



*Territory of Guam*  
*Territorio Guam*

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

*Rec'd by McSueyan*  
*12/30/94*  
*10:45 pm*

**RECEIVED**  
OFFICE OF THE SPEAKER  
DATE: 12-31-94  
TIME: 12 noon  
RECD BY: lpv

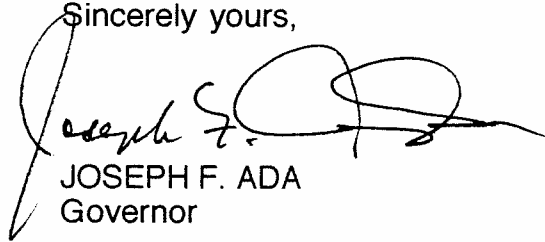
DEC 30 1994

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. 649, which I have signed into law this date as  
Public Law 22-156.

Sincerely yours,



JOSEPH F. ADA  
Governor

**220924**

Attachment



Commonwealth Now!

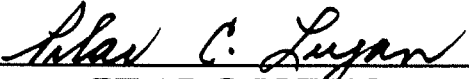
TWENTY-SECOND GUAM LEGISLATURE  
1994 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

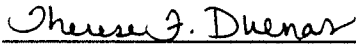
This is to certify that Substitute Bill No. 649 (LS), "AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO SELL GOVERNMENT OF GUAM LOT NO. 8, BLOCK NO. 9, TRACT 178, MACHANANAO, YIGO, TO MARVIN A. CRUZ," was on the 9th day of December, 1994, duly and regularly passed.

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

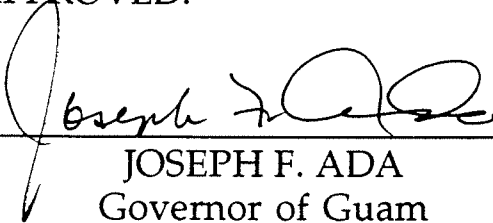
Attested:

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

-----  
This Act was received by the Governor this 19th day of December,  
1994, at 4:37 o'clock P.M.

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

APPROVED:

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

Date: DEC 30 1994

Public Law No. 22-156

TWENTY-SECOND GUAM LEGISLATURE  
1993 (FIRST) Regular Session

Bill No. 649 (LS)  
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 GOVERNOR OF GUAM  
TO SELL GOVERNMENT OF GUAM LOT NO. 8,  
BLOCK NO. 9, TRACT 178, MACHANANAO, YIGO, TO  
MARVIN A. CRUZ.

1           **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**  
2           **Section 1. Legislative findings and intent.** In 1967, the government of  
3 Guam surveyed and subdivided Tract 178, **Machananao**, Yigo, into 143 lots to  
4 be sold to families for the construction of family dwellings. On October 30,

1 1972, a "Contract to Deed" was consummated between the government of  
2 Guam and Jose S. and Ana A. Mafnas for Lot No. 8, Block No. 9, Tract 178,  
3 containing an area of 1,242.9 square meters. Jose S. and Ana A. Mafnas made  
4 their last payment for the property mentioned on October 25, 1974, and since  
5 then made no more payments. The "Contract to Deed" on July 6, 1993,  
6 nineteen years after the last payment was made. On May 30, 1986, Marvin A.  
7 Cruz was granted a land use permit for such property through the **arrendu**  
8 program to farm it. Marvin A. Cruz, who is landless, now has a family with  
9 two children and would like to purchase the property to build a home.  
10 Officials at the Department of Land Management have stated that the  
11 property is not suited for farming purposes as a result of its size and location  
12 within an already established residential area. The Legislature disagrees  
13 with this finding.

14 **Section 2. Authorization to sell.** The Governor of Guam is hereby  
15 authorized to sell Lot No. 8, Block No. 9, Tract 178, **Machananao**,  
16 Municipality of Yigo, containing an area of 1,242.9 square meters to Marvin  
17 A. Cruz.

18 **Section 3. Terms and conditions.** The sale authorized by this Act is  
19 subject to the following terms and conditions:

20 a. The original contractual terms set out in Public Law 12-61  
21 shall be applied to the sale.

22 b. The buyer agrees that there shall be no transfer or  
23 conveyance, in any manner or form, of the property for a period  
24 of ten (10) years beginning on the date of the duly executed  
25 contract of deed.

26 (c) The buyer agrees to incorporate into the contract to deed  
27 and any applicable agreement involving the lot that any

1 conveyance or transfer of the property shall cause the property to  
2 revert to the government of Guam.

3 d. Nothing contained herein shall be construed to prevent or  
4 prohibit the buyer from improving the property, or from building,  
5 erecting or constructing structures thereon, in accordance with  
6 the building and zoning code of Guam.

Bill No. 649

12/9/94

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.						✓
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

January 12, 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. 649 - An Act to Authorize the Governor to Sell Government of Guam Lot No. 8, Block No. 9, Tract 178, Machanaonao, Municipality of Yigo, containing an area of 1,242.9 square meters, to Marvin A. Cruz**, wishes to report back to the Legislature with its recommendation to pass Bill No. 649. The voting record is as follows:

TO PASS	<u>6</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

---

December 15, 1993

### **MEMORANDUM**

**TO: Members**

**FROM: Chairman**

**SUBJECT: Committee Report - Bill No. 649 - An Act to Authorize the Governor to Sell Government of Guam Lot No. 8, Block No. 9, Tract 178, Machanaonao, Municipality of Yigo, containing an area of 1,242.9 square meters, to Marvin A. Cruz.**

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 No. 649;
2. Committee on Housing and Community Development Voting Sheet;
3. Written 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


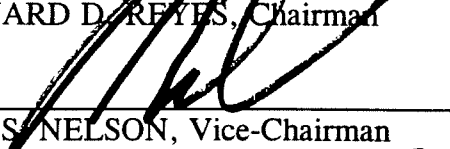
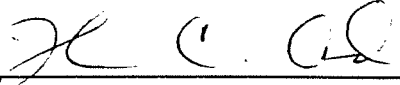
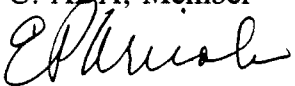
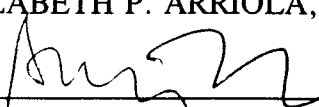

attachments



COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT  
 22nd Guam Legislature

VOTING RECORD

**Bill No. 649 - An Act to Authorize the Governor to Sell Government of Guam Lot No. 8, Block No. 9, Tract 178, Machanaonao, Municipality of Yigo, containing an area of 1,242.9 square meters, to Marvin A. Cruz.**

	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"/>
 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  
Bill No. 649**

"An Act to Authorize the Governor to Sell Government of Guam Lot No. 8, Block No. 9, Tract 178, Machanaonao, Municipality of Yigo, containing an area of 1,242.9 square meters, to Marvin A. Cruz"

**December 15, 1993**

# **I. OVERVIEW**

The Committee on Housing and Community Development scheduled a Public Hearing on September 30, 1993 at 9:00 a.m. in the Legislative Public Hearing Room, Temporary Legislative Building, Agana, Guam. The notice of public hearing was published in the Pacific Daily News on September 28, 1993 pursuant to the Standing Rules.

Members of the Committee present at the public hearing were:

Senator Edward D. Reyes, Chairman  
Senator Ted Nelson, Vice-Chairman  
Senator Vicente Pangelinan  
Senator Tom Ada  
Senator Tony Blaz  
Senator Felix Camacho

Appearing before the committee to testify on Bill No. 649 were:

Mr. Francisco Castro, Department of Land Management  
Mr. Daniel J. Tydingco, Chamorro Land Trust Commission

## **II. SUMMARY OF TESTIMONY**

### **Mr. Francisco Castro, Director, Department of Land Management**

Mr. Castro submitted written testimony to the Committee in full support of Bill 649 authorizing the Governor to Sell Government of Guam Lot No. 8, Block 9, Tract 178, Machanaonao, Municipality of Yigo, containing an area of 1,242.9 square meters, to Mr. Marvin Cruz. Mr. Castro, stated that he understands the position of the Land Trust Commission on this matter, it must equally be taken into consideration that the subdivision of Tract 178 was primarily intended to sell the subdivided lots to eligible persons and we should continue to hold that concept. In fact, the lot involved under Bill 649 was once sold to an eligible applicant but because of his subsequent determination of a hardship on his part, the said lot remained a government property.

### **Mr. Daniel J. Tydingco, Member, Chamorro Land Trust Commission**

Mr. Tydingco, submitted written testimony to the committee questioning if the said property is under the Arrendu Program and if so would the Committee back the Commission to assist those as in Mr. Cruz's situation by allowing them to appear before the Commission and apply for the property. The Commission stands to help people with providing lands for building homes. And they will extend a helping hand to Mr. Cruz and his family if necessary.

## **III. FINDINGS AND RECOMMENDATIONS**

The Committee on Housing and Community Development finds that since the property is not suited for farming purposes as a result of its size and location within an already established residential area. And should be sold to Mr. Marvin Cruz with the terms and conditions to follow:

- (1) The original contractual terms as established in Public Law 12-61 shall be applied to the sale of said property.
- (2) The buyer agrees that there shall be no transfer or conveyance, in any manner or form, of the mentioned property for a period of ten years beginning on the date of the duly executed contract of deed.
- (3) The Buyer agrees to incorporate, into the contract to deed and any applicable agreement involving the said lot that any conveyance or transfer of the property shall cause the property to be reverted to the Government of Guam.
- (4) Nothing containing herein shall be construed to prevent or prohibit the buyer from improving or having the property or from building, erecting or constructing structures approved in accordance with the building and zoning code of Guam.

The Committee on Housing and Community Development to which was referred **Bill No. 649 - An Act to Authorize the Governor to Sell Government of Guam Lot No. 8, Block No. 9, Tract 178, Machanaonao, Municipality of Yigo, containing an area of 1,242.9 square meters, to Marvin A. Cruz, does hereby submit its recommendations to the Twenty-Second Guam Legislature To Do Pass Bill No. 649.**



REMARKS

By

Daniel J. Tydingco  
Member

Chamorro Land Trust Commission

Public Hearing

On

Bill XXx

Legislative Public Hearing Room  
Thursday, September 30, 1993

Hafa Adai and good morning Mr. Chairman and Committee  
Members:

I am appreciative of the opportunity to appear before you  
today.

On behalf of the Chamorro Land Trust Commission, I am  
testifying on Bill 660, specifically Section 9 and Bill 659.

First, I want to commend the Chairman and members for  
having keen interest in assisting our people with issues  
centering on land, particularly those who are trying to  
provide a home for their families.

While the Chamorro Land Trust Commission fully understands  
and appreciates this effort, we ask the committee to be ever  
mindful of what we have been entrusted with overseeing and  
administering---namely reserved public lands.

IF, HOWEVER, THIS BODY CHOOSES TO BEGIN PLAYING WITH THOSE RESERVED LANDS, WHETHER ON A PIECEMEAL BASIS OR IN LARGE PART, THEN I MUST NOTE TO YOU THAT THE CHAMORRO LAND TRUST COMMISSION WILL BE UNNECESSARY AND USELESS. I WANT TO ADD THAT SOME OF US EXPRESSED DISMAY OVER COMMENTS SUGGESTING "GRANDFATHERING" THOSE WHO HAVE SQUATTED, DO NOT HAVE VALID LEASES, OR ARE IN NON-COMPLIANCE WITH EXISTING LAND PROGRAMS. IF ANY OF THESE ACTIONS TAKE PLACE, THEN I'LL PROBABLY BE THE FIRST TO SUGGEST THAT WE PACK UP AND CLOSE OUR DOORS.

REGARDING SECTION 9 OF BILL 660, THE COMMISSION HAS SOME QUESTIONS ABOUT THE PUBLIC PROPERTY WHICH MR. CRUZ SEEKS TO PURCHASE.

FIRST, WE WOULD LIKE TO VERIFY WHETHER OR NOT THE LAND SOUGHT IS STILL UNDER THE ARRENDU PROGRAM. AS YOU MAY BE AWARE, ALL LANDS UNDER THAT PROGRAM WERE ENTRUSTED TO THE CHAMORRO LAND TRUST COMMISSION. ANY EFFORT TO SELL, LEASE OR EXCHANGE SUCH RESERVED LANDS BY THIS BODY IS CONTRARY TO THE LAWS AND PROVISIONS WHICH ESTABLISHED THE COMMISSION AND LAND TRUST. SECOND, IT IS MY UNDERSTANDING THAT PROPERTIES LEASED UNDER THE ARRENDU PROGRAM ARE IN ONE ACRE BLOCKS. IF SO, THEN IN THIS INSTANCE, WHAT HAS BECOME OF THE TWENTY-EIGHT HUNDRED ODD SQUARE METERS?



THIRD, IF THE PROPERTY IS UNDER THE ARRENDU PROGRAM, THEN WOULD THE COMMITTEE BACK THE COMMISSION TO ASSIST THOSE AS IN MR. CRUZ'S SITUATION BY ALLOWING THEM TO APPEAR BEFORE THE COMMISSION AND APPLY FOR THE PROPERTY?

MY FELLOW COMMISSION MEMBERS ARE INDEED EAGER TO HELP OUR PEOPLE WITH PROVIDING LAND FOR BUILDING HOMES. AND WE WILL EXTEND A HELPING HAND TO MR. CRUZ AND HIS FAMILY IF NECESSARY. AS WE ARE IN THE PROCESS OF GETTING OUR OFFICE AND PERSONNEL IN ORDER, WE WILL SOON BE OPENING OUR DOORS TO DO JUST THAT.

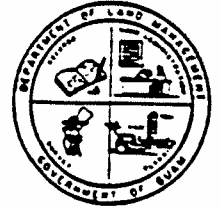
ON BILL 659, THE COMMISSION WOULD LIKE TO INQUIRE IF THE LAND SOUGHT FOR EXCHANGE IS RESERVED.

BEFORE WE FORMALLY ARTICULATE OUR POSITION ON THESE BILLS, THE COMMISSION IS RESPECTFULLY REQUESTING ANSWERS TO OUR QUESTIONS.

MR. CHAIRMAN AND COMMITTEE MEMBERS, THANK YOU AND DANGKULO NA SI YU'US MA'ASE FOR YOUR TIME.



**DEPARTMENT OF LAND MANAGEMENT**  
**(DIPATTAMENTON TANO')**  
*Government of Guam*  
*P.O. Box 2950*  
*Agana, Guam 96910*



**JOSEPH F. ADA**  
*Governor*

**FRANK F. BLAS**  
*Lieutenant Governor*

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

September 29, 1993

**F. L. G. CASTRO**  
*Director*

**JOAQUIN A. ACFALLE**  
*Deputy Director*

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

Subject: Sections 8 and 9, Bill No. 660

Dear Mr. Chairman:

The Department of Land Management supports the intent of both Sections 8 and 9 of Bill No. 660. We offer the following comments:

SECTION 8

Notwithstanding that Mr. James Ji has been utilizing a small part of Lot No. 3465 without proper authorization, the fact remains that he has constructed a swimming pool and fence upon 274 square meters of the said government land and has been using it for several years. With that in mind, we are viewing the matter as being more beneficial if the government considers in leasing the said land to Mr. Ji over having him to remove the structure. We recommend however, that in leasing the said land to Mr. Ji, he should be made to pay rental retroactive to the day he entered and constructed upon the premises involved.

SECTION 9

With regards to the proposed sell of Lot No. 8, Block No. 9, Tract No. 178 in Machanao to Marvin A. Cruz, we also submit our full support to the intent.

While we can understand the position of the Land Trust Commission on this matter, it must equally be taken into consideration that the subdivision of Tract 178 was primarily intended to sell the subdivided lots to eligible persons and we should continue to hold that concept. In fact, the lot involved under Bill 660 was once sold to an eligible applicant but because of his subsequent determination of a hardship on his part, the said lot remained a government property.



IF, HOWEVER, THIS BODY CHOOSES TO BEGIN PLAYING WITH THOSE RESERVED LANDS, WHETHER ON A PIECEMEAL BASIS OR IN LARGE PART, THEN I MUST NOTE TO YOU THAT THE CHAMORRO LAND TRUST COMMISSION WILL BE UNNECESSARY AND USELESS. I WANT TO ADD THAT SOME OF US EXPRESSED DISMAY OVER COMMENTS SUGGESTING "GRANDFATHERING" THOSE WHO HAVE SQUATTED, DO NOT HAVE VALID LEASES, OR ARE IN NON-COMPLIANCE WITH EXISTING LAND PROGRAMS. IF ANY OF THESE ACTIONS TAKE PLACE, THEN I'LL PROBABLY BE THE FIRST TO SUGGEST THAT WE PACK UP AND CLOSE OUR DOORS.

REGARDING SECTION 9 OF BILL 660, THE COMMISSION HAS SOME QUESTIONS ABOUT THE PUBLIC PROPERTY WHICH MR. CRUZ SEEKS TO PURCHASE.

FIRST, WE WOULD LIKE TO VERIFY WHETHER OR NOT THE LAND SOUGHT IS STILL UNDER THE ARRENDU PROGRAM. AS YOU MAY BE AWARE, ALL LANDS UNDER THAT PROGRAM WERE ENTRUSTED TO THE CHAMORRO LAND TRUST COMMISSION. ANY EFFORT TO SELL, LEASE OR EXCHANGE SUCH RESERVED LANDS BY THIS BODY IS CONTRARY TO THE LAWS AND PROVISIONS WHICH ESTABLISHED THE COMMISSION AND LAND TRUST. SECOND, IT IS MY UNDERSTANDING THAT PROPERTIES LEASED UNDER THE ARRENDU PROGRAM ARE IN ONE ACRE BLOCKS. IF SO, THEN IN THIS INSTANCE, WHAT HAS BECOME OF THE TWENTY-EIGHT HUNDRED ODD SQUARE METERS?

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MR. CHAIRMAN AND COMMITTEE MEMBERS, THANK YOU AND DANKULO NA SI YU'US MA'ASE FOR YOUR TIME.



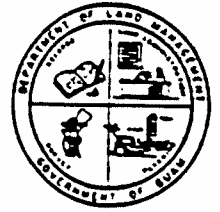
**DEPARTMENT OF LAND MANAGEMENT**  
(DIPATTAMENTON TANO')

*Government of Guam*

*P.O. Box 2950*

*Agana, Guam 96910*

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



**JOSEPH F. ADA**  
*Governor*

**F. L. G. CASTRO**  
*Director*

**FRANK F. BLAS**  
*Lieutenant Governor*

September 29, 1993

**JOAQUIN A. ACFALLE**  
*Deputy Director*

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

Subject: Sections 8 and 9, Bill No. 660

Dear Mr. Chairman:

The Department of Land Management supports the intent of both Sections 8 and 9 of Bill No. 660. We offer the following comments:

SECTION 8

Notwithstanding that Mr. James Ji has been utilizing a small part of Lot No. 3465 without proper authorization, the fact remains that he has constructed a swimming pool and fence upon 274 square meters of the said government land and has been using it for several years. With that in mind, we are viewing the matter as being more beneficial if the government considers in leasing the said land to Mr. Ji over having him to remove the structure. We recommend however, that in leasing the said land to Mr. Ji, he should be made to pay rental retroactive to the day he entered and constructed upon the premises involved.

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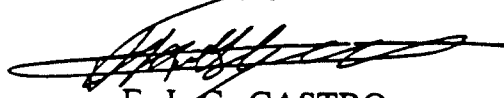


Letter to the Honorable Edward D. Reyes  
Re: Section 8 and 9, Bill No.660  
September 29, 1993  
Page 2

Subsequently, Mr. Marvin Cruz requested to purchase the said lot but in the absence of a Legislative Authorization into selling him the property, a Land Use Permit was issued instead and since then, he entered upon and continued to use the land uninterrupted. Mr. Cruz is landless and the Legislature should consider selling him the property.

Because of the initial intent of 1972 in subdividing Tract 178 and to sell the subdivided lots to eligible residents of Guam, I do not believe that by selling the subject lot to Mr. Cruz that we shall be establishing a bad precedence because as a matter of fact, that is the intention, I therefore recommend passage of the proposed sell.

Sincerely yours,

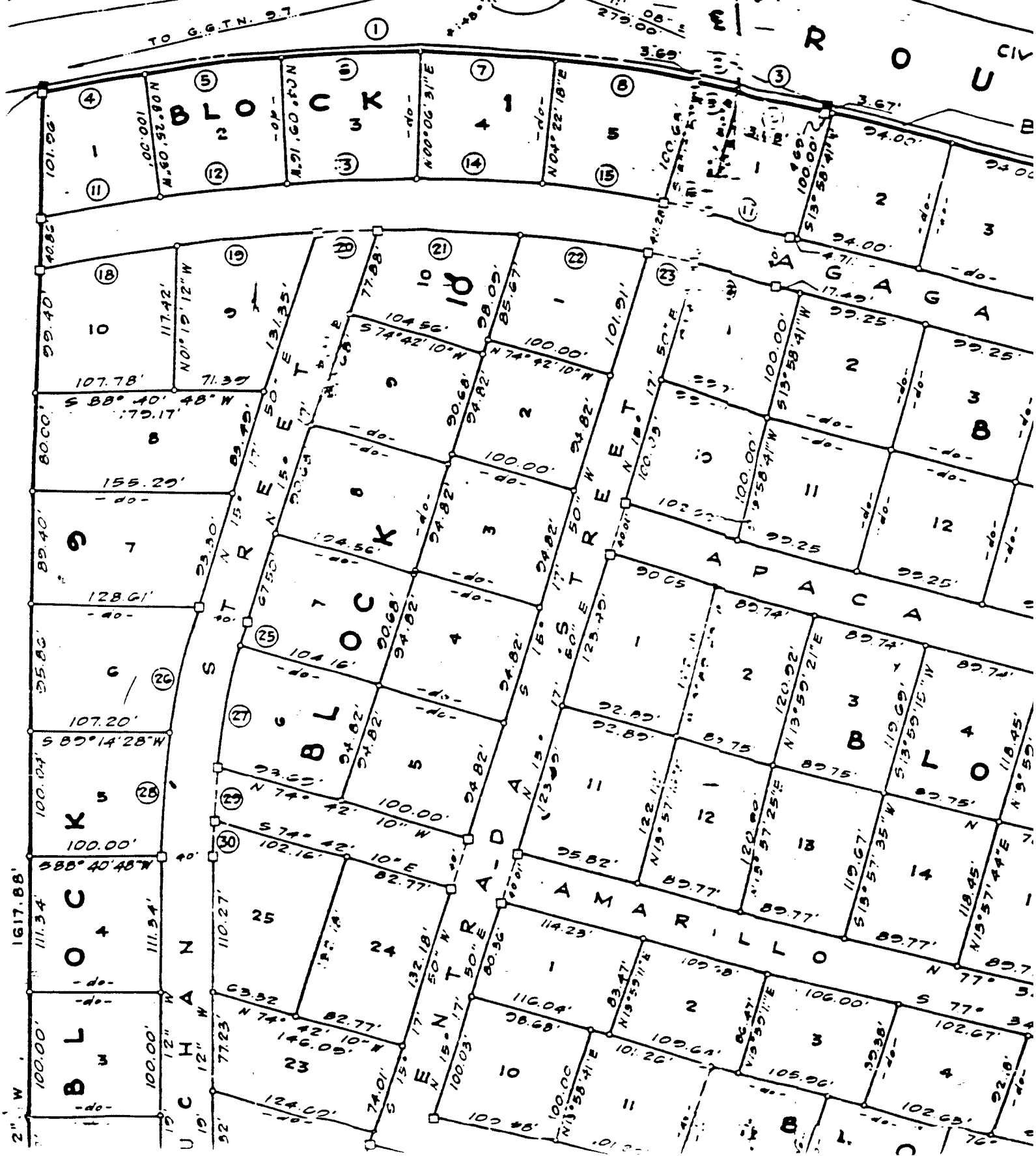


F. L.G. CASTRO  
Director, Department of  
Land Management

Murphy Crey

3 NAVAL COMMUNICATION STATION

G.G.T.N. 93

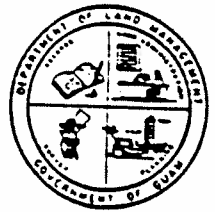




**DEPARTMENT OF LAND MANAGEMENT**  
(DIPATTAMENTON TANO')

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

October 1, 1993

**F. L. G. CASTRO**  
Director

**JOAQUIN A. ACFALLE**  
Deputy Director

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

**Subject: Section 9, Bill No. 660**

Dear Mr. Chairman:

Attached herewith as I had also promised, is a copy of the Subdivision Map of Tract No. 178 in Machanao and wherein, the ten (10) lots which still remains unsold are color-coded.

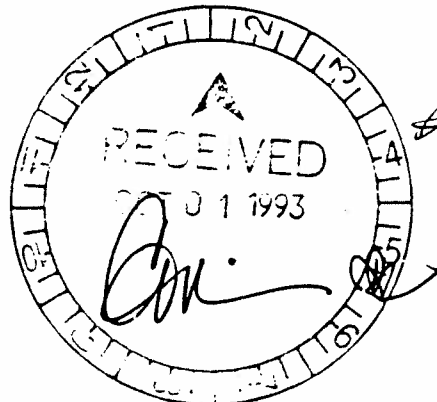
Again, I am once more reiterating my position that Tract No. 178 was not a part of the listing of lands transferred to the Commission; that it should not be considered as a Chamorro Land under the Act; and, that in actuality, the Commission should not be objecting to the intent of the Bill on the grounds that it is a Chamorro Land.

The only legitimate claim by the Commission is that a Land Use Permit was issued to Mr. Cruz and therefore, the Commission construed it as an ARENDO LAND and as such, its transferred to the Commission.

The property being label as an ARENDO does not, and cannot nullify the 1972 intention of Tract 178 being subdivided to be sold to landless residents of Guam. That initial and current intention must be held and should not be changed because of the word ARENDO or that because Mr. Cruz was issued a Land Use Permit.

Sincerely yours,

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



attachment: Map







**NOTICE OF PUBLIC HEARING**  
**Senator Edward D. Reyce**

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

**Bill No. 660 - An Act to Rezone, Sell and Lease certain Properties in Various Municipalities of Guam and for other related purposes; by E.D. Reyce.**

**Section 1. An Act to Rezone Lot no. P10.9A-7 in the Municipality of Dededo from Agricultural (A) to Single-Family Dwelling (R1) to allow for the Construction of Affordable One -Family Residential Housing Units;**

**Section 2. An Act To Rezone Lot no. 14, Tract 314, in the Municipality of Dededo from Agricultural (A) to Single-Family Dwelling (R1) to Construct Single-Family Residential Units;**

**Section 3. An Act to Rezone Lot no. 276-1 in the Municipality of Asan from Single-Family Dwelling (R1) and Agricultural (A) to Multi-Family Dwelling (R2);**

**Section 4. An Act to Rezone Lot no. 1-1 Block C and Lot no. 1-R1 Block C, Barrigada Heights, Municipality of Barrigada from Agricultural (A) to Multi-Family Dwelling (R2) to Construct affordable Multi-Family Dwellings;**

**Section 5. An Act to Rezone Lot no. 5223-R9-2 consisting of 4,171 square meters in the Municipality of Barrigada from Agricultural (A) to Light Industrial (M1);**

**Section 6. An Act to Rezone Lot no. 1150-2-R2-R1 in Toto, Municipality of Sinajana from Single-Family Dwelling (R1) to Multiple-Dwelling (R2);**

**Section 7. An Act to Authorize Permanent Conditional Use on Lot No. 5224-5-R7, Barrigada, Guam;**

**Section 8. An Act to Authorize the Governor to Enter into a Lease Agreement for a Portion of Government Real Property (Lot No. 3465) in the Municipality of Sinajana;**

**Section 9. An Act to Authorize the Governor to Sell Government of Guam Lot No. 8, Block No. 9, Track 178, Machanaonao, Municipality of Yigo, containing an area of 1,242.9 square meters, to Marvin A. Cruz;**

**Section 10. An Act to Add a New Subsections (A) and (B) to Section 3, Public Law 21-127 (Lot No. 7150-R4NEW-5 and Lot No. 7150-R4NEW-7, Yigo);**

**Bill No. 659 - An Act to Authorize the Governor to Exchange a Portion of Government of Guam Lot No. 5401-1, Containing an area of 120,013 +/- square meters, municipality of Barrigada, for Lot No. 421P, containing an area of 384 +/- square meters, Municipality of Agana, and owned by the Heirs of Rita Mariano Bamba; by Sen. C.T. C. Gutierrez.**

**Bill No. 661 - An Act to Rezone Certain Properties in Tamuning from Multiple Dwelling (R2) to Commercial (C) Zone.**

**Date: Thursday, September 30, 1993**  
**Time: 9:00 AM**  
**Place: Public Hearing Room**  
**Guam Legislature Building**  
**155 Hesler St., Agana**

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

May 21, 1993


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

Dear Senator Reyes,

I am presently leasing Government of Guam property, Lot No. 8, Block No. 9, Track 178, in the Agafa Gumas area known as the Machananao Subdivision through the Department of Land Management's arendo program. It is my understanding that this particular lot was included in a program during the 1970's that were sold to qualified families to build homes. According to Land Management the original property holder to this particular lot defaulted and so the property reverted back to the Government of Guam.

I have a family with two children and I would like the opportunity to purchase this particular lot so that I may build a home for my family.

Sincerely,

  
Marvin A. Cruz



Government Parcel Not Conveyed to Private Individuals

- \ B3 16
- \ B3 16
- \ B9 16
- \ B6 19
- \ B6 11
- \ B6 12
- \ B8 11
- \ B8 11
- \ B8 11
- \ B7 11

DOC# 81100 (M.P.)

T178 AGAFA GUMAS

SUB DIVISION

division

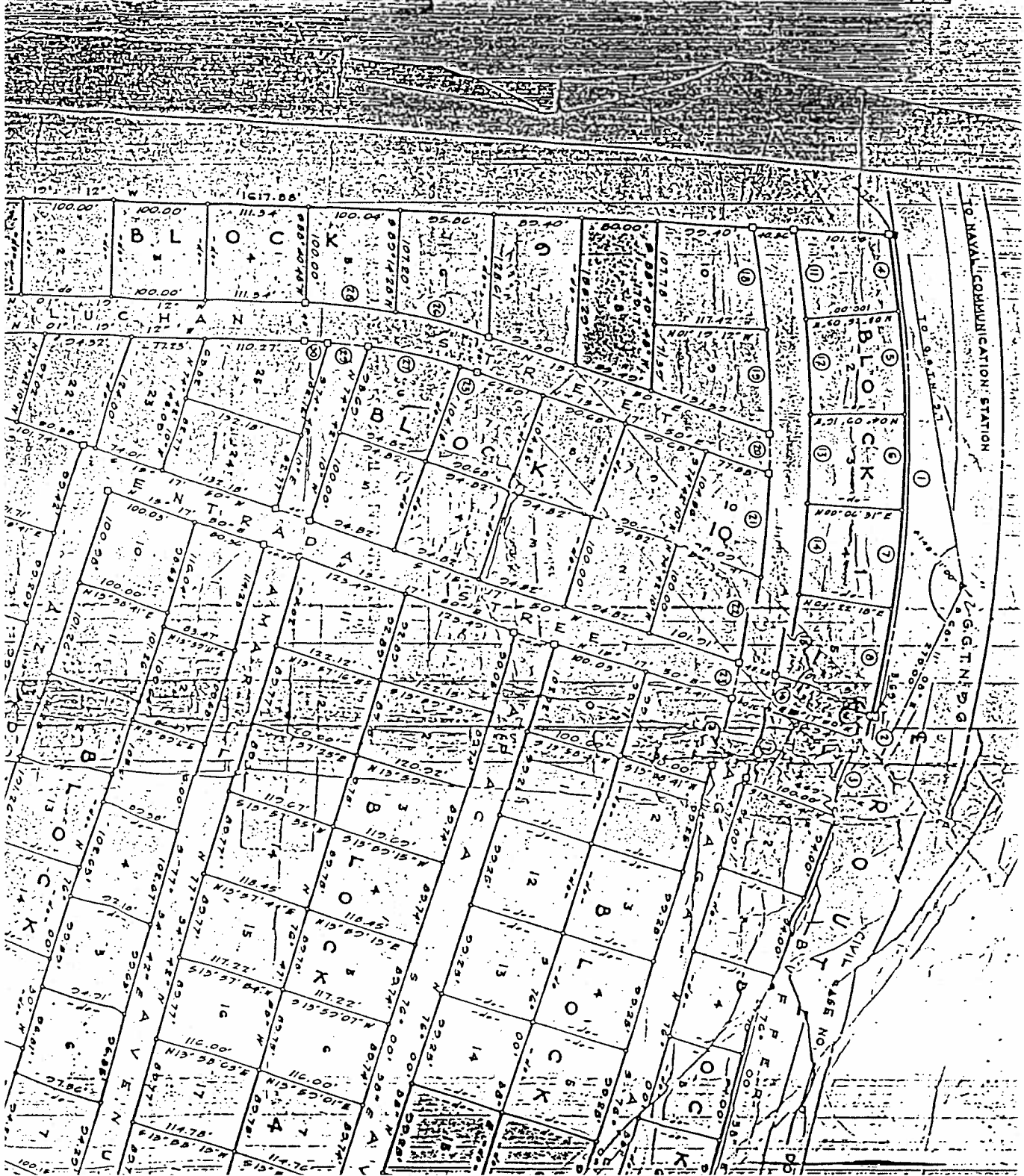
up date ~~1993~~

9-7-93 updated  
of

( B4-18 Note - Chianto - LUP 628 'M. F. A. M. S. C. P. C. ' )

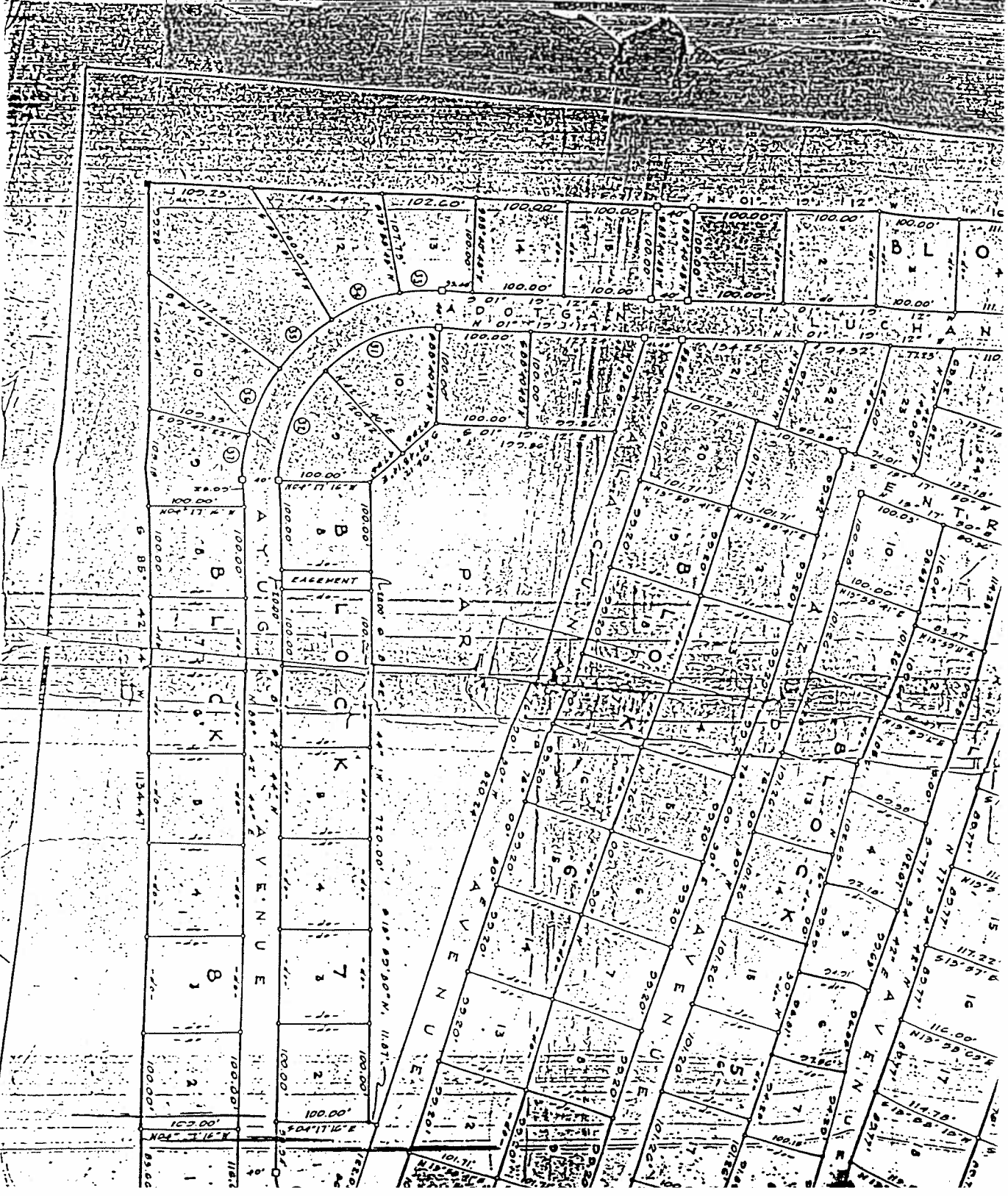
DRAWING NUMBER  
**C-503**

PONTIAC CORPORATION 775 SPRING CALIFORNIA  
 REPORT OF PLANNING



DRAWING NUMBER  
**C-503**

LAND HOLD CORPORATION 20 ERYNE, CALIFORNIA



NO	RADIUS	CURVE DATA				TAN.	CHORD BEARING
		DELTA	LENGTH	CHORD	TAN.		
1	1380.00'	21° 12' 08"	810.31'	207.02'	288.87'	N 83° 36' 12" E	
2	1380.00'	01° 40' 08"	40.18'	40.18'	20.00'	S 89° 01' 52" E	
3	1380.00'	03° 11' 08"	76.73'	76.73'	38.36'	E 71° 36' 11" E	
4	1376.82'	04° 11' 12"	88.80'	88.80'	44.40'	N 70° 24' 21" E	
5	1376.82'	04° 19' 47"	102.44'	102.44'	51.22'	N 69° 42' 31" E	
6	1376.82'	04° 19' 47"	102.44'	102.44'	51.22'	N 70° 54' 34" E	
7	1376.82'	04° 18' 47"	102.44'	102.44'	51.22'	S 87° 49' 34" E	
8	1376.82'	04° 44' 27"	114.12'	114.10'	57.05'	S 82° 18' 14" E	
9	1376.82'	01° 40' 21"	40.19'	40.18'	20.10'	S 80° 02' 35" E	
10	1376.82'	03° 11' 46"	76.80'	76.70'	38.41'	S 77° 36' 31" E	
11	1376.82'	04° 15' 47"	86.00'	101.10'	51.00'	N 70° 18' 49" E	
12	1376.82'	04° 15' 47"	86.00'	86.00'	43.00'	N 83° 28' 51" E	
13	1376.82'	04° 15' 47"	86.00'	86.00'	43.00'	S 81° 48' 36" E	
14	1376.82'	04° 15' 47"	86.00'	86.00'	43.00'	S 83° 29' 40" E	
15	1376.82'	04° 15' 47"	86.00'	86.00'	43.00'	S 80° 27' 47" E	
16	1376.82'	04° 15' 47"	86.00'	86.00'	43.00'	S 73° 47' 08" E	
17	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	N 74° 11' 22" E	
18	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	N 84° 18' 11" E	
19	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	N 87° 48' 28" E	
20	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 88° 48' 27" E	
21	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 80° 50' 00" E	
22	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 77° 51' 52" E	
23	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 74° 13' 08" N	
24	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 71° 08' 34" N	
25	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 68° 50' 35" N	
26	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 65° 50' 03" N	
27	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 62° 56' 23" N	
28	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 60° 02' 50" E	
29	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 57° 17' 27" E	
30	1376.82'	08° 35' 00"	100.30'	100.28'	50.15'	S 54° 41' 12" W	

NO	SQ. FEET	NO	SQ. FEET	NO	SQ. FEET	NO	SQ. FEET
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72	917.1	72	9,317	72	10,000	72	920.0
73	917.1	73	9,317	73	10,000	73	920.0
74	917.1	74	9,317	74	10,000	74	920.0
75	917.1	75	9,317	75	10,000	75	920.0
76	917.1	76	9,317	76	10,000	76	920.0
77	917.1	77	9,317	77	10,000	77	920.0
78	917.1	78	9,317	78	10,000	78	920.0
79	917.1	79	9,317	79	10,000	79	920.0
80	917.1	80	9,317	80	10,000	80	920.0
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82	917.1	82	9,317	82	10,000	82	920.0
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84	917.1	84	9,317	84	10,000	84	920.0
85	917.1	85	9,317	85	10,000	85	920.0
86	917.1	86	9,317	86	10,000	86	920.0
87	917.1	87	9,317	87	10,000	87	920.0
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89	917.1	89	9,317	89	10,000	89	920.0
90	917.1	90	9,317	90	10,000	90	920.0
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93	917.1	93	9,317	93	10,000	93	920.0
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98	917.1	98	9,317	98	10,000	98	920.0
99	917.1	99	9,317	99	10,000	99	920.0
100	917.1	100	9,317	100	10,000	100	920.0

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SUBDIVISION AREA

NO	DESCRIPTION	AREA
17	LOTS	1,450,802
18	STREETS & BUFFER STRIP	430,847
19	PARK & EASEMENT	110,444
20	TOTAL	2,000,885








TWENTY SECOND GUAM LEGISLATURE  
FIRST (1993) REGULAR SESSION

Bill No. 649

Introduced by:

E.D. Reyes   
\_\_\_\_\_

93 SEP 20 PM 3:32

AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO SELL GOVERNMENT OF GUAM LOT NO. 8, BLOCK NO. 9, TRACK 178, MACHANAONAO, MUNICIPALITY OF YIGO, CONTAINING AN AREA OF 1,242.9 SQUARE METERS, TO MARVIN A. CRUZ.

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

2 Section 1. **Legislative Findings and Intent.** In 1967 the Government of Guam surveyed  
3 and subdivided Track 178, Machanaonao, Municipality of Yigo into 143 lots with the intent to  
4 be sold to perspective families for the eventual construction of family dwellings. On October  
5 30, 1972, a "Contract to Deed" was consummated between the Government of Guam and Jose  
6 S. and Ana A. Mafnas for Lot No. 8, Block No. 9, Track 178 , Machanaonao, containing an  
7 area of 1,242.9 square meters. Jose S. and Ana A. Mafnas made their last payment for the  
8 property mentioned on October 25, 1974, and since then never made any payments thereafter.  
9 The "Contract to Deed" expired on October 30, 1982. The Government of Guam terminated  
10 the "Contract to Deed" on July 6, 1993, after nineteen years since the last payment was made  
11 by Jose S. and Ana A. Mafnas. On May 30, 1986, Marvin A. Cruz was granted a land use  
12 permit for the mentioned property through the arrendu program for the purpose of farming .  
13 Marvin A. Cruz who is landless, now has a family with two children and would like to purchase  
14 said property with the intent of building a home. Officials at Land Management have indicated

1 that the property in question is not suited for farming purposes as a result of its size and location  
2 within an already established residential area.

3 Section 2. **Authorization to Sell.** The Governor of Guam is hereby authorized to sell  
4 Lot No. 8, Block No. 9, Track 178, Machanaonao Village, Municipality of Yigo, containing  
5 an area of 1,242.9 square meters to Marvin A. Cruz.

6 Section 3. **Terms and Conditions.** The authorization to sell government property  
7 mentioned herein shall be governed by the following terms and conditions:

8 a. The original contractual terms as established in Public Law 12-61 shall be applied to  
9 the sale of said property:-

10 b. The buyer agrees that there shall be no transfer or conveyance, in any manner or  
11 form, of the mentioned property for a period of ten years beginning on the date of the duly  
12 executed contract of deed.

13 c. The buyer agrees to incorporate, into the contract to deed and any applicable  
14 agreement involving the said lot that any conveyance or transfer of the property shall cause the  
15 property to be reverted to the Government of Guam.

16 d. Nothing contained herein shall be construed to prevent or prohibit the buyer from  
17 improving or having improved the property or from building, erecting or constructing structures  
18 approved in accordance with the building and zoning code of Guam.

TWENTY SECOND GUAM LEGISLATURE  
FIRST (1993) REGULAR SESSION

NOV 03 '93

Bill No. 649(LS)

Introduced by:

E.D. Reyes 

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AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO SELL GOVERNMENT OF GUAM LOT NO. 8, BLOCK NO. 9, TRACK 178, MACHANAONAO, MUNICIPALITY OF YIGO, CONTAINING AN AREA OF 1,242.9 SQUARE METERS, TO MARVIN A. CRUZ.

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