EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

DEC 31 2018

Hon. Speaker Therese M. Terlaje
34GL-18-2721
DEC 31 2018
Time: 16:35
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

2019 JAN -2 AM 8:19

Dear Madame Speaker:

Transmitted herewith is Bill No. 343-34 (COR), **"AN ACT TO EXEMPT LOT B-1, TRACT 111, *TUMON*, MUNICIPALITY OF *TAMUNING*, FROM THE ALIENATION AND REVERTER CLAUSE AS STIPULATED IN SECTION 9(d) OF PUBLIC LAW 21-14,"** which was signed on December 28, 2018, as **Public Law 34-157.**

Senseramente,

EDDIE BAZA CALVO

2721

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. 343-34 (COR), "AN ACT TO EXEMPT LOT B-1, TRACT 111, *TUMON*, MUNICIPALITY OF *TAMUNING*, FROM THE ALIENATION AND REVERTER CLAUSE AS STIPULATED IN SECTION 9(d) OF PUBLIC LAW 21-14,"** was on the 17th day of December 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 17th day of Dec., 2018, at 5:30 o'clock P.M.

ESS
Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: DEC 2 8 2018

Public Law No. 34-157

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

Bill No. 343-34 (COR)

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 EXEMPT LOT B-1, TRACT 111, *TUMON*, MUNICIPALITY OF *TAMUNING*, FROM THE ALIENATION AND REVERTER CLAUSE AS STIPULATED IN SECTION 9(d) OF PUBLIC LAW 21-14.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Public Law 21-14, which was enacted into law on April 20, 1991, authorized certain land sales and exchanges. The land sales involved substandard remnant pieces created when *Ipao* Road was realigned. These remnant pieces are valuable and usable only to the contiguous landowners. When purchased by the private contiguous landowner, the substandard remnant piece would then be consolidated

into a larger lot. The sales proceeds and real estate tax revenues generated by the taxation of the larger consolidated lot provides revenue for public services.

I Liheslatura finds that on May 17, 2012, the owner of the lot contiguous to Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning* paid to the government the fair market value for the purchase of Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning*, with the expectation that the government will execute the Quitclaim Deed in a timely manner; however, said Quitclaim Deed was not executed until February 17, 2016. The optimal utilization of Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning*, cannot be immediatley realized unless the alienation and reverter clause restriction in Section 9(d) of Public Law 21-14 is removed.

I Liheslatura finds that the execution of the Quitclaim Deed for Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning*, was not accomplished by the government of Guam until February 17, 2016; however, the provisions of Section 9(d) of Public Law 21-14 stipulate that the restrictions imposed by the alienation and revertion clause will not be lifted until ten (10) years from the date of execution of the Quitclaim Deed.

Since this is a fee simple transaction and no other qualified purchaser is identified in Public Law 21-14 for this parcel, *I Liheslatura* therefore intends to exempt Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning*, from the ten (10) year alienation and reversion clause stipulated in Section 9(d) of Public Law 21-14.

Section 2. Exemption from Alienation and Reverter Clause.

Lot B-1, Tract 111, *Tumon*, municipality of *Tamuning*, *shall* be exempt from the alienation and reverter clause as stipulated in Section 9(d) of Public Law 21-14.

Section 3. 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.

Section 4. Effective Date. This Act *shall* become effective upon its enactment.