EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

DEC 12 2018

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

Hon Speaker Therese M. Terlaje
34GL-18-2059
DEC 19 2018
Time: 10:42
Received by:

2018 DEC 19 AM 11:35

Dear Madam Speaker:

Transmitted herewith is Bill No. 349-34 (COR), **"AN ACT TO CORRECT A LOT IDENTIFICATION IN CERTAIN DOCUMENTS AMONGST THE GUAM TELEPHONE AUTHORITY (GTA), THE GOVERNMENT OF GUAM, TELEGUAM HOLDINGS, LLC, AND THE CHAMORRO LAND TRUST COMMISSION,"** which was signed on December 12, 2018, as **Public Law 34-137.**

Senseramente,

EDDIE BAZA CALVO

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. 349-34 (COR), "AN ACT TO CORRECT A LOT IDENTIFICATION IN CERTAIN DOCUMENTS AMONGST THE GUAM TELEPHONE AUTHORITY (GTA), THE GOVERNMENT OF GUAM, TELEGUAM HOLDINGS, LLC, AND THE CHAMORRO LAND TRUST COMMISSION,"** was on the 30th day of November 2018, duly and regularly passed.

Therese M. Terlaje
Acting Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 30 day of NOV, 2018, at 7:55 o'clock P.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: DEC 12 2018

Public Law No. 34-137

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

Bill No. 349-34 (COR)
As amended on the Floor.

Introduced by: Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
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 CORRECT A LOT IDENTIFICATION IN CERTAIN DOCUMENTS AMONGST THE GUAM TELEPHONE AUTHORITY (GTA), THE GOVERNMENT OF GUAM, TELEGUAM HOLDINGS, LLC, AND THE CHAMORRO LAND TRUST COMMISSION.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Guam Telephone Authority (GTA), the Government of Guam, and TeleGuam Holdings, LLC entered into an Asset Purchase Agreement on August 31, 2004. In Schedule 5.9 of that Asset Purchase Agreement under Leases/Easements/Real Property, a Real Property Listing headlined "**GUAM**

TELEPHONE AUTHORITY'S LAND PROPERTY (as of August 17, 2004)" was attached. In this attachment under the Municipality of *Piti*, "**Lot 5NEW-R1, Block 2**" was listed.

I Liheslaturan Guåhan also finds that the Chamorro Land Trust Commission and TeleGuam Holdings, LLC entered into a Renewal and Extension of Leases on November 14, 2014. "*Exhibit A*" *Government of Guam Real Property* in this document included "**PARCEL TWELVE (12) LOT NUMBER 5NEW-R1, BLOCK NUMBER 2 MUNICIPALITY OF *PITI.***"

I Liheslaturan Guåhan further finds that in both documents, the Asset Purchase Agreement and the Renewal and Extension of Leases, **Lot 5NEW-R1, Block 2, Municipality of *Piti*** was erroneously listed. The correct lot identification in both documents should be:

"Lot 5NEW-1, Block 2, Municipality of *Piti.*"

It is, therefore, the intent of *I Liheslaturan Guåhan* to authorize the corrections of both documents; and any other documents, previous or subsequent, which make similar erroneous reference(s).

Section 2. Correction to Asset Purchase Agreement and Renewal and Extension of Leases. Notwithstanding any other provision of law, *I Liheslaturan Guåhan* authorizes the correction of the Asset Purchase Agreement and the Renewal and Extension of Leases, and any other documents, previous or subsequent, which make similar erroneous reference(s).

The correction *shall* be made as follows:

Delete: **Lot 5NEW-R1, Block 2, Municipality of *Piti*; and**

Insert: **Lot 5NEW-1, Block 2, Municipality of *Piti***, containing an area of 929± square meters, as shown on survey map L.M. No. 133FY94.

Section 3. Appraisals. 2 GCA § 2107(b) relative to appraisals of land *shall not* apply to this Act.

Section 4. Proceeds of Lease. Funds generated from this corrective measure *shall* continue to be deposited with the Chamorro Land Trust Commission.

Section 5. Prohibited Use. The property *shall not* be used so as to make it unusable upon the expiration of the lease term, such as using it as a ponding basin.

Section 6. New Assessment and Update of Real Property Tax Roll. Upon recordation of this corrective action at the Department of Land Management, the Real Property Division of the Department of Revenue and Taxation *shall* conduct a special valuation of Lot 5NEW-1, Block 2, Municipality of *Piti*, and the new tax assessment *shall* become due and payable by GTA in the succeeding year. The Tax Roll *shall* be updated accordingly.

Section 7. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid, or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.