



Territory of Guam
Territorio Guam

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

Received by: St. Juan
12/30/94
6:00 PM

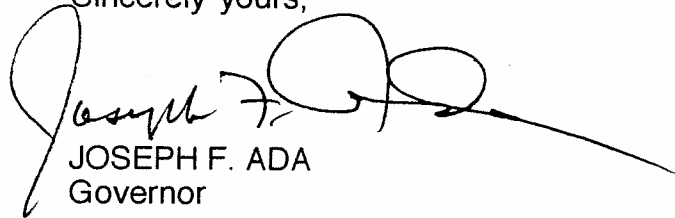
DEC 29 1994

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. 1126, which I have signed into law this date as
Public Law 22-152.

Sincerely yours,



JOSEPH F. ADA
Governor

220919

Attachment




Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

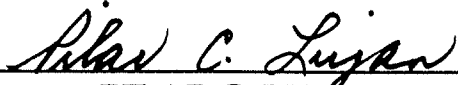
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 1126 (LS), "AN ACT TO AUTHORIZE THE TRANSFER OF A CERTAIN PARCEL OF GOVERNMENT LAND SITUATED IN MANGILAO, MUNICIPALITY OF BARRIGADA, TO THE UNIVERSITY OF GUAM, TO AUTHORIZE AN EASEMENT ACROSS SUCH PROPERTY, AND TO PERMIT A CONDITIONAL USE OF THE PROPOSED SITE OF THE PACIFIC BIBLE COLLEGE; AND TO ADD §75104.1 TO TITLE 21, GUAM CODE ANNOTATED, TO TRANSFER LOT NO. 237-6-1, AGAÑA, TO THE CHAMORRO LAND TRUST COMMISSION," was on the 9th day of December, 1994, duly and regularly passed.



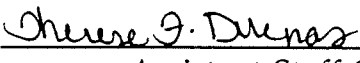
JOE T. SAN AGUSTIN
Speaker

Attested:



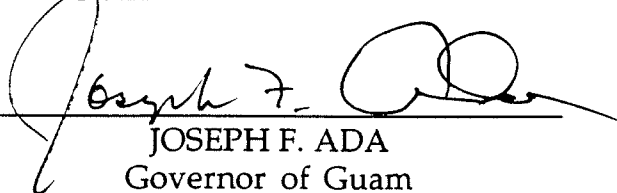
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 19th day of December, 1994, at
4:39 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: DEC 29 1994

Public Law No. 22-152

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 1126 (LS)

As amended by the Committee
on Housing and Community Development
and as substituted on the floor.

Introduced by:

E. D. Reyes
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
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 AUTHORIZE THE TRANSFER OF A CERTAIN PARCEL OF GOVERNMENT LAND SITUATED IN MANGILAO, MUNICIPALITY OF BARRIGADA, TO THE UNIVERSITY OF GUAM, TO AUTHORIZE AN EASEMENT ACROSS SUCH PROPERTY, AND TO PERMIT A CONDITIONAL USE OF THE PROPOSED SITE OF THE PACIFIC BIBLE COLLEGE; AND TO ADD §75104.1 TO TITLE 21, GUAM CODE ANNOTATED, TO TRANSFER LOT NO. 237-6-1,

AGAÑA, TO THE CHAMORRO LAND TRUST
COMMISSION.

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

2 **Section 1. Legislative statement.** The government of Guam owns Lot
3 No. 5372-3A, situated in Mangilao, Municipality of Barrigada, said to
4 contain an area of 42,752 square meters, as delineated on LM Drawing No.
5 C4-671-5 (the "Mangilao Lot"). The Mangilao Lot is conveniently situated in
6 the immediate vicinity of the University of Guam (the "University"). The
7 University continues to experience an unprecedented annual enrollment
8 growth of fourteen percent. This growth has necessitated adjustments to the
9 University's Physical Master Plan in its classroom, faculty, and support
10 capacities. The current student enrollment of 3,800 is a signal that the
11 University must plan to have adequate learning facilities in the very near
12 future. Acquisition of sufficient properties is needed to allow for expansion of
13 its facilities in anticipation of projected enrollments of 5,000 in 1996 and 7,000
14 by the year 2000.

15 The Executive Branch has indicated its intention to reserve the
16 Mangilao Lot for the use of the University. At the time the Legislature was
17 considering which government lots were to be reserved for future use by
18 government agencies and departments, the Mangilao Lot was not made part
19 of the legislative action which concluded as Public Law 22-18 because of the
20 impending adoption of a resolution supporting reservation of the land by the
21 University's Board of Regents.

22 Now the Board of Regents has come forward to seek use of the
23 Mangilao Lot for dormitories and other facilities as part of the University's
24 Master Plan implementation. The Legislature supports the University's

1 efforts to expand its educational programs and facilities and finds that the
2 Mangilao Lot is needed for that purpose.

3 **Section 2. Authorization to transfer.** For the purpose of building
4 international student dormitories, fine arts facilities, international studies
5 centers and additional classrooms, the Governor of Guam is hereby
6 authorized to grant to the University of Guam, in fee simple, all the right,
7 title and interest of the government of Guam in the Mangilao Lot.

8 **Section 3. Conditions of grant.** The transfer of the interest of the
9 government of Guam in the Mangilao Lot to the University of Guam is
10 expressly **subject** to the condition subsequent that in the event it is determined
11 that the Mangilao Lot is no longer used by the University for university-
12 related purposes, the government of Guam shall have the right to re-enter
13 the the Mangilao Lot after recorded notice to such effect and the University
14 shall convey by Quitclaim Deed all its right, title and interest in the Mangilao
15 Lot to the government of Guam upon demand. As used herein, "university-
16 related purposes" shall include the construction of international student
17 dormitories, fine arts facilities, international studies centers and additional
18 classrooms. The Governor of Guam shall include, in any deed effecting the
19 transfer of the Mangilao Lot to the University of Guam, a clause to such
20 effect.

21 **Section 4. Authorization to grant an easement.** For the purpose of
22 access and utility easements to the planned site of the **Pacific Island Bible**
23 **College**, the University is hereby authorized to grant to Liebenzell Mission-
24 Guam, a non-profit corporation, at fair market value, an easement forty feet
25 (40') in width to provide underground utilities and access to the **Pacific Island**
26 **Bible College** over the Mangilao Lot.

1 **Section 5. Conditional use granted.** Conditional use is hereby granted
2 to Liebenzell Mission-Guam to utilize Lot No. 5396-R5-NEW-3, Mangilao,
3 for the construction and operation of a non-profit private bible college.

4 **Section 6.** §75104.1 is hereby added to Title 21, Guam Code Annotated,
5 to read:

6 "§75104.1. **Transfer of Lot No. 237-6-1, Agaña.** The Governor shall
7 transfer to the Chamorro Land Trust Commission administrative control of
8 Lot No. 237-6-1, Agaña, which contains an area of 100± square meters and is
9 within Lot 9, Block 9, Agaña, as depicted on sheet 2 of Drawing P-384,
10 recorded in the Department of Land Management as a part of Instrument
11 No. 20083."

12/19/94

Bill No. 1126

Resolution No. _____

(Date)

Question: _____

Senators	Aye	No	Declined to Vote	Required to vote	Excused from voting	ABSENT/OUT DURING ROLL CALL
Ada, Thomas C.	✓					
AGUON, John P.	✓					
ARRIOLA, Elizabeth P.	✓					
BAMBA, George J.	✓					
BLAZ, Anthony C.	✓					
BORDALLO, Madeleine Z.						Ln
BROOKS, Doris F.	✓					
CAMACHO, Felix P.	✓					
DIERKING, Hermina D.	✓					
GUTIERREZ, Carl T. C.	✓					
LUJAN, Pilar C.	✓					
MANIBUSAN, M. D. A.	✓					
NELSON, Ted S.	✓					
PANGELINAN, Vicente C.	✓					
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				1
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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

November 28, 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. 1126** wishes to report back to the Legislature with its recommendation to pass **Bill No. 1126, as amended by the Committee** [An Act to Authorize the Transfer of a Certain Parcel of Government Land Situated in Mangilao, Municipality of Barrigada, to the University of Guam]. The voting record is as follows:

TO PASS	<u>8</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

November 21, 1994

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - **Bill No. 1126, as amended by the Committee** - "An Act to Authorize the Transfer of a Certain Parcel of Government Land Situated in Mangilao, Municipality of Barrigada, to the University of Guam".

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. Original Bill No. 1126;
2. Bill No. 1126, as amended by the Committee;
3. Committee on Housing and Community Development Voting Sheet;
4. Written Testimony and Sign-in Sheet
5. 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.




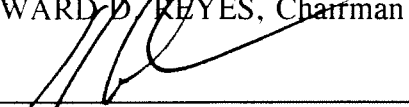
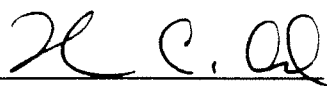

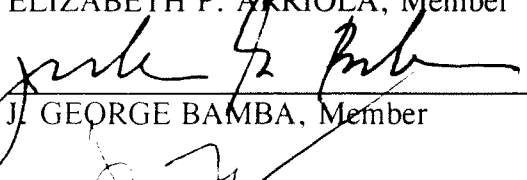
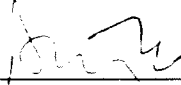

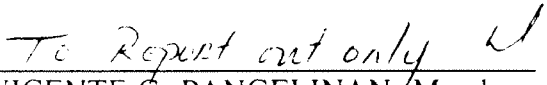
EDWARD D. REYES

attachments

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT
 22nd Guam Legislature

VOTING RECORD

Bill No. 1126, as amended by the Committee - An Act to Authorize the Transfer of a Certain Parcel of Government Land Situated in Mangilao, Municipality of Barrigada, to the University of Guam.

	<u>TO</u> <u>PASS</u>	<u>NOT TO</u> <u>PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE</u> <u>FILE</u>
 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 ANTHONY C. BLAZ, Member	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOE T. SAN AGUSTIN, Ex-Officio Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMITTEE ON HOUSING AND
COMMUNITY DEVELOPMENT
Twenty-Second Guam Legislature

COMMITTEE REPORT
ON BILL NO. 1126
as amended by the Committee

"AN ACT TO AUTHORIZE THE TRANSFER OF A CERTAIN PARCEL OF GOVERNMENT LAND SITUATED IN MANGILAO, MUNICIPALITY OF BARRIGADA, TO THE UNIVERSITY OF GUAM."

November 21, 1994

I. OVERVIEW

The Committee on Housing and Community Development scheduled a Public Hearing on August 25, 1994 at 9:00 a.m. in the Legislative Public Hearing Room, Temporary Legislative Building, Agana, Guam. Public notice was published in the Pacific Daily News on August 24, 1994.

Members of the Committee present at the public hearing were:

Senator Edward D. Reyes, Chairman
Senator Tom Ada

Appearing before the Committee to testify on the bill were:

Dr. Jose Nededog, UOG, in support of Bill 1126.

Frank Castro, Director of Land Management, in support

II. SUMMARY OF TESTIMONY

The Department of Land Management testified that it recognizes the projected growth of the University of Guam and, therefore, it supports the intent of the Bill. Without the additional land, it would be difficult for the University to implement its Master Plan.

Dr. Nededog read testimony signed by J.U. Torres, Chairman, Board of Regents, University of Guam.

The Board of Regents, University of Guam, supports Bill 1126 relative to the transfer of Lot 5372-3A, Mangilao to the University.

The University of Guam is the only nationally accredited four-year higher education institution in the Western Pacific serving more three million square miles of area. The University belongs to the people of Guam and is the institutional home for an ever-increasing student population. Student enrollment for the fall semester 1994 was some 4,101. Because of this accelerated growth, it is projected that the student population will be over 7,000 by year 2000. This anticipated growth has necessitated adjustments to the classrooms, dormitories and support facilities of their Physical Master Plan.

The immediate concern of the Board of Regents and the University administration is the acquisition of of sufficient properties adjacent to the main campus to allow for the needed expansion of the facilities. The parcel of land identified as Lot 5372-3A, Mangilao, comprising of approximately ten acres is adjacent to the University of Guam and is part of the overall Physical Master Plan for expansion. This land acquisition is authorized by the Board of Regents as substantiated in Resolution No. 94-4 (copy attached).

III. FINDING AND RECOMMENDATION

The University of Guam and Department of Land Management both support transferring Lot No. 5372-3A in Mangilao to UOG. The University proposed that the land will be used to site dormitories for international students, a fine arts and international studies facilities and additional classrooms.

In a related matter, Liebenzell Mission-Guam, a non-profit Guam corporation, is the owner of Lot No. 5396-R5-NEW-3, Mangilao, containing 4,200 square meters, more or less. It was zoned "A Rural" so the corporation sought a zone of "R2 Multiple Dwelling" through the Fast Track Review Process. Extensive opposition to the bible college's proposed location was raised by residents in the Mariano Road area. The identification by PIBC of government-owned Lot No. 5372-3A, containing some 42,752 square meters and located closer to the UoG campus, resulted in a proposal to exchange the northeastern portion of the government lot with the private lot on an area-for-area basis.

The Committee finds that the efforts of the organizers of the Pacific Island Bible College have been extensive. They purchased a lot on Mariano Road in Mangilao because it was in close proximity to the University of Guam. Their curriculum strategy includes reliance on general education courses offered at the University of Guam, thus the need to locate their college nearby. They have invested over \$74,000 for a feasibility study, land survey, land appraisal, rezoning package, impact engineering analysis, and engineering architectural design.

At the June 29, 1993 Committee public hearing, the Committee was apprised of the University of Guam's intention of securing Lot No. 5372-3A for development of a housing project for faculty and staff. The Committee was not convinced that this land exchange proposal would hinder that particular project. The Committee, on the other hand, wants to assist PIBC to avoid any further losses than necessary. The Committee has information that PIBC lost several sponsors, including one which committed \$300,000. Additional costs will be incurred for studies on the exchanged site and the time delay while the land exchange transaction is undertaken will be approximately one year.

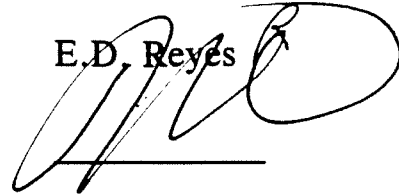
Subsequent discussions between Chairman Reyes and University officials concluded in a compromise that Lot 5372-3A will be transferred to the University of Guam to facilitate expansion of programs and facilities in anticipation of additional student enrollment, now at the rate of fourteen (14%). After re-evaluating its initial plan to build staff housing, officials now feel higher priority must be assigned to other needs. According to the University, this lot most likely will be the site of international student

dormitories, fine arts facilities, international studies centers and additional classrooms. In addition, the Committee recommends that the transfer of said Lot shall include a provision for the University to lease to Liebenzell Mission-Guam a portion of Lot 5372-3A for access and utility easements to the planned site of Pacific Island Bible College, Lot No. 5396-R5-NEW-3.

The Committee on Housing and Community Development to which was referred **Bill No. 1126** - " An Act to Authorize the Transfer of a Certain Parcel of Government Land Situated in Mangilao, Municipality of Barrigada, to the University of Guam." - does hereby submit its findings and recommendation to the Twenty-Second Guam Legislature **"TO DO PASS" Bill No. 1126, as amended by the Committee.**

Bill No. 1126

Introduced by:

E.D. Reyes 

AN ACT TO AUTHORIZE THE TRANSFER OF A CERTAIN PARCEL OF GOVERNMENT LAND SITUATED IN MANGILAO, MUNICIPALITY OF BARRIGADA, TO THE UNIVERSITY OF GUAM.

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

1 **SECTION 1. LEGISLATIVE STATEMENT.** The government of Guam owns
2 Lot No. 5372-3A, situated in Mangilao, Municipality of Barrigada, said to contain an
3 area of 42,752 square meters, as delineated on LM Drawing No. C4-67T-5. This lot is
4 most conveniently and desirably situated in the immediate vicinity of the University of
5 Guam.

6 The University continues to experience an unprecedented annual enrollment
7 growth of fourteen percent (14%). This growth has necessitated adjustments to the
8 University's Physical Master Plan in its classroom, faculty, and support capacities.
9 The current student enrollment of 3,800 is a signal that the University must plan to
10 have adequate learning facilities in the very near future. Acquisition of sufficient
11 properties is needed to allow for expansion of its facilities in anticipation of projected
12 enrollments of 5,000 in 1996 and 7,000 students by the year 2000.

13 The Executive Branch has indicated its intention to reserve said lot for the use of
14 the University. At the time the Guam Legislature was considering which government
15 lots were to be reserved for future use by government agencies and departments, this

1 particular lot was not made part of the legislative action which concluded as Public
2 Law 22-18 because of the impending adoption of a resolution supporting reservation of
3 the land by the University of Guam Board.

4 Now the Board has come forward formally seeking use of the property for
5 dormitories and other facilities as part of the University's Master Plan implementation.
6 The Legislature supports the University's efforts to expand its educational programs
7 and facilities and finds that Lot 5372-3A is needed for that purpose.

8 **SECTION 2. AUTHORIZATION TO TRANSFER.** For the purpose of
9 building international student dormitories, fine arts facilities, international studies
10 centers and additional classrooms, the Governor of Guam is hereby authorized to
11 transfer to the University of Guam, in fee simple, all the rights, title and interest of the
12 government of Guam in that parcel of land designated as Lot No. 5372-3A, situated in
13 Mangilao, Municipality of Barrigada, said to contain an area of 42,752 square meters,
14 as delineated on LM Drawing No. C4-67T-5.


15 **SECTION 3. CONDITIONS OF TRANSFER.** The transfer of the interest of
16 the government of Guam in the property to the University of Guam is expressly
17 subject to the condition subsequent that in the event it is determined that the property
18 is no longer used by the University for university-related purposes, the government of
19 Guam shall have the right to re-enter the property after notice of record to such effect
20 and the University shall convey by Quitclaim Deed all its right, title and interest in the
21 property to the government of Guam upon demand. As used herein, university-related
22 purposes shall include without limitation, the construction of international student
23 dormitories, fine arts facilities, international studies centers and additional classrooms.
24 The Governor of Guam shall include, in any deed effecting the transfer of the property
25 to the University of Guam, a clause to this effect.

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 1126
as amended by the Committee on
Housing and Community Development

Introduced by:

E.D. Reyes



AN ACT TO AUTHORIZE THE TRANSFER OF A CERTAIN PARCEL
OF GOVERNMENT LAND SITUATED IN MANGILAO,
MUNICIPALITY OF BARRIGADA, TO THE UNIVERSITY OF GUAM.

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5 The University continues to experience an unprecedented annual enrollment
6 growth of fourteen percent (14%). This growth has necessitated adjustments to the
7 University's Physical Master Plan in its classroom, faculty, and support capacities. The
8 current student enrollment of 3,800 is a signal that the University must plan to have
9 adequate learning facilities in the very near future. Acquisition of sufficient properties is
10 needed to allow for expansion of its facilities in anticipation of projected enrollments of
11 5,000 in 1996 and 7,000 students by the year 2000.

12 The Executive Branch has indicated its intention to reserve said lot for the use of
13 the University. At the time the Guam Legislature was considering which government lots
14 were to be reserved for future use by government agencies and departments, this
15 particular lot was not made part of the legislative action which concluded as Public Law

1 22-18 because of the impending adoption of a resolution supporting reservation of the
2 land by the University of Guam Board.

3 Now the Board has come forward formally seeking use of the property for
4 dormitories and other facilities as part of the University's Master Plan implementation.
5 The Legislature supports the University's efforts to expand its educational programs and
6 facilities and finds that Lot 5372-3A is needed for that purpose.

7 **SECTION 2. Authorization to transfer.** For the purpose of building international
8 student dormitories, fine arts facilities, international studies centers and additional
9 classrooms, the Governor of Guam is hereby authorized to transfer to the University of
10 Guam, in fee simple, all the rights, title and interest of the government of Guam in that
11 parcel of land designated as Lot No. 5372-3A, situated in Mangilao, Municipality of
12 Barrigada, said to contain an area of 42,752 square meters, as delineated on LM
13 Drawing No. C4-67T-5.

14 **SECTION 3. Conditions of lease.** The transfer of the interest of the government
15 of Guam in the property to the University of Guam is expressly subject to the condition
16 subsequent that in the event it is determined that the property is no longer used by the
17 University for university-related purposes, the government of Guam shall have the right
18 to re-enter the property after notice of record to such effect and the University shall
19 convey by Quitclaim Deed all its right, title and interest in the property to the
20 government of Guam upon demand. As used herein, university-related purposes shall
21 include without limitation, the construction of international student dormitories, fine arts
22 facilities, international studies centers and additional classrooms. The Governor of Guam
23 shall include, in any deed effecting the transfer of the property to the University of
24 Guam, a clause to this effect.

25 **SECTION 4. Authorization to lease.** For the purpose of access and utility
26 easements to the planned site of Pacific Island Bible College, Lot No. 5396-R5-NEW-3,
27 Mangilao, the University of Guam is hereby authorized to lease to Liebenzell Mission-
28 Guam, a non-profit corporation, a sufficient portion in that parcel of land designated as

1 Lot No. 5372-3A, situated in Mangilao, Municipality of Barrigada, said to contain an
2 area of 42,752 square meters, as delineated on LM Drawing No. C4-67T-5.

3 **SECTION 5. Conditional use granted.** Conditional use is hereby granted on Lot
4 No. 5396-R5-NEW-3, Mangilao, to permit the construction and operation of a non-profit
5 private bible college.

UNIVERSITY OF GUAM
BOARD OF REGENTS

RESOLUTION NO. 94-4

WHEREAS, the University of Guam, a public land grant institution, has as its mission the requirement to provide higher education programs for the people of Guam and the Western Pacific Island communities, and

WHEREAS, the University continues to experience an unprecedented annual enrollment growth of fourteen percent (14%), and

WHEREAS, this growth has necessitated adjustments to the University Physical Master Plan in its classroom, faculty, and support capacities, and

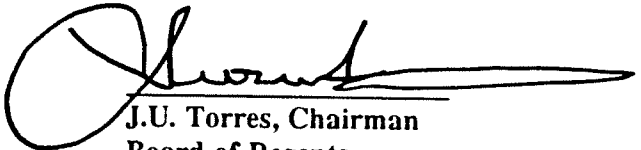
WHEREAS, it is recognized that the immediate concern of the University administrators is to acquire sufficient properties adjacent to the main University campus which will allow for facilities expansion in anticipation of a projected enrollment of 7,000 students by year 2000, and

WHEREAS, Government of Guam Lot #5372-3A is available and adjacent to the University of Guam campus, and

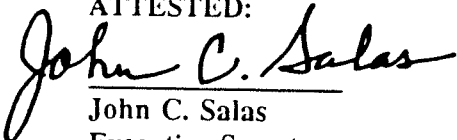
WHEREAS, Government of Guam Lot #5372-3A can be transferred to the University of Guam for facilities expansion;

NOW THEREFORE, BE IT RESOLVED that the Board of Regents authorizes the acquisition of Government of Guam Lot #5372-3A for purposes of providing adequate learning facilities for the projected increase of student enrollment by year 2000.

Adopted this 8th day of March, 1994


J.U. Torres, Chairman
Board of Regents

ATTESTED:


John C. Salas
Executive Secretary



UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN
BOARD OF REGENTS

UOG Station, Mangilao, Guam 96923
Telephone: (671) 734-2177 Fax: (671) 734-2296

August 23, 1994

TO: Senator Edward D. Reyes
Chairman, Committee on Housing and Community Development
Twenty-second Guam Legislature

RE: **Public Hearing Relative to the Transfer of Lot 5372-3A,
Mangilao, to the University of Guam.**

Dear Senator Reyes:

The Board of Regents, University of Guam support Bill No. 1126 relative to the transfer of Lot 5372-3A, Mangilao to the University of Guam.

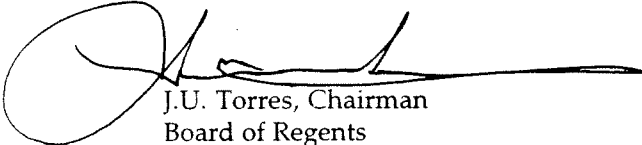
The University of Guam is the only nationally accredited four-year higher education institution in the Western Pacific serving more than three million square miles of area. The University belongs to the people of Guam and is the institutional home for an ever increasing student population.

As of 5:00 p.m. yesterday, the student enrollment for the fall semester 1994 was 4,101. Because of this accelerated growth, it is projected that the student population at the University will be over 7,000 by year 2000. This anticipated growth has necessitated adjustments to the classrooms, dormitories and support facilities of our Physical Master Plan.

The immediate concern of the Board of Regents and the University administration is the acquisition of sufficient properties adjacent to the main campus to allow for the needed expansion of the university facilities.

The parcel of land identified as Lot 5372-3A, Mangilao comprising of approximately ten (10) acres is adjacent to the University of Guam and is part of the overall Physical Master Plan for expansion. This land acquisition is authorized by the Board of Regents as substantiated in Resolution No. 94-4. A copy of the Resolution is attached to this testimony.

I cannot overemphasize to the committee the need for the transfer of lot 5372-3A, Mangilao to the University of Guam. The transfer is critical if the University is to expand its facilities to accommodate the demands of an ever increasing student population as we approach the Twenty-First Century.



J.U. Torres, Chairman
Board of Regents



DEPARTMENT OF LAND MANAGEMENT

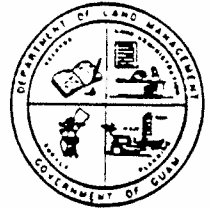
(DIPATTAMENTON TANO')

Government of Guam

P.O. Box 2950

Agana, Guam 96910

Tel: (671) 475-LAND • Fax: (671) 477-0883



JOSEPH F. ADA

Governor

FRANK F. BLAS

Lieutenant Governor

F. L. G. CASTRO

Director

JOAQUIN A. ACFALLE

Deputy Director

August 23, 1994

The Honorable Edward D. Reyes
Chairman, Committee on Housing
and Community Development
Twenty-Second Guam Legislature
Agana, Guam 96910

Subject: Legislative Bill No. 1126

Dear Mr. Chairman:

The Department of Land Management recognizes the projected growth of the University of Guam and so as the need for the acquisition of additional lands and with that in mind, we fully support the intent of Bill 1126. Without the said acquisition of the needed property, it would be difficult for the University to implement its Master Plan for enhancement.

We therefore, recommend that this Legislature pass the said Bill.

Sincerely yours,

F. L. G. CASTRO

Director, Department of
Land Management



NOTICE OF PUBLIC HEARING



Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development

Twenty-Second Guam Legislature



AGENDA

Bill No. 1106 - An Act to Grant Conditional Use on Lot Nos. 2315-5 and 2315-7, in the Municipality of Mangilao, to Construct Duplexes Owned by Jovita G. Manibusan, Jesus T and Dolores Q. Guevara; by E.D. Reyes;

Bill No. 1126 - An Act to Authorize the Transfer of a Certain Parcel of Government Land Situated in Mangilao, Municipality of Barrigada, to the University of Guam; by E.D. Reyes;

Bill No. 1127 - An Act to Mandate the return of GHURA Acquired Properties in Asan to Original Land Owners or Heirs through Sale at Original Acquisition Price; by E.D. Reyes.

Date: Thursday, August 25, 1994
Time/Place: 2:00 PM, Public Hearing Room
Guam Legislature Building
155 Hesler St., Agana

The Public is Invited to Attend and Participate

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

Twenty-Second Guam Legislature

155 Hesler Street

Agana, Guam 96910

Senator Edward D. Reyes
Chairman

Tel: (671) 472-3453-4

Fax: (671) 477-6338

Public Hearing
August 25, 1994
AGENDA

Legislative Hearing Room, Agana
2:00 P.M.

Bill No. 1106 - An Act to Grant Conditional Use on Lot Nos. 2315-5 and 2315-7, in the Municipality of Mangilao, to construct Duplexes owned by Jovita G. Manibusan, Jesus T and Dolores Q. Guevara; by E.D. Reyes;

Bill No. 1126 - An Act to Authorize the Transfer of a certain parcel of Government Land situated in Mangilao, Municipality of Barrigada, to the University of Guam; by E.D. Reyes;

Bill No. 1127 - An Act to Mandate the return of GHURA Acquired Properties in Asan to Original Land Owners or Heirs through Sale at Original Acquisition Price; by E.D. Reyes.

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Introduced

AUG 17 '94

Bill No. 1126(65)

Introduced by:

E.D. Reyes *R*

AN ACT TO AUTHORIZE THE TRANSFER OF A CERTAIN
PARCEL OF GOVERNMENT LAND SITUATED IN MANGILAO,
MUNICIPALITY OF BARRIGADA, TO THE UNIVERSITY OF
GUAM.

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

1 **SECTION 1. LEGISLATIVE STATEMENT.** The government of Guam owns
2 Lot No. 5372-3A, situated in Mangilao, Municipality of Barrigada, said to contain an
3 area of 42,752 square meters, as delineated on LM Drawing No. C4-67T-5. This lot is
4 most conveniently and desirably situated in the immediate vicinity of the University of
5 Guam.

6 The University continues to experience an unprecedented annual enrollment
7 growth of fourteen percent (14%). This growth has necessitated adjustments to the
8 University's Physical Master Plan in its classroom, faculty, and support capacities.
9 The current student enrollment of 3,800 is a signal that the University must plan to
10 have adequate learning facilities in the very near future. Acquisition of sufficient
11 properties is needed to allow for expansion of its facilities in anticipation of projected
12 enrollments of 5,000 in 1996 and 7,000 students by the year 2000.

13 The Executive Branch has indicated its intention to reserve said lot for the use of
14 the University. At the time the Guam Legislature was considering which government
15 lots were to be reserved for future use by government agencies and departments, this

1 particular lot was not made part of the legislative action which concluded as Public
2 Law 22-18 because of the impending adoption of a resolution supporting reservation of
3 the land by the University of Guam Board.

4 Now the Board has come forward formally seeking use of the property for
5 dormitories and other facilities as part of the University's Master Plan implementation.
6 The Legislature supports the University's efforts to expand its educational programs
7 and facilities and finds that Lot 5372-3A is needed for that purpose.

8 **SECTION 2. AUTHORIZATION TO TRANSFER.** For the purpose of
9 building international student dormitories, fine arts facilities, international studies
10 centers and additional classrooms, the Governor of Guam is hereby authorized to
11 transfer to the University of Guam, in fee simple, all the rights, title and interest of the
12 government of Guam in that parcel of land designated as Lot No. 5372-3A, situated in
13 Mangilao, Municipality of Barrigada, said to contain an area of 42,752 square meters,
14 as delineated on LM Drawing No. C4-67T-5.

15 **SECTION 3. CONDITIONS OF TRANSFER.** The transfer of the interest of
16 the government of Guam in the property to the University of Guam is expressly
17 subject to the condition subsequent that in the event it is determined that the property
18 is no longer used by the University for university-related purposes, the government of
19 Guam shall have the right to re-enter the property after notice of record to such effect
20 and the University shall convey by Quitclaim Deed all its right, title and interest in the
21 property to the government of Guam upon demand. As used herein, university-related
22 purposes shall include without limitation, the construction of international student
23 dormitories, fine arts facilities, international studies centers and additional classrooms.
24 The Governor of Guam shall include, in any deed effecting the transfer of the property
25 to the University of Guam, a clause to this effect.