EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

SEP 18 2018

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

Vice Speaker Therese M. Te
34GL-18-2323
SEP 18 2018
Time: 3:04 pm
Received by:

Dear Madam Speaker:

Transmitted herewith is Bill No. 277-34 (COR), **"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,"** which was signed on September 8, 2018, as **Public Law 34-118.**

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. 277-34 (COR), "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,"** 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. 34-118

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

Bill No. 277-34 (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 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 *Inarajan*, 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 *Inarajan,* 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.

Exhibit A - Bill No. 277-34 (COR)

Guam 24-October-62—400

ORIGINAL

CERTIFICATE OF GUARANTEED CLAIM

UNITED STATES OF AMERICA
NAVAL GOVERNMENT OF GUAM

No legal claims rest against this estate in the record of the Island Court, this fourteenth day of November, 1935.

CERTIFIED: L. N. Linsley
L. N. Linsley
Attorney General

Pedro [illegible]
Chief Clerk of Courts

BY THESE PRESENTS BE IT KNOWN THAT JESUS REYES CONCEPCION, C.I.No. 6972, MARIA CONCEPCION LUJAN, C.I.No. 6282, JOSE REYES CONCEPCION, C.I.No. 6059, DOLORES CONCEPCION TEDPAHOGO, C.I.No. 9303, FRANCISCA CONCEPCION CRUZ, C.I. No. 9223, VICENTE REYES CONCEPCION, C.I.No. 9753, and RAMON REYES CONCEPCION, C.I.No. 9751

having complied with all legal requirements to entitle them to claim full ownership in FEE SIMPLE for property designated by official survey as lot No. 10, Ajayan, Inarajan, Guam, said property being described and title having been recorded as Estate No. 393 in Vol. Four of Inarajan Page 65 Department of Records and Accounts, Naval Government of Guam, on the twenty second day of July, 1935, and examination and verification of title showing that the right in equity to ownership of said property truly vests in the above named persons;

THE NAVAL GOVERNMENT OF GUAM hereby undertakes to defend said right of ownership of the above named persons, their heirs, assigns, etc., against all claimants whomsoever, except such liens as may hereafter be incurred. However, the sale, gift, or devise to aliens of lands in Guam is prohibited.

Given under my hand and seal this fourteenth day of November A. D. nineteen hundred and thirty five in Agana, Guam.

Geo. A. Alexander
Governor of Guam

THIS CERTIFICATE is entered as number 3794 in Vol. Ten of the Record of Guaranteed Claims, Department of Records and Accounts, Naval Government of Guam.

Agana, Guam, this fourteenth day of November, 1935.

F. B. Flores
Asst. Head of Department of Records and Accounts.

V. B. Arriola
Registrar of Lands, etc.

Memorial of Estates, Assessments, Liens, Charges and Encumbrances on the land described in the above and within Guaranteed Claim, other than Taxes, for non-payment of which said property has not yet been sold.

Document No.	Kind of Instrument	Registration Date	Registration Time	Amount	In Favor of Gen. No.	Signature of Registrar of Lands, Etc.
2304	Mortgage	14 Nov. 41	2:47pm	175.00	Bank of Guam	
2581	Release of above	23 Feb 42	10:30 am	75.00	Jesus R. Concepcion	
3007	Mortgage	28 Feb 42	9:05 am	75.00	Bank of Guam	
3151	Release of above	5/29/42	9:15 am	75.00	Jesus R. Concepcion et al	
3784	Mortgage	10/1/41	9:05 P.M.	70.00	Bank of Guam	
21016	Release of above	4/11/50	8:0 am	70.00	Jesus R. Concepcion et al	