


SIXTH GUAM LEGISLATURE
1962 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 405, "An Act to add Chapter 9 to Title XIV, Government Code of Guam, to provide for the establishment of a uniform triangulation system, uniform procedure for surveying, and for other purposes", was on the 12th day of June, 1962, duly and regularly passed.


A. B. WON PAT
Speaker

ATTESTED:


V. B. RAMBA
Legislative Secretary

This Act was received by the Governor this 26th day of June, 1962 at 11:52 o'clock A. M.

/s/ Manuel F.L. Guerrero
MANUEL F. L. GUERRERO
Secretary of Guam

APPROVED:

/s/ Manuel F.L. Guerrero
BILL DANIEL
Acting Governor of Guam

DATED: JUL 5 1962
11:45 P.M.

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Bill No. 405

Introduced by _____
W. D.L. Flores

AN ACT TO ADD CHAPTER 9 TO TITLE XIV,
GOVERNMENT CODE OF GUAM, TO PROVIDE
FOR THE ESTABLISHMENT OF A UNIFORM
TRIANGULATION SYSTEM, UNIFORM PROCEDURES
FOR SURVEYING, AND FOR OTHER PURPOSES.

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

2 Section 1. Chapter 9 is hereby added to Title XIV, Government
3 Code of Guam, to read as follows:

4 "CHAPTER 9

5 Uniform Triangulation System

6 Section 13800. Authority. The Director of Land
7 Management, hereinafter referred to as the Director, shall
8 establish (a) a uniform system of geodetic triangulation
9 controls through the establishment of primary and secondary
10 triangulation control stations to be known as the 'Guam
11 Geodetic Triangulation Net', and (b) uniform procedures
12 for the survey of public and private lands within the
13 territory in conformity with the provisions of this Chapter.

14 Section 13801. Personnel. The Director shall be
15 responsible for the carrying out of the provisions of this
16 Chapter and may appoint a Territorial Surveyor and such
17 additional personnel as is necessary for the administration
18 thereof. In addition, he shall have the authority to
19 contract with private professional land surveyors for
20 surveying services under such terms and conditions as the
21 Governor may approve; provided, however, any such surveyor
22 shall be either (1) registered by the Guam Board of
23 Engineering and Architectural Examiners under the
24 Professional Engineers, Architects and Land Surveyors Law,
25 Title XLIII, Government Code of Guam, and holds a current
26 certificate of registration issued by the Board covering

1 the contract period, or (2) a surveyor exempted from
2 registration under the Professional Engineers, Architects
3 and Land Surveyors Law.

4 Section 13802. Regulations. The Director shall
5 prescribe such regulations as may be necessary, in his
6 judgment, to implement the provisions of this Chapter.
7 Such regulations shall be subject to approval by the
8 Governor by Executive Order.

9 Section 13803. Same: Publication. Copies of
10 regulations issued under this Chapter shall, after the
11 effective date thereof, be published and made available
12 for sale to the public. A current set of such regulations
13 shall be maintained in the Department of Land Management
14 for public use and inspection during normal government
15 business hours.

16 Section 13804. Duties of Director. The duties
17 of the Director or his delegate under this Chapter shall
18 include: (a) The surveying, locating, marking and
19 mapping of land boundaries, preparation of metes and
20 bounds description and all other work related thereto,
21 of all land owned, controlled or in possession of the
22 Government of Guam, or which may hereafter be acquired,
23 controlled or in possession of the Government of Guam,
24 or of private lands which are to be acquired by the
25 Government of Guam through purchase or condemnation.

26 (b) The development of uniform specifications
27 of the survey data to be included on maps, plats,
28 sketches or other plane pictorial representation of land.

29 (c) The development of current records of surveys
30 and maps of the territory in accordance with the provisions
31 of this Chapter.

32 (d) The maintenance and preservation of triangulation
33 control stations.

1 (e) The assigning of coordinate values to existing
2 triangulation control stations pending verification of such
3 coordinate values and designation by him of such stations
4 as a part of the 'Guam Geodetic Triangulation Net'.

5 Section 13805. Establishment of Triangulation
6 Control Stations. Appropriate monuments shall be erected
7 by the Director, or may be designated by him, at locations
8 determined by him, based upon polyconic method of computation,
9 as primary and secondary triangulation control stations, to
10 be referred to as the 'Guam Geodetic Triangulation Net', for
11 use in locating and describing land within the territory,
12 which shall conform to standards of accuracy in their
13 placement as follows:

14 (a) Primary triangulation control stations shall
15 be established by the equivalent to, or better than, First
16 Order, Class III, work as specified in the 'Manual of
17 Geodetic Triangulation', United States Department of
18 Commerce, Coast and Geodetic Survey, Special Publication
19 No. 247, 1959 revised edition.

20 (b) Secondary triangulation control stations shall
21 be established by the equivalent to, or better than, Second
22 Order, Class II, work as specified in the 'Manual of Geodetic
23 Triangulation', United States Department of Commerce, Coast
24 and Geodetic Survey, Special Publication No. 247, 1959
25 revised edition.

26 Section 13806. Designation of Coordinate Reference
27 Point. The principal reference point for the use of
28 coordinates in connection with the 'Guam Geodetic Triangulation
29 Net' is the intersection of East Longitude $144^{\circ} 44' 55.52''$
30 and North Latitude $13^{\circ} 20' 20.87''$.

31 Section 13807. Identification of Land Markers.
32 In addition to the other requirements established by
33 regulations, a permanent land marker shall be set to identify

1 any change of direction of the boundary of any lot, parcel
2 or tract of land, stamped with the letters 'L. S.' and the
3 certificate of registration number of the surveyor setting
4 the marker or, if set by a public officer, stamped with
5 his official title.

6 Section 1390B. Filing of Documents for Records in
7 the Department of Land Management. No document purporting
8 to establish title to land or to effect a transfer of the
9 ownership of any interest therein, presented to the Depart-
10 ment of Land Management for recording, shall be filed, unless
11 accompanied by a map, plat, sketch or other plane pictorial
12 representation of the lot, parcel or tract of land involved,
13 made within a six-month period preceding presentation for
14 filing, or, with regard to land taken in condemnation
15 proceedings, made within six months preceding the filing
16 of the action for condemnation, and bearing a certification
17 of the following facts:

18 (a) That it was prepared on the basis of a field
19 survey by either (1) a surveyor registered by the Guam
20 Board of Engineering and Architectural Examiners under
21 the Professional Engineers, Architects and Land Surveyors
22 Law, Title XLIII, Government Code of Guam, holding a
23 current certificate of registration issued by the Board
24 covering the period that the map, plat, sketch or other
25 pictorial representation of the land was made, or the
26 field work incidental thereto was performed, or (2) a
27 surveyor exempted from registration under the Professional
28 Engineers, Architects and Land Surveyors Law.

29 (b) That it was based upon data obtained from
30 the use of the 'Guam Geodetic Triangulation Net' and, where
31 coordinate values were used, the relationship of such
32 coordinates to the 'Guam Geodetic Triangulation Net' was
33 determined by the use of physically ascertained courses
34 and distances.

1 (a) That where a certificate of title has been
2 previously issued, the chronological record of all transfers
3 of ownership of any interest involving such registered land
4 or a part thereof, is shown upon such map, plat, sketch or
5 other plane pictorial representation.

6 Section 13809. Admissibility into Evidence. Any
7 map, sketch, plat or other pictorial representation of
8 land conforming to the provisions of Section 13808 and
9 certified by the Director as to such conformity, shall be
10 entitled to admission into evidence in any court of record,
11 as prima facie evidence of the facts represented thereon,
12 without further proof.

13 Section 13810. Instrument-Testing Facilities. For
14 the purpose of insuring accuracy of survey measurements,
15 the Director is authorized to install, in appropriate
16 locations, facilities for the testing and calibration of
17 surveying measurement devices in order to insure the
18 attainment of the degree of accuracy in surveying required
19 under this Chapter. The Director is authorized to use
20 the facilities established for the purpose of testing and
21 calibration of survey measurement devices used by others
22 than the Government of Guam or its agencies, and the fee
23 shall be ten dollars (\$10.00) for each measuring device
24 tested and calibrated.

25 Section 13811. Penalty. It shall be a misdemeanor
26 to wilfully or maliciously damage, destroy or otherwise
27 impair the usefulness of any survey monument established
28 under this Chapter, punishable by a fine of not more than
29 five hundred dollars (\$500.00), or by imprisonment of not
30 more than six (6) months, or by both such fine and
31 imprisonment."

32 Section 2. This Act is an urgency measure and shall
33 take effect at 12:01 a.m. on the first day of the third
34 month following approval thereof by the Governor.