



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam.

SEP 27 2016

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

133-16 2047
Office of the Speaker
Judith T. Won Pat, Ed.D.
Date: 09-27-16
Time: 10:07 AM
Received By: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 322-33 (COR), "AN ACT TO REZONE LOTS 2260 AND 2261, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL ZONE (A) TO SCHOOL ZONE (S-1)," which was signed into law on September 26, 2016, as Public Law 33-189.

Senseramente,

EDDIE BAZA CALVO

2016 SEP 27 PM 4:46 AMB23

2047

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

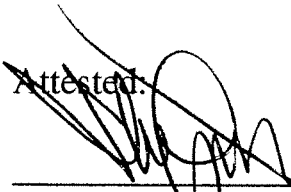
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LÅHEN GUÅHAN

This is to certify that Bill No. 322-33 (COR), "AN ACT TO REZONE LOTS 2260 AND 2261, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL ZONE (A) TO SCHOOL ZONE (S-1)," was on the 14th day of September 2016, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:

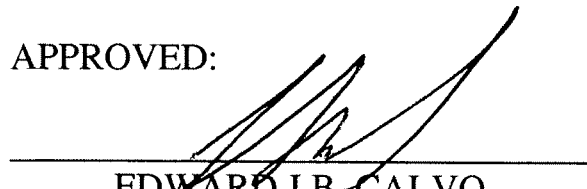


Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 14th day of SEPT,
2016, at 3:00 o'clock p..M.


Assistant Staff Officer
Maga'låhi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: SEP 26 2016

Public Law No. 33-189

OFFICE OF THE GOVERNOR
CENTRAL FILES

RECEIVED BY
TIME 3:00 pm DATE 14 SEPT 16

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

Bill No. 322-33 (COR)

As amended by the Sponsor; and
further amended on the Floor.

Introduced by:

T. C. Ada
Judith T. Won Pat, Ed.D.
R. J. Respicio
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.

**AN ACT TO REZONE LOTS 2260 AND 2261,
MUNICIPALITY OF BARRIGADA, FROM
AGRICULTURAL ZONE (A) TO SCHOOL ZONE (S-1).**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Lots 2260 and 2261, municipality of *Barrigada*, (“*Lots*”), were returned federal
4 excess lands. As such, § 61217 of Article 2 of Chapter 61 Title 21, Guam Code
5 Annotated, effectively zoned all returned federal excess lands as Agricultural Zone
6 (A).

1 *I Liheslaturan Guåhan* further finds that the Lots have recently been
2 purchased by the *Guåhan Academy* (Academy) as part of its plan to build a
3 permanent school campus.

4 *I Liheslaturan Guåhan* also finds that the Academy's lease for its temporary
5 campus at *Tiyan* expires in June 2016. However, the *Tiyan* lease is currently under
6 consideration for a one (1)-year extension.

7 *I Liheslaturan Guåhan* also finds that the Academy has submitted applications
8 for federal grants for the construction of a permanent campus. The furtherance of the
9 grant applications is contingent upon proof of ownership and site control of real
10 property conforming to local land use laws for the intended use of such property.
11 Hence, the purchased Lots upon which construction of a school is to be undertaken
12 must be properly zoned to School Zone (S-1).

13 *I Liheslaturan Guåhan* also finds that the Academy's grant also includes
14 funding for the construction of a road, from Route 15 to the lots, on a previously
15 established and approved public rights-of-way access and utilities easement to the
16 permanent school site. The opening of the public access will enable the construction
17 of the permanent campus and supporting infrastructure. The public access will also
18 enable development in the surrounding area.

19 *I Liheslaturan Guåhan*, therefore, intends to rezone Lots 2260 and 2261,
20 municipality of *Barrigada*, from Agricultural Zone (A) to School Zone (S-1) in order
21 to enable the construction of a permanent school campus by the *Guåhan Academy*.

22 **Section 2. Lots Rezoned.** Notwithstanding any other provision of law, Lot
23 2260 and Lot 2261, municipality of *Barrigada*, as shown on Department of Land
24 Management Drawing No. 059FY2014 recorded under Document No. 861354
25 (Attachment A), are hereby rezoned from Agricultural Zone (A) to School Zone (S-
26 1).

27 **Section 3. Access Road.**

1 (a) Access to Lots 2260 and 2261, municipality of *Barrigada*, shall
2 be constructed by the *Guåhan* Academy on previously established and
3 approved public rights-of-way access and utilities easements to the permanent
4 school site, as partially shown on Department of Land Management Drawing
5 No. 281FY2015 recorded under Document No. 886921 (Attachment B).

6 (b) Issuance of partial or full occupancy construction permits for the
7 permanent school campus or parts thereof shall be contingent upon the
8 completion of construction of the local rural access road by the *Guåhan*
9 Academy on the established rights-of-way easement, and compliance with all
10 permit requirements for construction. The easement shall be a public right-of-
11 way. No partial or full occupancy permits shall be issued without completion
12 of the access road herein described being constructed and accessible. For
13 purposes of this Section, “local rural access road” shall mean “Local Rural
14 Road” with design criteria and dimensions conforming to and as defined in
15 Chapter 5 of AASHTO “Greenbook – A Policy on Geometric Design of
16 Highways and Streets, 2011.”

17 (c) The *Guåhan* Academy shall be responsible for the cost of
18 surveying the easement to establish the boundary markers.

19 **Section 4. Waiver of Agricultural Impact Statement.** 21 GCA § 61637,
20 relative to agricultural impact statements shall not apply to this Act.

21 **Section 5. Severability.** If any provision of this law or its application to
22 any person or circumstance is found to be invalid or contrary to law, such invalidity
23 shall not affect other provisions or applications of this law that can be given effect
24 without the invalid provisions or applications and to this end the provisions of this
25 law are severable.

Attachment B of Bill No. 392-33 (cont)

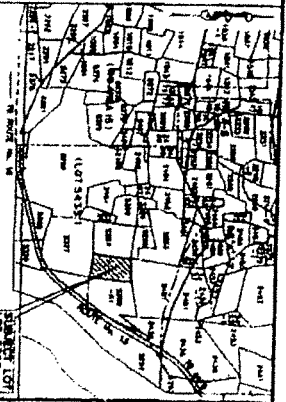
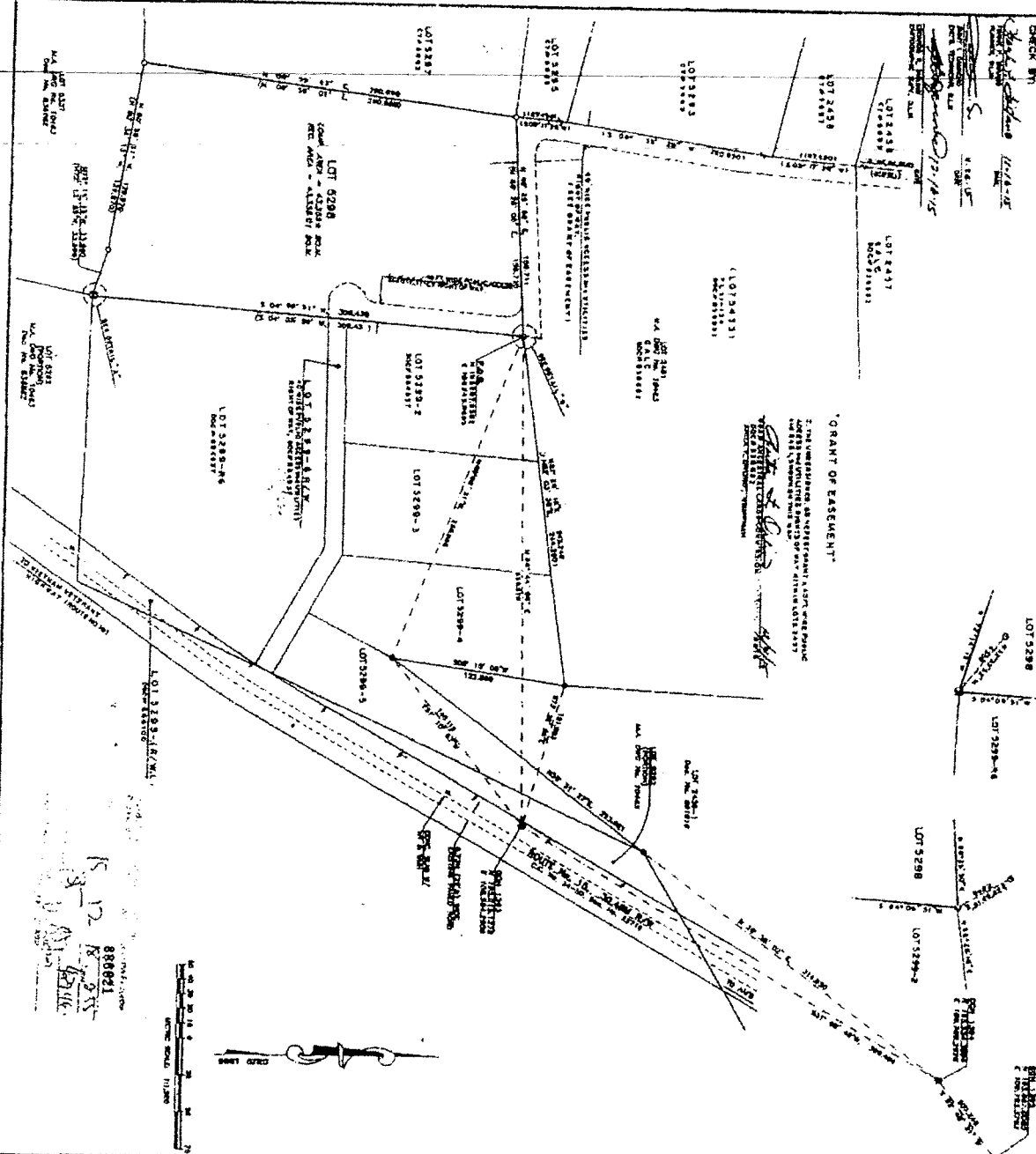
SECTION NOTE:
 1. THE UNDERSIGNED HAS BEEN A FURNISHED WITH THE RECORDS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AND HAS FOUND THAT THE RECORDS REFLECT THE EXISTING RECORDS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, AND HAS FOUND THAT THE RECORDS REFLECT THE EXISTING RECORDS OF THE COUNTY OF SAN DIEGO, CALIFORNIA.

DETAIL - 8'
 DETAIL - 8'

DETAIL - 8'
 DETAIL - 8'

GRANT OF EASEMENT

1. THE UNDERSIGNED, AS REPRESENTATIVE OF THE LANDS OF THE STATE OF CALIFORNIA, DO HEREBY GRANT TO THE COUNTY OF SAN DIEGO, CALIFORNIA, AN EASEMENT IN AND TO THE LANDS DESCRIBED IN THE ATTACHED MAP, TO BE USED FOR THE PURPOSES SET FORTH IN THE ATTACHED MAP.



NOTES:
 1. THE SURVEY WAS MADE BY THE UNDERSIGNED ON THE 15th DAY OF APRIL, 1985, AT THE COUNTY OF SAN DIEGO, CALIFORNIA.
 2. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF CALIFORNIA.
 3. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF CALIFORNIA.
 4. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF CALIFORNIA.
 5. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF CALIFORNIA.

STIPULES:
 1. THIS SURVEY WAS MADE FOR THE PURPOSES OF THE ATTACHED MAP.
 2. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF CALIFORNIA.
 3. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF CALIFORNIA.
 4. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF CALIFORNIA.
 5. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF CALIFORNIA.

CERTIFICATION
 I, FRANK L.G. CASTRO, PROFESSIONAL LAND SURVEYOR NO. 19, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF CALIFORNIA, AND THAT I HAVE PERSONALLY AND INDEPENDENTLY MADE THE SURVEY DESCRIBED IN THE ATTACHED MAP.

NOT REQUIRED
 I, FRANK L.G. CASTRO, PROFESSIONAL LAND SURVEYOR NO. 19, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF CALIFORNIA, AND THAT I HAVE PERSONALLY AND INDEPENDENTLY MADE THE SURVEY DESCRIBED IN THE ATTACHED MAP.

FRANK L.G. CASTRO
 PROFESSIONAL LAND SURVEYOR NO. 19
 1500 S. GARDEN AVENUE, SUITE 100
 SAN ANTONIO, TEXAS 78205

REMEMBRANCE SURVEY MAP
 OF
LOT 5298
 IN THE CITY OF SAN DIEGO, CALIFORNIA

FLGC
 281774019
 1015-BV-01
 1100 S. GARDEN AVENUE, SUITE 100
 SAN ANTONIO, TEXAS 78205

S-14844