



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

Refer to  
Legislative Secretary

JUN 20 1997

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

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>D. J. [Signature]</u>
Time	<u>3:35 pm</u>
Date	<u>6-20-97</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 146 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR TO SELL A PORTION OF THE AGANA-PITI ROAD BETWEEN LOTS 24, 25, 26, AND 27, BLOCKS 10 & LOTS 1454-2-1, 1453, AND 1452, THE ALLEY BETWEEN LOTS 1452-3, 1452-2, 1452-1 AND 1452, ALL LOTS CONTAINED WITHIN BLOCK 10, CITY OF NEW AGANA, GUAM AND THE ALLEY BETWEEN LOTS 1454-2-1 AND 1454-1-1-B, WITHIN BLOCK 10, CITY OF NEW AGANA, GUAM; AND TO DEPOSIT PROCEEDS OF THE SALES TO THE CHAMORRO LAND TRUST COMMISSION'S CHAMORRO HOME LOAN FUND.", which I have signed into law today as **Public Law No. 24-50**.

This legislation provides that the government may sell 2 lots of 283± square meters and 99± square meters to the private owners who have land surrounding these very small areas of government land.

Very truly yours,

  
Carl T. C. Gutierrez  
Governor of Guam

Attachment **00292**

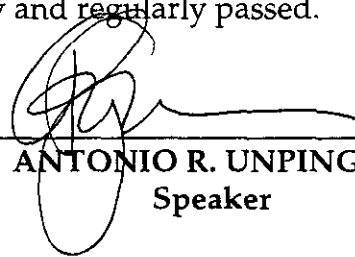
cc: The Honorable Joanne M. S. Brown  
Legislative Secretary

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 6.20.97  
Time: 3:00  
Rec'd by: [Signature]  
Print Name: Monique [Signature]


TWENTY-FOURTH GUAM LEGISLATURE  
1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

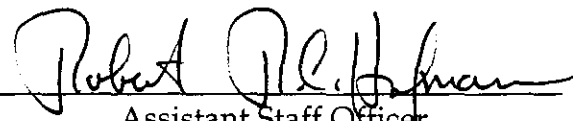
This is to certify that Substitute Bill No. 146 (COR), "AN ACT TO AUTHORIZE THE GOVERNOR TO SELL A PORTION OF THE AGANA-PITI ROAD BETWEEN LOTS 24, 25, 26 AND 27, AND LOTS 1454-2-1, 1453 AND 1452, THE ALLEY BETWEEN LOTS 1452-3, 1452-2, 1452-1 AND 1452, ALL LOTS CONTAINED WITHIN BLOCK 10, CITY OF NEW AGANA, GUAM AND THE ALLEY BETWEEN LOTS 1454-2-1 AND 1454-1-1-B, WITHIN BLOCK 10, CITY OF NEW AGANA, GUAM; AND TO DEPOSIT PROCEEDS OF THE SALES TO THE CHAMORRO LAND TRUST COMMISSION'S CHAMORRO HOME LOAN FUND," was on the 7th day of June, 1997, duly and regularly passed.

  
ANTONIO R. UNPINGCO  
Speaker

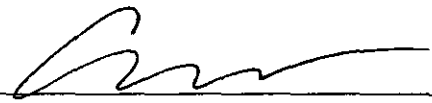
Attested:

  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 13<sup>th</sup> day of June, 1997, at  
8:10 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. 24-50

**TWENTY-FOURTH GUAM LEGISLATURE**  
**1997 (FIRST) Regular Session**

**Bill No. 146 (COR)**

As substituted by the Committee  
on Finance and Taxation, and as amended  
on the Floor.

Introduced by:

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

**AN ACT TO AUTHORIZE THE GOVERNOR TO  
SELL A PORTION OF THE AGANA-PITI ROAD  
BETWEEN LOTS 24, 25, 26 AND 27, AND LOTS  
1454-2-1, 1453 AND 1452, THE ALLEY BETWEEN  
LOTS 1452-3, 1452-2, 1452-1 AND 1452, ALL LOTS  
CONTAINED WITHIN BLOCK 10, CITY OF  
NEW AGANA, GUAM AND THE ALLEY**

BETWEEN LOTS 1454-2-1 AND 1454-1-1-B,  
WITHIN BLOCK 10, CITY OF NEW AGANA,  
GUAM; AND TO DEPOSIT PROCEEDS OF THE  
SALES TO THE CHAMORRO LAND TRUST  
COMMISSION'S CHAMORRO HOME LOAN  
FUND.

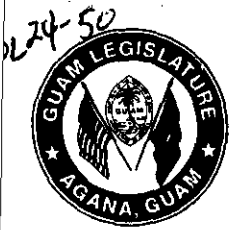
1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF

2 GUAM:

3 Section 1. Sale of Government Land Authorized. The Governor of  
4 Guam is hereby authorized to sell, at fair market value, a portion of the  
5 Agana-Piti Road, between Lots 24, 25, 26 and 27, Block 10 and Lots 1454-2-  
6 1, 1453 and 1452, also the alley between Lots 1452-3, 1452-2, 1452-1 and  
7 1452, all lots are within Block 10, City of New Agana, Guam, containing an  
8 area of 283± square meters, to Mr. Marciano V. Pangilinan. In determining  
9 the fair market value of the property, the average of the two (2) highest  
10 appraisals shall be used. The Governor shall report such transaction to the  
11 Speaker of the Guam Legislature within thirty (30) days of its completion.

12 Section 2. Sale of Government Land Authorized. The Governor of  
13 Guam is hereby authorized to sell, at fair market value, the alley between  
14 Lots 1454-2-1 and 1454-1-1-B, all lots are within Block 10, City of New  
15 Agana, Guam, containing an area of approximately 99± square meters, to  
16 Mr. Jesus C. Quitugua. In determining the fair market value of the  
17 property, the average of the two (2) highest appraisals shall be used. The  
18 Governor shall report such transaction to the Speaker of the Guam  
19 Legislature within thirty (30) days of its completion.

1           **Section 3. Proceeds from Sale to be Deposited in Chamorro Land**  
2 **Trust Commission's Chamorro Home Loan Fund.** All proceeds from the  
3 sales of land authorized in Section 1 and Section 2 of this Act shall be  
4 deposited in the Chamorro Land Trust Commission's Chamorro Home  
5 Loan Fund.



TWENTY-FOURTH GUAM LEGISLATURE

# Office of the Vice-Speaker

ANTHONY C. BLAZ

June 5, 1997

✓

LEGISLATIVE  
COMMITTEE  
MEMBERSHIP

Chairman  
Finance & Taxation

Vice-Chairman  
Rules,  
Government Reform  
& Federal Affairs

Education

Natural Resources

Health &  
Human Services

Tourism, Economic  
Development & Cultural  
Affairs

Judiciary,  
Public Safety &  
Consumer Protection

Transportation,  
Telecommunications, &  
Micronesian Affairs

MEMBERSHIP

Guam Finance  
Commission

Commission on Self  
Determination

**The Honorable Speaker Antonio R. Unpingco**  
**24<sup>th</sup> Guam Legislature**  
**155 Hesler Street**  
**Agana, Guam 96910**

**Dear Mr. Speaker:**

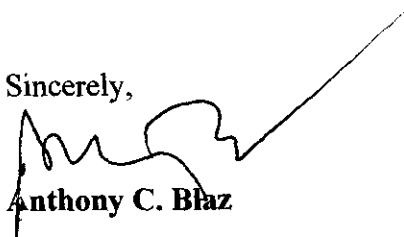
The Committee on Finance and Taxation now reports its findings on Bill No.146, as substituted, **An Act to authorize the Governor to sell a portion of the Agana-Piti Road, between Lots 24, 25, 26, and 27, Blocks 10 & Lots 1454-2-1, 1453, and 1452, also the alley between Lots 1452-3, 1452-2, 1452-1, 1452, all lots are within Block 10, City of New Agana - area 283 +/- square meters and the alley between Lots 1454-2-1 and 1454-1-1-B, all lots are within Block 10, City of New Agana, Guam, containing an area of approximately 99 +/- square meters to the full Legislature with the recommendation TO DO PASS.**

Votes of the committee members are as follows:

To Pass	<u>8</u>
Not To Pass	<u>      </u>
Inactive File	<u>      </u>
Abstained	<u>1</u>
Off-Island	<u>      </u>
Not Available	<u>      </u>

Copies of the Committee Report and all pertinent documents are attached for your information.

Sincerely,

  
Anthony C. Blaz

Attachments


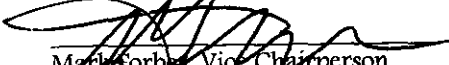
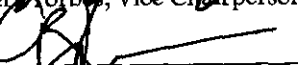
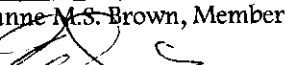

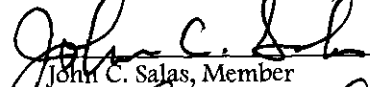
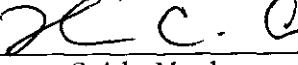
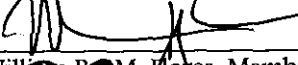
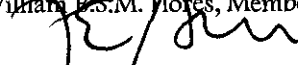
Committee on Finance and Taxation

Voting Sheet on  
Bill No. 146  
as substituted by the Committee on Finance & Taxation

(Short Title)

An act to authorize the Governor to sell a portion of the Agana-Piti road, between Lots 24, 25, 26, and 27, Blocks 10- & Lots 1454-2-1, 1453, and 1452, also the alley between Lots 1452-3, 1452-2, 1452-1, 1452, all lots are within Block 10, City of New Agana - Area 283 +/- square meters and the alley between Lots 1545-2-1 and 1454-1-1-B, all lots are within Block 10, City of New Agana, Guam containing an area of approximately 99 +/- square meters.



 Anthony C. Blas, Chairperson	✓			
 Mark Forbes, Vice Chairperson	✓			
 Antonio R. Unpingco, Ex-Officio	✓			
Elizabeth Barrett-Anderson, Member				
Joanne M.S. Brown, Member				
 Edwardo J. Cruz, Member	✓			
Lawrence F. Kasperbauer, Member				
 Alberto A.C. Lamorena, V, Member	✓			
Carlotta A. Leon Guerrero, Member				
 John C. Salas, Member	✓			
 Thomas C. Ada, Member	✓			
Mark C. Charfauros, Member				
 William B.S.M. Flores, Member			✓	
 Francis E. Santos, Member	✓			

**Twenty-Fourth Guam Legislature  
Committee on Finance & Taxation  
Vice-Speaker Anthony C. Blaz, Chairman  
155 Hesler St.  
Agana, Guam 96932**

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**Committee Report on  
Bill 146(COR)**

**An Act To Authorize The Governor To Sell A Portion Of The Agana-Piti Road Containing An Area Of Approximately 283 +/- Square Meters, Between Lots 24, 25, 26, and 27, Blocks 10 And Lots 1454-2-1, 1453, and 1452, Also The Alley Between Lots 1452-3, 1452-2, 1452-1, 1452, All Lots Are Within Block 10, City of New Agana, Guam And The Alley Containing An Area Of Approximately 99 +/- Square Meters Between Lots 1454-2-1 And 1454-1-1-B, All Lots Are Within Block 10, City Of Agana, Guam.**

**I. Overview:**

The Committee on Finance & Taxation held a public hearing on March 24, 1997 at 9:00 a.m. to hear public testimony on Bill No. 146 at the Legislative Public Hearing Room. Public Notice was announced and printed on March 20th & 24th , 1997 issues of the Pacific Daily News.

**Committee Members Present:**

Anthony C. Blaz, Chairman  
Elizabeth Barrett-Anderson  
Edward Cruz, Chairman  
Thomas C. Ada, Senator



## **Providing Public Testimony on the Bill:**

Marciano V. Pangilinan, President, M. V. Pangilinan Enterprises, Inc. (Written/Oral)  
Robert R. Ventura, Land Surveyor of Mr. M. V. Pangilinan (Oral)  
Jesus C. Quitugua, Local Tax Payer, U. S. Citizen and Resident of Agana (Oral)  
Department of Land Management (Written)  
Chamorro Land Trust Commission (Written)

### **I. Synopsis of Bill 146:**

Bill 146(COR) as amended by the Committee on Finance and Taxation is to authorize the Governor of Guam to sell that portion of government of Guam property identified as a portion of the Agana-Piti Road, between Lots 24, 25, 26 and 27, Block 10 and Lot 1454-2-1, 1453 and 1452, also the Alley between Lots 1452-3, 1452-2, 1452-1, 1452, all Lots are within Block 10, City of New Agana containing an Area of approximately 283 +/- Square Meters to Marciano V. Pangilinan and the Alley between Lots 1454-2-1 and 1454-1-1-B, all Lots are within Block 10, City of New Agana, Guam containing an area of approximately 99 +/- Square Meters to Jesus C. Quitugua.

### **II. Summary of Testimony**

#### **M.V. PANGILINAN:**

Mr. Pangilinan submitted a written and oral testimony in support of Bill 146 and requested from the Committee on Finance and Taxation to approve Bill 146 and allow him to buy the property described in the bill. Mr. Pangilinan justified his request by saying that the 283 square meters will make his lot complete because his present lot surrounds the government land.

#### **Robert R. Ventura:**

Mr. Ventura was hired by Mr. Pangilinan to survey his lot and to show the government land to be purchased. The government easement is surrounded by Mr. Pangilinan's lot and he should be entitled to purchase it at fair market value.

#### **Jesus C. Quitugua:**

Mr. Quitugua also testified and supported the intent of Bill 146 but wanted it to be amended to include his request to buy a portion of the easement adjacent to his lot and situated between his lot and that of Mr. Pangilinan. Mr. Pangilinan was asked if he has any objection for Mr. Quitugua request to buy that portion of the easement between their respective lots. Mr. Pangilinan said no.

**Department of Land Management:**

Mr. Ray J. Aflague, Administrator, Land Management Programs, on behalf of the Director of Land Management, presented a written testimony on Bill 146 stating that the Department of Land Management has no objection to Bill 146 because the portion of the Agana-Piti Road and the alley in question is right in the middle of Mr. Marciano V. Pangilinan's property.

**Chamorro Land Trust Commission:**

Mr. Joseph M. Borja, Administrative Director of the Chamorro Land Trust Commission, presented a written testimony stating that the properties contained in Bill 146, as amended, are not in the Chamorro Land Trust Available Lands Inventory and offers no objection to the enactment of Bill 146.

**Finding & Recommendation**

The Committee on Finance & Taxation, having conducted a sufficient public hearing on Bill 146 to authorize the Governor of Guam to sell certain portions of government land in the City of New Agana, Guam, presents its findings with a **recommendation to do pass Bill 146 as substituted.**



# M.V. PANGILINAN ENTERPRISES, INC.

P.O. Box 101 • Agana, Guam 96932  
Tel.: (671) 646-1683 / 649-1641 / 649-1603  
Fax: (671) 649-6277

Ace Hardware

April 11, 1997

Acura Motor  
Company

Honorable Anthony C. Blaz  
Vice Speaker, Twenty-Fourth Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Ben Franklin

Dear ~~Mr.~~ Vice Speaker:

Mark's Insurance

First, let me thank you and your colleagues for the prompt action on Bill No. 146 which would authorize the Governor to sell a portion of the Agana-Piti road in Agana to the adjacent land owner. The courtesy extended to me during the public hearing was especially appreciated.

Mark's Motor Co.

Allow me to take this opportunity to reiterate some points discussed at the hearing. As you know, the subject lot measures only 283 square meters (see attachment). Being this small, this fractional lot has absolutely no value or use to the Government or any other individual. This particular lot is surrounded by my property on 4 sides, a significantly underdeveloped area. The lot, for all practical purpose, is landlocked.

Mark's Sporting  
Goods

Guam Office  
Supply

The current plan for this area including the fractional lot is to construct the District Court Building, and a contract has already been signed between myself and GSA (see attachment). This particular project would cost between nine to ten million dollars. This substantial investment would be a catalyst for a full development of the entire area, from the Old Atkins Kroll to Adelup.

Yigo  
Shopping Center

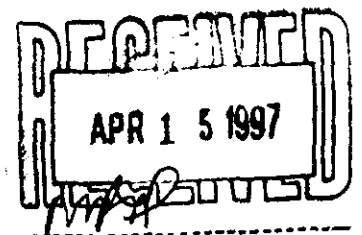
In addition, the sale of the fractional lot, in accordance with the bill, would resolve successfully a significant part of the lingering fractional lot problem in Agana, which the Legislature and the Administration have attempted to address without success.

Sinajana  
Shopping Center

Once again, I want to thank you for your prompt consideration of this matter. Please do not hesitate to call on me if there is any additional information I can provide.

Sincerely,

Mark V. Pangilinan, Sr.





General Services Administration, Region 9  
Phillip Burton Federal Building and U.S. Courthouse  
450 Golden Gate Avenue  
San Francisco, CA 94102-3400

August 9, 1996

Mr. Mark Pangilinan  
P.O. Box 101  
Agana, Guam 96910

Dear Mr. Pangilinan:

Enclosed, please find your fully executed copy of Lease Agreement GS-09B-95942 reflecting the terms negotiated and agreed between us. Pursuant to the contract, the government intends to deliver Design Intent drawings to you within 90 calendar days from the date of award. In the meantime, we will be contacting you and your architectural staff should any questions come up during this process.

In addition, I am enclosing a Procurement Integrity certification and would appreciate it if you or your authorized agent fill it out, sign it, and return it to my attention as soon as possible.

If you have any questions, please contact me at 415 522-3321.

Sincerely,

TOM HIXSON  
Contracting Officer, 9PME-E  
Real Estate Services  
Pacific Service Center

Enclosure



STANDARD FORM 2  
FEBRUARY 1965 EDITION  
GENERAL SERVICES  
ADMINISTRATION  
FPR (41CFR) 1016.601

U.S. GOVERNMENT  
LEASE FOR REAL PROPERTY

DATE OF LEASE: (To be inserted by Government)

LEASE No. GS-09B- 95942

~~1996 9 0 1996~~  
1996 9 0 1996

THIS LEASE, made and entered into this date between MARK PANGILINAN

whose address is:

P.O. Box 101  
Agana, Guam 96910

and whose interest in the property hereinafter described is that of OWNER, hereinafter called the LESSOR, and the UNITED STATES OF AMERICA, hereinafter called the Government.

WITNESSETH: The parties hereto for the considerations hereinafter mentioned, covenant and agree as follows:

1. The Lessor hereby leases to the Government the following described premises:

Approximately 23,609 rentable square feet of office and related space on the third and fourth floors of a building to be built at 520 West Soledad Avenue in Agana, Guam yielding approximately 21,726 occupiable square feet as further depicted on Exhibit "A" attached hereto and made a part of this lease, together with thirty-one reserved inside parking spaces and forty reserved off street parking spaces

to be used for SUCH PURPOSES AS DETERMINED BY THE GOVERNMENT.

2. TO HAVE AND TO HOLD the said premises with their appurtenances for the following term:

Beginning on the date this space is accepted for occupancy and continuing through the following fifteen year period, subject to termination rights as may be hereinafter set forth.

3. [This paragraph is deleted in its entirety]

4. This lease may be terminated by the Government at any time after the initial ten year term by delivering 30 calendar days' notice in writing to the lessor. Said notice is computed beginning the day after the day of mailing and no rental shall be payable once the notification period has lapsed.

5. [This Paragraph is deleted in its entirety]

P. V

6. The Lessor shall furnish to the Government as part of the rental consideration, the following:

A. All services ,maintenance, alterations repairs, and utilities but not limited to services, maintenances and repairs related to any and all above standard "special" installations and improvements that have been or will be installed by the Lessor, as further defined in the attached Solicitation For Offers and its attachments..

B. Final design intent drawings will be delivered to the lessor no later than 90 calendar days following the award date of this lease and Lessor agrees to build out the space and deliver it for occupancy within 540 calendar days from lease award, or within 540 calendar days from Lessor's receipt of final floorplans, whichever is later.

7. The following are attached and made a part hereof:

A. Exhibit "A"

B. Sheet Number 1 ,Sheet Number 2, and Sheet Number 3 containing Paragraphs 9, 10, 11,12,13 AND 14

C. GSA Form 3517, General Clauses (Rev 9/94)

D. GSA Form 3518, Representations and Certifications (Rev 5/94)

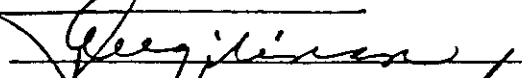
8. The following changes were made in this lease prior to its execution:

Paragraphs 3 and 5 have been deleted in their entirety.

Paragraphs 9 through 14 have been added

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date first above written.

MARK PANGILINAN

 BY \_\_\_\_\_

IN PRESENCE OF  ADDRESS P.O. BOX 22075 GMP 96921

UNITED STATES OF AMERICA

BY  CONTRACTING OFFICER, GSA, PBS, Real Estate Services

**SHEET NO. 1 ATTACHED HERETO AND MADE A PART OF LEASE  
AGREEMENT GS-09B-95942**

"9. **OPERATING EXPENSES**-- The base rate for the cost of services, for purposes of annual escalation based on prevailing CPI rates at the time of each one year anniversary of the lease, is established at the commencement of the lease to be \$3.70 per occupiable square foot per annum. It is furthermore understood and agreed by all parties that the expense figure is already included in the rental rate and the sole purpose of this paragraph is to establish a base rate for future adjustments.

"10. **RENT**-- Rent shall be paid as follows:

YEARS 1-5: Annual rental of \$1,274,886.00 at the monthly rate of \$106,240.50 paid in arrears based on a rate of \$56.5736 per occupiable square foot per annum.

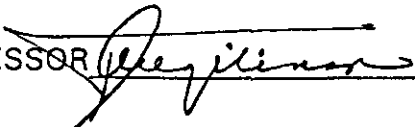

YEARS 6-10: Annual rental of \$1,303,216.80 at the monthly rate of \$108,601.40 paid in arrears based on a rate of \$57.831 per occupiable square foot per annum.

YEARS 11-15: Annual rental of \$1,359,878.40 at the monthly rate of \$113,323.20 paid in arrears based on a rate of \$60.3452 per occupiable square foot per annum.

***All rental is subject to adjustment by actual field measurement.***

Rent for a lesser period shall be prorated. Checks shall be mailed to:

Mark Pangilinan  
P.O. Box 101  
Agana, Guam

LESSOR  GOVERNMENT 

**SHEET NO. 2 ATTACHED HERETO AND MADE A PART OF LEASE AGREEMENT GS-09B-95942**

**11. UNIT COSTS**

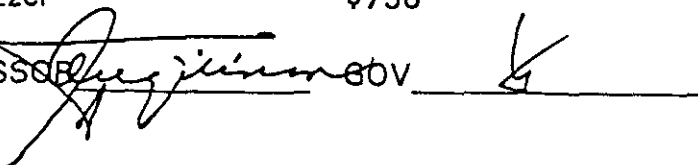
In accordance with Paragraph 3.1 of the Solicitation For Offers 95942, Unit Costs are established as follows:

Item	Cost	Unit
Ceiling High Partition	\$195.00	per linear foot
Floor Mounted Duplex	\$125.00	each
Wall Mounted Duplex	\$40.00	each
Floor Mounted Quad	\$150.00	each
Wall Mounted Quad	\$48.00	each
Ded. Computer Circuit	\$30.00	each
Floor mounted telephone	\$95.00	each
Wall mounted telephone	\$45.00	each
Interior door	\$720.00	each
Cost diff/ceiling high and slab to slab partitioning	\$45.00	per linear foot

**\*12. LUMP SUM COSTS:** At the request of the Contracting Officer, the following items will be installed at the prices which have been negotiated. These are above standard items which are not included in the rent, and upon installation and acceptance by the Government, lessor shall receive a LUMP SUM payment. Title of said improvements shall vest in the Government, however this does not relieve the lessor of maintenance or repair of such items any time during the lease or its extensions thereof. The Government, at its option, may choose to remove these items upon vacating the leased premises without responsibility for restoration; should the Government abandon these improvements upon vacating the premises, title shall then vest in the lessor.

ITEM	COST	UNIT
Cable TV Hookup	\$280	per outlet
5 Button push lock	\$403	each
Fixed bench, hallway	\$714.	per linear foot
Terrazo/thin set	\$22	per square foot
Cell grills	\$77	per square foot
Sally port locks	\$260	each
Buzzer	\$756	each

LESSOR

 GOV



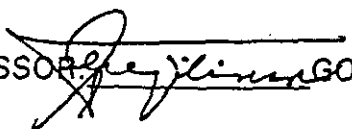

**SHEET NO. 3 ATTACHED HERETO AND MADE A PART OF LEASE AGREEMENT GS-09B-95942**

Door with observation window	\$1128	each
Impact resistant glass	\$280	per square foot
Lockers	\$714	each
Locker benches	\$672	each
Vibration underlayment	\$6.30	per square foot
Vault	\$3500	each

**"13. HVAC OVERTIME:** Should the Government require HVAC beyond the normal operating hours of this lease, a request shall be made to the lessor acknowledging that the rate for such overtime services shall be \$20.00 per hour. Only duly authorized representatives from the tenant agency shall make such a request; those representatives will furthermore be responsible for obtaining funding obligations for such purposes in advance of the request.

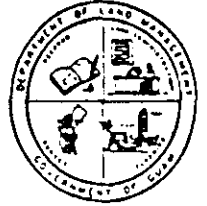
**"14. REAL PROPERTY TAXES:** Pursuant to the Real Estate Tax Clause (Paragraph 3.4 of the Solicitation For Offers), the Government's percentage of occupancy is established at 49.6% of the anticipated total rentable square feet in the building (23,609/47,644), subject to adjustment by actual field measurement.

**"15. JANITORIAL SERVICES:** Regardless of any requirements stipulated herein, the Government reserves the right to request some or all janitorial service to be performed during normal operating hours without additional compensation to the lessor.

LESSOR:  GOV. 



**DEPARTMENT OF LAND MANAGEMENT  
( DEPARTMENTON TANO' )  
GOVERNMENT OF GUAM**



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

APRIL 28, 1997

Honorable Anthony C. Blas  
Vice-Speaker  
Twenty-Fourth Guam Legislature  
Chairman, Committee on Finance  
and Taxation  
155 Hesler Street  
Agana, Guam 96910

Subject: Bill Nos. 143, 146 and 33

Dear Mr. Vice-Speaker:

Reference to your letter of April 15, 1997, wherein you are requesting written testimony as to our research and conclusion of the Bills above mentioned:

BILL NO. 143 (COR)

AN ACT TO AUTHORIZE THE GOVERNOR TO EXCHANGE EQUAL PORTIONS OF LOT 46 IN MERIZO CONSISTING OF 372 SQ. METERS FOR A PORTION OF LOT 46A OWNED BY THE GOVERNMENT OF GUAM CONSISTING OF 160 SQ. METERS AND ALLOW LAWRENCE R. NAPUTI TO PURCHASE THE REMAINING PORTION OF LOT 46A.

Department of Land Management has no objection to the content of Bill No. 143, however, a concern must be addressed; the Master Plan for the expansion of San Dimas Street, not only affects Lot No. 46, but the entire length of San Dimas Street; the setback of 80 ft. wide as per the Master Plan; Will this Master Plan materialize in the near future? Our understanding was that the Master Plan was originated in 1967. Should the setback of 80 ft. wide as per the Master Plan becomes a dead issue, then, the exchange won't be necessary.

Moreover, the government claimed, designated as Lot No. 46A, is not officially under the GOV/GUAM ownership. It must go through Land Registration with Superior Court and prove ownership before the GOV/GUAM can dispose subject property. Again, we have no objection on Bill No. 143, provided, however, that Public Works can justify that the setback of 80 ft. wide as per the Master Plan in the South is still in motion and that the designated Lot No. 46A, is officially under the GOV/GUAM ownership.

**RECEIVED**  
APR 28 1997  
*[Signature]*



Letter to the Vice-Speaker  
Subject: Bill Nos. 143, 146 and 33  
Page 2 of 3

BILL NO. 146

AN ACT TO AUTHORIZE THE GOVERNOR TO SELL A PORTION OF "THE AGANA-PITI ROAD, BETWEEN LOT 24, 25, 26 AND 27, BLOCK 10 & LOT 1454-2-1, 1453 AND 1452, ALSO THE ALLEY BETWEEN LOTS 1452-3, 1452-2, 1452-1, 1452, ALL LOTS ARE WITHIN BLOCK 10, CITY OF NEW AGANA-AREA 283± SQUARE METERS".

We support Bill No. 146; the portion of the Agana-Piti Road and the alley in question is right in the middle of Mr. Marciano V. Pangilinan properties. The portion of the Agana-Piti Road and the Alley is of no use to anyone but Mr. Pangilinan, as shown on the enclosed map shaded pink for your easy reference.

Again, we fully support the passage of this Bill in its entirety.

BILL NO. 33

AN ACT TO AUTHORIZE THE CONVEYANCE TO THE HEIRS OF MARIANO T. CHARFAUROS OF THE ABANDONED UTILITY EASEMENT CROSSING LOT NO. 217, AGAT.

A thorough research was conducted in reference to Bill No. 33, which is the waterline easement taken by the Naval Government of Guam but was never utilized for such purpose. Being that the waterline was never utilized and remains abandoned; by disposing said waterline to the heirs of Mariano T. Charfauros, will not create any landlocked situation to the interior landowners, therefore, we fully support the passage of this Bill in its entirety.

However, a slight correction on Bill No. 33, must be made and should read:

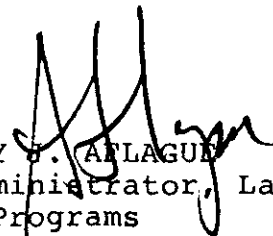
"AN ACT TO AUTHORIZE THE CONVEYANCE TO THE HEIRS OF MARIANO T. CHARFAUROS OF THE ABANDONED UTILITY EASEMENT CROSSING BASIC LOT NO. 216, AGAT.

Section 2, Authorization to Sell. The Governor is hereby authorized to sell to the heirs of Mariano T. Charfauros, the abandoned waterline easement identified as Lot Nos. 216-2-1,

Letter to the Vice-Speaker  
Subject: Bill Nos. 143, 146 and 33  
Page 3 of 3

216-2-2, and 216-2-3, an area of 1604 square meters, 808 square meters, and 605 square meters, respectively, Municipality of Agat. The sale price for the easement shall not exceed the price per square meter paid by the late, Mariano T. Charfauros, for the redemption of his property, Lot Nos. 216-A and 216-1, which Mr. Charfauros paid to the Naval Government for Tax lien, plus twenty-five percent (25%) administrative cost. All other section on Bill No. 33 is sound.

Sincerely yours,

  
RAY S. AFLAGUE  
Administrator, Land Management  
Programs

**FISCAL NOTE**  
**BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

**BBMR-F7**

**Bill Number:** 146(COR)  
**Amendatory Bill:** N/A

**Date Received:** 3/18/97  
**Date Reviewed:** 3/21/97

**Department/Agency Affected:** Department of Land Management

**Department/Agency Head:** Joseph A. Martinez

**Total FY Appropriation to Date:** \$3,694,501 (General Fund)

**Bill Title (preamble):** AN ACT TO AUTHORIZE THE GOVERNOR TO SELL A PORTION OF "THE AGANA-PITI ROAD, BETWEEN LOTS 24, 25, 26 AND 27, BLOCK 10 & LOTS 1454-2-1, 1453 AND 1452, ALSO THE ALLEY BETWEEN LOTS 1452-3, 1452-2, 1452-1, 1452, ALL LOTS ARE WITHIN BLOCK 10, CITY OF NEW AGANA- AREA 283+/-SQUARE METERS".

**Change in Law:** N/A

**Bill's Impact on Present Program Funding:**

Increase X Decrease \_\_\_\_\_ Reallocation \_\_\_\_\_ No Change \_\_\_\_\_

**Bill is for:**

Operations \_\_\_\_\_ Capital Improvement \_\_\_\_\_ Other X

**FINANCIAL/PROGRAM IMPACT**

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Natural Resources Recreation & Arts			1/

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						1/

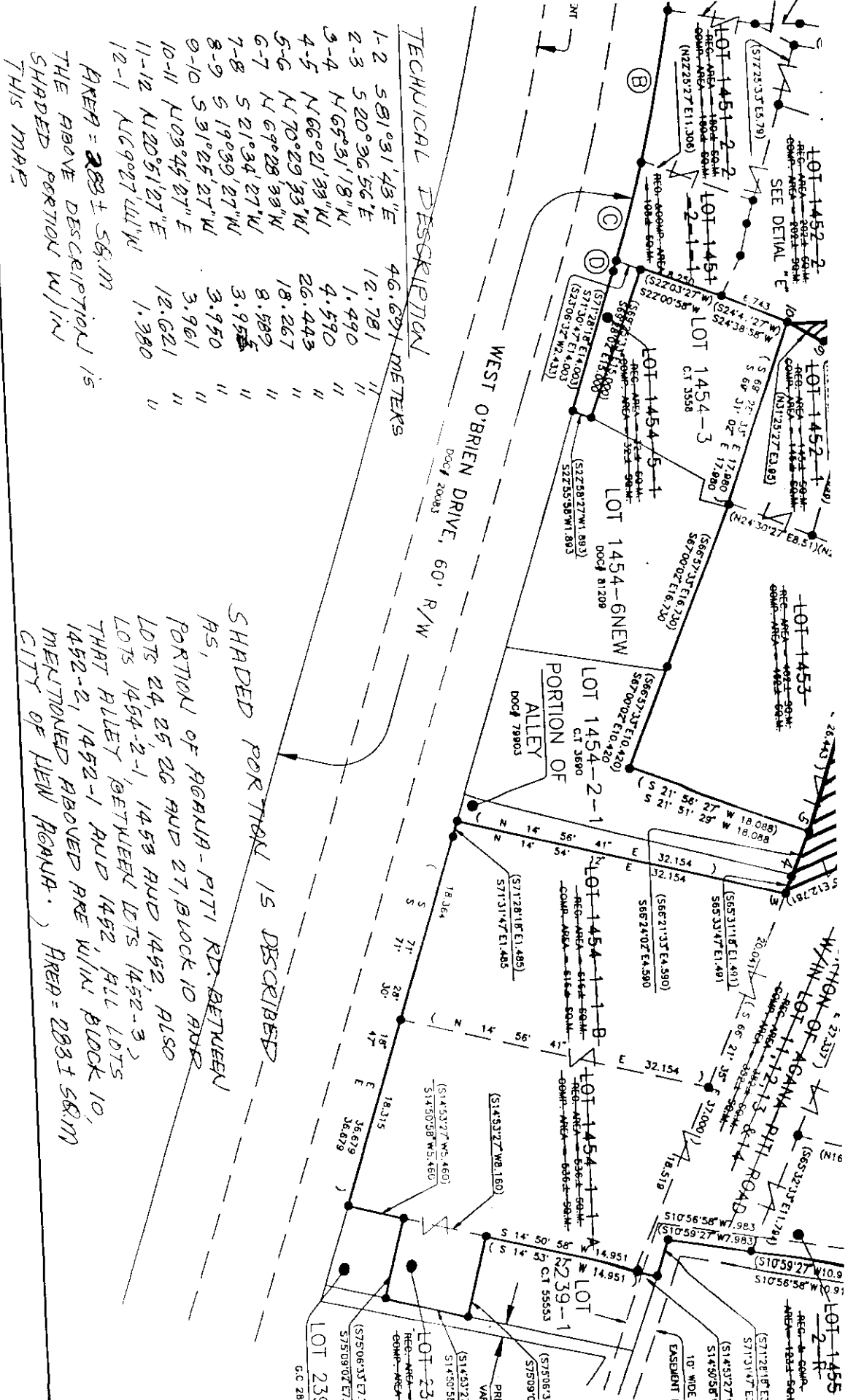
**FUNDS ADEQUATE TO COVER INTENT OF THE BILL?** \_\_\_ -- IF NO, ADD'L AMOUNT REQUIRED \$ \_\_\_\_\_

**AGENCY/PERSON/DATE CONTACTED:** \_\_\_\_\_

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						1/

**ANALYST** A. Flores **DATE** 3/21/97 **DIRECTOR** frances Balujacté **DATE** MAR 24 1997  
Joseph E. Rivera, Acting

**FOOTNOTES:** 1/Although an appropriation measure is not provided, enactment of Bill No.143(COR) will impact on scarce government land resources. Additionally, it entails administrative costs to carry out the intent of the proposed legislation.



**TECHNICAL DESCRIPTION**

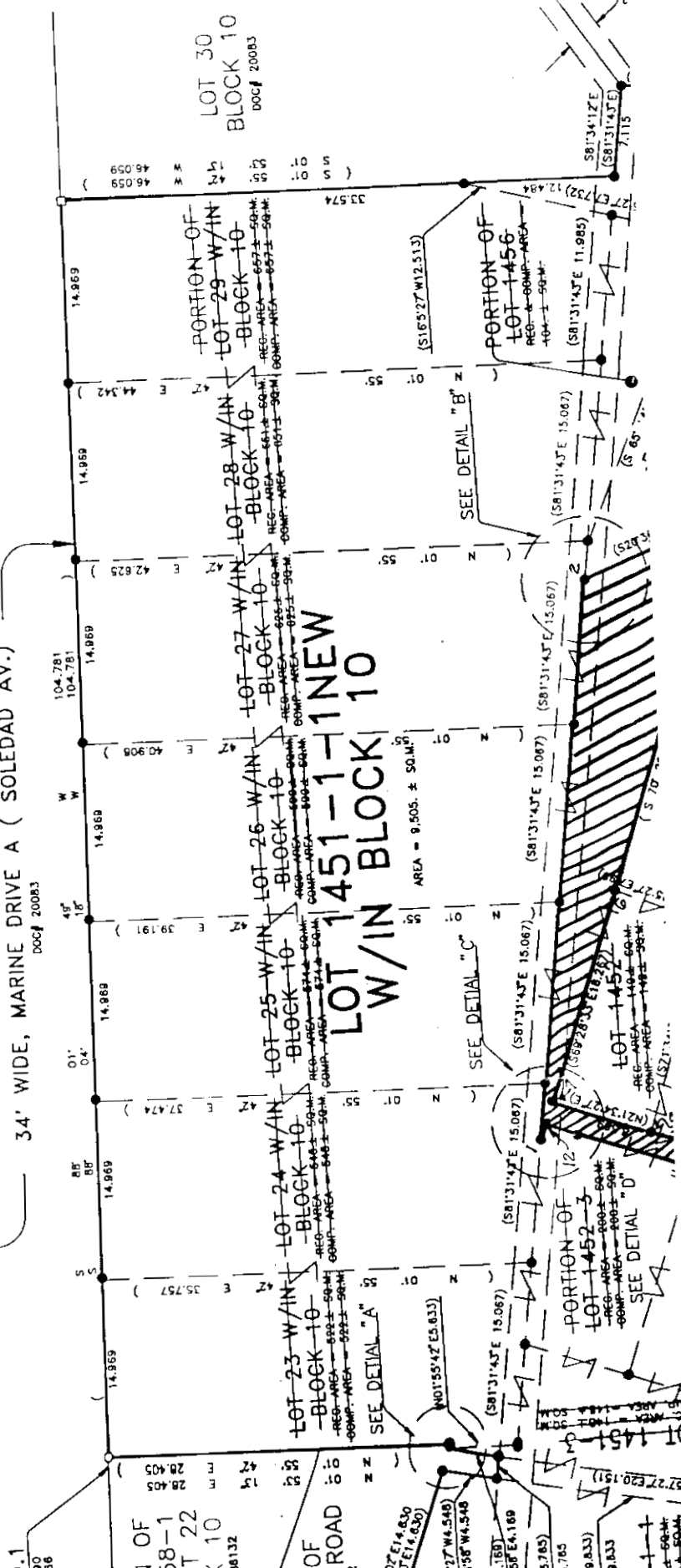
LINE	BEARING	DISTANCE	IN METERS
1-2	S 81° 31' 43" E	46.691	46.691
2-3	S 20° 36' 56" E	12.781	12.781
3-4	N 65° 31' 18" W	1.490	1.490
4-5	N 66° 21' 33" W	4.490	4.490
5-6	N 70° 29' 33" W	26.443	26.443
6-7	N 69° 28' 33" W	18.267	18.267
7-8	S 21° 34' 27" W	8.989	8.989
8-9	S 19° 39' 27" W	3.950	3.950
9-10	S 31° 25' 27" W	3.950	3.950
10-11	N 03° 44' 27" E	3.961	3.961
11-12	N 20° 51' 27" E	12.621	12.621
12-1	N 69° 27' 44" W	1.380	1.380

AREA = 288 ± SQ.M  
 THE ABOVE DESCRIPTION IS  
 SHADED PORTION W/IN  
 THIS MAP

SHADED PORTION IS DESCRIBED  
 AS,  
 PORTION OF AGANA-PITI RD. BETWEEN  
 LOTS 24, 25, 26 AND 27, BLOCK 10 AND  
 LOTS 1454-2-1, 1453 AND 1452, ALSO  
 THAT ALLEY BETWEEN LOTS 1452-3,  
 1452-2, 1452-1 AND 1452, ALL LOTS  
 MENTIONED ABOVE ARE W/IN BLOCK 10,  
 CITY OF LEW AGANA. ) AREA = 283 ± SQ.M

2 of 2

34' WIDE, MARINE DRIVE A ( SOLEDAD AV.)  
Doc# 20083



NO.1  
71.4590  
25.5.1066

ION OF  
1458-1  
LOT 22  
BLOCK 10  
Doc# 20083

ION OF  
LOT 23  
BLOCK 10  
Doc# 20083

ION OF  
LOT 24  
BLOCK 10  
Doc# 20083

ION OF  
LOT 25  
BLOCK 10  
Doc# 20083

ION OF  
LOT 26  
BLOCK 10  
Doc# 20083

ION OF  
LOT 27  
BLOCK 10  
Doc# 20083

ION OF  
LOT 28  
BLOCK 10  
Doc# 20083

ION OF  
LOT 29  
BLOCK 10  
Doc# 20083

ION OF  
LOT 30  
BLOCK 10  
Doc# 20083

ION OF  
LOT 31  
BLOCK 10  
Doc# 20083



1993 GRID

G.G.N  
1460

N 197,504.7265  
E 99,459.9603

N84°10'13"E 214.012

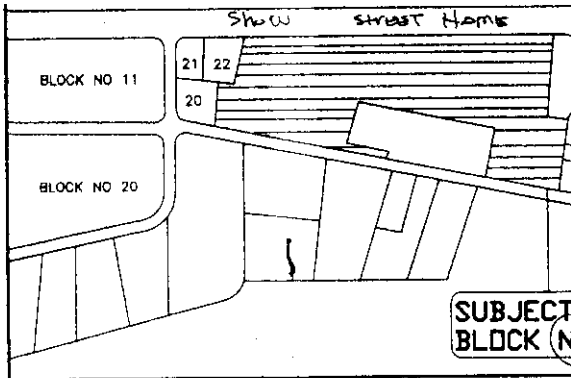
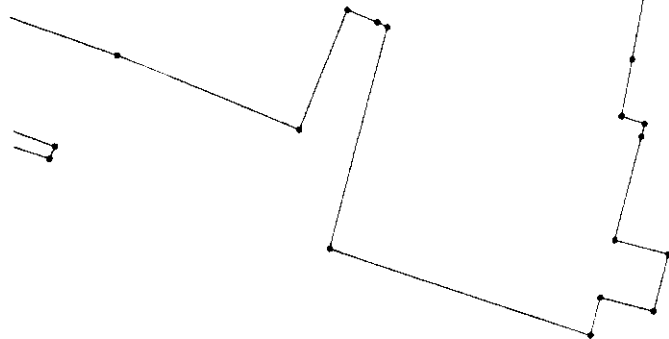
G.G.N TIE-IN  
NOT TO SCALE

ADD REFERENCE 5.  
5. SPECIFIC REFERENCE USED BY TERRITORIAL PLANNER AS BASIS OF APPROVAL ON THIS CONSOLIDATION SURVEY IS TITLE 13, § 94A, CHAPTER 3, SUBCHAPTER B, SUBSECTIONS 12213.3, 12214, 12214.1 (a), 12214.3 (c), SUBDIVISION RULES AND REGULATIONS.

NO.1  
71.4590  
55.1066

LOT 1451-1-1NEW  
W/IN BLOCK 10

0.2  
671  
712



VICINITY MAP < NOT TO SCALE >

REFERENCES:

- DWG # P-386, PROPERTY MAP OF BLOCK 10, L.M.C-10, PREPARED BY RNAVAL GOVERNMENT OF GUAM, DDC# 20083.
- DWG# 3886, RETRACEMENT SURVEY MAP, L.M. 221-FY86, PREPARED BY DDC# 386132.
- MA DWG# 1002L PROPERTY MAP OF LS. 12 SEC. 4V.
- MA DWG# 10004, PROPERTY MAP OF LS. 12 SEC. 4V.
- 

NOTES:

- SURVEY WAS BASED ON RECOVERED PROPERTY CORNERS AS SHOWN.
- ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
- BEARINGS & DISTANCES ARE RECORDED DATA (1963 GRID) ALL OTHERS AND ACTUAL FIELD CONDITIONS.
- SUBJECT LOT(S) IS/ARE ZONED 'C' COMMERCIAL AS APPROVAL THIS M/

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH THE REQUIREMENT CHAPTER 9, TITLE 14 GOVERNMENT CODE OF GUAM AND REGULATIONS THEREUNDER ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1996.

TERRITORIAL SURVEYOR,

APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 62,

TERRITORIAL PLANNER

DATE

CERTIFICATE OF SURVEYOR

I, ROBERTO R. VENTURA, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION THAT IS BASED ON A FIELD SURVEY MADE IN 1996, IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. I ALSO CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THIS MAP.

ROBERTO R. VENTURA R.L.S # 54

DATE

REVISION	DESCRIPTION	BY

CONSOLIDATION SURVEY MAP  
INTO

LOT 1451-1-1NEW W/IN BL  
(FOR LEASEHOLD PURPOSES)

L.S. 13

MUNICIPALITY OF AGANA

SURVEY DATA		DATE	LOT DATA
FIELD BY:	B.T.	9-96	LOT NO.
BOOK NO.	RV-96	9-96	CERTIFICATE NO.
COMPUTED BY:	R.R.V.	9-96	REGISTERED ON:
DRAWN BY:	LP	9-96	IN THE NAME OF:
RESEARCHED BY:	LP	9-96	
CHECKED BY:	R.R.V.	9-96	

PREPARED FOR, SATISFACTORY TO, AND APPROVED BY:

SEE PLAN

OWNER:

SCALE AS SHOWN

SEE

1072

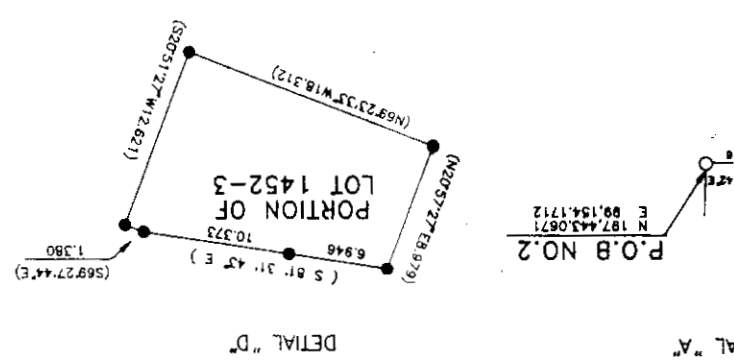
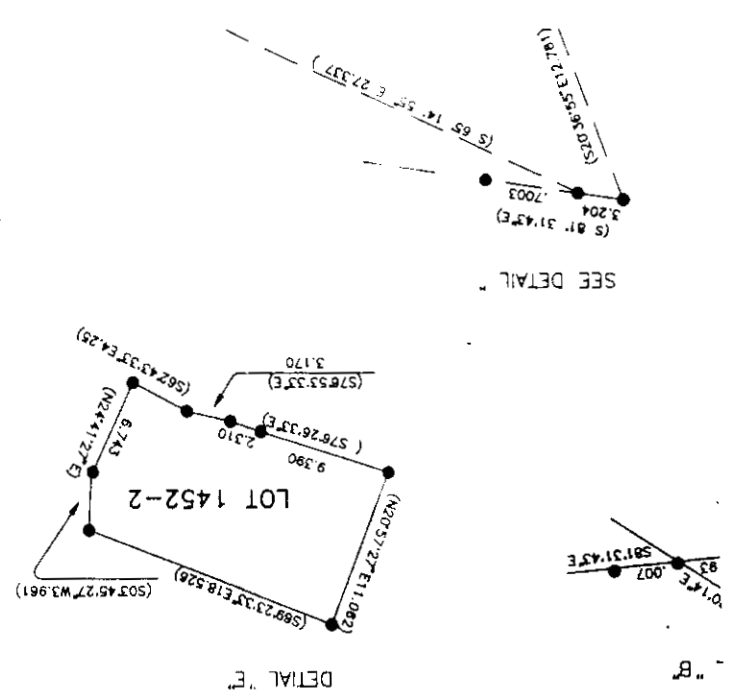
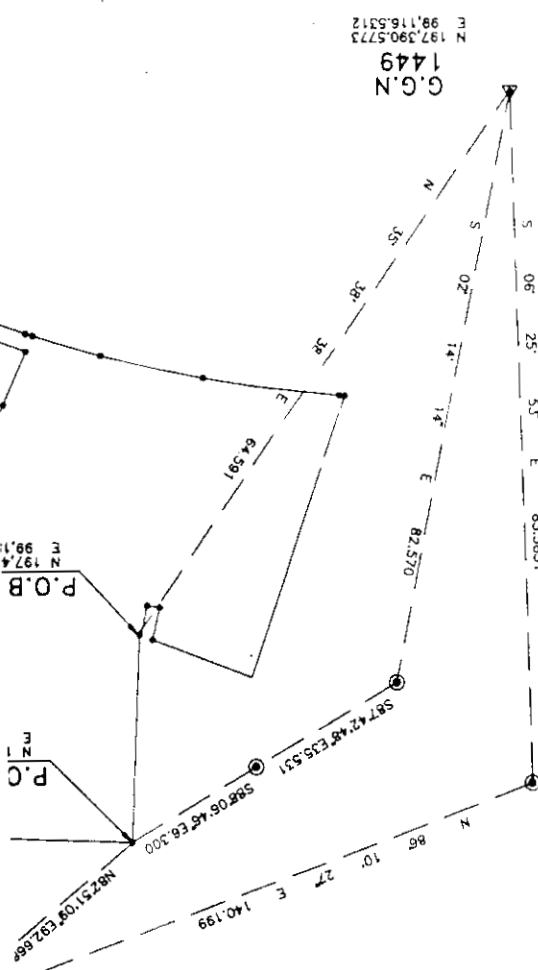
IED FOR, SATISFACTORY TO, AND APPROVED BY:



1452-1	1454-SREDA	1452-3	1452-2	1451-1-2	40866	3-17-75
ADRIANO M. CRISTOSTOMO	ROSA TERRESTA PEREZ SALAS	MARGIANO V. PANGILINAN & GUADALUPE TORRES PANGILINAN H/W AS JOINT TENANTS			704	1-31-20
9-4-80	8752	704	703			
4-18-32	4-9-57	1-31-20				
JESUS T. SAN NICOLAS	VICENTE C. AFLAQUE	JUAN CRISTOSTOMO SAN NICOLAS				

**CURVE DATA**

①	②	③	④
Δ = 04° 31' 28"	Δ = 07° 01' 55"	Δ = 07° 01' 55"	Δ = 07° 01' 55"
R = 184.008	R = 184.008	R = 184.008	R = 184.008
L = 14.515	L = 8.738	L = 8.738	L = 8.738
CB = N77°07'37"W	CB = N73°21'05"W	CB = N73°21'05"W	CB = N77°40'27"W



NOT TO SCALE

AL "A"

DETAIL "D"

DETAIL "E"

"B"

SEE DETAIL "

G.G.N  
1449  
N 187° 38' 0" E 57.3  
E 98° 11' 6" S 31.2

G.G.N  
1453  
N 197° 48' 8" E 98.247.0

P.O.B NO.2  
N 187° 44' 3" E 107.1  
E 99° 15' 4" S 171.2

2 of 2

0 f 01



1993 GRID

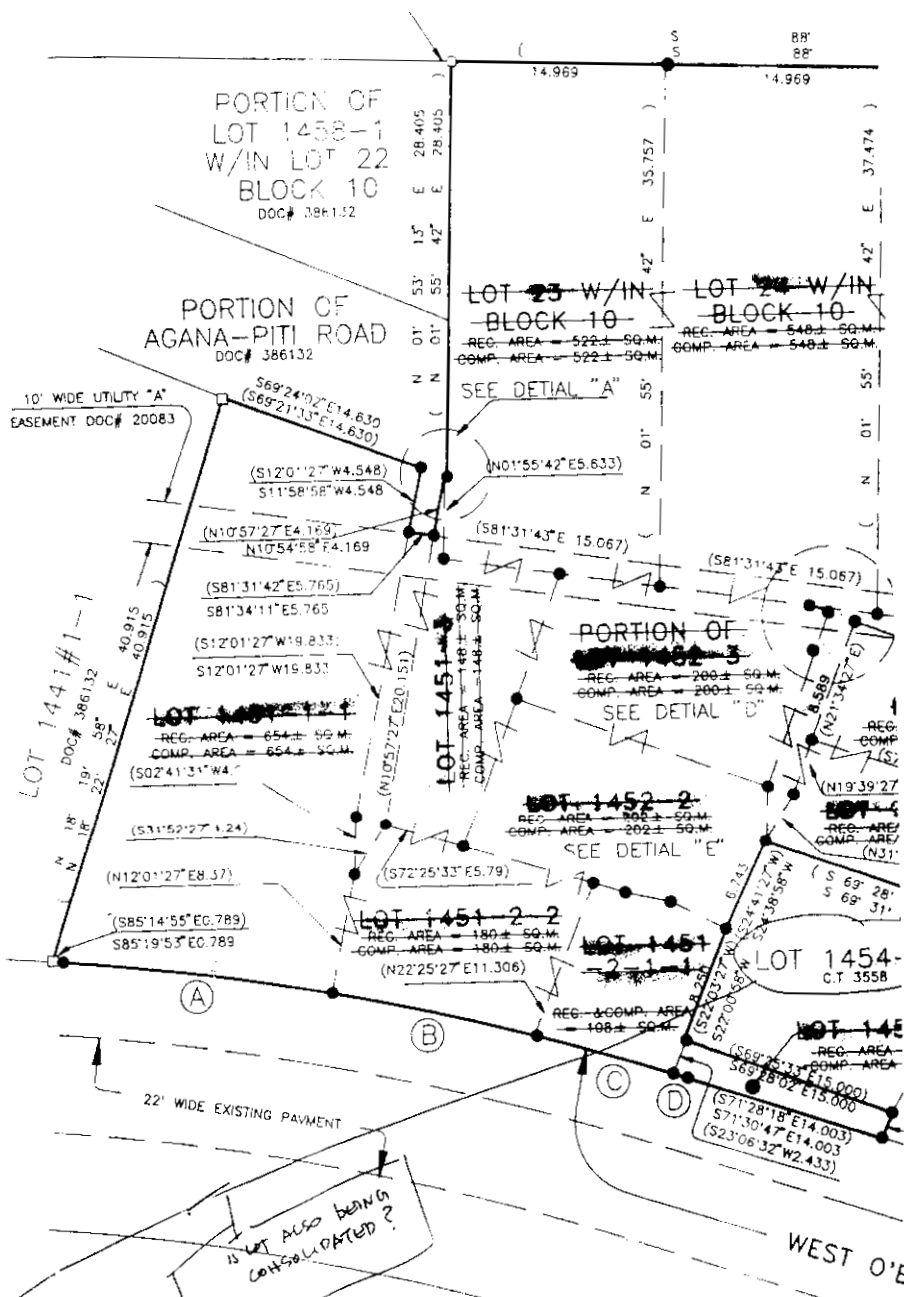
SCALE 1" = 8 METERS

S

BY RLS 54.  
DNC. MON FOUND.  
/PLASTIC TAG MARKED RLS 64, DOC#38517.

ON RECOVERED PROPERTY CORNERS AS SHOWN  
IN FEET UNLESS OTHERWISE NOTED.  
ANGLES IN PARENTHESES ARE RECORDED DATA  
CONDITIONS IN (1963 GRID).  
PORTION ARE LEASED PROPERTY BY MVP ENTERPRISES  
BY MVP ENT UNLESS OTHERWISE NOTED

IS/ARE ZONE "C" COMMERCIAL AS OF  
3 May.



IS IT ALSO BEING  
CONSOLIDATED?

CONSOLIDATION SURVEY MAP  
OF  
239-2, 1454-1-1-A, 1451-1-1-B,  
1451-2-1-Y, 1451-3, 1451-1-1-Y, 1453-  
1454-3, 1454-5-T, 1451-2-2', 1452' &  
BLOCK 10, LOT 23, 24, 25, 26, 27, 28 &  
& 1456, PORTION OF LOT 1452-3, &  
AGANA-PITI ROAD W/IN LOT 11, 12, 13, 14  
BLOCK 10, LOT 29, ✓  
INTO  
-1-1-1 NEW W/IN BLOCK 10  
LEASEHOLD PURPOSES)

MUNICIPALITY OF AGANA SEC. 4

LAND MANAGEMENT

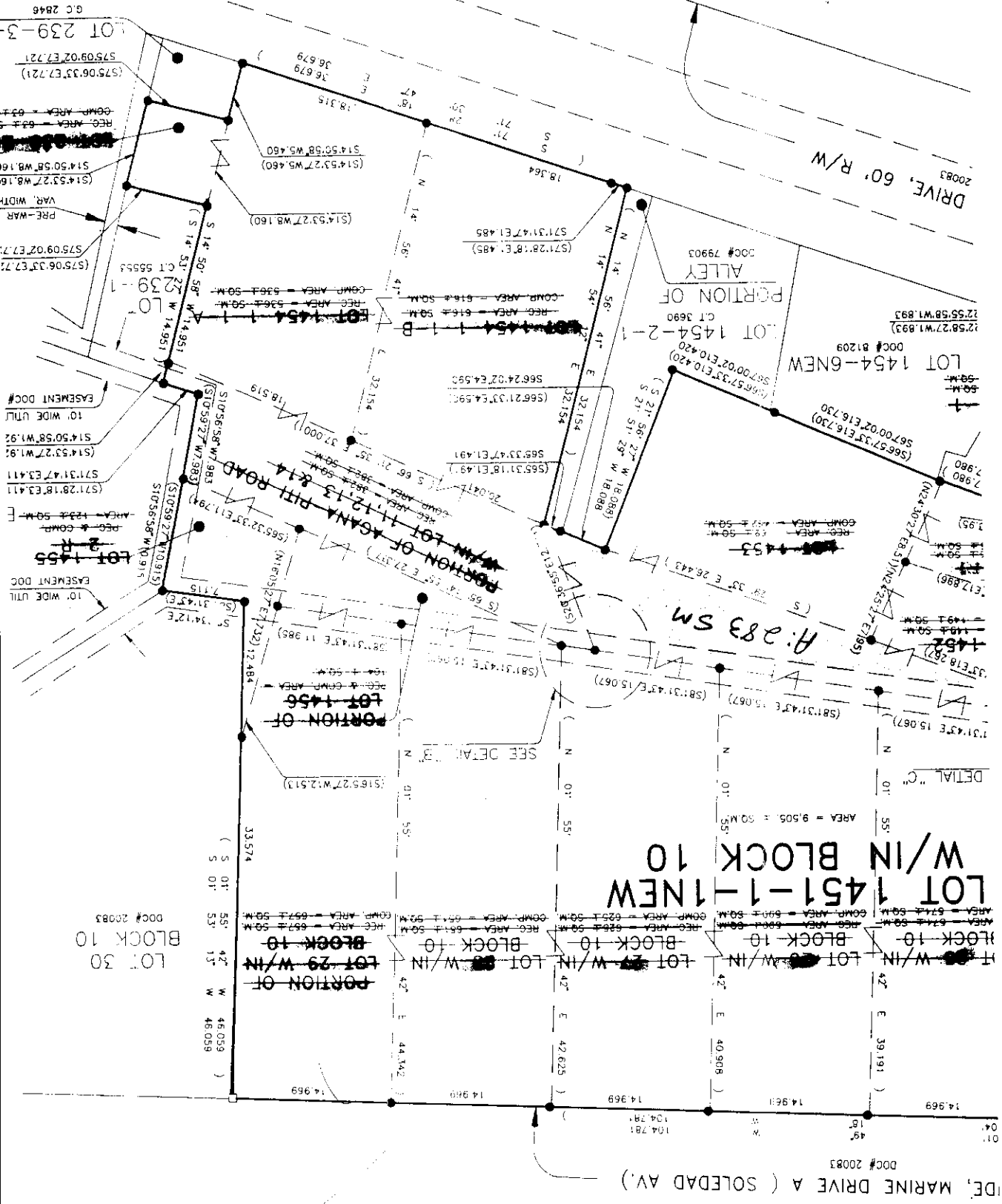
NO. \_\_\_\_\_ -FY. 97

**ROBERTO R. VENTURA**  
REGISTERED LAND SURVEYOR NO. 54

TEL. NO. 637-1779  
FAX. NO. 637-4080

This should be placed in a standard location

11924



LOT 1451-1-1 NEW W/IN BLOCK 10

LOT 1454-6 NEW

IDE, MARINE DRIVE A ( SOLEDAD AV. )

2042