EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

MAY 16 2018

The Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na
Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

GL# 34-16-1890
Speaker Benjamin J.F. Cruz

MAY 17 2018
Time: 2:46 [ ] AM [ ] PM File No. 34-1936
Received By:

Dear Mr. Speaker:

Transmitted herewith is Bill No. 213-34 (LS), **"AN ACT TO PROVIDE FOR THE FURTHER LEGAL DEVELOPMENT OF *CHALAN FAMHA* IN THE MUNICIPALITY OF *CHALAN PÅGO-ORDOT* BY AUTHORIZING A LAND EXCHANGE OF PRIVATE PROPERTY BEING USED AS A PUBLIC ACCESS IN *CHALAN FAMHA* WITH GOVERNMENT OF GUAM PROPERTY IN THE MUNICIPALITY OF *DEDEDO*,"** which was signed into law on May 14, 2018, as **Public Law 34-92.**

2018 MAY 17 PM 3:31

Senseramente,

EDDIE BAZA CALVO
Governor of Guam

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

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

This is to certify that **Bill No. 213-34 (LS), "AN ACT TO PROVIDE FOR THE FURTHER LEGAL DEVELOPMENT OF *CHALAN FAMHA* IN THE MUNICIPALITY OF *CHALAN PÅGO-ORDOT* BY AUHORIZING A LAND EXCHANGE OF PRIVATE PROPERTY BEING USED AS A PUBLIC ACCESS IN *CHALAN FAMHA* WITH GOVERNMENT OF GUAM PROPERTY IN THE MUNICIPALITY OF *DEDEDO*,"** was on the 1st day of May 2018, duly and regularly passed.

Benjamin J.F. Cruz
Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 2nd day of May, 2018, at 11:50 o'clock A.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: MAY 14 2018

Public Law No. 34-92

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 213-34 (LS)
As amended by the Committee on Environment,
Land, Agriculture, and Procurement Reform.

Introduced by: Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
B. J.F. Cruz
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO PROVIDE FOR THE FURTHER LEGAL DEVELOPMENT OF *CHALAN FAMHA* IN THE MUNICIPALITY OF *CHALAN PÅGO-ORDOT* BY AUHORIZING A LAND EXCHANGE OF PRIVATE PROPERTY BEING USED AS A PUBLIC ACCESS IN *CHALAN FAMHA* WITH GOVERNMENT OF GUAM PROPERTY IN THE MUNICIPALITY OF *DEDEDO*.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the road known as "*Chalan Famha*" in the municipality of *Chalan Pago-Ordot*

is used and traversed by approximately fifty plus (50+) households, their families, and their guests as their only means of unfettered access to their residences.

I Liheslaturan Guåhan further finds that some portions of *Chalan Famha*, which are dedicated public access easements, are not the portions used by the residents and the public for public access due to the topography of the land and other geologic features.

I Liheslaturan Guåhan also finds that portions of the access road known as *Chalan Famha*, which are not dedicated public access easements, are being used by the residents and the public for their fettered access. Such fettered access and undedicated status hampers further development, especially of public utilities and their maintenance thereof.

Therefore, *I Liheslaturan Guåhan* intends to provide for the further legal development of *Chalan Famha* by authorizing the exchange of government of Guam land in *Dededo,* which is reserved pursuant to Public Law 22-18 for such land exchanges, with certain private properties owned by the Estate of Francisco Cruz Santos, Deceased. The government of Guam land in *Dededo* reserved by Public Law 22-18, known as Tract 11405, is not *Chamorro* Land Trust property. Further legal development of *Chalan Famha* will provide eligibility for the use of public funds to develop and maintain *Chalan Famha,* and will enable the installation and maintenance of public facilities and utilities for the benefit of the public.

Section 2. Land Exchange for the Estate of Francisco Cruz Santos, Deceased, to Provide for Legal Public Access through *Chalan Famha*.

I Maga'låhen Guåhan shall cause a land exchange involving Lot 3287 in the municipality of *Chalan Pågo-Ordot*, privately owned by the Estate of Francisco Cruz Santos, Deceased, and a suitable and equal portion of Tract 11405, which is government of Guam land in the municipality of *Dededo*. The land exchange *shall* be on an area-for-area basis.

Section 3. Issuance of Certificate of Title. The Department of Land Management *shall* issue a certificate of title in the name of the Estate of Francisco Cruz Santos, Deceased, for that portion of Tract 11405 in the municipality of *Dededo* exchanged pursuant of this Act.

Section 4. Appraisals. 2 GCA § 2107 and the Standing Rules of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* relative to land appraisals of land bills *shall not* apply to this Act.

Section 5. 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.