

EDDIE BAZA CALVO Governor

> RAY TENORIO Lieutenant Governor

Office of the Governor of Guam.

NOV 1 3 2015

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

Dear Madame Speaker:

Transmitted herewith is Bill No. 137-33 (COR), "AN ACT TO AMEND SECTION 104 OF CHAPTER IV OF PUBLIC LAW 28-68, RELATIVE TO THE LAND EXCHANGE FOR GEORGE TOVES TO PROVIDE PUBLIC ACCESS TO THE UKUDU HIGH SCHOOL SITE, ON AN AREA FOR AREA BASIS, AND NOT TO INCLUDE THE LAND USED FOR A MILITARY UTILITY EASEMENT," which was signed into law on the 9th day of November 2015, as **Public Law 33-85**.

Senseramente,

EDDIE BAZA CALVO

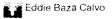
33-15-1083 Office of the Speaker Judith T. Won Pat. Ed.D

Date: 11/13/15 Time: 4-00 P.N Received By:



1083

Ricardo J. Bordallo Governor's Complex • Adelup, Guam 96910 Tel: (671) 472-8931 • Fax: (671) 477-4826 • governor.guam.gov • calendar.guam.gov







🚂 governorofguam

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 137-33 (COR), "AN ACT TO AMEND SECTION 104 OF CHAPTER IV OF PUBLIC LAW 28-68, RELATIVE TO THE LAND EXCHANGE FOR GEORGE TOVES TO PROVIDE PUBLIC ACCESS TO THE UKUDU HIGH SCHOOL SITE, ON AN AREA FOR AREA BASIS, AND TO NOT INCLUDE THE LAND USED FOR A MILITARY UTILITY EASEMENT," was on the 27th day of October 2015, 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'lahen Guahan this _____ day of Defrher,

2015, at <u>4:22</u> o'clock <u>P</u>.M.

APPROVED RAYMOND S. TENORIO Acting Governor of Guarn

NUV 0 9 2015 Date:

Public Law No. 33 -85

1. Smalonal

Assistant Staff Officer Maga'låhi's Office

Bill No. 137-33 (COR)

As substituted by the Sponsor.

Introduced by:

T. C. Ada

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 R. J. Respicio Dennis G. Rodriguez, Jr. Michael F.Q. San Nicolas Mary Camacho Torres N. B. Underwood, Ph.D. Judith T. Won Pat, Ed.D.

AN ACT TO AMEND SECTION 104 OF CHAPTER IV OF PUBLIC LAW 28-68, RELATIVE TO THE LAND EXCHANGE FOR GEORGE TOVES TO PROVIDE PUBLIC ACCESS TO THE UKUDU HIGH SCHOOL SITE, ON AN AREA FOR AREA BASIS, AND TO NOT INCLUDE THE LAND USED FOR A MILITARY UTILITY EASEMENT.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that Section 104 of Chapter IV of Public Law 28-68 authorized an area for area
land exchange to Mr. George Toves for land needed for access to the new *Ukudu*

High School. The lot transferred to Mr. Toves, Lot No. 10120-21NEW-9, *Dededo*, includes a military utility easement, MU-T-10, which dissects the property and consists of approximately seven hundred sixty-six (766) ± square meters. The military utility easement on Lot No. 10120-21NEW-9 has reduced the land available, which should be eight thousand three hundred seventy-three (8,373) square meters.

I Liheslaturan Guåhan finds that the adjacent lot, Lot No. 10120-21NEW-8, *Dededo*, is an unused lot assigned to the *Chamorro* Land Trust Commission, and is
land that could be used to compensate for the land transfer to ensure that a net of
eight thousand three hundred seventy-three (8,373) square meters is exchanged.

I Liheslaturan Guåhan further finds that this land exchange served a
 legitimate public necessity and that the transfer of government land for private land
 serves as due compensation.

It is, therefore, the intent of *I Liheslaturan Guåhan* that approximately seven
hundred sixty-six (766) ± square meters of land from Lot No. 10120-21NEW-8, *Dededo*, not to include the land assigned to MU-T-10, will be transferred to Mr.
Toves and incorporated into Lot No. 10120-21NEW-9, *Dededo*.

18 Section 2. Section 104 of Chapter IV of Public Law 28-68 is hereby
19 *amended* to read:

20 "Section 104. Land Exchange for Mr. George Toves to
21 Provide Public Access to *Ukudu* High School Site.

22

23

24

25

26

27

(a) Land Exchange. I Maga'låhen Guåhan and the Chamorro Land Trust Commission shall cause and execute a consolidation and land exchange involving Basic Lot 5311-REM, Dededo, privately owned by George Toves, and a portion of Basic Lot 10120-R20, known as Tract 11406, owned by the government of Guam, to provide for access to the Ukudu High School site and usable lots. The land exchange *shall* be on an area for area basis, and *shall not* include the area utilized by the military utility easement known as MU-T-10, as depicted in Exhibit A. The provisions of this Section *shall* be applicable to the Municipal Lease program for the *Ukudu* High School as provided for in Part I of Chapter II of this Act.

1

2

3

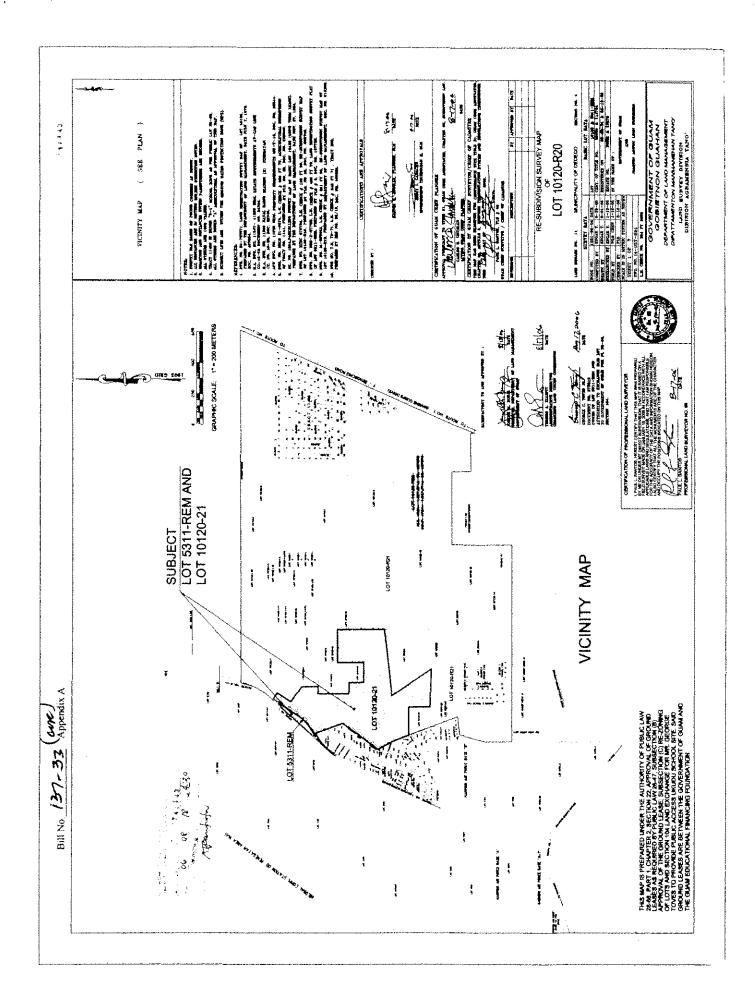
4

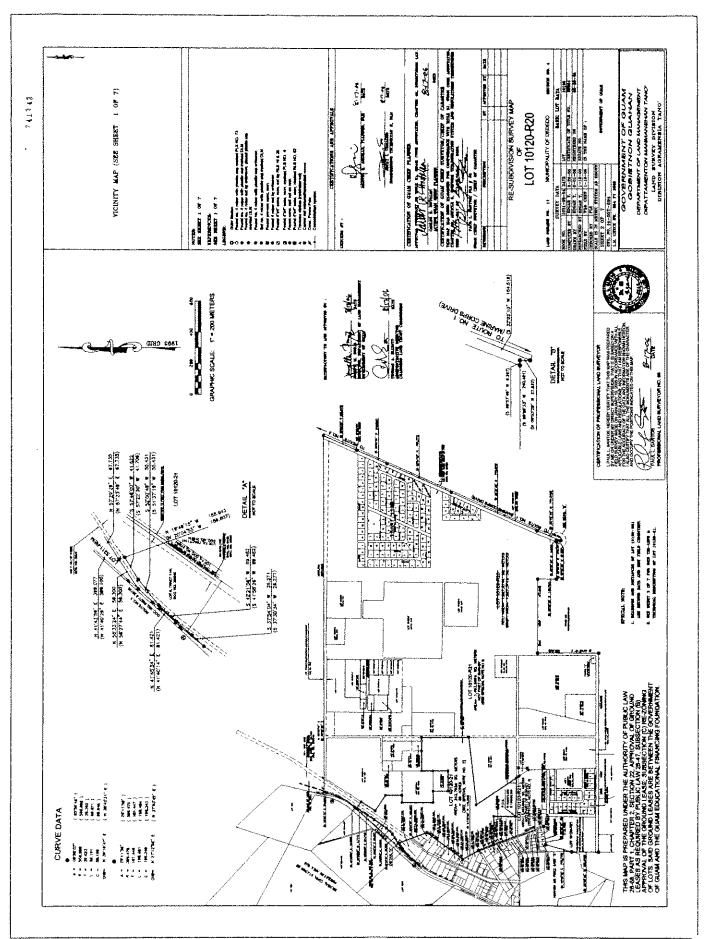
5

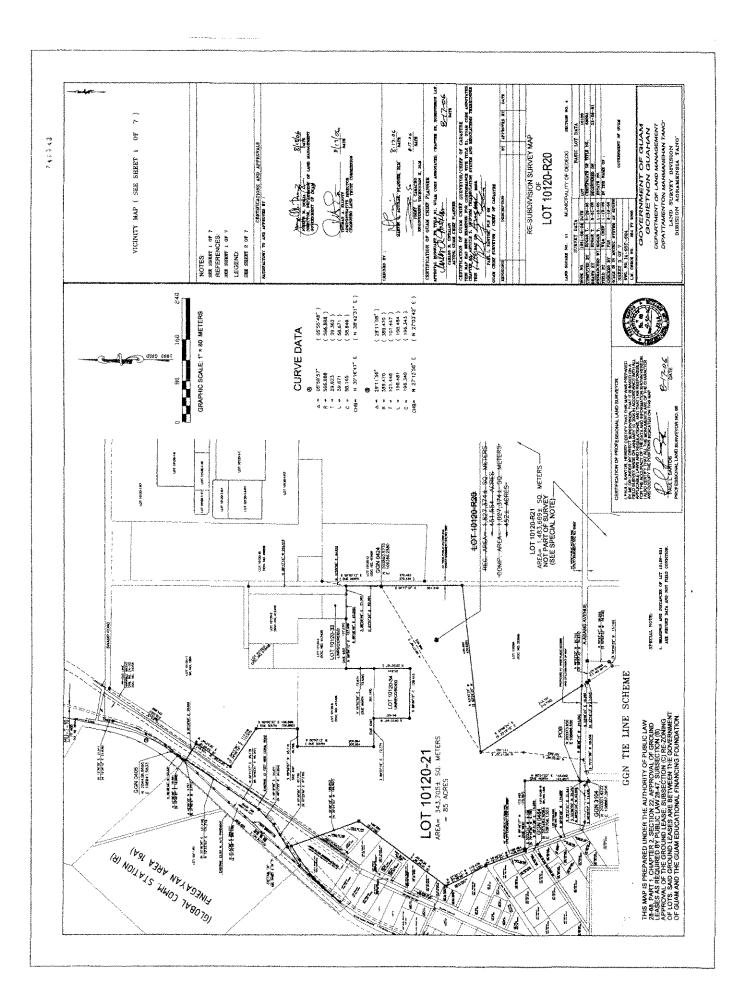
6 Transfer of Property. An area approximately seven (b)7 hundred sixty-six (766) \pm square meters of Lot No. 10120-21NEW-8, 8 Dededo, owned by the Chamorro Land Trust Commission, not to 9 include land assigned to the area designated by the military utility 10 easement known as MU-T-10, shall be transferred to Lot No. 10120-21NEW-9, Dededo, to compensate for the area of land used by the 11 12 military utility easement known as MU-T-10, in Lot No. 10120-13 21NEW-9, Dededo. As the area noted herein is an approximation, the 14 Department of Land Management shall prepare and record a new 15 survey map to depict the change of boundaries and the true and 16 correct area in this land transfer. Map No. 254FY2005, Sheet 7 of 7, 17 in Exhibit A, shows the existing lots with the military utility easement 18 required to be corrected by this Act.

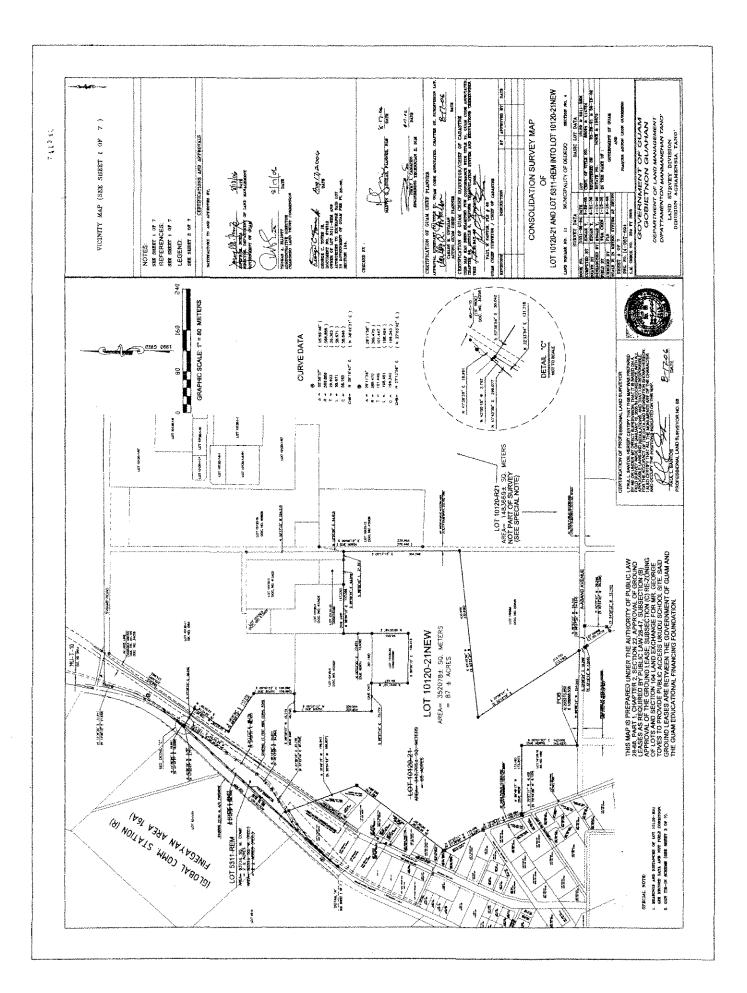
19 (c) Issuance of Certificate of Title. The Department of
20 Land Management *shall* issue a certificate of title for the newly
21 consolidated Lot No. 10120-21NEW-9, *Dededo*, within ninety (90)
22 days of the land transfer."

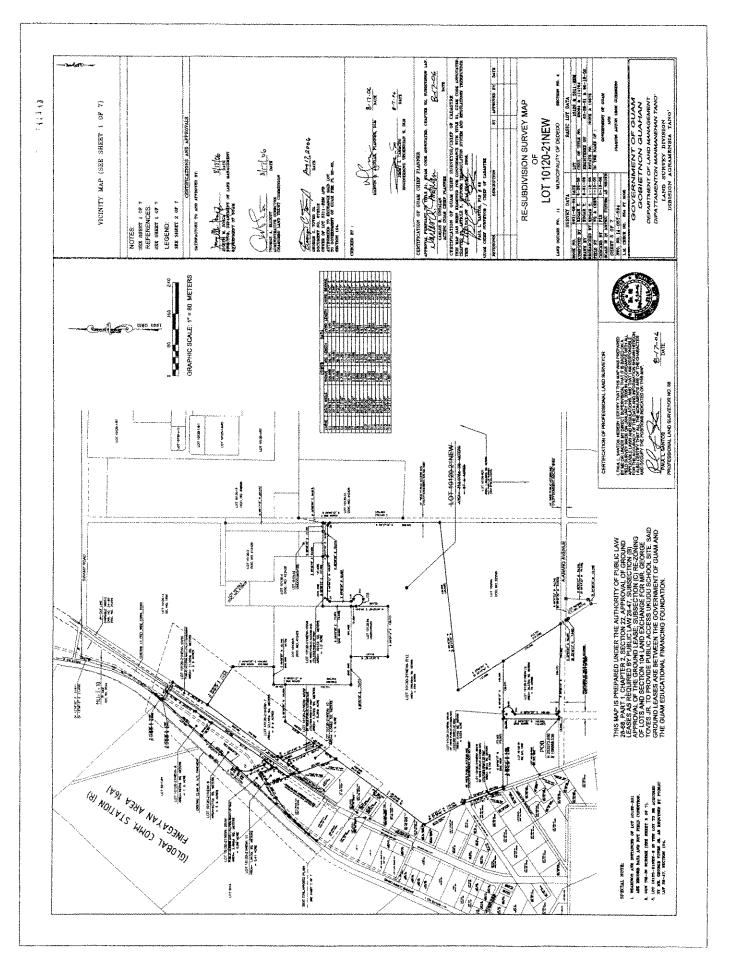
Section 3. Exemption. § 2107 of Title 2, Guam Code Annotated, and the
Standing Rules of *I Mina'Trentai Tres Na Liheslaturan Guåhan* relative to land
appraisals of land bills *shall not* apply to this Act.

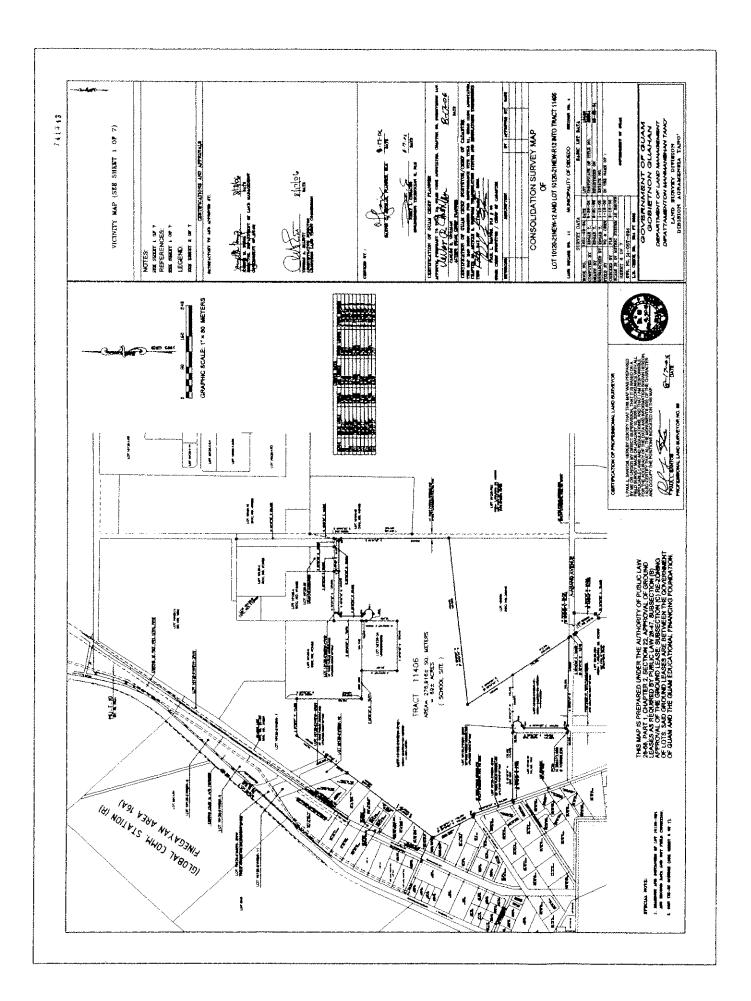




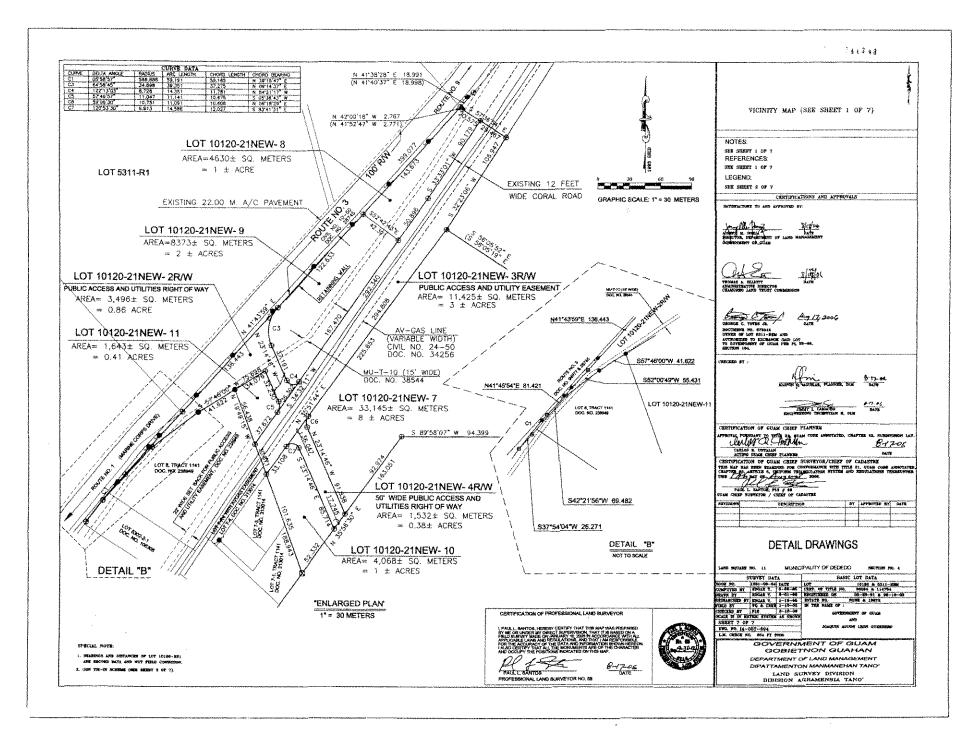








.



CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 137-33 (COR), "AN ACT TO AMEND SECTION 104 OF CHAPTER IV OF PUBLIC LAW 28-68, RELATIVE TO THE LAND EXCHANGE FOR GEORGE TOVES TO PROVIDE PUBLIC ACCESS TO THE UKUDU HIGH SCHOOL SITE, ON AN AREA FOR AREA BASIS, AND TO NOT INCLUDE THE LAND USED FOR A MILITARY UTILITY EASEMENT," was on the 27th day of October 2015, 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 _____ day of <u>October</u>,

2015, at <u>4:22</u> o'clock <u>P</u>.M.

APPROVED RAYMOND S. TENORIO

Acting Governor of Guam

NOV 0 9 2015

Public Law	No.	33	-8	5

Malonal

Assistant Staff Officer Maga'låhi's Office

Bill No. 137-33 (COR)

As substituted by the Sponsor.

Introduced by:

T. C. Ada

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 R. J. Respicio Dennis G. Rodriguez, Jr. Michael F.Q. San Nicolas Mary Camacho Torres N. B. Underwood, Ph.D. Judith T. Won Pat, Ed.D.

AN ACT TO AMEND SECTION 104 OF CHAPTER IV OF PUBLIC LAW 28-68, RELATIVE TO THE LAND EXCHANGE FOR GEORGE TOVES TO PROVIDE PUBLIC ACCESS TO THE UKUDU HIGH SCHOOL SITE, ON AN AREA FOR AREA BASIS, AND TO NOT INCLUDE THE LAND USED FOR A MILITARY UTILITY EASEMENT.

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

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that Section 104 of Chapter IV of Public Law 28-68 authorized an area for area
land exchange to Mr. George Toves for land needed for access to the new *Ukudu*

High School. The lot transferred to Mr. Toves, Lot No. 10120-21NEW-9, *Dededo*, includes a military utility easement, MU-T-10, which dissects the property and consists of approximately seven hundred sixty-six (766) ± square meters. The military utility easement on Lot No. 10120-21NEW-9 has reduced the land available, which should be eight thousand three hundred seventy-three (8,373) square meters.

I Liheslaturan Guåhan finds that the adjacent lot, Lot No. 10120-21NEW-8, *Dededo*, is an unused lot assigned to the *Chamorro* Land Trust Commission, and is
land that could be used to compensate for the land transfer to ensure that a net of
eight thousand three hundred seventy-three (8,373) square meters is exchanged.

I Liheslaturan Guåhan further finds that this land exchange served a
 legitimate public necessity and that the transfer of government land for private land
 serves as due compensation.

It is, therefore, the intent of *I Liheslaturan Guåhan* that approximately seven
hundred sixty-six (766) ± square meters of land from Lot No. 10120-21NEW-8, *Dededo*, not to include the land assigned to MU-T-10, will be transferred to Mr.
Toves and incorporated into Lot No. 10120-21NEW-9, *Dededo*.

18 Section 2. Section 104 of Chapter IV of Public Law 28-68 is hereby
19 *amended* to read:

20 "Section 104. Land Exchange for Mr. George Toves to
 21 Provide Public Access to Ukudu High School Site.

- -

(a) Land Exchange. I Maga'låhen Guåhan and the *Chamorro* Land Trust Commission shall cause and execute a
consolidation and land exchange involving Basic Lot 5311-REM, *Dededo*, privately owned by George Toves, and a portion of Basic Lot
10120-R20, known as Tract 11406, owned by the government of
Guam, to provide for access to the Ukudu High School site and usable

lots. The land exchange *shall* be on an area for area basis, and *shall not* include the area utilized by the military utility easement known as MU-T-10, as depicted in Exhibit A. The provisions of this Section *shall* be applicable to the Municipal Lease program for the *Ukudu* High School as provided for in Part I of Chapter II of this Act.

1

2

3

4

5

6 (b)Transfer of Property. An area approximately seven hundred sixty-six (766) \pm square meters of Lot No. 10120-21NEW-8, 7 8 Dededo, owned by the Chamorro Land Trust Commission, not to 9 include land assigned to the area designated by the military utility 10 easement known as MU-T-10, shall be transferred to Lot No. 10120-21NEW-9, Dededo, to compensate for the area of land used by the 11 military utility easement known as MU-T-10, in Lot No. 10120-12 13 21NEW-9, Dededo. As the area noted herein is an approximation, the 14 Department of Land Management shall prepare and record a new survey map to depict the change of boundaries and the true and 15 16 correct area in this land transfer. Map No. 254FY2005, Sheet 7 of 7, 17 in Exhibit A, shows the existing lots with the military utility easement 18 required to be corrected by this Act.

19(c) Issuance of Certificate of Title. The Department of20Land Management shall issue a certificate of title for the newly21consolidated Lot No. 10120-21NEW-9, Dededo, within ninety (90)22days of the land transfer."

Section 3. Exemption. § 2107 of Title 2, Guam Code Annotated, and the
Standing Rules of *I Mina'Trentai Tres Na Liheslaturan Guåhan* relative to land
appraisals of land bills *shall not* apply to this Act.

