclaim back to the government of Guam the lease he is currently leasing from the government.

Mr. Quan wishes to obtain the new agricultural lease; however, in order to do so, he must first assign and quitclaim all of his leased properties to the government of Guam, he wants to assign one of his leases to his son.

The Department of Agriculture is inquiring whether such an assignment is permissible under the provisions of P.L. 21-127.

DISCUSSION:

Sections 2 and 8 of Public Law 21-127 provide:

2. The Governor is authorized to enter into a long-term agricultural lease agreement with Felix Perez Quan, for a portion, not to exceed fifty (50) acres, of Lot No. 1104, situated between the municipalities of Dededo and Tigo.



Memo to Director AGR  
December 16, 1992  
Page 2

§§ The proposed lessee of the lease set out in Section 2 of this Act is a current lessee of other government of Guam land. If such lessee wishes to be lessee under the lease authorized in such section, he shall first relinquish and quitclaim to the government of Guam the other leased properties, without compensation, or payment for any standing crops thereon. (emphasis added).

If Mr. Quan assigns one of his current leases to his son and not to the government of Guam, he cannot claim a right to the new lease authorized by P.L. 21-127:2. The fact that there is a section in his current lease that would authorize the assignment to his son, with the governor's approval, is immaterial.

Therefore, for Mr. Quan to obtain the new lease, he must relinquish and quitclaim his current leases back to the government of Guam.

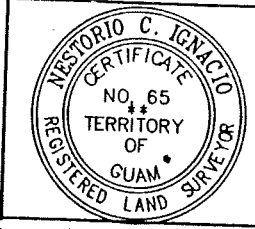
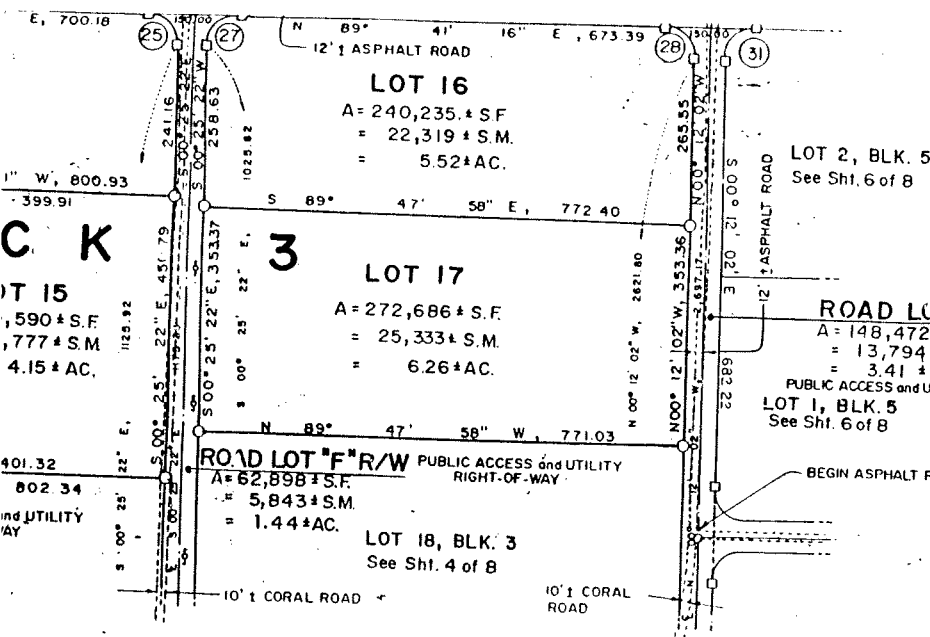
This memorandum is informational only and is not issued as an opinion of the Attorney General. For a faster response to any inquiry about this memorandum, please use the reference number shown.

OFFICE OF THE ATTORNEY GENERAL

By: *Robert H. Kono*  
ROBERT H. KONO  
Assistant Attorney General

AGR92-1826/na





**DUEÑAS & SWAVELY, INCORPORATED**

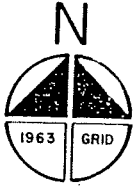
ENGINEERING • PLANNING • SURVEYING • CONSTRUCTION MANAGEMENT  
 WING A, HARMON PLAZA P. O. BOX 8900 TAMUNING, GUAM 96911

REV.	BY.	DESCRIPTION	APPRVD.	DATE

AGRICULTURAL SUBDIVISION FOR LEASE PURPOSES ONLY OF  
**TRACT 1021**  
 ( FORMERLY LOT 10133 - R6 NEW )  
 MUNICIPALITIES OF DEDEDO & YIGO SEC 1 & 2

SURVEY DATA		DATE	BASIC LOT DATA
FIELD	T.S. & CREW	1986-03/91	BASIC LOT NO.
BOOK NO.	0058, 0064, 0075 0083, 9028, 9031		CERT. OF TITLE NO.
COMPUTED	FU/ETZ	01/90-01/91	REGISTERED ON
DRAWN	EFL/MSZ	02-91	IN THE NAME OF
RESEARCHED	NCI	01-90	GOVERNMENT OF GUAM
CHECKED	NCI	05-91	

SATISFACTORY TO & APPROVED BY:  
 (SEE SHEETS 1 & 2 OF 8)



GRAPHIC SCALE: 1" = 200'

10090-1  
 CT NO 53192  
 DOC. NO 261662

7  
 15

N 00° 01' 57" W  
 25.05

N 86° 25' 53" E 937.87

S 86° 25' 53" W 833.80

157.30 676.50

4  
 32 ± S.F.  
 55 ± S.M.  
 ± ACRES

**BLOCK 1A**  
 E, 840.10

LOT "I" R/W  
 783 ± S.F.  
 161 ± S.M.  
 77 ± ACRES  
 and UTILITY RIGHT-OF-WAY

3  
 7 ± S.F.  
 7 ± S.M.  
 ± ACRES

1  
 5 ± S.F.  
 5 ± S.M.  
 ACRES  
 E, 795.88

**LOT 5**  
 A = 596,900 ± S.F.  
 = 55,454 ± S.M.  
 = 13.70 ± ACRES.

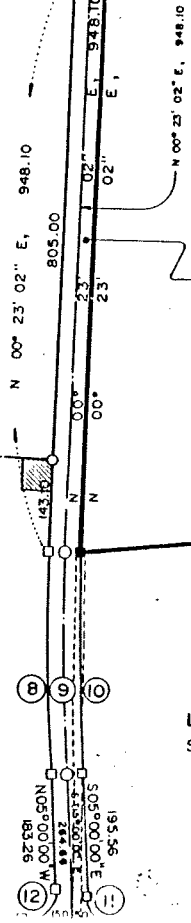
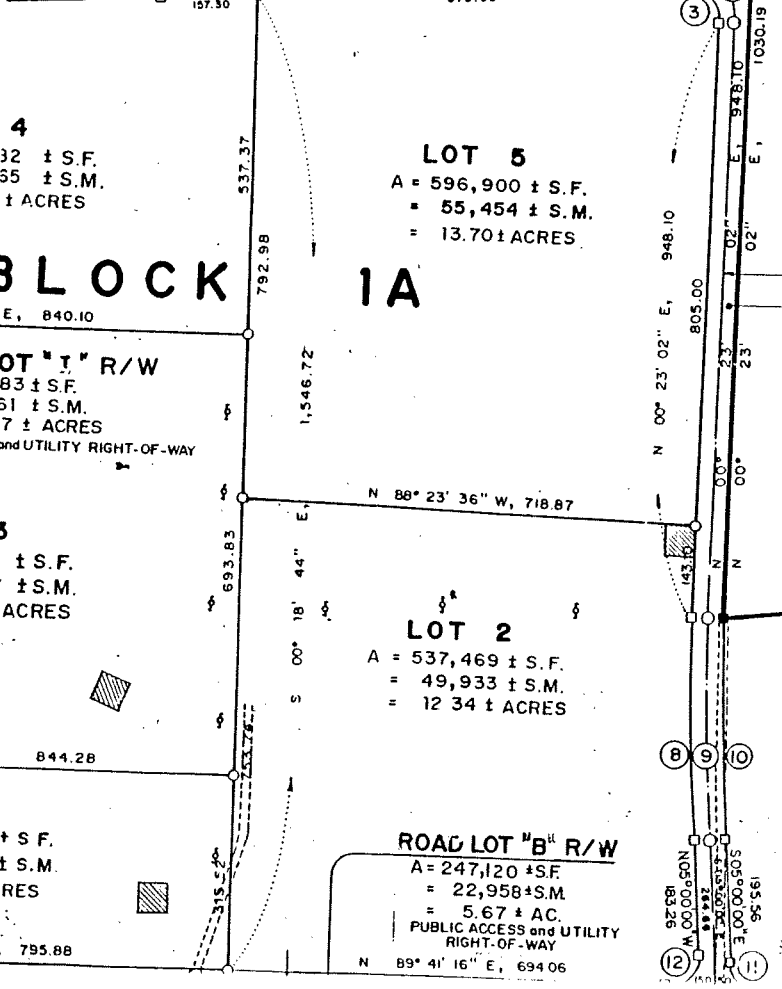
**LOT 2**  
 A = 537,469 ± S.F.  
 = 49,933 ± S.M.  
 = 12.34 ± ACRES

**ROAD LOT "B" R/W**  
 A = 247,120 ± S.F.  
 = 22,958 ± S.M.  
 = 5.67 ± AC.  
 PUBLIC ACCESS and UTILITY  
 RIGHT-OF-WAY  
 N 89° 41' 16" E, 694.06

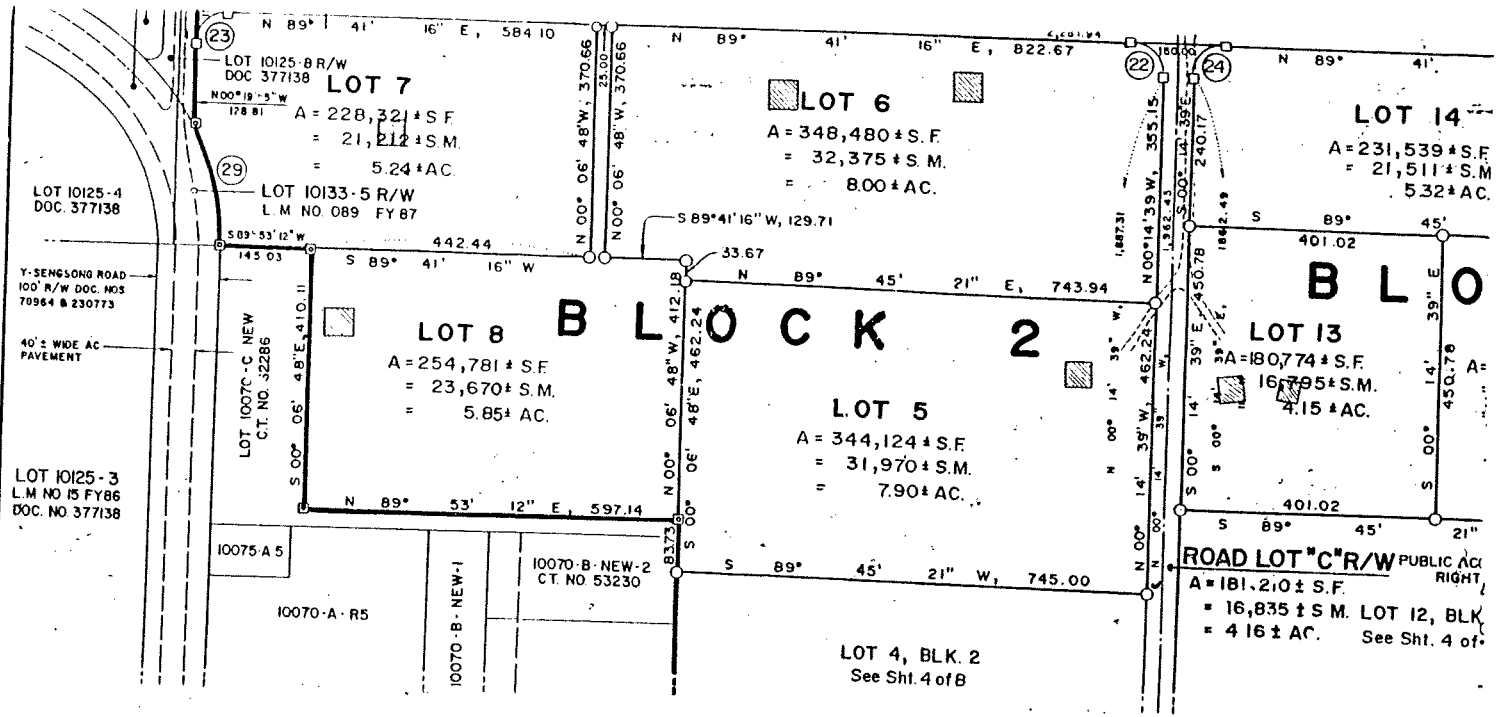
LOT 10098-RI  
 CT. NO. 78692

**ROAD LOT "A" R/W**  
 A = 104,703 ± S.F.  
 = 9,727 ± S.M.  
 = 2.40 ± ACRES  
 PUBLIC ACCESS and UTILITY RIGHT-OF-WAY

LOT 2, BLK. II  
 See Sht. 6 of 8



PLAN FILED CORPORATION • IRVINE, CALIFORNIA  
 PREPARED BY NUMBER 075AR  
 Plat No. 100 of Map of this City

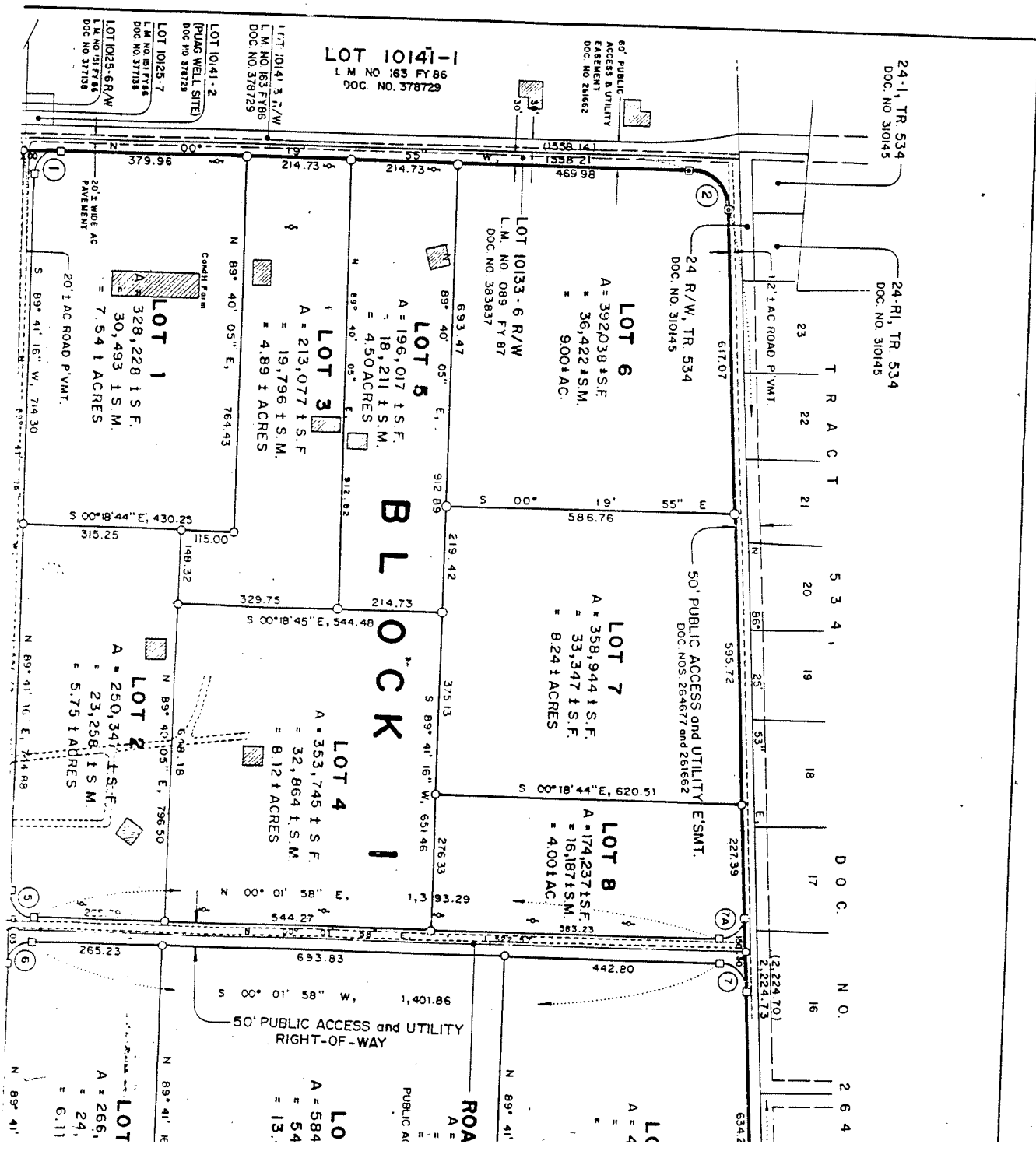


**CURVE DATA**

NO.	DELTA	R	L	C	CHB	NO.	DELTA	R	L	C	CHB
(1)	89° 58' 49"	50.00	78.52	70.70	N 45° 19' 20" W	(11)	85° 18' 44"	50.00	74.45	67.76	N 47° 39' 22" W
(2)	86° 45' 26"	82.02	124.19	112.67	N 43° 02' 48" E	(12)	94° 41' 16"	50.00	82.63	73.54	S 42° 20' 38" W
(3)	93° 57' 09"	50.00	81.99	73.11	S 46° 35' 33" E	(22)	90° 04' 05"	50.00	78.60	70.75	N 45° 16' 41" W
(4)	91° 57' 09"	75.00	122.98	109.66	S 46° 35' 33" E	(23)	90° 01' 11"	50.00	78.56	70.72	S 44° 40' 40" W
(5)	89° 39' 18"	50.00	79.24	70.50	N 44° 51' 37"	(24)	89° 55' 55"	50.00	78.48	70.67	N 44° 43' 19" E
(6)	90° 20' 42"	50.00	78.84	70.92	S 45° 09' 23" E	(25)	89° 53' 22"	50.00	78.44	70.64	S 45° 22' 03" E
(7)	86° 23' 55"	50.00	75.40	68.45	S 43° 13' 56" W	(27)	90° 06' 38"	50.00	78.64	70.78	N 44° 37' 57" E
(8)	05° 23' 02"	3,726.96	350.21	350.08	S 02° 18' 29" E	(28)	90° 06' 42"	50.00	78.64	70.78	S 45° 15' 23" E
(9)	05° 23' 02"	3,701.96	347.86	347.73	N 02° 18' 29" W	(29)	27° 04' 25"	420.00	198.46	195.62	S 13° 30' 01" E
(10)	05° 23' 02"	3,676.96	345.51	345.38	N 02° 18' 29" W	(31)	69° 53' 18"	50.00	78.44	70.64	N 44° 44' 37" E
(7A)	93° 36' 05"	50.00	81.68	72.90	S 46° 46' 05" E						

**DRAWING NUMBER**  
 PLAN HOLD CORPORATION • IRVINE, CALIFORNIA  
 REDUCED BY NUMBER 075AR  
REPRODUCTION OF PART OF THIS PLAN

**DRAWING**  
 PLAN HOLD CORPORATION  
 REDUCED BY NUMBER









LOT 10084-1-1-2

SYMBOLS:

- CONC. MON. FOUND, SET BY RLS #64 DOC. 378730
- CONC. MON. FOUND, SET BY RLS #18 DOC. 32662
- REBAR FOUND, SET BY RLS #14 DOC. 343360
- REBAR FOUND, SET BY GOV-GUAM DOC. 369914
- REBAR FOUND, SET BY GOV-GUAM DOC. 328878 & 319771
- REBAR FOUND, SET BY GOV-GUAM DOC. 317893
- REBAR FOUND, SET BY GOV-GUAM DOC. 317819
- CORNER NOT RETRACED
- △ GGTH TRIANGULATION STATION

ADJACENT PROPERTIES

LOT NO.	DEED	OWNER
7157	DOC. # 319771 & 328878	GOVERNMENT OF GUAM
7160	DOC. # 319771 & 328878	GOVERNMENT OF GUAM
7156	DOC. # 317693	GOVERNMENT OF GUAM
7153	DOC. # 317819	GOVERNMENT OF GUAM
10157	DOC. # 378730	GOVERNMENT OF GUAM
TRACT NO. 542, DOC. # 241835		
46	CT. # 76971	BILLY & ELENA B. PASCUA SAMSON B. & ANTONINA D. MENDOZA
47	DOC. # 241835	JOSE C. CASTRO
48	DOC. # 358657	SIMEON A. & LUCIA A. CABRERA
49	CT. # 79350	VIRGILIO C. IGNACIO & LUZVISMIN O. IGNACIO
50	CT. # 77392	LEONARDO B. FUA & HERMINIA O. FUA
51	DOC. # 358657	JOSE C. CASTRO
52	CT. # 76890	ROMEO F. & BELENDA M. FONTECHA, MARCELINO M. & HERMINIA B. ESTIMADA, CANDIDO D., JULIO D. & NENITA JOSE
53	DOC. # 359300	ARNEL A. & RUBEN A. DANCEL JULIANA G. GATTOC
10083-6-5	CT. # 76388	JOSEPH C. WHITE & DORIS C. WHITE
10083-6-4	DOC. # 345373	MATILDE C. WHITE
10083-5-3	DOC. # 342891	ANA C. TAITANO
10083-5-2	DOC. # 342891 & 354105	ANA C. TAITANO
10083-5-4	DOC. # 342891	ANA C. TAITANO
10154-5	DOC. # 369914	GOVERNMENT OF GUAM

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT  
OFFICE OF THE RECORDER  
INSTRUMENT NUMBER 383317

This instrument was filed for record on April 19, 1984 at 11:30 A.M.  
Day of April, 1984, at 11:30 A.M.  
and duly recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_  
Recording Fee 12.00 Voucher No. \_\_\_\_\_

*[Signature]*  
Deputy Recorder

REFERENCES:

1. DWG. NO. 074-14, AGRICULTURAL SUBDIVISION OF TRACT 542, PREPARED BY RLS # 37, LM#093-FY75, DOC. 241835.
2. DWG. NO. CSS-0123-84, PARCELLING SURVEY OF BASIC LOT NO. 10083-6, PREPARED BY RLS # 14, LM# 106-FY84, DOC. 345373.
3. DWG. NO. CSS-21-0083, PARCELLING SURVEY OF BASIC LOT NO. 10083-5, PREPARED BY RLS # 14, LM# 041-FY84, DOC. 342891.
4. DWG. NO. CSS-001A-83, COURT DISTRIBUTION SURVEY OF BASIC LOT NO. 10083, PREPARED BY RLS # 14, LM# 236-FY83, DOC. 343360.
5. DWG. NO. I4-8IT129, LAND REGISTRATION SURVEY MAP OF LOTS 7164, 7155, 7156 & 7158 R/W, PREPARED BY DEPARTMENT OF LAND MANAGEMENT, LM# 046-FY81, DOC. 317893.
6. DWG. NO. I4-8IT136, LAND REGISTRATION SURVEY MAP OF LOTS 7160 & 7157, PREPARED BY DEPARTMENT OF LAND MANAGEMENT, LM# 134-FY 81, DOC. 328878 & 319771.
7. DWG. NO. I4-8IT127, LAND REGISTRATION SURVEY MAP OF LOT 7153, PREPARED BY DEPARTMENT OF LAND MANAGEMENT, LM# 041-FY 81, DOC. 317819.
8. DWG. NO. I4-86T 269, PARCELLING SURVEY MAP OF LOT 10154, PREPARED BY DEPARTMENT OF LAND MANAGEMENT, LM# 176-FY86.
9. DWG. NO. JPD-S-84-24, LAND REGISTRATION SURVEY MAP OF LOT NO. 10157, PREPARED BY RLS # 64, LM# 150-FY 86, DOC. 378730.
10. DWG. NO. I4-83T195, LAND REGISTRATION SURVEY MAP OF LOT 10154, PREPARED BY DEPARTMENT OF LAND MANAGEMENT, LM# 412-FY 85, DOC. 369914.

GRAPHIC SCALE



SCALE 1" = 100 METERS

DRAWING NUMBER  
**I-286**

REVISIONS  
DATE  
BY



LOT 10102-16

POB  
 N 60,500.747  
 E 63,626.577

LOT 10083-R/W  
 50' WIDE PUBLIC ACCESS &  
 UTILITY EASEMENT  
 DOC. 345360

LOT 10083-5-R/W  
 50' WIDE PUBLIC ACCESS &  
 UTILITY EASEMENT  
 DOC. 342891

LOT 10083-6-R/W  
 50' WIDE PUBLIC ACCESS &  
 UTILITY EASEMENT  
 DOC. 345373

LOT 10083-6-R5

LOT 10083-6-1

LOT 10083-5-1

LOT 10083-5-2

LOT 10083-6-2

LOT 10083-6-5

LOT 10083-6-3

LOT 10083-6-4

LOT 10083-5-4

LOT 10083-5-3

LOT 10154-5

LOT 7160

121.986 (121.835)  
 N 89° 56' 51" E (DUE EAST) 477.158  
 S 89° 20' 07" E 490.575  
 (N 89° 51' 58" E)

N 00° 02' 39" E 122.616  
 (DUE NORTH)

N 89° 58' 45" E 393.14  
 (DUE EAST 393.123)

N 00° 03' 57" W 377.575  
 (N 00° 10' 10" W 377.969)

LOT 27	LOT 44	LOT 45
LOT 28	LOT 43	LOT 46
LOT 29	LOT 42	LOT 47
LOT 30	LOT 41	LOT 48
TRACT No. 1542	LOT 40	LOT 49
LOT 32	LOT 39	LOT 50
LOT 33	LOT 38	LOT 51
LOT 34	LOT 37	LOT 52
LOT 35	LOT 36	LOT 53
LOT 10084-1-1-1		

LOT 7159  
 AREA = 484,217 ± SQ. M.  
 = 5,212,044 ± SQ. FT.  
 = 119.652 ACRES

(S 89° 58' 42" W 637.742)  
 (S 89° 58' 28" W 637.823)

S 45° 07' 34" I  
 (S 44° 47' 00" I)  
 S 63° 08' 05" I  
 (S 62° 49' 20" I)  
 (S 89° 35)  
 (S 89° 55)

DRAWING NUMBER

APPROVED BY: [Signature] DATE: [Date]

TWENTY-SECOND GUAM LEGISLATURE  
1993 (First) Regular Session

BILL No. 730 (LS)

Introduced by:

T. S. Nelson 

AN ACT TO REPEAL AND REENACT SECTION 5.(h)  
OF P.L. 21-127 AND TO REPEAL §8 OF P.L.21-127.

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

**Section 1. Legislative intent.** Felix P. Quan is a successful farmer utilizing land leased from the government of Guam to raise and harvest fresh produce for sale to the local community. The Legislature believes that such use of government land is for the long term benefit of the community and thus encourages such land use. Furthermore, the Legislature finds that such utilization of government land will help maintain competition, resulting in reasonable prices for locally grown fresh produce. Public Law 21-127 which authorizes the lease of additional government property to Felix P. Quan should be amended in order to permit him to expand his present agricultural operations for the benefit of the people of Guam.

**Section 2.** Subsection (h) of Section 5 of Public Law 21-127 is hereby amended to read:

"(h). The rent shall be based on the leased property's fair market value as agricultural and not commercial land. To determine such value, the leased property shall be appraised by a registered appraiser, licensed to do business on Guam, at the expense of the

1           [lessee] government. Every ten (10) years thereafter, [~~such property~~  
2           ~~shall be similarly reappraised and~~ the rent shall be adjusted in  
3           accordance with the most recent triennial real estate appraisal for real  
4           estate tax purposes."

5           **Section 3.** Section 8 of Public Law 21-127 is hereby repealed.