I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN

2018 (SECOND) Regular Session

LEGISLATIVE SESSION VOTING RECORD

Bill No. 277-34 (COR)
As amended by the Committee on Environment, Land, Agriculture, and Procurement Reform.

Speaker Antonio R. Unpingco Legislative Session Hall
August 28, 2018

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Thomas C. **ADA**	✓					
Senator FRANK B. **AGUON, JR.**	✓					
Senator William M. **CASTRO**	✓					
Speaker Benjamin J.F. **CRUZ**	✓					
Senator James V. **ESPALDON**	✓					
Senator Fernando Barcinas **ESTEVES**	✓					
Senator Régine Biscoe **LEE**	✓					
Senator Tommy **MORRISON**	✓					
Senator Louise B. **MUÑA**	✓					
Senator Telena Cruz **NELSON**	✓					
Senator Dennis G. **RODRIGUEZ, JR.**					✓	✓
Senator Joe S. **SAN AGUSTIN**	✓					
Senator Michael F.Q. **SAN NICOLAS**	✓					
Vice Speaker Therese M. **TERLAJE**	✓					
Senator Mary Camacho **TORRES**	✓					

TOTAL:	14				1	1
	Aye	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**	**Excused**

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

I = Pass

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2018 (SECOND) Regular Session

Bill No. 277-34 (COR)
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Land, Agriculture and Procurement Reform.

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Introduced by: Thomas C. Ada

AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS, GOVERNMENT OF GUAM, TO CONDEMN 205± SQUARE METERS IN FEE SIMPLE OF LOT 10, SUBURBAN, MUNICIPALITY OF *INARAJAN,* GUAM; AND TO CONDEMN 777± SQUARE METERS FOR A TEMPORARY CONSTRUCTION EASEMENT OF LOT 10, SUBURBAN, MUNICIPALITY OF *INARAJAN*, FOR THE ROUTE 4 *AJAYAN* BRIDGE REPLACEMENT PROJECT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Department of Public Works (DPW), Government of Guam, has completed the lands acquisition plans for the Route 4 *Ajayan* Bridge Replacement Project (the Project), which is an integral part of the island-wide road improvement plan that is being funded by the Federal Highway Administration (FHWA). There is also a need for a temporary construction easement to access power poles located on said parcel.

Title to Lot 10, Suburban, municipality of *Inarajan*, Estate Number 393, containing an area of 72,464± square meters, as described in that Cadastral Map, dated October 12, 1953, filed at the Survey Division, Department of Land Management, Government of Guam, under Sepia No. I-28 (the *Inarajan* Parcel) is

in the name of Jesus Reyes Concepcion, Maria Concepcion Lujan, Jose Reyes Concepcion, Dolores Concepcion Tedpahogo, Francisco Concepcion Cruz, Vicente Reyes Concepcion, Ramon Reyes Concepcion ("*Concepcion Children*"), being the heirs or devisees of the Estate of Vicente U. Concepcion, deceased. (See Exhibit A - Guaranteed Claim No. 3794).

Section 2. Authorization for DPW to Condemn a Portion of Lot 10, Suburban, Municipality of *Inarajan*, Guam, for the Route 4 *Ajayan* Bridge Replacement Project. The Department of Public Works is hereby authorized to condemn a two hundred five plus or minus (205±) square meter portion of Lot 10, Suburban, municipality of *Inarajan,* Guam. As a condition of this authorization, Lot 10, Suburban, municipality of *Inarajan*, Guam, *shall* be used for the Route 4 *Ajayan* Bridge Replacement Project, and subject further to FHWA providing one hundred percent (100%) of the funds needed for the condemnation.

Section 3. Interest Condemned. The interest taken in Lot 10, Suburban, municipality of *Inarajan*, Guam, is fee simple absolute.

Section 4. Fair Market Value. Upon information and belief, based on appraisals of the property, the sum of money estimated to be just compensation for the fee simple interest taken in Lot 10, Suburban, municipality of *Inarajan*, Guam, is Two Thousand Dollars ($2,000.00).

Section 5. Authorization for DPW to Condemn a Portion of Lot 10, Suburban, Municipality of *lnarajan*, Guam, for a Temporary Construction Easement (TCE). The Department of Public Works is hereby authorized to condemn a 777± square meter portion of Lot 10, Suburban, municipality of *Inarajan*, Guam, for a temporary construction easement. As a condition to this authorization, Lot 10, Suburban, municipality of *lnarajan,* Guam, *shall* be used for the Route 4 *Ajayan* Bridge Replacement Project. The FHWA is solely responsible for providing

one hundred percent (100%) of the funds needed for the temporary construction easement.

Section 6. Interest Condemned. The interest taken in 777± square meters of Lot 10, Suburban, municipality of *Inarajan*, Guam, is a Temporary Construction Easement for the Route 4 *Ajayan* Bridge Replacement Project. The 777± square meters taken for the temporary construction easement will be returned to the original owner, in the previous condition, once the project is completed.

Section 7. Fair Market Value. Upon information and belief, based on appraisals of the property, the sum of money estimated to be just compensation for the leasehold taking of a temporary construction easement in Lot 10, Suburban, municipality of *Inarajan,* Guam, is Eight Hundred Eighty-five Dollars ($885.00) per annum. The project is estimated to take one and a half (1.5) years.

Section 8. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, that invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provisions or applications, and to this end the provisions of this Act are severable.

Section 9. Effective Date. This Act *shall* become effective upon enactment.