EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

SEP 18 2018

Vice Speaker Therese M. Terlaje
34GL-18-2320
SEP 18 2018
Time: 3:04pm
Received by:

Honorable Therese M. Terlaje
Acting Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Madam Speaker:

Transmitted herewith is Bill No. 278-34 (COR), **"AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS, GOVERNMENT OF GUAM, TO CONDEMN LOT 2143-6R/W, LOT 2143-1-6-R/W, AND LOT 2143-1-5G, MUNICIPALITY OF *TAMUNING*, GUAM, RELATIVE TO THE ROUTE 14B (*YPAO* ROAD) RECONSTRUCTION AND WIDENING PROJECT',"** which was signed on September 8, 2018, as **Public Law 34-122.**

Senseramente,

EDDIE BAZA CALVO

2018 SEP 18 PM 3:41

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. 278-34 (COR), "AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS, GOVERNMENT OF GUAM, TO CONDEMN LOT 2143-6R/W, LOT 2143-1-6-R/W, AND LOT 2143-1-5G, MUNICIPALITY OF *TAMUNING*, GUAM, RELATIVE TO THE ROUTE 14B (*YPAO* ROAD) RECONSTRUCTION AND WIDENING PROJECT,"** was on the 28th day of August 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 28th day of AUGUST, 2018, at 5:16 o'clock P.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: SEP 0 3 2018

Public Law No. 34-122

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

Bill No. 278-34 (COR)
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 AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS, GOVERNMENT OF GUAM, TO CONDEMN LOT 2143-6R/W, LOT 2143-1-6-R/W, AND LOT 2143-1-5G, MUNICIPALITY OF *TAMUNING*, GUAM, RELATIVE TO THE ROUTE 14B (*YPAO* ROAD) RECONSTRUCTION AND WIDENING 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 14B (*Ypao* Road) Reconstruction and

Widening Project (the Project), which is an integral part of the Islandwide Road Improvement Plan. The Project is funded by the Federal Highway Administration (FHWA). The Project design is completed, and solicitation for construction services is scheduled to be advertised for procurement in July 2018.

Section 2. Authorization for DPW to Condemn a Portion of Lot 2143-6R/W, Municipality of *Tamuning*, Guam. The Department of Public Works is hereby authorized to condemn a four hundred forty-six plus or minus (446±) square meter portion of Lot 2143-6R/W, municipality of *Tamuning*, Guam, as shown on Document No. 910784, Map No. 233FY2014 (Exhibit A). As a condition of this authorization, Lot 2143-6R/W *shall* be used for the Route 14B (*Ypao* Road) Reconstruction and Widening 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 2143-6R/W, municipality of *Tamuning*, 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 2143-6R/W, *Tamuning*, Guam, is Eighty-nine Thousand Dollars ($89,000).

Section 5. Authorization for DPW to Condemn Lot Nos. 2143-1-6-R/W and 2143-1-5G, *Tamuning*, Guam. The Department of Public Works is hereby authorized to condemn Lot 2143-1-6-R/W and Lot 2143-1-5G, municipality of *Tamuning*, Guam, containing an area of one thousand two hundred ninety-one plus or minus (1,291±) square meters, and an area of forty-six plus or minus (46 ±) square meters, as shown on Document No. 910300, Map Drawing 230FY2014 (Exhibit B). As a condition of this authorization, Lot 2143-1-6R/W and Lot 2143-1-5G, municipality of *Tamuning*, Guam, *shall* be used for the Route 14B (*Ypao* Road)

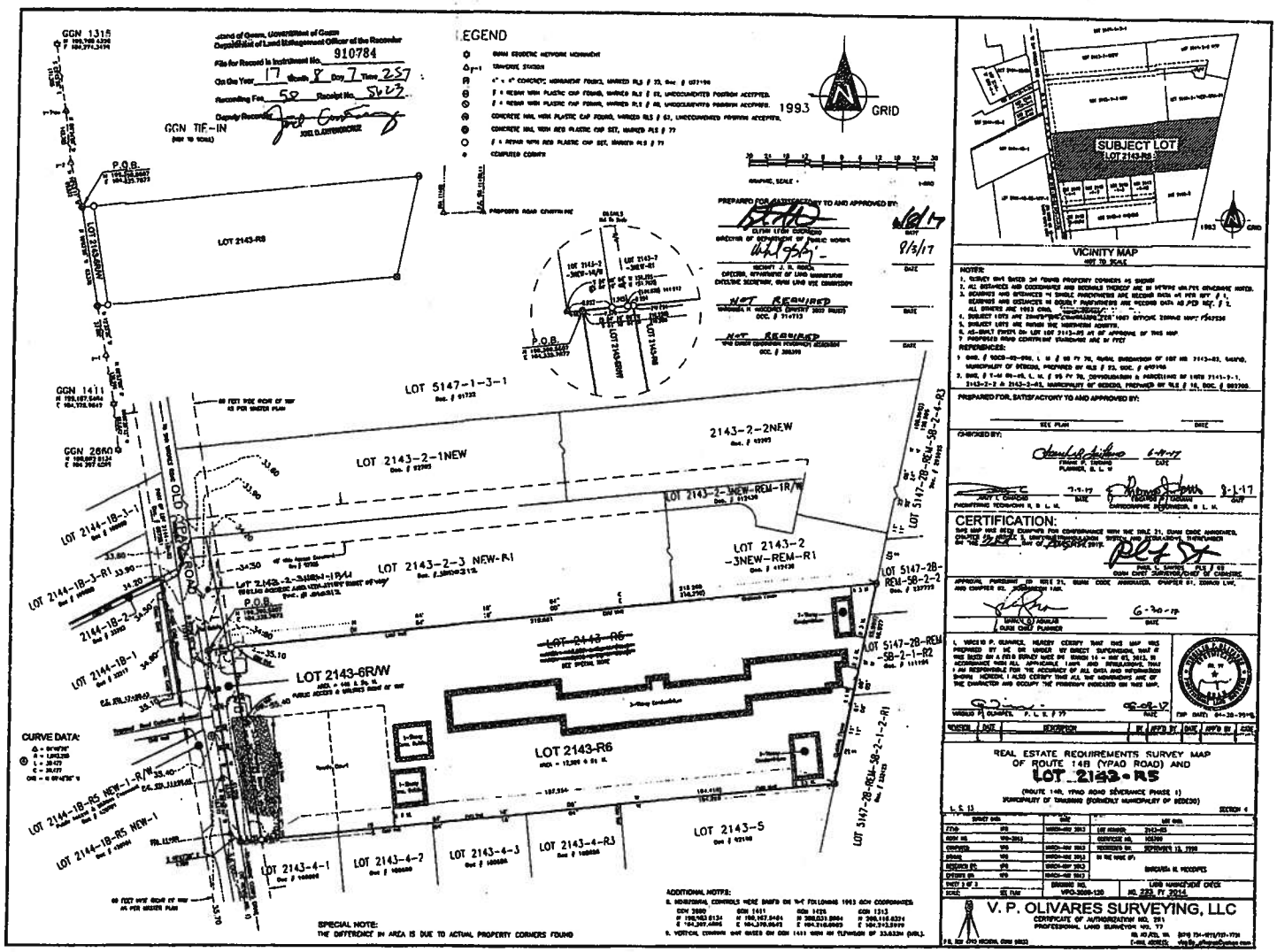
Reconstruction and Widening Project, and subject further to FHWA providing one hundred percent (100%) of the funds needed for the condemnation.

Section 6. Interest Condemned. The interest taken in Lot 2143-1-6-R/W and Lot 2143-1-5G, municipality of *Tamuning*, Guam, is fee simple absolute.

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 fee simple interest taken in Lot 2143-1-6-R/W and Lot 2143-1-5G, municipality of *Tamuning*, Guam, is Two Hundred Sixty-seven Thousand Four Hundred Dollars ($267,400).

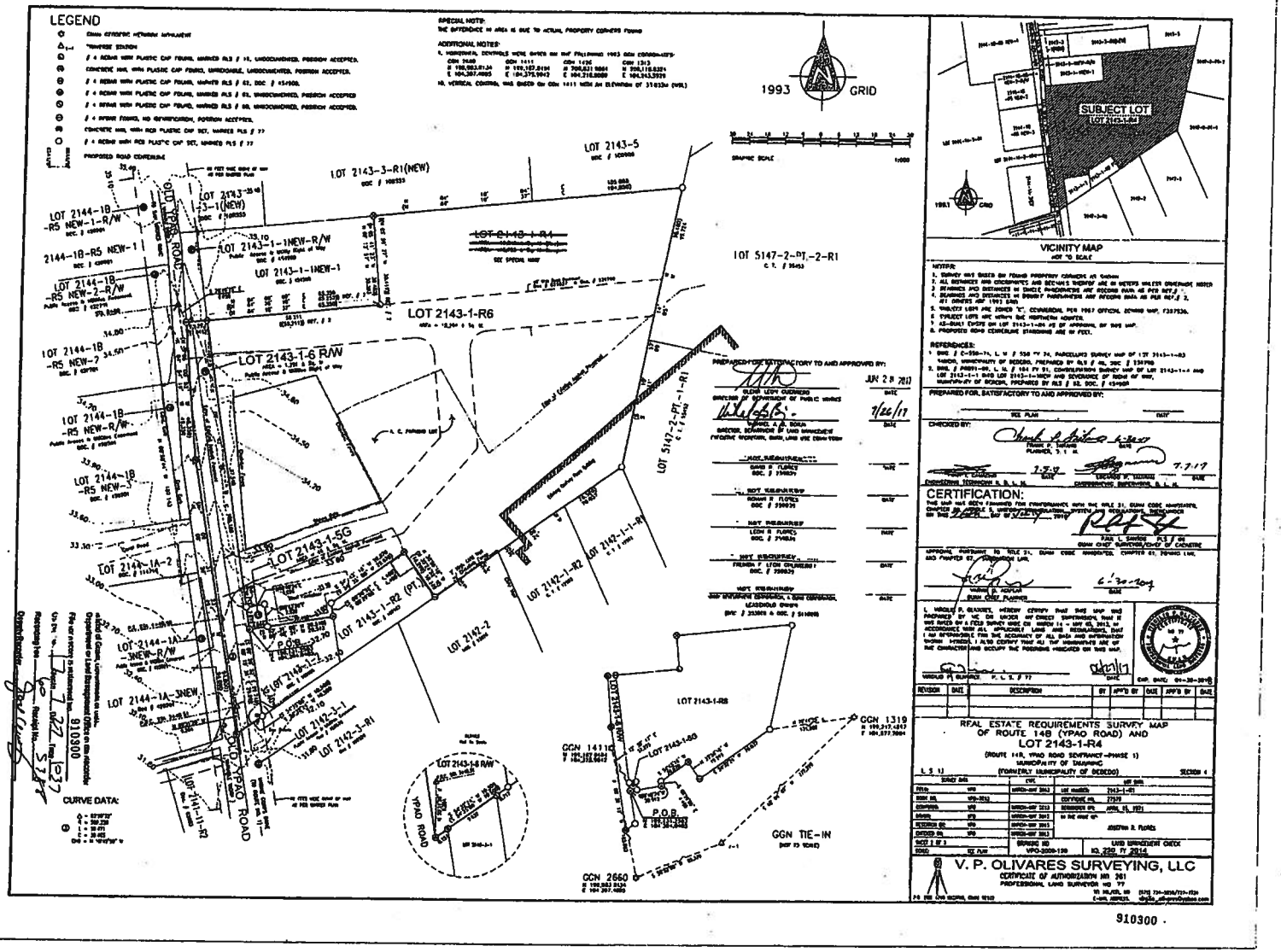
Section 8. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, that invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provisions or applications, and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

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



Doc. No. 34GL-18-2320.

Bill No.278-34 (COR) Exhibit B



910300

Doc. No. 34GL-18-2320.