JUN 20 1997

The Honorable Antonio R. Unpingco Speaker Twenty-Fourth Guam Legislature Guam Legislature Temporary Building 155 Hesler Street Agana, Guam 96910

Dear Speaker Unpingco:

TRULE OF THE PROPERTY SECTION AND A SECTION OF THE PROPERTY OF

ARY

Received by DIT

Time 3.35pm

Date 6-20-97

Enclosed please find a copy of Bill No. 35 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE GOVERNMENT OF GUAM LAND FOR PROPERTIES IN TAMUNING TAKEN FOR UTILITY EASEMENTS.", which I have signed into law today as Public Law No. 24-46.

This legislation corrects the situation wherein 2 lots, totaling 1052± in all, and owned by Mrs. Maria C. Ada, were taken by the government in the early 1960's. These lots are in a commercial area. Mrs. Ada has never been compensated for these lots.

This legislation authorizes a land exchange, wherein Mrs. Ada's land can be exchanged for 2,000± square meters located within Lot No. 10120-R16, Dededo, a lot that has been reserved for land exchange situations.

I request that the Legislature try to correct other situations such as that of Mrs. Ada's.

Very truly yours,

Carl T. C. Gutierrez Governor of Guam

Attachment

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cc: The Honorable Joanne M. S. Brown Legislative Secretary

TO TOTAL Speaker

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TWENTY-FOURTH GUAM LEGISLATURE 1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 35 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE GOVERNMENT OF GUAM LAND FOR PROPERTIES IN TAMUNING TAKEN FOR UTILITY EASEMENTS," was on the 7th day of June, 1997, duly and regularly

passed. ANTONIO R. UNPINGCO Speaker Attested. JOANNE M.S. BROWN Senator and Legislative Secretary This Act was received by the Governor this 13 had day of June 1997, at <u>5:10</u> o'clock A.M. Assistant Staff Officer Governor's Office APPROVED: CARL T. C. GUTIERREZ Governor of Guam Date: 6-20-97
Public Law No. 24-46

TWENTY-FOURTH GUAM LEGISLATURE 1997 (FIRST) Regular Session

Bill No. 35 (COR)

Introduced by:

A. L.G. Santos F. B. Aguon, Jr. E. Barrett-Anderson A. C. Blaz J. M.S. Brown Felix P. Camacho Francisco P. Camacho M. C. Charfauros E. J. Cruz W. B.S.M. Flores Mark Forbes L. F. Kasperbauer A. C. Lamorena, V C. A. Leon Guerrero L. Leon Guerrero V. C. Pangelinan J. C. Salas F. E. Santos A. R. Unpingco J. Won Pat-Borja

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE GOVERNMENT OF GUAM LAND FOR PROPERTIES IN TAMUNING TAKEN FOR UTILITY EASEMENTS.

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

Section 1. Legislative Statement. The Guam Legislature finds that Lot No. 2025-1-1-7 and Lot No. 2025-1-1-8 in Tamuning, are the private properties of Mrs. Maria C. Ada. The records reveal that in the early 1960's, the government of Guam acquired a total of 278.70 square meters within said lots for the purpose of installing a sewer line to service several GovGuam customers in the area. Since then, the government has been using the Ada property without providing fair compensation to Mrs. Ada. Despite the fact that written authorization had been secured by the government, the Guam Legislature finds that such uses of real estate denies to those owners the full use and benefits of their private land, rights protected by the Constitution of the United States and paragraphs (e) and (f) of §1421b, Title 1 of the Guam Code Annotated; to wit: "no person shall be deprived of life, liberty, or property without due process of law" and "private property shall not be taken for public use without just compensation." The Guam Legislature finds that this is neither fair nor just and should be corrected in all instances.

~1.2

During the tenure of the Twenty-Second Guam Legislature, Mrs. Ada sought to have this problem fixed. Bill No. 687, introduced by Senator Edward D. Reyes, was publicly heard on October 18, 1993 and reported out favorably by the Committee on Housing and Community Development on December 7, 1993. The Twenty-Second Guam Legislature failed to take final action on the measure and it died with the expiration of that Legislature. Back then, Mrs. Ada paid for appraisals of her properties as required by §2107, Title 2 of the Guam Code Annotated, however, the amendment of §2107 by Public Law No. 22-97, Section 8, now mandates that the government of Guam

bear the cost of the appraisals, surveys, maps and recordation of this landexchange.

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This measure is introduced with the intention of achieving just compensation for Mrs. Ada and as a gesture of the author's sincere regret and apology for the government of Guam's lack of resolve to rectify the situation.

Section 2. Land Exchange Authorized. (a) Authorization. The Governor of Guam is hereby authorized to exchange, on a value-for-value basis, a portion of government of Guam Lot No. 10120-R16, Dededo, containing some five hundred and thirty-five (535) acres, seventy (70) of which were reserved by Public Law No. 22-18 (June 1993) for land exchanges, for Lot No. 2025-1-1-7 and Lot No. 2025-1-1-8, Tamuning, Guam, owned by Maria C. Ada and each containing an area of 526 ± square meters, as identified on map drawing L.M. No. 284-FY50C, recorded in the Department of Land Management, government of Guam, under Document No. 27671.

(b) Terms. The exchange authorized in paragraph (a) above shall be executed following the pertinent provisions of Public Law Nos. 22-18 (government land reserved for land exchanges), 22-73 (just compensation for private property taken for public use), and 22-97 (considerations of land bills).



COMMITTEE ON AGRICULTURE, LAND, HOUSING, COMMUNITY & HUMAN RESOURCE DEVELOPMENT

SENATOR JOHN CAMACHO SALAS CHAIRMAN

May 27, 1997

The Honorable Antonio R. Unpingco, Speaker Twenty-Fourth Guam Legislature 155 Hesler Street Agana, Guam 96910

Dear Mr. Speaker:

The Committee of Agriculture, Land, Housing, Community and Human Resource Development, to which was referred Bill 35 "An Act to authorize the Governor to exchange Government of Guam land for proprties in Tamuning taken for utility easements," held a public hearing on May 20, 1997 to receive testimonies on said bill.

Following a markup meeting, the Committee hereby wishes to report out same with a recommendation TO DO PASS.

The Committee votes are as follows:

To Do Pass 4 Not To Pass 0 Abstain 0 Other (Off-Island) 0

A copy of the Committee Report and other pertinent documents are enclosed for your reference and information.

Sincerely,

Senator John Camacho Salas

Attachments



COMMITTEE ON

AGRICULTURE, LAND, HOUSING, COMMUNITY & HUMAN RESOURCES DEVELOPMENT

SENATOR JOHN CAMACHO SALAS CHAIRMAN

COMMITTEE REPORT

on

Bill 35 - An Act to authorize the Governor to exchange Government of guam land for properties in Tamuning taken for utility easements.

Senator John Camacho Salas, Chairman for the Committee, held a public hearing on February 13, 1997 at the Legislative Public Hearing Room, Agana, Guam, to receive testimonies on the this bill.

Committee members present included:

Senator John Camacho Salas, Chairman

Senator Edwardo J. Cruz, M.D., Vice-Chairman

Senator Larry F. Kasperbauer, Member

Senator Thomas C. Ada, Member

Senator William B.S.M. Flores, Member

Non-member senators present included:

Senator Ben C. Pangelinan

Senator Angel L.G. Santos

Senator Frank B. Aguon, Jr.

I. HEARING SUMMARY.

Chairman John C. Calas noted that no one from the public was present to testify on Bill 35. The Chairman noted moreover that notwithstanding, Bill 35 is duly considered as having been given public hearing.

Senator Tom Ada stated that written testimony would be submitted later. The property owner, he stated, is his mother, but that though he personally would abstain from voting on the bill,

his mother has the same rights as any property owner or any other person.

Senator Angel Santos, the sponsor of the bill, gave an overview by stating that the lot was taken for public use for the installation of sewer lines to service customers in the area. Mrs. Ada was not compensated, and the bill will serve to grant redress to the landowner. The bill will authorize the Governor to exchange land for the land taken from her for utility easements.

The Chairman clarified that Senator Tom Ada never approached the sponsor of the bill to request the exchange. The bill dates back to the 22nd Guam Legislature, with Senator Edward D.

Reyes who was the previous chairman of this committee.

Following the hearing, a written testimony was received from Mrs. Maria Castro Ada on February 28, 1997. Mrs. Ada stated in her written testimony that she was not seeking monetary compensation for the utility easement-taking thirty-seven (37) years ago, but rather a value-for-value land exchange.

II. COMMITTEE RECOMMENDATION.

A committee markup meeting was held on May 24, 1997 to evaluate and assess the public hearing testimony provided on this bill. The Committee voted to report out Bill 35 with a recommendation TO DO PASS. A copy of the Committee Voting Sheet is hereto attached.



SENATOR JOHN CAMACHO SALAS CHAIRMAN

COMMITTEE ON AGRICULTURE, LAND, HOUSING, COMMUNITY AND HUMAN RESOURCES DEVELOPMENT

VOTING SHEET

Bill Number 35

Title An Act to authorize the Governor to exchange Government of Guam land for properties in Tamuning taken for utility easements.

	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
John Camacho Salas, Chairman				
Edwardo J. Cruz, M.D., Vice-Chairman				
Elizabeth Barrett-Anderson, Member				
Larry F. Kasperbauer, Member	<u> </u>			
Carlotta M. Leon Guerrero, Member				
Thomas C. Ada, Member				
William B.S.M. Flores, Member				
Antonio R. Unpingco, Ex-Officio Member				

J C. CONCEPCION : ASSOCIATES

Tootoo Islan Guahan Na Approisers - Real Estate Approisal Services

Suite 2-1, 719 Robat Street, Maite, Guam 96927 - Tel: (671) 477-6366/7 Fax: (671) 477-6368

October 03, 1994

Ms. Maria C. Ada P.O. Box 1089 Agana, Guam 96910

RE: Appraisal estimating the Market Value of two contiguous parcels located in Tamuning and are legally desribed as; A Portion of Lot Number 2025-1-1-8, containing a land area of 167.22 square meters, & a Portion of Lot Number 2025-1-1-7, containing a land area of 111.48 square meters, Tamuning, Municipality of Dededo, Guam.

Dear Ms. Ada,

Upon your request, we have conducted the investigations and analysis necessary to form an opinion of the market value of the above subject properties.

The opinion set forth in this letter are stated as of October 03, 1994.

The term "Market Value" is defined as:

"The most probable price estimated in terms of money (U.S. legal tender) which a property would bring if exposed for sale a reasonable period of time on the open market, to a seller, willing but not compelled to but; both parties being fully informed of all the purposes of which the property is best adapted and is capable of being used".

Fundamental assumptions and conditions presumed in this definition are:

- 1. Buyer and seller are motivated by self-interest.
- 2. Buyer and seller are well informed and are acting prudently.
- 3. The property is exposed for reasonable time on the open market.
- 4. Payment is made in cash or its equivalent, or specified financing terms.
- 5. Specified financing, if any, may be the financing actually in place or terms generally available for the property type in its locale on the effective appraisal date.
- 6. In effect, if any, on the amount of market value of a typical financing services, or

fees shall be clearly and revealed in the appraisal report.

Salient facts and data pertinent to this letter include the following:

- 1. The subject evaluated comprises of two (2) contiguous parcels of land located south of Marine Drive in the centralized district of Tamuning. More accurately, it is in the immediate vicinity of the Block Buster Video Outlet.
- 2. The two (2) contiguous parcels are described as a level strip of land, that has been utilized as part of an existing government sewer line easement, that covers a total land area of approximately 278.70 square meters. They are located within an R-2 land use zoning area, which entices development of multi-family related improvements.
- 3. Based on the FEMA flood hazard map Panel No. 660001 0042B, the property is within a flood zone designated area. However, based on the existing developments and market trends of the district, this condition does not severely affect overall appeal. This condition was considered in our evaluation of the subject.
- 4. The subject's configuration and combined land area impedes any substantial form of development in relation to its zoning designation. Further, it is evident, that the marketability of the subject may be limited to those owners of the adjoining properties who would acquire such for probable expansion of their parcels.
- 5. The subject was analyzed and evaluated, as though vacant and unimproved, based on submitted data. Valuation was based on our analysis of the Market Data Approach, or Sales Comparison Approach, which entails comparison of the subject to closed sales which were selected to best reflect the current market activities of similar properties on island.

The Probable Market Value of the subject property, as of the date of this letter, subject to all conditions and certifications set forth in this letter, is:

EIGHTY TWO THOUSAND SEVEN HUNDRED DOLLARS (\$82,700)

The undersigned hereby certify that, except as specifically noted:

- 1. The appraiser has no present or contemplated future interest in the property appraised; and neither employment to make the appraisal, not the compensation for it, is contingent upon the appraised value of the properties.
- 2. The Appraiser has no personal interest in, or, bias with respect to the subject matter of

the appraisal letter or the participants to a sale. The "Estimate of Market Value" in this

letter report is not based in whole or in part upon the race, color, or national origin of the prospective owners or occupants of the properties in the vicinity of the properties appraised.

- 3. The appraiser has personally inspected the property, and has made an inspection of all comparable sales and listings used in the valuation used in the letter. To the best of the Appraiser's knowledge and belief, all statements and information shown in this letter are true and correct, and the Appraiser has not knowingly withheld and significant information.
- 4. All contingent and limiting conditions are contained here (imposed by the terms of assignment or by the undersigned affecting the analysis, options, and conclusion contained on the letter).
- 5. This appraisal letter has been made in conformity with and is subject to the requirements of the Code of Professional Ethics and Standards of Professional Conduct of the appraisal organizations with which the Appraiser is affiliated.
- 6. All conclusions and opinions concerning the real estate that are set forth were prepared by the Appraiser whose signature appears in this appraisal letter.
- 7. No change of any items in this appraisal letter shall be made by anyone other than the Appraiser, and the appraiser shall have no responsibility for any such unauthorized change.

This is a letter of value and in no way should it be construed as a full appraisal report. Should a full comprehensive report be required on the property, we will be happy to service such a request.

Sincerely,

Flores, CREA

586-70-6682

J.C. Concepcion

Lic: CA93-007 Exp: 1/95

J.C. Concepcion & Associates - Ste. 2-1, 719 Robat St., Malte, Guam 96927 - Tei: (671) 477-63667, FAX: (671) 477-6368

	<u> </u>
Site Valuation Chart - Portion of Lots 2025-1-1-8 & 2025-1-1-7, Mu	
	inicipality of lamuning, GU — October 3, 1994

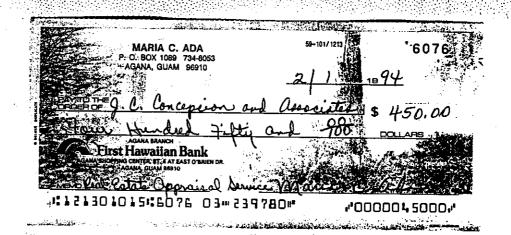
Analysis prepared for Ms. Maria C. Ada

	Subject Property	Comparable Sale		Comparable S No. 2		Comparable S		Comparable S		Comparable No. 5	A STATE OF THE PARTY OF THE PAR
	Parts of Lot 2025-1-1-8 &	Lot 2135-1-4-6		Lot \$147-28-RE		Lot 1478		Lot 2144-1A-3N	4	Lots 234, 3-P, &	
Address	2025 - 1 - 1 - 7. Tamuning	Pete Crisostomo St., T	amuning	1-R2, Tempolog,		East Chi'n Santo P	488 Arana	Tamuning, Dededo			.3~1~1
Sale Price	SO SO	\$260,000		3550,000		\$150,000	op-(o-Congain	\$1,000,000		Route 2, Agat	
Price PSM	\$0.00	\$175.44		\$291.47		\$461.54		\$353.86		\$370,000	
Proximity to subject	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	.25 Miles		.55 Miles		3 Miles		.5 Miles			
			Adjustments.		Adjustments		Adjustments		Adjustments	13 Miles	
Date of Sale	N/A	21 - Dec - \$3	\$0.	26 - Oct - 93		14-Apr-93	\$0	26 – Jan – 93	\$0	01-Sep-92	Adjustments 50
Location:	Avg/Good	Good	(\$2,600)	Good	{\$\$,500}	Avg/Good	50	Good	(\$10,000)	Average	\$33,300
Land Area (S.M.) & View	278,70 None	1,452.00 None	(\$211,100)	1,887.00 None	10	325.00	(\$21,400)		(\$901,400)	1,449.00	(\$298,800
Topography	Level	Level	50	Level	50	Level	\$0	None Level	\$0 \$0	Ocean Level	(\$9,300) 50
Zoning	R = 2, Multi = Family	C/R - 2, Comm/Multi-Fam.	50	R-2,	20	!	(\$7,500)		50	c.	(\$18,500)
Other: Improvements	None	None	20	Multi-Family None	50	Commercial None	50	Light Industrial Warehouse	(\$5,000)	Commercial None	50
Sale Concession	NIA	All Cosh		All Cash	 -	All Cash		Cash/Terms		All Cash	
Net Adjustment	AT 12 12 12 12 12 12 12 12 12 12 12 12 12	 	(\$213,700)		(\$474,300)						
Indicated Unit Value	THE PROPERTY OF STREET		\$166.13		\$271,42		(\$28,980) \$434.52		(\$916,400)		(\$293,300)
Value Indicated · to subject		-5.31%	\$46,300	/ -8.81%	\$75,700	-5.85%		- 15.23%	\$299.96	7,74%	\$275.21
Summary of Adjusted	Values (Per square meter):			·	\$73,700		\$121,100		\$83,600	<u> </u>	<u>\$75,700</u>
Per	square meter range before adjus	itments;	\$175.44	10 \$481,54			Evoluation	of Adjustments:			
Per	r squere meter range after adjustn	nents:	\$168.13				Experience (A AUJustiments.			
		Mean after ad 's:			\$289.40		Location :				
	ible sales least adjusted.				0			akes into considerati	ne the lecution	0 of the nubles as	,
	mparable Sale Number (1)	\$166,13						a. A negative 1% of s			
Co	mperable Sale Number (3)	\$434.52						d ressonable. A pos			
–		Mean of Inctors.			\$300.33			negative 1% for the			
	ible sales closest in size & proxim	ifty.							,	9	
	sest in size (3)	\$434.52					Size :				
Clo	esent in proximity, (1)	\$166,13						seed on the differen	ce in size of th	e subject from ear	ch
-		Mean of factors.			\$300.33			uitiplied by the peru			
Mean of three factors	from each summary.				\$298.71		<u>View :</u> Comparable s	ale 5 adjusted at 2.5	% of salespric	e.	
Valuation:	278.70 s.m. 🚱	8298.71	\$62,594	SAY,	\$82,700			ales 3 & 5, adjusted			arket value

trend as reflected by comparable sales 2 & 4 Indicate a close range and is considered to express the similar appeal shared by R-2 & M-1 zones. Therefore, so adjustment applied.

<u>improvements;</u>
Comparable sale 4 adjusted at 2.5% of exicsprice. This adjustment reflect the probable cost to demailshed and removed existing improvements.

NOTE:
All adjustments were rounded to the nearest hundredth.



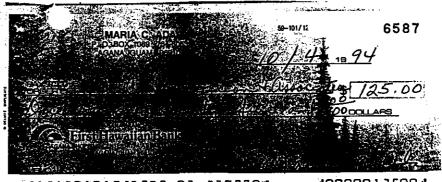
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A TOWN

	J.C. Concer Sulte 212, Union Agana, Guam 9	ocion and Associates i Bank Building, 194 Hernan (6910	Cortes Avenue,	FILE NUMBER L401014
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	Agana, Guam 96	910		<u> </u>
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lnv Da	oice Appraisal te Date	Appraiser Clerk Case Number	Appraisal Office Tax ID N	Appraisal Office Phone Number
L		N/A	86-0469226	477-6366/67
PRO RO	Property Address	N/A Tamming	ent c/o Frank Castro REF: Hrs. Ada	Unit None
ěΑ	City	Tamuning N/A	Subdivision N/A State Guam	7- 06011
ĦΔ	Legal Description	Portion of Lot No. 2025-1-	1-8. Area: 42 SM	
Ϋ́		Portion of Lot No. 2025-1-	1-7. Area: 21 SM	
Ň	Map Reference	Tomorridae	ededo	
, N	Appraisal Fee Amount	***************************************		450
NE	Additional Charges 1	••		· . \$ 0
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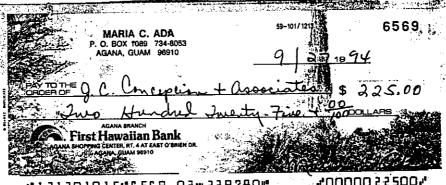
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.C. Concepcion and Associates



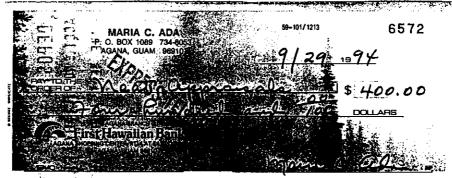
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INVOICE

J.C. Cond Suite 212, Un Agana, Guarr Attention: M Same As A P.O. Box 295 Agana, Guarr	Peg10 Frank Cabove	nd Associates Ilding, 194 Hernan Co astro	ortes Avenue,	FILE NUMBER L401014 I N V O I C E
Invoice Apprais		Client Case Number	Appraisal	Office Tax ID Number Appraisal Office Phone Number
		N/A	66-0469	226 477-6366/67
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invoice Date	Appraisal Osts	Ybbunger	File:Number	Clerit Case Number	Client's Phone Number
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Attentio	in: J.C. C	Concepci	on & Ass	ociates	****
J.C. C	Concepc	ion and	l Associ	ates	AMOUNT ENCLOSED
	12 Union E Guam 969		ing, 194 He	ernan Cortes Avenue,	\$
		71	RMS - Bala	ance due upon receipt of invoice	
				portion with your payment. Thank you !	

J.C. Conception and Associates

APPRAISAL REPORT

of

VACANT LAND

LEGALLY DESCRIBED AS:

Portion of Lot No. 10120-R16, Municipality of Dededo, Territory of Guam



PREPARED FOR:

Department of Land Management

P.O. Box 2950 Agana, Guam 96910

AS OF:

August 12, 1994

PREPARED BY:

J.C. Concepcion and Associates

J.J. Pacific Annex Building Suite 2-1 719 Robat Street Maite, Guam 96927

File Ma	W.OR/.AZJ	

· · · · · · · · · · · · · · · · · · ·				
Borrower/Client Departm	ent of Land Management Ref: Ada Maria c/o Raymond A	flague		
Property Address Port. of	Lot 10120-R16 Portion of Lot No. 10120-R16, Hunic	ipelity of Declarb, Guern		
City Declarab	County N/A	State CLET	Zip Code 96912	
Lander Department of Land	Arregement;			

LETTER OF TRANSHITTAL & CERTIFICATIONS

PREPARED FOR: Mr. Frank Castro C/O Department of Land Management, P.O. Box 2550 Acons. Cusm. 96910

REFERENCE: Market Value Estimate of: Portion of Lot No. 10120-R16, Municipality of Dededo, Territory of Quen

As requested, we have completed an appraisal on the above subject property. The report contains our opinions, along with supporting data relative to the value selected.

Subject property is a vecant-percel of land located in the Municipality of Dededo, Quant. The property appraised contains an area of 2,000,00 +/-square-meters and is described as a Portion of Lot No. 10120-R16, Municipality of Dededo, Territory of Quant.

The subject was inspected on August 12, 1994, which is also the effective date of this appraisal report.

The value assigned to the property is subject to all limiting conditions and assumptions attached herein, as of the date of this report, is:

(**** \$65,000.00 *****)

- I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF:
- ---- the statements of fact contained in this report are true and correct.
- ---- the reported analysis, opinions and conditions are only limited by the reported assumptions and limiting conditions and are my personal, urbaised professional analysis, opinions and conclusions.
- ---- I have no present or prospective interest in the property that is the subject of the report and I have no personal interest or bias with respect to the parties involved.
- --- my compensation is not contingent upon the reporting of a predetermined amount, value or direction in value that favors the cause of the client, the amount of value estimate, the attainment of a stipulated result, or the cocurrence of a subsequent event.
- --- my analysis, opinions and conclusions were developed, this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- --- I have made a personal inspection of the subject property that is stated in this report.
- --- no one provided significant professional assistance to the person signing this report.

Staff Appraiser

J.C. Concepcion - Chief Appraiser Lic: CAMPS-007/Exp: 01/31/95

J.C. Concepcion and *ssociates

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	Borrower Depen	tment of Land Mar	regenent	Ref: Ada Maria c/o Ra	mond Aflague		Ceneu	Tract j	VA	Map Reference <u>Decled</u>	
1 0	Property Address	Port. of Lot 1012	20-R16 Po	rtian of Lot No. 1012)-R16, Municipal i	y of De	ededo, Ouem			 	
Į Ē	City <u>Declardo</u>		_	c	ounty N/A			State	C).Em	ZIP Code	96912
	Legal Description	Portion of Lot No	. 10120-	R16, Municipality of (Decledo, Territory	of GLER	η				
	Sale Price & N/A		Date of Se	ile N/A	Loan Term		yrs. Property F	lights App	rained X F	es Lessehold	De Minimia PUD
c	Actual Real Estate			(yr) Loan charges t					eions N/A		
1	1	artment of Land M	enegenent			_	Agene, Quem 96				
6	Occupant K/A			oppressor L.P.A. CILIZ					market value	for Lot No. 402-R10-	2-52
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	Location		Urpa	n X Sub-	aban I	Rural	· · · · · · · · · · · · · · · · · · ·			Georg	Avg. Fair Poor
	Built-up		=	=	to 76%	Under		6	ent Stability	G-80	
	1	Fully Day,	=	=	_	Ŧ	1207			∺	
IN.	Growth Rate	L rully Dav.	L Repid		·	Slow	. [nce to Employm	"	尚书片
E	Property Values		Incre		7	_ Declin	- 1		nce to Shopping	H	
	Demand/Supply		Short	- =	dence	Overs			nce te Schoole	닏	# = =
G	Marketing Time	_		r 3 Mos. X 4-8 l		- .	6 Mos.		of Public Trans	pertation	뭐뭐님
ŭ	Present Land Use			2-4 Family <u>02</u> % Ap	le. <u>UD</u> % Condo	10 9	% Commercial		nal Fecilities	井	뭐님님
D.		00 % Industri				η			of Utilities	片	與님님
В	Change in Present		X Not Li		_	Taking	g Pisce(*)		Competibility	片	뉘뉘
Ō			*) From _		To		!		s from Detriment	al Conditions	쁜님님
R	Predominant Occus	•	X Own				Vacant		Fire Protection	Ļ	원무님
H	Single Family Price		125k		Predominant Vi				oppositance of Pro	pperties	ᄧᄔᄔ
0	Single Family Age	1	New	yra. te <u>30</u> yra.	Predominant Age	12 yrs	yre i	Appeal to	Market	L	ليا لــالغا
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D				rfevorable, affecting marks							
l 🐼				ng conters are only 10							
				ne subject property is						1.1. Guenn's main tho	cumfare, on
70000				estern end. Both rout				sauthern	districts.		
		lot Map attached				<u> 2.0</u>	000,00 514	_ Sq. Ft. c			er Lot
		- Agriculture (A)					Present improvem	e nte	X do L	do not conform to zonia	g regulations
	Highest and best us		ent use	X Other tapacifyl Fart							
	Publi	c Other (Describ	oo)	OFF SITE IMPRO			aphy <u>Level/Typ</u>				
S	Electricity X			Street Access X P	ublic Private	1 -	Adequate/				
	Geo _	None		Surface Asthalt		Shape	<u>irregular</u>				
T	Water X		 - [Maintenance X P	ublic Private	View	None/Typi	ça l			
E	San. Sawer	None		Storm Sewer	Curb/Gutter	Draineg	• Good/FB4A	<u>: 660001</u>	00258 (Zone 0) Dated: 11/15/85	
		Underground Elec.		Sidewalk		J	roperty located in				X No Yes
				apparent adverse sasemen							
				ndeveloped land and is							
	considered avera	nge for being with	hin the o	urtskirts area of the !	Decedo district.	Soil con	ndition felt qu	ire good,	subject is n	ot in a flood hazaro	area.
7888	considered fully	/ desal croble afte									
				<u>vision of the basic to</u>							
	The undersigned ha	recited three recent	sales of I	properties most similar and	f proximate to subje					he description includes a	dollar adjustment
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MΑ	The undersigned has reflecting market re- than the subject pro- property, a plus (+)	recited three recent ection to those items perty, a minue (-) ad adjustment is made	sales of posterior of eignific functions increase PROPER	properties most similar and ent variation between the e made thus reducing the in ssing the indicated value of RTY COMPAR	of proximate to subject and compare aubject and compare indicated value of aub the subject.	ble prope ject; if a	arties. If a signific i significant itsm in	ent item in the comp	the comparable erable is inferior	he description includes a property is superior to a te or less favorable than	dollar adjustment more favorable the subject
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J.C. Concepcion and Associates

File No. <u>W08464L</u>

Borrower/Client Department of Land Management Ref: Ada María c/o Raymond Aflague
Property Address Port. of Lot 10120-R16 Portion of Lot No. 10120-R16, Municipality of Dedado, Quam
City Dedado County N/A State Quam Zip Code 96912
Lander Department of Land Management

ACCEPTUM

The subject percel inspected is only a portion of Lot No. 10120-R16 (Aproximately 2,000 square meters) and was done as so under the direction of client, the Department of Land Management. The purpose of this appraisal is to determine the fair market value per square meter value, so as to determine an equitable land exchange between the percel of land owned by the Government of Quant and the percel of land owned by Maria Ada, both in fee simple.

COMMENTS ON THE INSPECTION

Lot No. 10120-R16 consist of 2,168,348.92 +/- square meters, of which is Agricultural (A) zoned. The Exact portion to be excharge carnot be determined at this time. However, if subject lot is considered as a whole, the Market Data Approach to Value would indicated and best represent the probable estimated market value of the subject property, on a per square meter value, at \$22.00. The value per unit (per square meter) would also indicated the flexibility of the actual for exchange, portion of land. Finally, our office has informally been informed that those percels of Lot No. 10120-R16 that front Y-Sengsong have been secured for exchange. The subject of this report is an interior would be consisting secondary road.

FINAL RECONCILIATION

The subject percel is situated in the Dedech district and the portion appraised consists of 2000 +/- square meters of agricultural zoned property. Water & power is located on the subject's site. The comparables used in this report were chosen based on current, verifiable data which was available to this appraisal. Vacant // Animporved property sales from within the subject's market area are rare and infrequent. This is due, in most part, to land owners transferring title to siblings under such instruments as Deed of Gift. The current state of Quant's real estate market is sluggish, however supply/demand remains fairly stable.

In the final Analysis No. 3 best represents a Fair Market Value Estimated of the subject property based on it no adjustment and the most comparable. Therefore, in my opinion, the Estimated Fair market Value of the property is indicated at:

SIXTY FIVE THOUSAND DOLLARS

****** (\$65,000) ******

File No. <u>V408464L</u>

HISTORY OF SUBJECT PROPERTY

	Port. of Lot 10120-R1	6 Portion of Lot	No. 10120-R16, Mu	nicipality of Dededo, Gu
City Dededo	County ment of Land Managemen		State Guam	Zip Code 96912
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n developing e re	eal estate appraisal, an appraiser :	must consider analyza an	d disclose:	
ovroiopinig o i	a octave approper, an approper	more consider, analyze an	2 413515291	
(a) Any curre	nt agreement of sale, option or li	sting of the property being	appraised.	
(b) Any prior	sales of the subject property bein	ng appraised that occurred	within the following time	periods:
(i) one	(1) year for 1-4 family residential	l property, and		,
	e years for all other property type	•		
	. ,			
The envisor has				r - 4;
i ne appraiser nas	s attempted to obtain specific info	itmation on the subject pro	operty with the following t	indings:
☐ The	subject property has had no cha	nge of ownership during t	ne past one (1) year.	
X The	subject property has had no char	nge of ownership during ti	ne past three (3) years.	
☐ The	subject property is currently und	er contract. Details of the	pending purchase are su	mmarizad balow.
-	subject property is currently offe			
_	subject property has been sold d			avious cala are dipologed below
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_	subject property is proposed con		•	
∐ A pr	revious sales history of the proper	rty could not be obtained t	by the appraiser in the non	mal course of business.
Grantor/Owner of	Record: Department	of Land Manageme	nt	
irantee/Purchase	r: <u>Maria Ada</u>			
Contract Price/Sal	le Price:\$ <u>N/A</u>			
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SUBJECT PROPERTY



File No. WOSKAL

TYPICAL VIBNOF

SUBJECT PARCEL AS

SEEN FROM THE EAST

LOOKING WEST.



TYPICAL STREET SCENE
(YSENGSONG)

SUBJECT ADDRESS:

Port. of Lot 10120-R16

Portion of Lot No. 10120-R16

J.C.CONCEPCION & A. JCIATES

Client/Borrower: Department of Land Managment REF: Maria Adale No. V408464

Property Address: Portion of Lot 10120-R16 District: Dededo

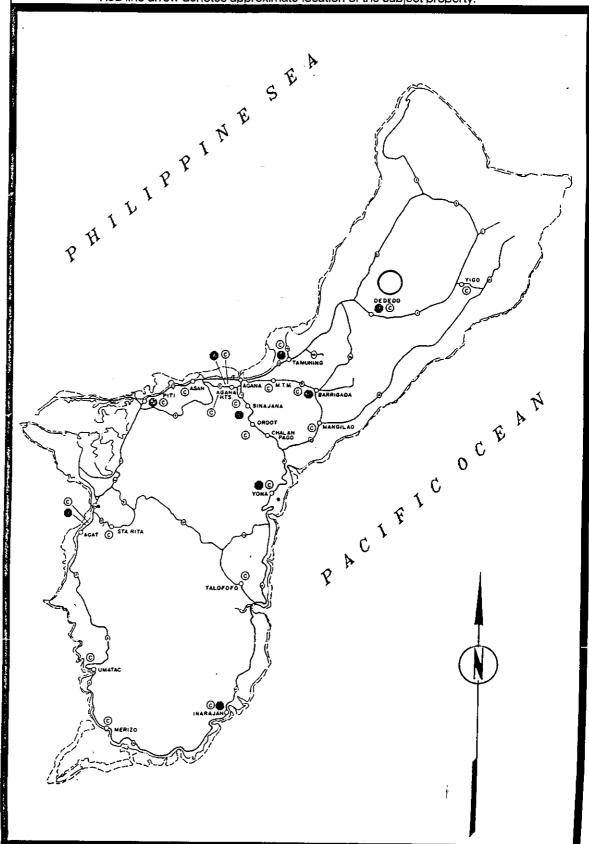
Municipality: Dededo StateGuam Zip Code: 96912

Lender:

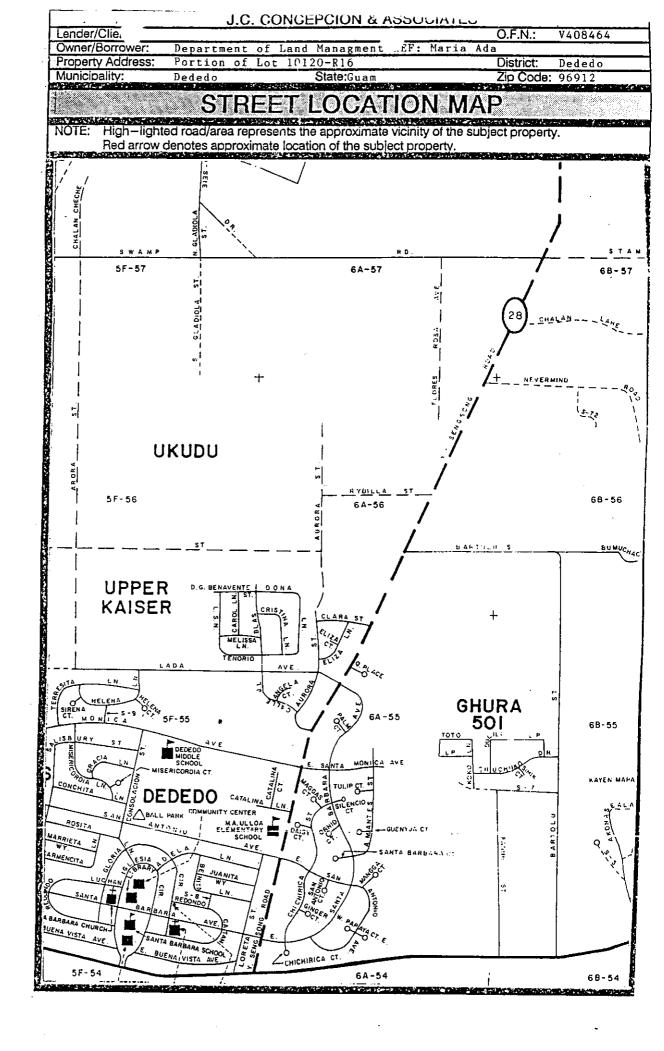
ISLAND OF GUAM LOCATION MAP

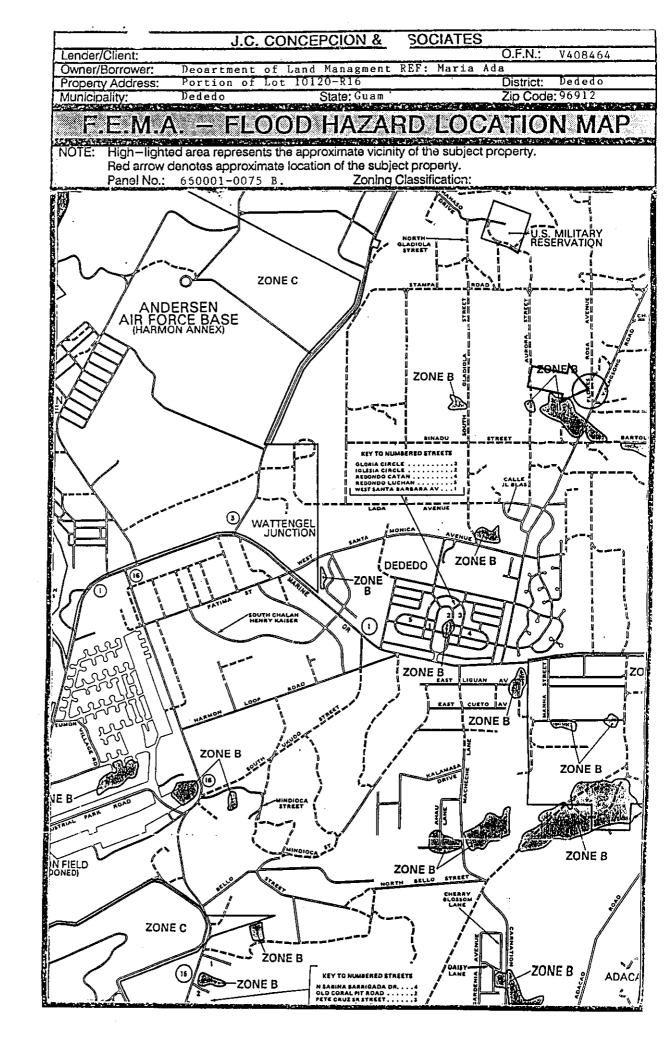
Note:

Highlited area represents the approximate location of the subject property. Red line arrow denotes approximate location of the subject property.



Lender/Client:	-	CONCEPCION &	SOCIATES	O.F.N.: V408464
Owner/Borrower: Property Address:		Land Managment Lot 10120-R16	REF: Maria Ada	District: Dededo
Municipality:	Dededo	State:Guam		Zip Code:96912
2447444 Maria 1146	A COUNTY OF STREET, ST			
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NOTE: High-lighte	ed area represent	s the approximate vicir	nity of the subject p	property.
Red arrow o	lenotes approxim	nate location of the sub	ect property.	
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-			NOTES TO USER
BASE FLOOD ELEVATION		513	CERTAIN AREAS NOT IN THE SPECIAL FLOOD HAZARD AREAS (ZONES A AND V) MAY BE PROTECTED BY FLOOD CONTROL STRUCTURES. ,
BASE FLOOD ELEVATION WHERE UNIFORM WITH		(EL 987)	This map is for plood insulance purposes dnly; it does not neces- sarily show all areas subject to plooding in the community or all planimetric features outside special flood hazard areas.
ELEVATION REPERENCE	MARK	RM7a	FOR ADJOINING MAP PANELS, SEE SEPARATELY PRINTED INDEX TO MAP
ZONE D BOUNDARY		·	PANELS.
RIVER WILE		*M1.5	COASTAL RASE FLOOD ELEVATIONS APPLY ONLY LANDWARD OF THE SHORELINE SHOWN ON THIS MAP.
**REFERENCED TO THE	NATIONAL GEODETIC VI	ERTICAL DATUM OF 1929	
EXPLANATIO	ON OF ZONE DE	SIGNATIONS	
ZONE	EXPLANATION		
	rear flood: Base flood el D factors not determined		INITIAL IDENTIFICATION: AUGUST 8, 1978
	YEAR SHALLOW FLOODING W	,	FLOOD HAZARD BOUNDARY MAP REVISIONS:

ATION:

FLOOD INSURANCE RATE MAP EFFECTIVE: **NOVEMBER 15, 1985**

KEPER TO THE PLOOD INSURANCE BATE MAP EFFECTIVE DATE SHOWN ON THIS MAP TO DETERMINE WHEN ACTUALIAL RATES APPLY TO STRUCTURES IN ZONES WHERE ELEVATIONS OR DEPTHS HAVE BEEN ESTAB-LISHED.

TO DETERMINE IF FLOOD INSURANCE IS AVAILABLE IN THIS COMMUNITY. CONTACT YOUR INSURACE AGENT, OR CALL TISE NATIONAL PLOOD DISURANCE PROGRAM, AT (\$00) \$38-6620.

- ARE BETWEEN ONE (I) AND THREE (I) FEET; AVERAGE DEPTHS OF INUNDATION ARE SHOWN, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED.
- AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS ARE BETWEEN ONE (1) AND THREE (3) FEET; BASE FLOOD ELEVATIONS ARE SHOWN, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED.
- A1-A30 AREAS OF 100-YEAR FLOOD: BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED.
- AXEAS OF 100-YEAR PLOOD TO BE PROTECTED BY PLOOD PROTECTION SYSTEM UNDER CONSTRUCTION; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
- AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD: ON CEATAIN AREAS SUBJECT TO 100-YEAR FLOOD-IND WITH AVERAGE DEFTHS LESS THAN ONE (I) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE PLOOD. (MEDIUM SHADING)
- AREAS OF MINIMAL FLOODING. (NO SITADING)
- D AREAS OF UNDETERMINED, BUT POSSIBLE, FLOOD HAZARDS.

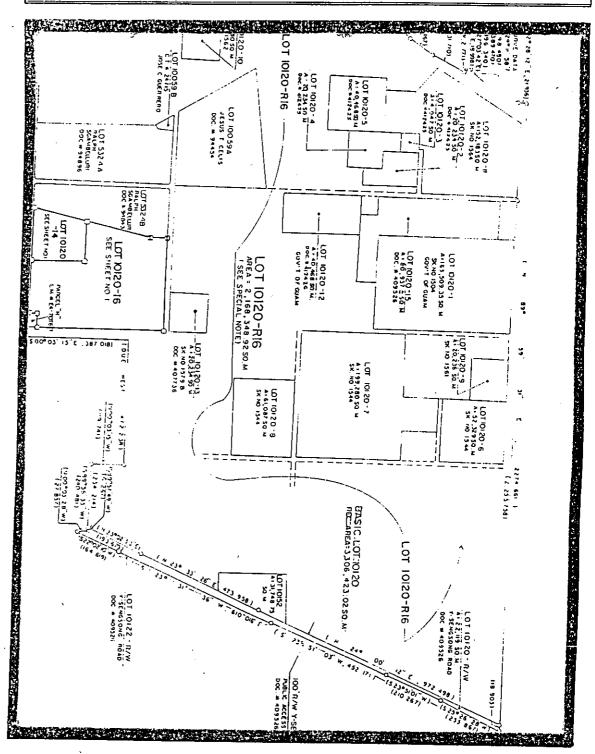
J. C. Concepcion

\ssociates

Client/Borrower:		of Land Manage	ment Re	ef: Maria	AdaFilo No:	V408464
Property Address	Portion of	Lot 10120-R16			District:	Dededo
Municipality:	Dededo	State: Guam			Zip Code:	96912
Lender:						

SUBJECT PROPERTY'S SITE MAP

NOTE: High-lited area represents the dimensions, configuration and approximate location of the subject property.



DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions. granted by anyone as-

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the saller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judament.

CERTIFICATION AND STATEMENT OF LIMITING CONDITIONS

CERTIFICATION: The Appraiser certifies and agrees that:

- 1. The Appraiser has no present or contemplated future interest in the property appraised; and neither the employment to make the appraisal, nor the compensation for it, is contingent upon the appraised value of the property.
- 2. The Appraiser has no personal interest in or bias with respect to the subject matter of the appraisal report or the participants to the sale. The "Estimate of Market Value" in the appraisal report is not based in whole or in part upon the race, color, or national orgin of the prospective owners or occupants of the property appraised, or upon the race, color or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.
- 3. The Appraiser has personally inspected the property, both inside and out, and has made an exterior inspection of all comparable sales listed in the report. To the best of the Appraiser's knowledge and belief, all statements and information in this report are true and correct, and the Appraiser has not knowingly withheld any significant information.
- 4. All contingent and limiting conditions are contained herein (imposed by the terms of the assignment or by the undersigned affecting the analyses, opinions, and conclusions contained in the report),
- 5. This appraisal report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics and Standards of Professional Conduct of the appraisal organizations with which the Appraisar is affiliated.
- 6. All conclusions and opinions concerning the real estate that are set forth in the appraisal report were prepared by the Appraisar whose signature appears on the appreisal report, unless indicated as 'Review Appreisar'. No change of any item in the appreisal report shall be made by anyone other than the Appraiser, and the Appraiser shall have no responsibility for any such unauthorized change.

CONTINGENT AND LIMITING CONDITIONS: The certification of the Appraiser appearing in the appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Appraiser in the report.

- 1. The Appraisar assumes no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the Appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
- 2. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The Appraiser has made no survey of the property.
- 3. The Appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made therefore.
- 4. Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunctions with any other appraisal and are invalid if so used.
- 5. The Appraisar assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The Appraiser assumes no responsibility for such conditions, or for engineering which might be required to discover such factors.
- 6. Information, estimates, and opinions furnished to the Appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the Appraiser can be assumed by the Appraiser.
- 7. Disclosure of the contents of the appraisal report is governed by the Bylaws and Regulations of the professional appraisal organizations with which the Appraiser is affiliated.
- 8. Neither all, for any part of the content of the report, or copy thereof (including conclusions as to the property value, the identity of the Appraiser, professional designations, reference to any professional appraisal organizations, or the firm with which the Appraiser is connected), shall be used for any purposes by anyone but the client specified in the report, the borrower if appraisal fee paid by same, the mortgages or its successors and assigns, mortgage insurers, consultants, professional appraisal organizations, any state or federally approved financial institution, any department, agency, or instrumentality of the United States or any state or the District of Columbia, without the previous written consent of the Appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the Appraisar.
- 9. On all appraisals, subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner.

This appraisal report is besed on only a portion of Lot No. 10120-R16, located in the Municipality of Dedsch. The sole purpose of the this appraisal is to determine an Estimated Fair Market Value per square meter for the purpose of an equitable land exchange for Maria Ada,

Date: Acust 12, 1994

J.C. Conception and Asso

J.C. Concepcion - Reviews Lic:CA#93-007/Bas: 01/31/95

MCS, Richardson, TX 75081 (214) 699-7783



DEPARTMENT OF LAND N NAGEMENT (DEPARTMENTON TANO')

GOVERNMENT OF GUAM



P.O Box 2950 • Agana, Guam 96910 • Phone No.: (671) 475-LAND • Fax: (671) 477-0883

JUL 17 1995

Maria C. Ada P.O. Box 1089 Agana, Guam 96910

Subject:

Appraisal Fee

Dear Mrs. Ada:

Enclosed please find Invoice Appraisal Fee from J.C. Concepcion & Associates in the amount of Three Hundred Twenty-Five Dollars (\$325.00).

The Appraisal was done during the process of your Land Exchange, pursuant to Public Laws 22-18 and 22-73, at that time Mr. Frank Castro then Director of Land Management; that you will absorb all cost of the Appraisal Report fee to evaluate the exchange of your lot and the Government land being exchanged.

In view of this, please contact J.C. Concepcion & Associates at 477-6366/7 or submit your payment to the following address:

J.C. Concepcion & Associates Suite 212, Union Bank Building 194 Herman Cortes Avenue Agana, Guam 96910

Sincerely,

J.A. MARTINEZ

Director, Department of Land Management

Enclosure

RJA:mvb 7/14/95

cc:

Dir's. Of Land Admin

Commonwealth Now!

INVOICE

	J.J. Pacific Annex Meite Guam 96927	ond Aflague		FILE NUMBER V408464 N V O 1 C
liv Do	ojca Appriarad ta į Dada	Approper Cheek Core Number	Approval Office to 1D 66-04669226	Number Approx d Other Phone Pennis (477-6366/7)
PICAPERTY INFOPAATION	Property Address 1 City 1 County 1	Department of Land Nanagment R	Subdivision N/A State Guera	Unit Name
INVOICE	Mail or Hundling Fee Additional Charges 1 . Additional Charges 2 . Additional Charges 3 .	Thank you for your busines		

	Sents Sent Norder
9-13-94 C V408464 N/A	475-5278
**Spoke with Hrs. Add on several occassions as per her understanding this was ordered by Land Management, therefore Same As Above she assumed that this was taken care of. P.O. Box 2950, Againa Guam 96910 Againa Guam 96910	AMOUNT DUE
Attention: J.C. Concepcion & Associates J.C. Concepcion and Associates J.J. Pacific Annex Bldg., Ste. 2-1, 719 Hobat Street Maite Guam 96927	AMOUNT ENCLOSED
TERMS - Balance due upon receipt of invoice Please return this portion with your payment. Thank you !	· : .

PACSIMILE TRANSMITTAL SHEET

J.C. CONCEPCION & ASSOCIATES

Ste. 212, Union Bank Bldg., 194 Hernan Cortes Avenue Agana, Guam 96910 477-6366/7 Fax# 477-6368

July 13,1995
10:55 AM
ing 02 Page(s).including this cover sheet
vanet F. Santos - Office Manager
);
Mr. Ray Aflague
Department of Land Management
P.O. Box 2950,
Agana, Guam 96910
As per our discussion, attached is a copy
of invoice dated September 13,1994. Thank You.
1
,



Appraisal Report Covering:

A PORTION OF LOT NO. 10120-R16 MUNICIPALITY OF DEDEDO, GUAM

As Of:

AUGUST 6, 1994

Prepared For:

MS. MARIA C. ADA C/O DEPARTMENT OF LAND MANAGEMENT DEPARTMENT OF ADMINISTRATION BUILDING AGANA, GUAM 96910

Propared By:

NENITA B. MUNA

August 11, 1994

The Neat Appraisals P.O. Box 10392 Tamuning, Guam 96931

Attention: Ms. Maria C. Ada

C/O Mr. Ray Aflague, Administrator Department of Land Management

Agana, Guam 96910

Regarding: Appraisal on a portion of the Dededo property.

Dear Ms. Ada,

Pursuant to Mr. Aflague's request, I have personally inspected on August 6, 1994, and appraised a portion of the real property located at:

Lot No. 10120-R16 Municipality of Dededo, Guam

The purpose of the appraisal is to estimate the square meter value of the property, in fee simple interest. It is understood that the data gathered and the finalized estimate herein is to be used in a land exchange between you and the Government of Guam.

In the subsequent pages, you will find documentation consisting of the description, supportive data and analyses conducted to derive at the final estimate of the market value.

Based on all the pertinent data gathered for this report, it is my opinion, the estimated market value of the property, as of August 10, 1994, per square meter (rounded) is:

[*** \$33.40 ***]

It is my pleasure to prepare this report for you. I stand ready to serve you again when the services are needed.

Respectfully Submitted,

Nenita B. Muna

Guam Licensed Appraiser No. 93-009

Expires: March 29, 1995

Filename: VL8-4099

MAP OF GUAM Andersen Air Force Base アンダーソン空軍基準

Borrower/Cli N/	A / ADA. Maria C.				_ `
Address A portion	of Lat No. 10120-R16				_
City Dededo	County Dededo	State	Guam	Zip Code 96912	_
Lender/Client N/A /	ADA, Maria C.				



VIEW OF THE SUBJECT PROPERTY, AS FROM THE EASTERN BOUNDARY OF Y-SENGSONG ROAD



TYPICAL STREET SCENE

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N City Dededo County Dededo State Glam Zip Code 96912								12				
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Lot No. 10120-R16 (portion of) Municipality Of Dededo, Guam Ms. Maria C. Ada

NEIGHBORHOOD COMMENTS :

Subject is located in the northern sector of Guam within the Dededo Municipality, just north of the Upper Kaiser subdivision and west of Y-Sengsong Rd. To the east, lies the Guam Municipal Golf Course. About one mile to the north, there are several small subdivisions namely, Machanaonao, Perez Gardens, and Sengsong Villa.

This neighborhood is lightly populated with single family, multifamily dwellings though, it is within the most populated village on-island. The bulk of this neighborhood consist of vacant and raw land. Structures in the immediate area show a variety of designs and quality, most of which are tropical design concrete constructed. The immediate area has not grown at the rate of other neighborhoods closeby but may be attributed vast amount of government owned lands in this area.

Presently, there is a project underway in the subject's area called the 'Lada Estates'. This well planned project is being implemented mainly by the Guam Housing Corporation, a Government of Guam autonomous agency. The project will embody 400 dwelling units ranging from townhome four-plexes, duplex and single detached homes. The subdivision is a direct response to the current housing shortage on Guam.

The general market appeal in this area of Dededo is considered good. Although employment is not present in the neighborhood, distances to major employment centers are reasonably close and somewhat easy to commute to. In the heart Dededo, about ¼ mile south, small to medium size stores are available, other consumer services are present as well. Churches, schools, service stations, fire station, recreational facilities are all conveniently located within a 1-2 mile radius.

SITE COMMENTS:

The subject is an oversize lot fronting Y-Sengsong Road on its east border. It is lot with a highly irregular shape bounded by smaller lots with a degree of irregularity as well. A preliminary map was given to illustrate the general vicinity and provide a perspective of the property's bounds.

This lot actually encompasses an area of approximately 536 acres; however for purposes of this appraisal, 3,000 square meters of this basic lot will serve as the subject property's size. The Department of Land Management, Government of Guam, was not given instructions to survey and designate a specific lot for Ms. Ada, as of yet. Therefore, an actual map of this proposed subdivision or specific location was not made available to the appraiser. But, a general vicinity was verbally described to be on the easternmost section of the basic lot about 400 feet west of Y-Sengsong Road.

Basic infrastructure are located across Y-Sengsong Road, this includes underground water and telephone hook-up, cable television availability, and over-head power connection. A private septic tank and leaching field system would be used since, no sewer lines are readily available to the site.

Zoning is Agricultural (A). Topography is presumably level, and vegetation is moderate to heavy. A portion of the Basic Lot is situated in a flood zone (Zone B); nevertheless, the greater part of this is not in a flood area. This appraisal assumes that the lot to be used in exchange with Ms. Ada's lot is not prone to flooding and is buildable. I observed no physical conditions, private or public restriction at the time of inspection.

COMMENTS ON ADVERSE ENVIRONMENTAL CONDITIONS:

The value estimated in this report is predicated, in part, upon the following observances: The existence of hazardous substances or materials was not present during the inspection. There was no pertinent information given to the appraiser that any do exist and, no visible conditions detrimental to the marketability of this subject noticed at that time.

The above observations are limited to visual inspection and only used to determine the effect on value or marketability of the subject. The appraiser is not an expert environmental inspector and therefore might be unaware of existing hazardous substances and/or detrimental environmental conditions that which may have a negative effect on the value of the property. It is possible that tests or inspections made by qualified environmental inspectors could reveal their existence.

No adverse environmental conditions noted during the inspection.

Surface and Subsoil:

For a residential lot, an important factor of concern to a prospective buyer may be the soil's ability to support a lawn and landscaping. A physical inspection revealed the surface soil as suitable and typical of the surrounding neighborhood. Soil appears to be of coral or limestone base, presently nurturing tropical grass.

An additional important factor is the properties ability to absorb water (absorption rate). Because the neighborhood is located above the island's natural aquifer system, approval from the local environmental agency is absolutely necessary.

Erosion or the possibility of erosion that which may adversely affect the property was not apparent. Generally for an unimproved lot, a test of the soil and subsoil is recommended. The appraiser assumes the site is not affected by any adverse conditions. Any such adverse findings through an engineering study may have an substantial impact on the value estimated in this report.

MARKET CONDITIONS:

In the last 24 months, reported land sale transactions have proven the existence of a widespread demand for vacant land especially residential lots. The scarcity of lots suitable for development contribution a great deal to this demand together with the income purchasing capabilities and wants and needs of the local people. On the other hand, equalized values in this market segment indicate stability; this can be attributed to the purchasing capability of the local market thereby suppressing values from acute rises. Overall, buyer actions and reactions are consistent as reveal by the nonexistence of inflated or deflated prices.

The subject property would command good appeal in the open market. It does have good proximity to utilities essential to its future development. Proximity to public support facilities, employment, and shopping are good as well.

Supply and demand for properties reasonably priced and capable of development are relatively stable. These properties turnover between three to six months.

Lot No. 10120-R16 (portion of) Municipality Of Dededo, Guam Ms. Maria C. Ada

Market Listings:

The appraiser has knowledge of condominium listed with the Multiple Listing Service and the local newspaper. The information listed below only illustrates the current market activity in the subject's neighborhood with regard to strengths and weakness of the local market for this type of property. These asking prices may indicate the highest possible value for the subject; however, listed prices are generally higher than the eventual transaction price.

Village	Source	Lot Number	Asking Price	Description
Yigo	Newspaper	unknown	\$60,000	LA=1,828sm
Dededo	MLS #94-0398	10095-5-R5	\$103,800	LA=4,630m ² ; A zone;pwr/wtr;flat topo; paved road
Yigo/Mataguac	MLS #94-0083	7123-7-R4-R1-New	\$117,855	LA=2,920sm;A zone;pwr/wtr on-site;flat;paved/dirt road
Yigo	MLS #94-0201	10100-8-3-1 near Hatsuho	\$80,000	LA=1,858;pwr/wtr;level;paved access listed 4/20/94

MARKET DATA COMMENTS:

Limited market activity has caused the appraiser to utilize sales that are not within this subject's neighborhood. Therefore, the appraiser has taken the most recent sales available, bearing in mind their proximity to the subject property. These comparables are in the municipality of Yigo. Keeping in mind, all the important factors, conditions, and appeal, appropriate adjustments were made for the differences between the subject and these comparables. They are as follows:

- No adjustments were made for time as price increases are not readily notable.
- A downward adjustment 15% for Sale No. 3 on Location;
- * A minus 5% for Sale No. 3 having sewer hook-up available on the Utility adjustment;
- 11/2% for Sale No. 2 and 1/2% for Sale No. 3 on Access.

Let No. 10120-R16 (portion of) Municipality Of Dededo, Guam Mr. Maria C. Ada

RECONCILIATION:

Based on the data presented and the analysis performed, the appraiser has formed an opinion felt to be most reliable method in estimating the Market Value of the subject property through the Sales Comparison Approach. This approach best reflects the current market attitudes and action of buyers today which have a direct influence in the values of competitive properties in the open market.

Under this approach, all three comparable properties are felt to be indicative of a value range for the subject based on the strong characteristic similarities between the properties, as indicated by their low adjustments. The proximity, similarities, as well as the date at which each comparable sold are heavily weighed factors as well.

Because of these favorable factors mentioned and judging from my analysis of the subject's neighborhood, I have placed greater emphasis on Comparable No. 1 & 2 to ascertain a value. A median of the two comparable sales provides an estimate reflective of the current market. Though Comparable No. 1 required no adjustments, the value indicated would represent a high value in a progressive market trend.

Sale No. 3 was used to display the market's reaction to properties in a more developed neighborhood. Another factor for its selection is better proximity to the subject. However, the adjustments indicate superiority over the subject, and the sale was not as recent as the others. For these reasons, it was not selected to represent present market value but provided a median value range.

A finalize estimate of market value is established at a rate of:

\$33.40 per square meter

CONDITIONS OF APPRAISAL COMMENTS (CONTINUED):

The purpose of this appraisal, as requested by Mr. Ray Aflague, is to establish a fair market square meter value of this vacant lot in fee simple interest. The appraisal is to be used as a basis in a land exchange between Ms. Maria C. Ada and the Government of Guam.

All comparable sales information was obtained from the Multiple Listing Service (MLS), real estate brokers and, other appraisal firms. The information gathered from this service and various government and private entities are, to the best of our knowledge, true and correct. The verification of such information gathered is often difficult to obtain and verify. Therefore, the appraiser does not accept any responsibility for any information deemed incorrect.

The appraiser has diligently searched for comparable sales, however, the limited availability of reliable sources, and the impracticable verification of such transactions are common conditions Guam's real estate appraisers face. Public records were researched as well and show a number of transactions, still the obtainment of pertinent details of the sale are kept confidential and would involve an unfeasible task of contacting the parties involved. As mentioned, the appraiser has used comparative properties that may not be ideally preferable but considered suitable for the Market Data Analysis.

Personal property has not been given any value consideration in this report.

This report is subject to the attached limiting conditions and assumptions statement.

This appraisal report was produced for the sole purpose herein stated; thereupon, shall not be used in any way, in whole or in part, without the written consent of the Appraiser.

DEFINITION ADDENDA

Definitions and Terms

Technical terms utilized within this report are defined to assist the reader in understanding these particular terminologys.

1. Highest and Best Use

Highest and best use must be a reasonably probable and legal use which is physically possible, appropriately supported, financially feasible, and that results in the highest value the subject property could conceivably obtain.

2. Square Meter

The square meter is a commonly used land measurement on the island of Guam. One (1) square meter equals 10.764 square feet; 1,858 square meters equals a 'short' one-half (1/2) acre, used on Guam only; 2,023.44 square meters equals one-half (1/2) acre; and 4,046.88 square meters equals one (1) acre.

3. Fee Simple

Absolute ownership unencumbered by any other interest or estate; subject only the limitation of eminent domain, escheat, police power, and taxation.

4. Flood Hazard District

Within the island of Guam, certain areas are prone to periodic flooding and/or tsunami hazards which may result in loss of life and property. Therefore, Flood Hazard Areas were established to protect life and property and reduce public costs for flood control, rescue and relief efforts. Flood Hazard Areas are delineated on Flood Boundary and Floodway Maps and the Federal Insurance Rate Maps prepared by the Federal Insurance Administration and Federal Emergency Management Agency.

Pursuant to these Flood Hazard Districts, lending institutions subject to Federal Deposit Insurance Corporation's regulations require flood insurance to complete mortgage loan transactions involving property located in a designated flood hazard or tsunami zone.

Methods of Appraisal

The valuation of any parcel of real estate is derived reproduction cost, less depreciation (if any); capitalization of income; and comparative sales analyses. From the indications of these analyses and the weight accorded to each, an opinion of value is reached.

1. The Cost Approach

The Cost Approach is based on the understanding that market participants relate value to cost. In the cost approach to value of a property is derived by adding the estimated value of the land to the current cost of constructing a reproduction or replacement for the improvements and then subtracting the amount of depreciation (i.e., deterioration and obsolescence) in the structures from all causes. Profit for coordination by the entrepreneur is included in the value indication. This approach is particularly useful in valuing new or nearly new improvements and properties that are not frequently exchanged in the market. Cost approach techniques can also be employed to derive information needed in the sales comparison and income capitalization approaches to value.

DEFINITION ADDENDA

The cost approach technique is an estimate of capital investment relating to structures, as new taking into consideration all factors which affects the current tables obtainable in the local construction industry. The cost approach further encompasses the process of determining an estimated market value of the Subject, viewed as vacant land only, from which an estimate of the total replacement cost can be calculated, providing a basis from which the feasibility of the Subject project can be weighed against the overall costs of development.

2. Income Approach (Capitalized Value)

In the income capitalization approach, the present value of the future benefits of property ownership is measured. A property's income streams, based on the prevailing rates in the open market, and its resale value upon reversion, typically during the ! Ith year utilizing the discount cash flow analysis, may be capitalized into a present, lump-sum value.

This approach is utilized to appraise income-producing properties. The present value of the future benefits of property ownership is measured, and the property's anticipated income stream and resale value, or reversion, are capitalized into a present value. In discounted cash flow analysis, periodic income and the reversion may also be converted into present value by application of a specified discount rate.

3. Market Comparison (Market Data Approach)

Using this approach, an appraiser produces a value indication by comparing a subject property with similar properties, called comparable sales, for their similarities or differences in comparison to the subject. Comparison units include the lot size, shape, topography, location, and view to name a few. The comparable sales are then analyzed, compared, and adjusted to be equal to the subject under appraisement, in which a value range is derived. The adjusted sale prices of the properties which are judged to be most comparable tend to indicate a range in which the value indication for the subject property will fall.

Data such as income multipliers and income rates may also be extracted through the market data analysis. In the market data analysis, appraisers consider these data, but do not regard them as elements of comparison and are applied in the income capitalization approach.

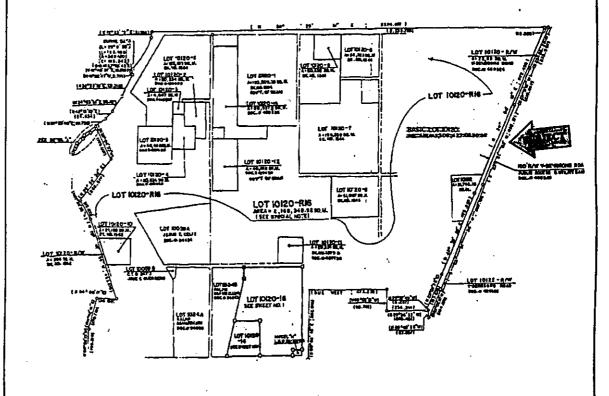
In essence, all approaches to value, particularly when the purpose of the appraisal is to establish market value, are market data approaches, since the inputs are presumably market derived.

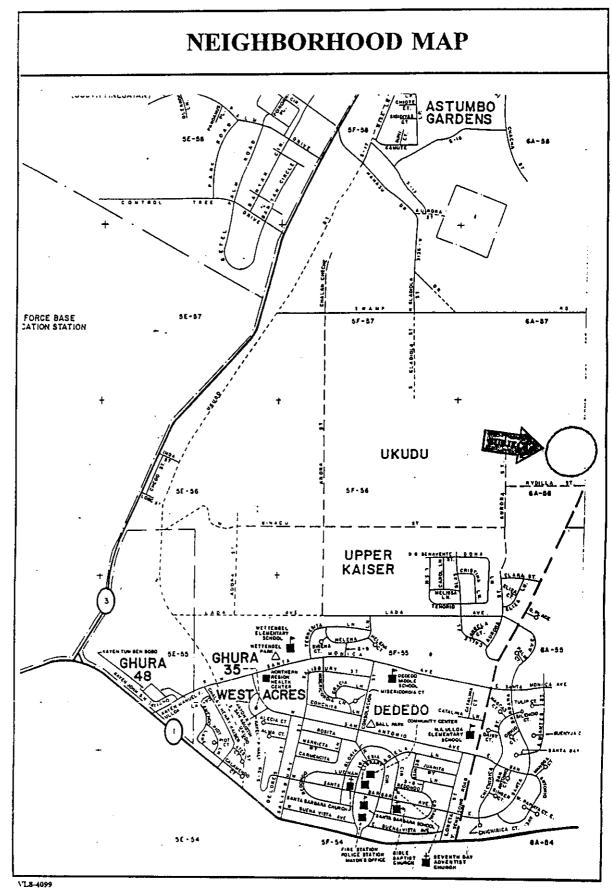
Contract Price/Sale Price: \$

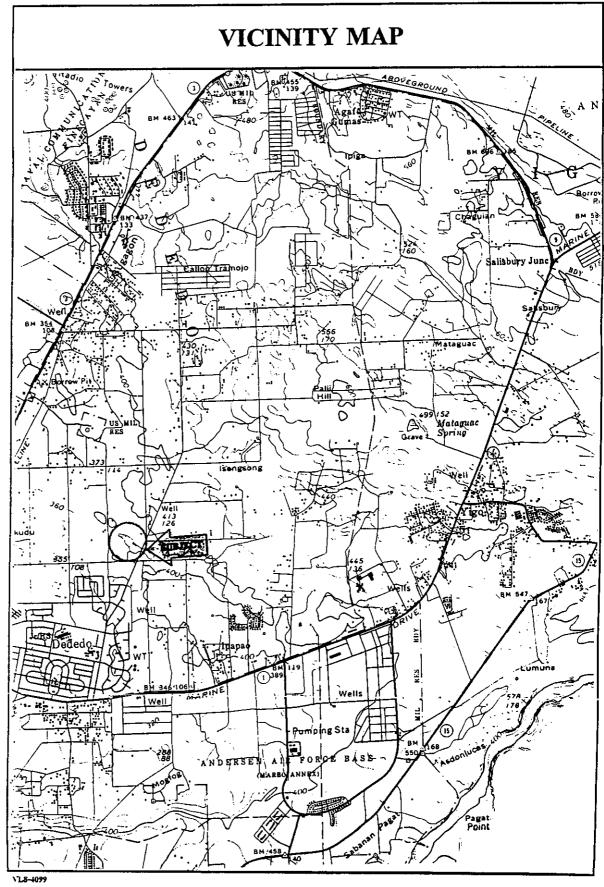
Comments:

Date of Contract/Sale

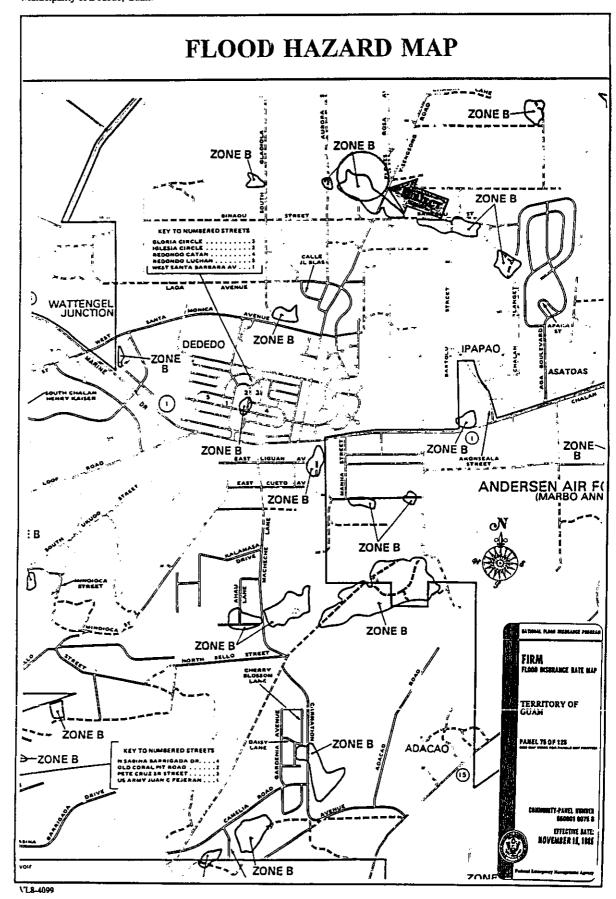
PROPERTY MAP







The Neat Appraisals



The Neat Appraisals

Borrower: ADA, Maria C.	AFTER CON	APLETION RET	TURN TO:				
Property Address:	Beensha						
A portion of Lot No. 10120-R16	Branch:						
Dededo Dededo	Address:	Address:					
City County							
Guam 96912							
State Zip Code	Attention:						
Loan Type: Conventional FHA/VA/SBA							
TO BE COMPLETED	BY FIELD APPRAISER						
1 Has a Flood Insurance Rete Map or Flood Hazard Boundar published for the community?		YES	NO STOP				
Community Number 6 6 0 0 0 1	Panel Suffix 0 0 7 5 B	Go to 2	(sign and date below)				
2 Is the <u>structure</u> located in zone A,AE,AO,AH,A1-A3O,A-9 Flood Map? (NOTE: Zone designations NOT mentioned ab		YES	NO STOP HERE (sign and date below)				
3 is the community participating in the National Flood insur-	ance Program?	YES	NO				
a) is the community in the							
Regular Flood Insurance Program?		complete	1 1				
Emergency Flood Insurance Program?		\vdash					
b) Community Name: Y-Sengsong, Dedec	<u> </u>						
Zone Designation; C			complete b) and c)				
Date of Map: November 15, 198	<u> </u>	[[,				
c) Sign and date below		1 1					
Completed by: [Appraiser's Signature	re)	Date: <u>08 /</u>	10 / 94				
LENDE	RS USE ONLY						
A "YES" answer on questions 1, 2, and 3 means insu A "YES" answer on questions 1 and 2, but "NO" on o			764.				
unavailable at the present time.	deserve a mesus menerios is idi	4					

L-1481 Ray, 11/88 (PUPOFD)

FLOOD HAZARD MAP KEY

KEY TO MAP

500-Year Flood Boundary HERZONE BEN 100-Year Flood Boundary Zone Designations 100-Year Flood Boundary CZONE B 500-Year Flood Boundary -Base Flood Elevation Line . 517 With Elevation in Feet** (EL 987) Base Flood Elevation in Feet Where Uniform Within Zone** RM7× Elevation Reference Mark Zone D Boundary -•M1.5 River Mile

Referenced to the National Geodetic Vertical Datum of 1929 **EXPLANATION OF ZONE DESIGNATIONS

ZONE **EXPLANATION** Areas of 100-year flood; base flood elevations and flood hazard factors not determined. A Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors AG Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors AH are determined. Areas of 100-year flood; base flood elevations and flood hazard factors determined. A1-A30 Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined. A99 Afeas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. [Medium shading]

- Areas of minimal flooding, (No shading) C
- Areas of undetermined, but possible, flood hazards.
- Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
- Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

NOTES TO USER

Certain areas not in the special flood hazard areas (zones A and V) may be protected by flood control structures.

This map is for flood insurance purposes only; it does not necessarily show all areas subject to flooding in the community or all planimetric features outside special flood hazard areas.

For adjoining map panels, see separately printed index To Map

Coastal base flood elevations apply only landward of the shoreline shown on this map.

INITIAL IDENTIFICATION: AUGUST 8, 1978

FLOOD HAZARD BOUNDARY MAP REVISIONS:

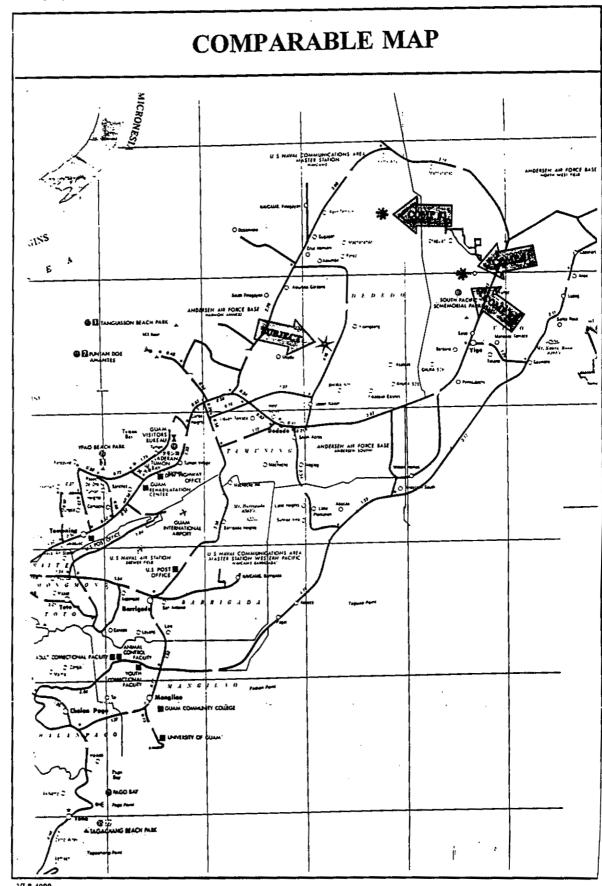
FLOOD INSURANCE RATE MAP EFFECTIVE: **NOVEMBER 15, 1985**

Refer to the FLOOD INSURANCE RATE MAP EFFECTIVE date shown on this map to determine when actuarial rates apply to structures in the zones where elevations or depths have been establiched.

To determine if flood insurance is available in this community, contact your insurance agent, or call the National Flood insurance Program, at (800) 638-6620.



APPROXIMATE SCALE IN FEET



hould bring in a competitive and open market under MARKET VALUE: The most probable price which a propr all conditio. equisite to a fair sale, the buyer and seller, each acting pt.

affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation or a sale as of a specified date and the passing of title affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title affected by undue stimulus and the passing of title affected by undue stimulus and the passi represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing of sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

CERTIFICATION AND STATEMENT OF LIMITING CONDITIONS

CERTIFICATION: The Appraiser certifies and agrees that:

1. The Appraiser has no present or contemplated future interest in the property appraised; and neither the employment to make the appraisal, nor the compensation for it, is contingent upon the appraised value of the property.

2. The Appraiser has no personal interest in or bias with respect to the subject matter of the appraisal report or the participants to the sale. The "Estimate of Market Value" in the appraisal report is not based in whole or in part upon the race, color, or national origin of the prospective owners or occupants of the property appraised, or upon the race, color or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.

3. The Appraiser has personally inspected the property, both inside and out, and has made an exterior inspection of all comparable sales listed in the report. To the best of the Appraiser's knowledge and belief, all statements and information in this report are true and correct, and the Appraiser has not knowingly withheld any significant information.

4. All contingent and limiting conditions are contained herein (imposed by the terms of the assignment or by the undersigned affecting the analyses, opinions, and conclusions contained in the report).

5. This appraisal report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics

and Standards of Professional Conduct of the appraisal organizations with which the Appraisar is affiliated. 6. All conclusions and opinions concerning the real estate that are set forth in the appraisal report were prepared by the Appraisar

whose signature appears on the appraisal report, unless indicated as Review Appraiser. No change of any item in the appraisal report shall be made by anyone other than the Appraiser, and the Appraiser shall have no responsibility for any such unauthorized change.

CONTINGENT AND LIMITING CONDITIONS: The certification of the Appraiser appearing in the appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Appraiser in the report.

1. The Appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the Appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.

2. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The Appraiser has made no survey of the property.

3. The Appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the

property in question, unless arrangements have been made previously made therefor.

4. Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if

5. The Appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more valuable or less valuable. The Appraiser assumes no responsibility for such conditions, or for engineering which

might be required to discover such factors. 6. Information, estimates, and opinions furnished to the Appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the

Appraiser can be assumed by the Appraiser.

7. Disclosure of the contents of the appraisal report is governed by the Bylaws and Regulations of the professional appraisal

organizations with which the Appraiser is affiliated.

8. Neither all, nor any part of the content of the report, or copy thereof (including conclusions as to the property value, the identity of the Appraiser, professional designations, reference to any professional appraisal organizations, or the firm with which the Appraiser is connected), shall be used for any purposes by anyone but the client specified in the report, the borrower if appraisal fee paid by same, approved financial institution, any department, agency, or instrumentality of the United States any state or the District of Columbia, without the pravious written consent of the Appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the Appraiser.

9. On all appraisals, subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner.

ENVIRONMENTAL DISCLAIMER: The value estimated is based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions unless otherwise stated in this report. The appraiser is not an expert in the identification of hazardous substances or detrimental environmental conditions. The appraiser's routine inspection of and inquiries about the subject property did not develop any information that indicated any apparent aignificant hazardous substances or detrimental environmental conditions which would affect the property negatively unless otherwise stated in this report. It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous substances or detrimental environmental conditions on or around the property that would negatively affect its value.

ADDITIONAL CERTIFICATION: The appraiser further certifies and agrees that:

1. This appraisal conforms to the Uniform Standards of Professional Appraisal Practice ("USPAP") adopted by the Appraisal Standards Board of the Appraisal Foundation, except that the Departure Provision of the USPAP does not apply.

2. Their compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

3. This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan. Note: The environmental discisioner or the additional contification are not approved or disapproved by Freddie Mac or Fannie Mac.

August 6, 1994 Date

Fraddia Mac

Appraiser

Nenita 1 B. Muna Fannie Mee



LEGISLATIVE HEARING

The Committee on Land, Agriculture, Housing, Planning, Community and Human Resource Development will conduct a public hearing on Thursday, February 13, 1997, starting at 9:00 A.M., at the Legislature's Public Hearing Room, to receive testimonies on the following:

- The Governor's appointment of Mr. Glenn A. Leon Guerrero to serve as a member of the Territorial Land Use Commission.
- An Act to establish the Wage and Hour Trust Fund and a Wage and Hour Escheat Account for the Department of Labor.
- An Act to adopt the Department of Land Management's Reconciliatory Report on Lands transferred to the Chamorro Land Trust Commission.
- **32** An Act to repeal and re-enact Section 3 of Public Law 22-156, relative to the terms and conditions of land sold to Marvin A. Cruz and other buyers.
- An Act to authorize the exchange of a portion of Government land in Dededo for land in Barrigada owned by Pat D. and Emma E.C. Collado.
- An Act to authorize the Governor to exchange Government of Guam land for properties in Tamuning taken for utility easements.
- An Act to approve the re-subdivision survey map of Lot No. 10061-16, Tract 143, Municipality of Dededo, and to grant variances for said lot.
- An Act to add a new Section 10 to Public Law 20-212, relative to authorizing the Governor to exchange Government of Guam land for privately-owned land taken for the Department of Corrections Adult Correctional Facility protective zone.
- An Act to amend Section 61307 of Title 21, Guam Code Annotated, to add mini-storage/mini-warehouse as a permitted use in commercial zones.

The public is invited to participate, and to present written and/or oral testimony. Copies of the above-cited bilis may be obtained at the Legislature's Central Files Office (472-3443) or at the Office of Senator John C. Salas (472-3585).

TESTIMONY OF MRS. MARIA CASTRO ADA BILL NO. 35

Hafa adai Chairman Salas and members of the Committee on Agriculture, Land, Housing, Community, Planning, and Human Resource Development. My name is Maria Castro Ada and would like to offer my written testimony in support of Bill No. 35, sponsored by Senator Angel L.G. Santos.

On April 7, 1965, Civil Action No. 28-65 was enacted by the Attorney General of Guam. The Power of Eminent Domain was exercised by the AG condemning parcels of land in Tamuning for the purpose of constructing a public sewer and water utility lines. (See Attachment A, Notice of Lis Pendens to CA No. 28-65, dtd 7 April 1965)

I am the owner of Lot No. 2025-1-1-7 and Lot No. 2025-1-1-8, the subject of Bill No. 35, where a total of 278.70 square meters were included in the taking along with other parcels in the area. The landowners who were affected by exercise of Eminent Domain were duly compensated through land exchange. I, however, was never compensated for my land that was taken.

On April 19, 1965 (twelve days subsequent to the Notice of Lis Pendens), my husband and I signed a Grant of Easement implying voluntary surrendering of the land. (See Attachment B, Grant of Easement, dtd 19 April 1965) However, our signatures were obtained subsequent to Civil Action No. 28-65, and under the guise that non-compliance would result in the rerouting of the sewer and water utility lines through other areas. Consequently, this would result in sewer services not being made conveniently available to all the residents of the area. We felt compelled to sign the easement, notwithstanding the fact that earlier the Government had already decided to condemn subject parcels anyway.

In addition to not being compensated for the land which was taken, we continued to be comply with the payment of land taxes inclusive of the parcels which were condemned.

I do not seek monetary compensation for the government's taking of my private land. Instead, I request that a land exchange be effected on a value for value (inclusive of the lost economic opportunities) basis.

It has been almost 37 years that the government condemned my property. My husband has since passed away and I am in the later years of my life. I am hopeful this Committee can favorably provide a resolution to this issue before I go on to join my late husband, Tun Juan Torres Ada.

Honorable Senators, I fully understand and appreciate the value of a utility services, in particular sewer, to a community. However, it is unfair that I should have to subsidize this by the giving up of parcels of my land. I humbly ask for your support of Bill No. 35 which seeks to provide me with the compensation I rightfully deserve for the condemnation of my land. Si Yuús Maáse and Thank you.

Mrs. Maria Castro Ada