Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932 Phone: 649-5263 Ext. 400 Fax: 649-5383

Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

Commission Members

G. Pika Fejeran
Chairwoman

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

Austin J. Duenas
Commissioner

Shawntel L. Techaira
Commissioner

Jack E. Hattig III
Administrative Director

March 12, 2019

TO: Honorable Lourdes A. Leon Guerrero
Governor of Guam

FR: Jack E. Hattig III
Administrative Director

RE: Chamorro Land Trust Commission Packet

35GL-19-0226
Speaker Tina Rose Muña Barnes

MAR 12 2019
Time 224 ( )AM ( )PM
Received By:

2019 MAR 12 PM 2:46

Pursuant to 5 GCA §8113.1 and Public Law 31-233, transmitted herewith is the Chamorro Land Trust Commission Board meeting packet of March 7, 2019.

If you should have any questions, please do not hesitate to contact Tina Jocson at 649-5263 ext. 435.

Jack E. Hattig III
Administrative Director

cc: Honorable Speaker Tina Muna Barnes
Speaker 35th Guam Legislature.

Rev. 02/4/2019

0226

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REGULAR BOARD MEETING
AGENDA
Department of Land Management Conference Room
3rd Floor, ITC Building, Tamuning, Guam
Thursday, March 7, 2019; 1:00PM

Public Notice: The *Guam Daily Post* on February 27, 2019 and March 5, 2019

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES
1. January 29, 2019, Special Meeting

IV. OLD BUSINESS
1. Resolution No. 2018-09
2. GWA Right of Entry Lot 5075-REM-A-NEW-R1
3. Inadahen I Lina'la Kotturan Chamoru
4. Lot 5174REM-1, Tamuning Lease; Nicole Kelly
5. Gregory Aguon c/o: Anjolisha Aguon
6. Bill 8-35; Relative to Leasing of Public Real Property and Related Facilities

V. NEW BUSINESS
1. Chamorro Land Trust Commission; Separate Agency
   a. Transition Report
   b. Staffing Pattern
   c. 2019 Chamorro Land Trust Commission Priorities
   d. Improving Transparency
   e. Resolution Draft; Approval Authority to the Administrative Director Granted by the Commission
   f. Return of Loan Guaranty Funds and Survey & Infrastructure Funds
2. Guam Economic Development Authority
   a. Projected GEDA Revenue from CLTC MOA

VI. ADMINISTRATIVE MATTER
1. Processing of Maps
2. Beneficiary Approval List
3. Utility Authorization List
4. Survey & Infrastructure Fund
5. Commercial Licenses
6. Financial Report
7. Bank of Guam; Update of Bank of Guam Authorization and Signatories

VII. COMMISSIONERS COMMENTS

VIII. ADJOURNMENT
Next Meeting-Thursday, March 21, 2019;1PM

Rev. 02/4/2019

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Commissioner

Shawntel L. Techaira
Commissioner

Jack E. Hattig III
Administrative Director

COMMISSION SPECIAL MEETING MINUTES
Department of Land Management Conference Room
3rd. Floor, ITC Building, Tamuning
Tuesday, January 29, 2019, 1:04 p.m. – 5:12 p.m.

Public Notice: The *Guam Daily* Post on January 22, 2019 and January 27, 2019

I. CALL TO ORDER

Chairwoman Piker Fejeran: Calls the Special meeting of the Chamorro Land Trust Commission to order at 1:04 p.m.

II. ROLL CALL

Notation of Attendance
Present were: Chairwoman Pika Fejeran, Vice Chairman Joseph Cruz, Commissioner Amanda Santos, Commissioner Shawntel Techaira, Legal Counsel Nicolas Toft and Acting Administrative Director Paul Santos

Excused Absence: Commissioner Austin Duenas

III. APPROVAL OF MINUTES

1. September 6, 2018, Regular Meeting

Chairwoman Pika Fejeran: First item on the agenda, the Approval of Minutes. CLTC Commissioners were given a new copy of the September 6, 2018, CLTC Meeting minutes. Informed the Commission there were some revisions made on Page 4, which was regarding the discussion of the ratification of the switched leases.

After reviewing the September 6, 2018, meeting minutes, a motion was made by Commissioner Techaira to approve the minutes. Second by Commissioner Santos. Passed Unanimously

2. December 20, 2018, Regular Meeting

Chairwoman Pika Fejeran: Next, the December 20, 2018 minutes asked for any comments from the Commission Members.

No comments made. A motion made by Commissioner Techaira to approve the minutes. Second by Commissioner Santos. Passed Unanimously.

IV. OLD BUSINESS

1. Confirmation of the Chamorro Land Trust Administrative Director, Jack Hattig III

Chairwoman Pika Fejeran: Our Maga Haga (Governor of Guam) has appointed Jack Hattig III to serve as our Chamorro Land Trust Administrative Director. It is also recognized pursuant to the CLT Commission's Authority under 21 GCA; §75102(b) confirmation of Mr. Hattig lies solely on the Commission. The main concern is the budget that was discussed at the last CLTC meeting. The budget for the last several years has not included any salary for the Administrative Director position.

Referred the budget report to Program Coordinator III, Joey Cruz, who manages the budget for the CLTC in house.

Program Coordinator III Joey Cruz reports on Chamorro Land Trust Commission funds and appropriations as well as CLTC FY2019 projection and analysis.
Based on 21 GCA, Chapter 75; §75124 (b) Expenditures from the Fund shall be made pursuant to a resolution by the CLTC, and shall be restricted to the following expenditures: It details what the appropriations of the CLTC Survey and Infrastructure can be spent on.

Chairwoman Pika Fejeran: asked about the $34,725.00 that is in the Land Trust Survey and Infrastructure Fund can only be spent...

Program Coordinator III Joey Cruz: in response to Chairwoman Fejeran's statement it can only be spent on the following:

(1) For the subdivision, surveying, mapping and registration of tracts of residential and agriculture land in the CLTC property inventory; and
(2) For the construction of infrastructure, to include access roads, water, and power utilities, to service CLTC residential and agriculture tracts of land.

Chairwoman Pika Fejeran: states we (CLTC) cannot touch that money for salaries.

Program Coordinator III Joey Cruz: replied: or operations and continues with the next section of his report.
The next document in the packet, CLTC FY2019 Projection and Analysis; with a current recruitment of an Administrative Director and an Administrative Aide, certain cuts had to be considered such as the budget allotment under the 240 Object Class. The budget was Nineteen Thousand Nine Hundred Dollars ($19,900.00) as of January 28, 2019, the trust only spent an amount of One Thousand One Hundred Three Dollars ($1,103.00).
With communication with the Budget Analyst from BBMR it was agreed the remainder of the Fiscal Year 2019, the trust can only spend about Four Thousand Dollars ($4,000.00) more which would leave a lapse of about Fourteen Thousand Seven Hundred Ninety Seven Dollars ($14,797.00).
Overall with the release of the reserves, the CLTC appropriations, the Trust can proceed with the recruitment of the Administrative Aide and the Administrative Director. In the end the Trust may possibly see a lapse of Seven Thousand Six Hundred Eighty Dollars ($7,680.00).

Chairwoman Pika Fejeran: states basically we're (CLTC) is not going to use all that money to fund the shortfall on salaries and benefits.

Doc. No. 35GL-19-0226.

Program Coordinator III Joey Cruz: in response, in addition, to the budget report, there is an appropriation for Contractual, one pending expense which is the audit cost that has not been encumbered. Other requirements under the projection analysis would cost the Trust Twenty Seven Thousand Dollars ($27,000.00) which would leave a lapse of Thirty Six Thousand Two Hundred Three Dollars ($36,203.00). The lapse will also be requested to move to fund the shortfall.

Chairwoman Pika Fejeran: restates the Contractual Budget the $27, 000.00 is for the audit and asks about the $63,331.00.

Program Coordinator III Joey Cruz: in response to Chairwoman Pika Fejeran, the $63,331.00 is the expenses all encumbered as of October 1, 2018 to January 28, 2019, which is for publications and CLTC's share of attorney fees.

Chairwoman Pika Fejeran: for confirmation, the $63,000.00 expense or encumbered is what we (CLTC) has spent and what is anticipated to be spent.

Program Coordinator III Joey Cruz: in response, yes.

Chairwoman Pika Fejeran: reconfirming the budget for FY2020 is being worked on with BBMR

Program Coordinator III Joey Cruz: in response, yes. FY2020 budget is being worked on and the (CLTC) should be receiving the return of the FY2020 budget analysis.

Program Coordinator III Joey Cruz: the next document is the staffing pattern, the baseline of what is used for the staffing pattern requirements in our analysis.
All the benefits for medical and dental for the recruitment of the Admin Aide and the Administrative Director was set at the highest because it is unknown what type of plan they will choose.

Chairwoman Pika Fejeran: currently we have an Admin Aide position that is vacant and asked about the Private Secretary Position that is vacant.

Program Coordinator III Joey Cruz: in response, we (CLTC) tried to factor the Private Secretary position into the projection, however, if we were to sacrifice the Admin Aide for the Private Secretary, there wouldn't be enough money.

Chairwoman Pika Fejeran: replied, there are two vacancies and we (CLTC) can fill the Admin Aide but cannot fill the Private Secretary, so we'll (CLTC) will be foregoing the Private Secretary for the salary of the Administrative Director.
This is also considering that one of the Land Agent I has resigned.

Program Coordinator III Joey Cruz: In response, yes, we already moved the encumbrance.

Chairwoman Pika Fejeran: That also means we would not be able to fill that position until such time.

Program Coordinator III Joey Cruz: in response, yes if there is enough money for next fiscal year.

Chairwoman Pika Fejeran: states, in total, we are giving up some expenditures that were allocated for supplies, contracts and miscellaneous; in addition to filling the Private Secretary and filling the Land Agent I positions that is vacated as of today.

Chairwoman Pika Fejeran: after justification, clarification and understanding of the CLTC budget, appropriation funds it is clear that BBMR and Joey (Program Coordinator III) were able to find funding to support the hiring of the Administrative Director. Our (CLTC) budget can handle it, (referring to the expense to employ an Administrative Director).
Stated we (CLTC) has someone who is eager and ready to start, he (referring to Mr. Hattig) is ready to take on a complex program. Employment packet was submitted to the Commission and there is nothing in Mr. Hattig's employment packet that is concerning. Also informed the Commission the effective start date of Mr. Hattig's employment will be effective February 4, 2019.

Invites Mr. Hattig to come forward before the Commission.

A motion made by Vice Chairman Joe Cruz to approve the confirmation of Mr. Jack Hattig III as the Administrative Director of the Chamorro Land Trust. Second by Commissioner Santos.
Passed Unanimously.

After the confirmation of the Chamorro Land Trust Administrative Director, Mr. Jack Hattig III, the commission had a list of priorities that was given to him and were discussed. These priorities are to improve transparency of the Commission and re-establish our (CLTC's) integrity.
The list of priorities also included general job duties given to the Administrative Director from the Commission are the following:

- To exercise the power and authority delegated to the Administrative Director given only by the Commission.
- To manage the CLTC Staff, the budget and the assets.
- To ensure program compliance with all applicable laws, rules and regulations.
- To report to the Commission all activities on a semi-monthly basis at the CLTC Meetings.
- To carry out any and all activities as directed by the CLTC commission.
- To monitor all the legislative bills pertaining to the Chamorro Land Trust; as the previous Director did, he would inform the commission about the bill and draft testimonies and attend public hearings.

Priorities for 2019 are the following:

- Executive Order 2019-01; to Re-Establish the Chamorro Land Trust as a separate agency for the Department of Land Management.

- Improve the transparency of the Trust

- Register and Survey all lands for the Chamorro Land Trust Inventory and determined best use

- Work with the Legislature to come up with a Bill to ratify the 102 "Null and Void" leases and to amend Public Law 23-38 and the Chamorro Land Trust Act; once those amendments are made, we'll need you to map, document and train the CLTC staff and our Beneficiaries on the processes, requirements and policies for Agricultural and Residential leasing.

- Re-establish the integrity of the Residential and Agricultural waiting list

- Prepare for future leasing to include a preparation of a base line report with the property inventory which would be the CLTC supply versus CLTC lessee and applicant demand to determine the long term planning needs. Future leasing would require that CLTC coordinate

Doc. No. 35GL-19-0226.

with the utility agencies to plan current and future leasing efforts to run parallel with planned capital improvement projects. Also to prepare for future leasing, CLTC be looking at subdivision compliance checks for current lessees, developing communities and coordinating with Guam Housing to fast track home building.

- ❖ Generate revenue, based on the CLTC current revenue stream, the Trust will not have enough money to sustain current operations in 2023, about four years to increase and generate CLTC's revenue.

- ❖ Finally, reorganize the CLTC staff and the efforts to achieve the priorities mentioned above.

Chairwoman Pika Fejeran: stated after listing the priorities mentioned above, would like to go over each of the priorities in finer detail off line with the Administrative Director Hattig.

V. NEW BUSINESS

1. Administrative Action

a. Maps & Addendums – moved to item VI, ADMINISTRATIVE MATTERS, No. 3; Processing of Maps – Tabled for the next meeting schedule on February 7, 2019.

b. Constituent Staff Reports

i. Juan Benavente – No representative present. Tabled for February 7, 2019

ii. Teddy Pangelinan Concepcion – Request to have a construction of a piggery.

Chairwoman Pika Fejeran: reads the staff remark; Subject lot is unregistered, lot was surveyed and mapped and approved by Thomas Elliott on March 24, 2006; lot has been utilized for cattle grazing since 1997; Lease was ratified by CLTC Board on September 6, 2018.

Vice Chairman Joe Cruz: asking how many acres

Land Administrator Margarita Borja: in response to Vice Chairman Joe Cruz, 20 acres

Chairwoman Pika Fejeran: August 2017, Teddy Concepcion has been working with the Natural Resources Conservation Service, the US Department of Agriculture to develop his piggery plans. He has a Bona fide Farmers Certification, has a lease from 1997.

Land Agent I John Gumataotao: informs the Commission Teddy Concepcion's father was under the Arruendo Program, has and LUP and the area (shown on the TV screen) is adjacent to the Chi'guan Massacre Site.
Showed the Commission an area that is partitioned out as a severance and indicated on his (Teddy Concepcion's) plan. Also showed another area in the property that was used for cattle grazing. He (Mr. Concepcion) is requesting for a lease because he is working with the US Dept. of Agriculture to obtain funding for an energized fence and to remove the area where the monument of the Chi'guan Massacre Site is on.

Chairwoman Pika Fejeran: Asked if Teddy Concepcion is asking for approval for his lease.

Land Agent I John Gumataotao: in response, yes in addition to what was mentioned above as far as getting the assistance with US Dept. of Agriculture and to remove the area of the Chi'guan Monument Site of his property; he is also going to construct a piggery.

It is was also pointed out that Teddy Concepcion's piggery plans were developed in cooperation with the Northern Guam Soil and Water Conservation District.

Vice Chairman Joe Cruz: states he doesn't understand why Teddy Concepcion will request for an approval for the piggery when he (Teddy Concepcion) was issued a 99 Year Lease for agriculture and is permitted; at the same time the ten of the twenty acres are used for pastures, except for the piggery and the monument side.

Land Administrator Margarita Borja: in response to Vice Chairman Joe Cruz's statement. Based on the lease, there is an area that is stated the lessee must appear before the board to construct a piggery and get approval from the Board of Commission.

(Discussion Ensues)

Land Agent I John Gumataotao: Also explained because the land is unregistered and he (Teddy Concepcion) is giving up the portion that he is giving up includes in his original 20 acreage lease, a lot of things will be factored in to the new lease such as meeting the requirements per head, per cattle per grazing acreage; same with the piggery; those would have an average effect on his lease. However, again, because the land is unregistered, the main issue is to have a valid lease.

Vice Chairman Joe Cruz: Asked if that is the main reason why he is requesting for approval from the board

Commissioners Comments: it is the fault of the commission for placing him on unregistered land

Assistant Attorney General Nicolas Toft: in response to the comments made; he (Teddy Concepcion) was occupying the property prior, he has an LUP.

Commissioners Comments: Asked how to work with the situation.

Assistant Attorney General Nicolas Toft: the process would have to go through legislation, get the property surveyed, get the land registered.

Chairwoman Pika Fejeran: Asked if there is anything else that can be done and if it would be an issue if the Commission approved his (Teddy Concepcion) plans with the understanding the parceling out the Chi'guan Massacre Site.

Assistant Attorney General: in response to Chairwoman Pika Fejeran's question, as long as the lease is not being altered. The Piggery request is separate of the unregistered land issue. As far as the parceling out of the site, that would have to wait until the registering is completed.

After more discussion, Chairwoman Pika Fejeran emphasized this is what we (CLTC) want to hear from our Beneficiaries; believes Teddy Concepcion has a good story and is exactly what CLTC wants the lessees to do.

A motion made by Commissioner Techaira to approve the piggery for Lot 7154-2 Yigo. Second by Vice Chairman Joe Cruz.

Chairwoman Pika Fejeran: Stressed a motion was made for the piggery only, all other concerns regarding the lot parceling will have to wait until the land is registered.

Restated the motion made; Motion PASSED Unanimously.

Chairwoman Pika Fejeran: moved on to the next item on the agenda

c. **Lease/Addendum/Utility Authorizations**

i. **Norma Arciga Benavente:** Tabled for February 7, 2019. No representative present; representative scheduled to appear before the Commission on the next scheduled meeting on February 7. Commission requesting for staff reports on all family members within the Feja Family surroundings. Norma Arciga Benavente is a part of the Feja Family.

Chairwoman Pika Fejeran: moved onto the Rosanna Marie Camacho

ii. **Rosanna Marie Camacho:** Not present

Summary: Roseanna Marie Camacho is the designated beneficiary to her deceased mom, Rosemarie Cruz Camacho who had lease issued to her in 1997 and was the original applicant. The request is to issue an addendum to reflect the changes of the applicant.

Chairwoman Pika Fejeran: pointed out the application for Rosemarie Cruz Camacho indicates she is not living on government land. The application for the designated beneficiary, Rosanna Marie Camacho indicates she does, which makes her a priority 2.

Vice Chairman Joe Cruz: asked whose application are we (CLTC) assessing as a priority 2.

Land Administrator Margarita Borja: Based on Public Law 23-38; there is a section indicating as a benefactor and you own land, it shouldn't affect the issuance of a lease to the beneficiary.
PL 23-38; 7.5 the transferee may own an interest in non-Chamorro homelands real property, regardless of degree of ownership.

Motion made by Commissioner Techaira to approve an addendum to residential lease for Rosanna Marie Camacho for Lot 22, Block, 17, Tract 9210, Yigo. Second by Vice Chairman Joe Cruz. PASSED Unanimously

Chairwoman Pika Fejeran: before moving on to the next constituent on the list suggested to the Commission and the newly Confirmed CLTC Administrative Director, Jack Hattig III to have a resolution drafted regarding the approval authority granted to the Administrative Director given by the Commission for the following:

1. Utility Authorization for current lease holders
2. Beneficiary Designations for CLTC lease holders within accordance of the law; PL 23-38; 9.1
3. Beneficiary Designations for CLTC applicants within accordance to the law; PL 23-38; 5.8
4. Lease Transfers within accordance of the law; PL 23-38; 7.5

In addition to the above approved motions, a new motion was made for approval authority to be given to the Administrative Director for lease addendums for beneficiary designations in accordance to PL 23-38; 9.1, existing leases and transfer of leases in accordance to PL 23-38; 7.5.
So moved by Commissioner Techaira. Second by Vice Chairman Joe Cruz. PASSED Unanimously.

After confirming all approved motions granting approval authority given to the Chamorro Land Trust Administrative Director by the CLT Commission, Chairwoman Pika Fejeran continued onto the next item on the agenda.

iii. Eddie Concepcion Muna

Summary: Eddie Muna took over Jesse Atoigue Muna who is his deceased father's application. His father (Jesse Atoigue Muna) was a pre-occupier under Land Use Permit No. 4093 with a Mayor's Certification indicating he (Jesse Atoigue Muna) has occupied the land since 1983. There were utilities that existed but has been disconnected. GWA and GPA requires a lease reflecting Eddie Muna as the lessee in order to make changes on the utility accounts. The request is to issue an agriculture lease, Survey Authorization and Utility Authorizations under Eddie Muna's name.

Land Administrator Margarita Borja: informed the Commission; there was a lease that was prepared for Eddie Muna, however; it was at the time the controversies with CLTC occurred and everything was placed on hold.

Richard Muna: representing his brother Eddie Muna and explained during the time his father was alive he (Jesse Atoigue Muna, father) wanted his four sons to live on the property. But according to Margarita Borja, Land Administrator, only one person can take over the lease. They (Richard and the rest of Jesse Muna's sons) would have to designate one person which is Eddie. Eddie lived with their father the whole time unfortunately, the paper work was being processed at the time their father passed away. After the passing of their father, hard times occurred and the power was disconnected. Requested from the Commission to approve Eddie Muna as the lessee instead of the beneficiary so he could go to GPA and GWA and make the necessary changes.

Chairwoman Pika Fejeran: thanked Richard Muna for presenting their case to the Commission. Has no questions, asked the Commission members if they had any questions regarding their case.

No questions from the Commissioners.

A motion made by Commissioner Techaira to approve the issuance of an Agriculture Lease, Survey Authorization and Utility Authorizations for Lot 3, Block 17, Tract 10316, Dededo containing an area of 8,140 square meters as per Masterplan under the name of Eddie Muna. Second by Amanda Santos. PASSED Unanimously.

iv. Lindsey Quitugua Mafnas – Not present

Summary: Lindsey Quitugua Mafnas is a pre-occupier, LUP# 3379 which was originally under her mom, Linda Quitugua, for lot 10120-107, Dededo. Through another program Linda Quitugua was offered a Dollar Home in the Sagan Linayan Area, her children remained on the Arrunedo properties where Lindsey is currently residing. Linda Quitugua would have to give up the Arruendo property which she did and transferred her application rights to her daughter Lindsey who remained on the property. A Mayor's Certification for Lindsey is in file and indicates she was occupying with her family. Her power was disconnected since 2017, last power bill in file for reference. Request for an Agriculture Lease pending the completion of survey and Utility Authorizations.

Chairwoman Pika Fejeran and Commission Members not only discussed the applicant's situation but the general area of Lot 10120 where the applicant resides. Among the discussion was the process of surveying properties.

Acting Administrative Director Paul Santos: chimed in, agrees the surveying process with the CLTC applicant. Leases being issued with subject to survey which comes later on from the CLTC lessee which can be put off by the lessee until much later. Suggested prior to issuing a lease, to give the CLTC applicant a time line to complete their surveys.

Chairwoman Pika Fejeran: states it's a hardship on the CLTC Beneficiaries to have their properties surveyed. Asked what wouldit take to get these properties all surveyed for the beneficiaries considering it is CLTC's properties.

Acting Administrative Director Paul Santos: in response to Chairwoman Fejeran's question, it is funding.

Shown on the TV screen are all CLTC properties in the 10120 and the 10125 areas, from the Ukudo area to the Astumbo Fire Station area.

(Discussion ensues)

Commissioner Techaira: referred back to the subject of Lindsey Quitugua Mafnas

Chairwoman Pika Fejeran: asked the Commission if we (CLTC) made a motion to approve her Agriculture Lease and Utility Authorization, can the motion be made based on not to exceed the half acre portion that is occupied.
So Moved by Commissioner Techaira. Second by Vice Chairman Joe Cruz. PASSED Unanimously.

v. Francisco Blas Salas

Summary: Francisco Blas Salas was a pre-occupier, farmed banana, tomatoes, bitter melon, okra, had pigs and other local crops. He has completed his survey for Lot 2NEW, Block 8, Tract 10136, Dededo. He is requesting for an Agriculture Lease and Utility Authorizations.

Chairwoman Pika Fejeran: for clarification asked if the reference lot for the above description is the same lot as 10122.

Land Administrator Margarita Borja: in response to Chairwoman Fejeran, explained 10122 is the basic lot of Tract 10136; 10122 is huge lot and was tract out to tract, block and lot and now identified as Tract 10136.
Also explained, because the survey has been completed, CLTC now needs to complete an addendum to reflect the recorded map number, which would be the only changes on the lease.
It would be up to the Commission to decide if an addendum to the Agriculture Lease is necessary, there is a recorded map of the lot description in file.

Chairwoman Pika Fejeran: asked if it is necessary to have an addendum to reflect the recorded map number or would the recorded map with the lot description be sufficient enough.

Land Agent Supervisor Mathew Leon Guerrero: chimed in and suggested to have an addendum done even if there is a recorded map.

Land Administrator Margarita Borja: Also explained, the reason for an addendum is due to leases that were issued out based on subject to survey.

Chairwoman Pika Fejera: It basically connects the two, the lease and the recorded map.

Commission discuss and agree to have an addendum to complete the process.

A motion made to approve an Addendum to an Agriculture Lease and the issuance of Utility Authorizations for Francisco Blas Salas. So Moved by Commissioner Techaira. Second by Vice Chairman Joe Cruz. PASSED Unanimously.

vi. Polly J.B. Gay - Not Present

Moved to include under Pre-Moratorium Lease List

vii. Daniel E. Sablan – Not Present

Tabled for the next meeting; CLT Commission requesting for a farm plan

viii. Sara Rose Flores – Not Present

Summary: Sara Rose Flores is has a residential lease that was issued to her in 1997 subject to survey. She completed her survey; has a Masterplan map recorded under Instrument No. 880757. Requesting to have an addendum to reflect the new lot description. Her lease was ratified by the CLT Commission Board on September 6, 2018.

Chairwoman Pika Fejeran: States the lessee, Sara Rose Flores has an existing Residential Lease and she is only requesting for an addendum formalizing the property description.

Land Administrator Margarita Borja: in response, her (Sara Flores) existing lease was indicating Block 4, Lot 39 and based of the Masterplan done by CLTC designates the same lot now described as Lot 17, Block 4, Tract 15213, Mangilao. The same area, the Masterplan changed the lot description.

Chairwoman Pika Fejeran: asked if the Commission want to make a motion to approve the Addendum to Residential Lease for Sara Rose Flores on Lot 5402, Block 4, Lot 39, Mangilao to be described now as Lot 17, Block 4, Tract 15213, Mangilao.

So Moved by Commissioner Techaira. Second by Commissioner Santos. PASSED Unanimously.

ix. Ramona Perez Salas – Not Present

Summary: Ramona Perez Salas has Residential Lease which reflects a portion of Lot 10125-11-R1, Dededo. Her property was surveyed, has a Masterplan Map recorded under Instrument No. 88034 showing the actual lot description based on the Masterplan. Requesting to have an addendum to reflect the lot description as indicated on the Masterplan and for issuance on Clearing and Grating Authorization.

Chairwoman Pika Fejeran: stated it's the same situation as the previously discussed lessee. Asked if anyone has any questions

Vice Chairman Joe Cruz: Asked if the authorizations come from Chamorro Land TrustLand Administrator Margarita Borja: in response to Vice Chairman Cruz's question, CLTC would issue an Authorization to DPW, then the lessee would take the authorization to DPW and from there would request for a clearing and grating permit.

Commission Members acknowledged the process.

Chairwoman Pika Fejeran: asked if there are any other questions and would the Commission like to approve the Residential Lease Addendum for Ramona Perez Salas changing the lot description to Lot 18, Block 1, Tract 10125, Dededo.

So Moved by Vice Chairman Joe Cruz. Second by Commissioner Techaira. PASSED Unanimously

x. Edward Blas Peredo – Not present

Summary: Edward Blas Peredo is deceased, named his daughter Shannon Bamba Peredo as his beneficiary. All the qualifying documents for his daughter Shannon is in file. The lease transfer is in accordance with PL 23-38, Section 9.1.

Chairwoman Pika Fejeran: stated, with Edward Blas Peredo, the Commission has already given approval authority to the Administrative Director to make that approval

Chairwoman Pika Fejeran: moved onto the next item on the agenda, Pre-Moratorium Lease List

2. PRE-MORATORIUM LEASE LIST

Chairwoman Pika Fejeran: asked how did the people get on the list, referring to the Pre-Moratorium Lease List

Land Administrator Margarita Borja: in response to Chairwoman Fejeran's question, explained the names on the list are the last batches of leases that were prepared and held back for the Governor's signature. The leases required the lessee and the Director's signature and just waiting for a date for the Governor's signature.

Chairwoman Pika Fejeran: asked Assistant Attorney General Nicolas Toft if the leases required a signature from the Governor.

Assistant Attorney General Nicolas Toft: in response to Chairwoman Fejeran's question, no, it doesn't need but will need the approval of the Commission.

Land Administrator Margarita Borja: referring to the Pre-Moratorium lease list, did not get approval from the Commission.

Chairwoman Pika Fejeran: reconfirmed with Land Administrator Margarita Borja that the list did not get approval from the Commission and did not make it onto the list to ratify

Land Administrator Margarita Borja: correct and explained they (Pre-Moratorium Lease List) was at the beginning of all the controversies with CLTC and the Attorney General's Office said all leases were Null and Void.

Assistant Attorney General Nicolas Toft: in response, the leases were not VOID, there were VOIDABLE. If the Commission went over the leases and approved them, then CLTC can reissue

those leases and the Commission can sign them. The leases would have to be reviewed by the Board and suggested for the Commission to look at the pre-occupier leases that were prepared.

Chairwoman Pika Fejeran: asked if the Pre-occupier lease list would need a separate ratification.

Assistant Attorney General Nicolas Toft: in response, the list that was ratified was a specific number that was given, the Pre-occupier lease list is a separate list that didn't include the original list that was ratified. We referring to CLTC didn't know about this list until much later. Yes, it would be a separate group for to ratify.

Land Administrator Margarita Borja: suggested to cross check the Pre-occupier lease list with the bigger list of names of those that were ratified to see if any of the names from the pre-occupier list is listed on the ratified list.

Commission Members and Assistant Attorney General Nicolas Toft agree to cross the check the names and the two lists.

Chairwoman Pika Fejeran: reconfirmed Land Administrator Margarita Borja's suggestion and tabled the Pre-Moratorium Lease list discussion pending verification against the list that was ratified. Discussion tabled for the February 7th meeting.

3. Commercial Licenses

Chairwoman Pika Fejeran: Requested from Program Coordinator III Joey Cruz to put together more detailed information regarding the Commercial Lease Licenses to include the compliance, lease status and other revenue generating activities. Tabled for February 21, 2019, the next CLTC meeting.

4. Unregistered Land

Chairwoman Pika Fejeran: moves onto the next item, Unregistered Land on the spread sheet provided to the Commissioners.

Assistant Attorney General Nicolas Toft: in response, on the spread sheet is a listing of 71 lots, about a third of them have leases or commitments on them at no fault of the Commissioner or the previous Director, they (those living on unregistered land) were there under the Arruendo Program. Has started to work with Land Administrator Margarita Borja to find the bigger lots with accessibility that are in areas where CLTC can place people for residential or agriculture; lots that are bigger sizes and have maps completed. Especially in the Dededo area, those have lots that look like they are already done, just a matter of having them registered.
Prioritizing the areas where CLTC has lessees for those who are occupying on unregistered land.

Chairwoman Pika Fejeran: asked, what authority does the Trust have as far as once the land is registered; can have developers come in and develop on the property and then leasing them to applicants.

Assistant Attorney General Nicolas Toft: in response to Chairwoman Fejeran's question, first would have to determine if it is residential or agricultural. And we (the Trust) is capped at nine percent of total inventory of what can be commercial.

Chairwoman Pika Fejeran: requested for Assistant Attorney General Nicolas Toft and Land Administrator Margarita Borja to work with DLM to gather more information regarding the unregistered land as far as funding and identifying all unregistered land.

5. **Infrastructure & Survey Fund Appropriations** – Tabled for February 21, 2019

VI. ADMINISTRATIVE MATTERS

1. Transition Report

Chairwoman Pika Fejeran: A few items regarding the Transition Report that was provided by former Director, Director Borja which included the pending matters for legislation; need to address the "Null and Void" Leases and the amendments.
Proposed to revisit the Resolution for 2018-09; discuss the process and requirements, the changes the amendments would do to communicate in an easier way to the beneficiaries.
Requested to place Resolution No. 2018-09 on the February 21st. agenda. In addition, Chairwoman Fejeran wanted to view the current process based on PL 23-38 and what Resolution 2018-09 would do to amend the current process.

Chairwoman Pika Fejeran: In regards to revisiting Resolution No. 2018-09, asked Administrative Director to reach out to the Guam Homeless Coalition to get some information regarding the homeless. Guam Homeless Coalition considered some families homeless because they are on substandard homes and guarantees some of those numbers are CLTC's Beneficiaries. Requested for more understanding of what the situation is for CLTC's Beneficiaries; because there is an obvious real need to have homes to live in and not just land to put a shack.

2. CLTC Staff:

Chairwoman Pika Fejeran: asked Newly Appointed Administrative Director Hattig to view the listing of the CLTC staff. Based on her review, there is not a standard listing of jobs duties for the staff, which is one of the priorities to reorganize.
Some employees are under the Department of Land Management, requested to identify areas where employees overlap and create a memorandum of understanding for those employees.

3. Processing of Maps – Tabled for February 7, 2019
4. Financial Report – Tabled for February 21, 2019

VII. COMMISSIONERS COMMENTS

CLTC Board of Commissioners terms was briefly discussed as far as the length and expiration of their terms.

VIII. ADJOUNMENT: 5:12 p.m.

Transcribed by: Tina Jocson, Land Agent I

Approved by Board Motion in meeting of: March 7, 2019

Jack E. Hattig III, Administrative Director

Chairwoman Pika Fejeran

Doc. No. 35GL-19-0226.

CHAMORRO LAND TRUST COMMISSION
Kumision Inangokkon Tano' Chamoru
RESOLUTION NO. 2018-09

Declaration and Request for
Legislative Revisions to Title 21, Guam Code Annotated, Chapter 75;
and, The Senator Paul Bordallo Rules and Regulations
for the Chamorro Land Trust Commission, Enacted as Public Law 23-38

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC)***, in accordance with Title 21, Guam Code Annotated, Chapter 75, is tasked with issuing residential and agricultural land leases to qualified applicants. Issuance of these leases is further governed by The Senator Paul Bordallo Rules and Regulations for the Chamorro Land Trust Commission, enacted as Public Law 23-38; and

WHEREAS, the Attorney General of Guam opined on May 11, 2018, that leases issued to applicants situated and located in Tract 9, and Basic Lot 5382, in the Municipality of Barrigada, were either "voidable" because the Board of Commissioners did not explicitly approve the leases; or, "null and void" because the applicant switched their application date and time to another applicant resulting in an issued lease; and

WHEREAS, the Guam Legislature held three oversight hearings on the Chamorro Land Trust Commission leases from May 22, 2018 to May 29, 2018, ending with CLTC chairwoman vowing an extensive review of all CLTC residential and agricultural leases and processes; and

WHEREAS, the CLTC staff reviewed the files of all residential and agricultural leases creating five separate listings with each file reviewed to gather other more specific data to add to the master database. Additional data collected include conditions for lease transfers, authorizing authority and officials, status of the leased property, status of applicants not yet issued leases, and other pertinent information necessary for the Board of Commissioners to make sound assumptions and conclusions; and

WHEREAS, the CLTC Board of Commissioners transmitted CLTC Resolution No. 2018-08, *Declaration and Ratification of Residential and Agricultural Leases*; and, Resolution No. 2018-10, *Declaration and Request for Legislative Validation of Ratified Residential and Agricultural Leases; and, for Legislative Authorization and Ratification of Leases Issued from Switched Application Date & Time*; to *I Liheslaturan Guahan* outlining its findings and recommendations; and

WHEREAS, the CLTC Board of Commissioners has reviewed Title 21, Guam Code Annotated, Chapter 75, and The Senator Paul Bordallo Rules and Regulations for the Chamorro Land Trust Commission, enacted as Public Law 23-38, and makes recommendations for changes to these governing statutes which are necessary to update the process of issuing leases and avoid hindrance to the process moving forward:

Doc. No. 35GL-19-0226.

21 GCA, Chapter 75, The Chamorro Land Trust Commission

1. **§75109(a):** ~~From the following relatives of the lessee, husband and wife, children, widows or widowers of the brothers and sisters, or nieces and nephew, t~~The lessee shall designate the person ~~or persons~~ whom he directs his interest ~~in the tract or tracts~~ to vest upon his death.

   In the absence of such a designation as approved by the Commission, the Commission shall select from the relatives of the lessee ~~in order named above as limited by the foregoing paragraph one or more persons~~ **one person within the third degree of consanguinity of the lessee** who ~~are~~ **is** qualified to be **a** lessees of Chamorro homelands, ~~except as hereinabove provided,~~ as the successor ~~or successors~~ of the lessee's interest ~~in the tract or tracts~~, and upon the death of the lessee, his interest shall vest in the person ~~or persons~~ so selected. The Commission may select such a successor ~~or successors~~ after the death of the lessee, and the rights to the use and occupancy ~~of the tract or tracts~~ may be made effective as of the date of the death of such lessee.

2. **§75121(d) The *Chamorro* Land Trust Commission *shall* designate and make available a parcel of land in the southern part of the island that *shall* be designated as a Biodiversity Conservation Easement for the purpose of transplanting and cultivating herbal plants, and establishing *Hatdin Åmot Chamorro.***

Public Law 23-38, The Senator Paul Bordallo Rules and Regulations for the Chamorro Land Trust Commission

1. **§2.2 Offices.** The commission offices are located at **590 South Marine Corps Drive, Tamuning, Guam; ITC Building, 3rd floor;** ~~Buildings 903,905, and 907, Tiyan Barrigada, Guam~~ or whatever successor office it might relocate to in the future.

2. **§2.3 Mailing Address.** P.O. Box 2950, Agana, Guam ~~96910~~ **96932**

3. **§2.4 Contact** ~~numbers~~ **Information:**
   1. Telephone: (671) ~~475-4281~~~~-8~~ **649-5263 ext 400**
   2. Fax: (671) ~~477-8082~~ **649-5383**
   3. **Email: cltc@land.guam.gov**
   4. **Webpage: http://dlm.guam.gov/chamorro-land-trust-commission/**

4. **§5.6** ~~Village and i~~Island-wide-**Residential and agricultural** waiting lists.

5. **§5.6(a)** Applicants will be placed on the respective island-wide residential ~~and/~~or agricultural ~~tract~~ waiting list in the order ~~specified~~ **in which they were received** ~~in section 5.3(a)~~.

6. **§5.6(c)** An applicant who **receives a notice of an intent to award** ~~is awarded a lot~~ shall be able to decline **twice** ~~lots in two different villages~~. After declining a third **notice of intent to** award, an applicant's name shall be removed from the waiting list.

Doc. No. 35GL-19-0226.

7. §5.6(d) ~~On or before~~ **By** the **2015**th day **of the end of the calendar year** ~~of every month~~, a copy of the **residential and agricultural** ~~priority~~ ~~listing~~ **redacted master data-base listing** for the previous **year** ~~month as of the last day of the month~~ shall be recorded at the Department of Land Management.

8. **§5.6(e) Residential and agricultural island-wide waiting list shall be posted online and made available at the CLTC office.**

9. §5.7 Contract for award~~; priority~~. Applicants shall be considered for award in the order in which their completed applications were received by the commission; provided that awards shall first be made according to **their** ranking in ~~existing priority waiting lists in that order until those waiting lists are exhausted~~ **the island-wide residential or agricultural waiting list.**

10. §5.8 Transfer **or switch** of application rights.

11. §5.8(a) An applicant may designate a ~~relative~~ qualified **person** under the Act to include **a qualified** husband ~~and~~ **or** wife,~~, children, widows or widowers of the brothers and sister, or nieces and nephews~~ to succeed to the applicant's application rights upon the death of the applicant. Upon the death of an applicant who dies without designating a successor, the application rights may be succeeded by the qualified ~~relative~~ **person within the third degree of consanguinity of the applicant** as provided in (1) and (2) in this section upon application therefor. In the absence of such a designation, the commission may

    (1) Designate, in its absolute discretion, a successor to **include a qualified husband or wife; or a qualified person** ~~from among the applicants for succession~~ **within the third degree of consanguinity of the applicant** to the application rights of the deceased applicant ~~in the order named in this paragraph (a)~~; or

    (2) Allow an unqualified spouse to designate a qualified child to succeed to the deceased applicant's application rights.

    (3) Requests for succession to application rights shall be made to the commission in writing not later than ~~180~~ **90** days after th~~e death of the applicant;~~ **notice of intent to award if the applicant is deceased**; otherwise, the application shall be cancelled and the applicant's name removed from the waiting list.

9. **§5.8(b) An applicant may, once in his/her lifetime, transfer or switch their application date and time rights to a qualified person within the third degree of consanguinity of the applicant under the Act. Requests for a transfer or switch of application date and time shall be made to the commission in a notarized letter and the board of commissioners shall consider the request which must be approved to be made effective. No other switching of the application rights of either party shall be permitted, thereafter. Requests for transfers or switches may be considered if the commission, in its considered opinion, finds that an emergency exists which makes transfer or switch imperative.**

10. §5.9 The commission shall post, in every municipal mayor's office and **on the website** ~~once in a publication of general circulation~~, the names, ~~file~~

~~numbers~~ **waiting list number**, and dates **and time** of application of all who **have been awarded leases** ~~receive lease awards~~ within two weeks after awards are made. They shall remain posted for a period of sixty (60) days.

11. **§5.10(a)** An applicant for awards must notify the commission, in writing, of any change in address or other information contained in the application within fifteen calendar days of such change. ~~Whenever the commission initiates action for awards, all applicants whose application information is not current will be given ninety (90) days written notice to update the information. Written notice shall either be served personally upon the applicant or be sent to the applicant by registered mail addressed to his mailing address, as indicated on the applications. If notice is not personally served, it shall also be published once in a daily newspaper of general circulation in the territory of Guam within three days of the date the notice is mailed out. If the applicant does not furnish the information necessary to facilitate the award within 90 days of notice, the commission shall remove the applicant from the award list and the applicant must re-apply as a new applicant.~~ <Moved to §6.2(b)>

12. ~~**§5.10(b)** The applicant may appeal the commission's decision to remove his name from any award list as provided by the Administrative Adjudication Law.~~ <Moved to §6.2(b)>

13. **§6.1(a)** Whenever residential ~~tracts~~ **lots or units** are available, the commission shall award ~~residential tract~~ leases to applicants who, in the opinion of the commission, are qualified to perform the conditions of such leases. The commission's opinion as to the applicant's qualification shall be based on criteria specified in the Act.

14. **§6.1(b)** The lessee shall occupy and commence to use the ~~tract~~ **lot or unit** as ~~his~~ **their** home within one year after the lease is ~~made~~ **executed**.

15. **§6.1(c)** Lot size for a residential ~~tract~~ lease to be awarded shall be not less ~~than 10,000 square feet with public sewer connection available nor less than~~ one-half (1/2) acre with no public sewer connection available, ~~but in neither case shall be more than one (1) acre~~; or lot size for a residential ~~tract~~ lease shall be specified by zoning, subdivision, environmental, or administrative policies**.** ~~, but in no circumstance may the area exceed one (1) acre.~~

16. **§6.2(b)** ~~The commission shall award lots on a first-come first-served basis at the discretion of the applicant.~~ **When the commission initiates action for awards, written notice shall be mailed by USPS First Class mail. For all notices, the Commission shall publish twice in a daily newspaper of general circulation in the territory of Guam a notice of intent to award for applicants listed. Notice of the list of the intent to award shall simultaneously be issued to each village mayor for posting and be posted on the CLTC webpage. If the applicant does not respond to the notice within 90 calendar days of the second published notice, the commission shall remove the applicant from the award list and the applicant must re-apply as a new applicant. The applicant may appeal the commission's**

decision to remove their name from any award list as provided by the Administrative Adjudication Law.

17. **§6.2(c)** ~~In addition to (a) and (b) above, the commission shall prioritize awards for residential tracts to applicants in the following descending order:~~

    ~~(1) Those who do not own land anywhere;~~
    ~~(2) Those who own one (1) acre or less anywhere;~~
    ~~(3) Those who own more than one (1) acre anywhere."~~
    The board of commissioners shall approve a listing of eligible applicants who have been duly noticed and have accepted and are ready to be awarded a lease. Upon approval of these applicants, a lease shall be prepared and processed. These approved leases shall be deemed as ratified.

18. **§6.3** Award of **Residential** lease; lessee's performance.

19. **§6.3(a)** The commission shall, whenever ~~tracts~~ **lots or units** are available, enter into such a lease with any applicant who, in the opinion of the commission, is qualified to perform the conditions of such lease.

20. **§6.5** Agricultural ~~tract~~ leases.

21. **§6.5(a)** Whenever agricultural ~~tracts~~ **lots** are available, the commission shall award agricultural ~~tract~~ leases to applicants who, in the opinion of the commission, are qualified to perform the conditions of such leases. The commission's opinion as to the applicant's qualification shall be based on criteria specified in the Act.

22. **§6.5(b)** The lessee shall occupy and commence to use the ~~tract~~ **lot** to cultivate as ~~his~~ **their** farm, within one year after the lease is made.

23. **§6.6(a)** Residences shall be permitted ~~upon~~ **on** agricultural ~~tracts~~ **leased lots**. Only one residence will be permitted per lessee on Chamorro homelands, subject to the following conditions:

24. **§6.6(a)(1)** The lessee has actively cultivated or developed at least two-thirds of the agricultural ~~tract~~ **lot** at all times;

25. ~~**§6.6(b)** A lessee possessing a residential tract lease may construct a residence on the lessee's agricultural tract, provided that, the lessee complies with all other conditions imposed by this section, section 7.3, and:~~

    ~~(1) Lessee makes prior arrangements to surrender or transfer the residential tract lease upon the completion of construction of the residence on the lessee's agricultural tract. Should it be feasible, the lessee may relocate the present house;~~

    ~~(2) Lessee must be financially able to assume the cost of relocation or construction of the new residence plus any related expenses~~

~~necessary to maintain the agricultural tract. The commission may assist the lessee under chapter 8; and~~

~~(3) In the event the lessee surrenders the residential tract lease, the net proceeds thereof shall be first credited to any loan granted by the commission for the construction of a home on the agricultural tract.~~

26. §6.6 ~~(c)~~(b) The commission shall not be liable for expenses incurred by the lessee for amenities brought to the lot ~~tract~~. The commission shall not provide nor be required to provide such amenities, except as it may determine in the planned development of its lands.

27. §6.6~~(d)~~(c) Upon cancellation, surrender, or transfer of the agricultural lot ~~tract~~, the lessee shall relinquish the entire leasehold interest including the residence.

28. §6.9 Commercial leases ~~[Reserved]~~
~~No commercial leases shall be entered into by the Chamorro Land Trust Commission until Rules and Regulations covering the same have been adopted pursuant to the Administrative Adjudication Law.~~ See 21 GCA, Chapter 75, Section 75122.

29. §7.5 Transfer of leases. Requests for transfers will be considered for approval only if the lessee has held such lease for a period of at least seven years, unless the commission, in its considered opinion, finds that an emergency exists which makes transfer imperative. A lessee may transfer the leasehold to ~~any individual who qualifies under the Act, and is at least eighteen (18) years old~~ a qualified spouse or a qualified person within the third degree of consanguinity. The transferee must immediately occupy the residential ~~tract~~ lot or use or cultivate the agricultural ~~tract~~ lot. Failure to occupy or use such ~~tract~~ lot within sixty (60) days from date of transfer shall constitute grounds for cancellation of such lease. ~~A transferee may own an interest in non-Chamorro homelands real property regardless of degree of ownership.~~

WHEREAS, at the October 18, 2018, CLT Board of Commissioners meeting, the commissioners approved a motion to recommend the changes outlined above to *I Liheslaturan Guahan.*

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners approved motion and submits this resolution respectfully requesting *I Liheslaturan Guahan* to modify Title 21, Guam Code Annotated, Chapter 75, and The Senator Paul Bordallo Rules and Regulations for the Chamorro Land Trust Commission, enacted as Public Law 23-38, with the recommended changes outlined above.

2. The Chamorro Land Trust Commission Board of Commissioners transmits Resolution No. 2018-09 to *I Liheslaturan Guahan*.

CHAMORRO LAND TRUST COMMISSION RESOLUTION NO. 2018-09
IS DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION
BOARD OF COMMISSIONERS THIS 18th DAY OF OCTOBER 2018.

Date: 10-18-18

G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission

Date: Oct 18, 2018

MICHAEL J.B. BORJA, Administrative Director
Chamorro Land Trust Commission

Doc. No. 35GL-19-0226.

GWA Right of Entry Lot 5075-REM-A-NEW-R1

CLTC Meeting
2.21.19

GOVERNMENT OF GUAM - Department of Land Management **Office of the Recorder** **File for Record is Instrument Number** _____ **On the Year 20**_____ **Month** _____ **Day** _____ **Time** _____ **Recording Fee** _____ **Receipt No.** _____ **Deputy Recorder** _____

RIGHT OF ENTRY AGREEMENT

Lot No. 5075-REM-A NEW-R1, Municipality of Tamuning

THIS AGREEMENT made and entered into on the _____ day of _____ **20____**, by and between **CHAMORRO LAND TRUST COMMISSION,** P.O. BOX 2950, HAGATNA, GUAM 96932 hereinafter called the **"OWNER"** and the **GUAM WATERWORKS AUTHORITY,** 578 NORTH MARINE CORPS DRIVE, TAMUNING, GUAM 96913 hereinafter called the **"AUTHORITY". Upon execution of this agreement, it will supersede Right of Entry Agreement, Instrument No. 913067.**

WITNESSTH

WHEREAS, the AUTHORITY needs to enter the OWNER'S property on the following described premises:

> **Lot 5075-REM-A NEW-R1, Municipality of Tamuning, consisting of 7,807± square meters, as shown on Parceling Survey Map, L.M. No. 057FY2016, prepared by Guam Surveyor, LLC, Dennis S. Balagtas, P.L.S. #75, Instrument No. 903654, shown in Exhibit "A".**

WHEREAS, the AUTHORITY needs entry into OWNER'S property for the purpose of accessing Lot 5075-REM-A NEW-1, Municipality of Tamuning, to allow AUTHORITY to remove and install its water infrastructure and storage tank; and, for the staging and storage of construction material, parking for construction equipment, and parking of other construction related vehicles.

WHEREAS, the OWNER requires the AUTHORITY to fulfill the following conditions in return for the use of the property:

a. Clear vegetation on the subject lot; and

b. Erect fencing along the perimeter of the subject lot which are not fenced and provide a point of access.
c. Design and build a storm retention basin.
d. Upon completion of construction, restore the subject land to a clean, safe and sanitary condition free of oils, chemicals, waste, and any other potentially hazardous materials.

WHEREAS, this agreement shall commence on the date of the final signature and expire on December 31, 2019. This agreement will supersede Right of Entry Agreement, Instrument No. 913067.

NOW THEREFORE, in consideration of the above stated premises, the OWNER and the AUTHORITY hereby agree that the AUTHORITY and/or its duly authorized representative shall have the right to enter upon the OWNER'S for the purposes and the conditions stated above.

OWNER:
CHAMORRO LAND TRUST COMMISSION

By: _____
G. PIKA FEJERAN
Chairwoman
Chamorro Land Trust Commission

Date: _____

AUTHORITY:
GUAM WATERWORKS AUTHORITY

By: _____
MIGUEL C. BORDALLO, P.E.
General Manager
Guam Waterworks Authority

Date: _____

A C K N O W L E D G E M E N T

In and for Guam)
)ss
City of Tamuning)

On this _____ day of _____, 20 ____, before me, a Notary Public in and for Guam, personally appeared **G. Pika Fejeran,** known to me to be the person whose name are subscribed to the foregoing **Right of Entry Agreement** and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day, month and year first above written.

_____
Notary Public

A C K N O W L E D G E M E N T

In and for Guam)
)ss
City of Tamuning)

On this _____ day of _____, 20 ____, before me, a Notary Public in and for Guam, personally appeared **Miguel C. Bordallo, P.E.,** known to me to be the person whose name are subscribed to the foregoing **Right of Entry Agreement** and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day, month and year first above written.

_____
Notary Public

Lot 5174REM-1, Nicole Kelly

CLTC Meeting
2.21.19

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting
February 21, 2019
Summary Status

NICOLE R. KELLY

Request to purchase of a portion of Lot 5174-REM-1 Tamuning;

On August 22, 2019 Nicole C.R. Kelly submitted to CLTC a letter expressing her interest to purchase a portion of Lot 5174-REM-1 Tamuning;

On January 17, 2019, the CLTC regularly scheduled meeting the board of commissioners unanimously approved to sell portions of Lot 5174-REM-1 to contiguous land owners up to the edge of the cliff line.

On February 8, 2019, prepared CLTC Resolution declaring the support of the sale of portion of Lot 5174-REM-1 Tamuning, to Nicole C.R. Kelly.

Summary: Mrs. Kelly has submitted to CLTC a sketch certified by a surveyor depicting the area of encroachment and up to the edge of the cliff line. With all that has been submitted thus far, we are now pending the final approved and adopted resolution, and for the resolution to be submitted to the legislature.

Up to this point CLTC cannot move forward with the purchase until there is legislation authorizing this sell.

CHAMORRO LAND TRUST COMMISSION

RESOLUTION NO. 2019-05

Declaration of support for the sale of Portions of Lot 5174-REM-1 to Nicole Camacho Reyes Kelly

WHEREAS, the Chamorro Land Trust Commission (*hereafter CLTC*), in accordance with Title 21, Section 75105 (c), declares its support to sell portions of Lot 5174-REM-1 to Nicole Camacho Reyes Kelly;

WHEREAS, Nicole Camacho Reyes Kelly has encroached onto a portion of Lot 5174-REM-1, by placing a safety guard rail along the cliff line;

WHEREAS, Lot 5174-REM-1 is situated on a cliff line bounded by Block 8 Perezville Subdivision, and the Pacific Ocean;

WHEREAS, access to lot 5174-REM-1 is extremely difficult due to its terrain, and has limited usable land areas above the cliff line that is bounded by privately owned property (Block 8 Perezville Subdivision);

WHEREAS, the CLTC Board of commissioners recognize the option to sell a portions of Lot 5174-REM-1 to Nicole Camacho Reyes Kelly in accordance with Title 21, Section 75105;

WHEREAS, Nicole Camacho Reyes Kelly desires to purchase a portion of Lot 5174-REM-1, Municipality of Tamuning, defined by Survey Sketch from Guam Surveyor, L.L.C. DWG#2018-145 (EXHIBIT "A") containing and area of approximately 138± square meters or 1,458± square feet;

WHEREAS, on January 17, 2019, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by motion to support the sell of portions of Lot 5174-REM-1 to Nicole Camacho Reyes Kelly and contiguous land owners subject to survey, and in accordance with Title 21 GCA, Chapter 75.

NOW THEREFOR BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners approves the request for Nicole Camacho Reyes Kelly to purchase a portion of Lot 5174-REM-1 contiguous her boundary to the edge of the cliff line.

2. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan.*

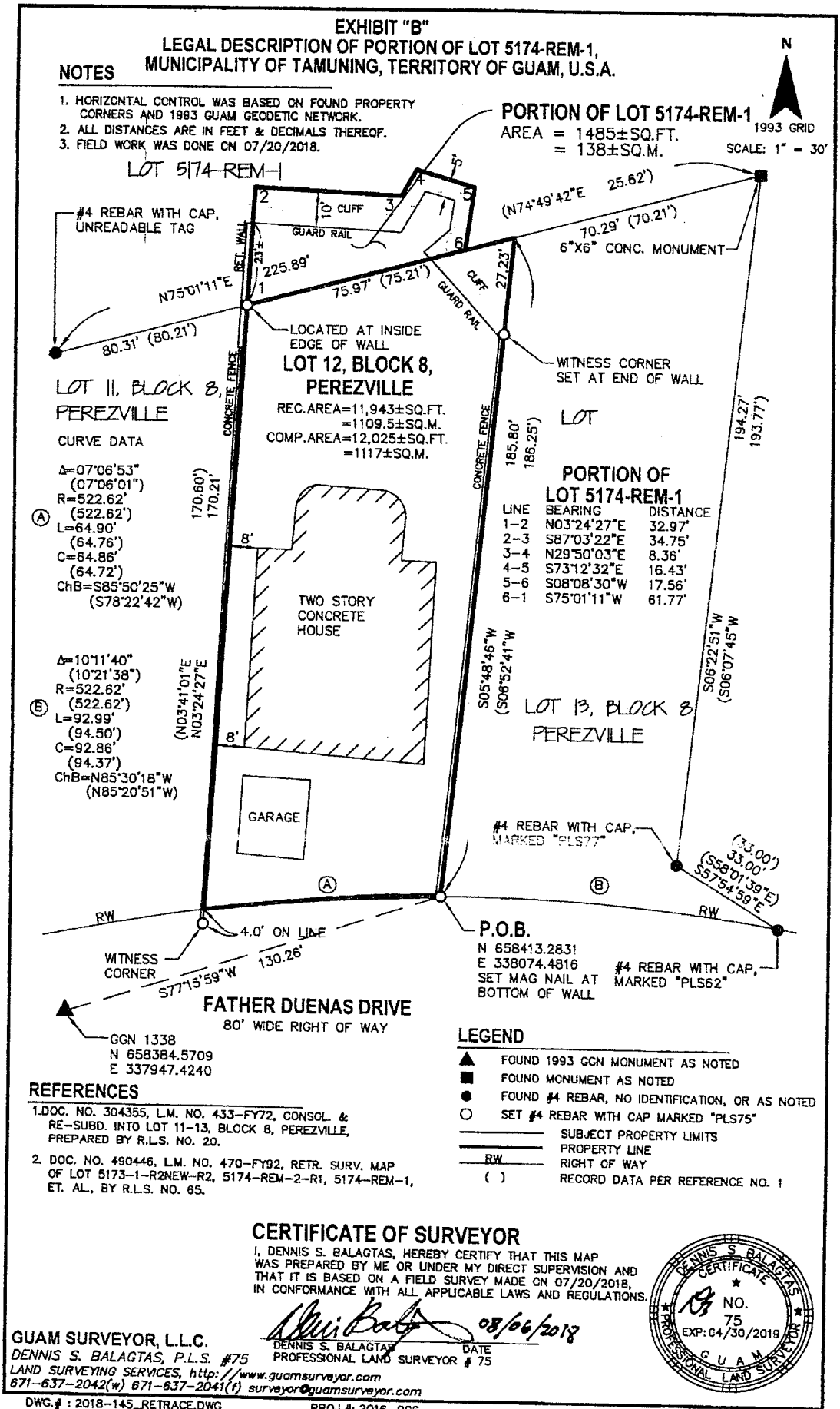
DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS _____ DAY OF _____2019.

_____ Date:_____
G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission

_____ Date:_____
JACK E. HATTIG III, Administrative Director
Chamorro Land Trust Commission

CLTC RESOLUTION 2019-05 EXHIBIT "A"

EXHIBIT "B"
LEGAL DESCRIPTION OF PORTION OF LOT 5174-REM-1, MUNICIPALITY OF TAMUNING, TERRITORY OF GUAM, U.S.A.



NOTES

1. HORIZONTAL CONTROL WAS BASED ON FOUND PROPERTY CORNERS AND 1993 GUAM GEODETIC NETWORK.
2. ALL DISTANCES ARE IN FEET & DECIMALS THEREOF.
3. FIELD WORK WAS DONE ON 07/20/2018.

REFERENCES

1. DOC. NO. 304355, L.M. NO. 433-FY72, CONSOL. & RE-SUBD. INTO LOT 11-13, BLOCK 8, PEREZVILLE, PREPARED BY R.L.S. NO. 20.
2. DOC. NO. 490446, L.M. NO. 470-FY92, RETR. SURV. MAP OF LOT 5173-1-R2NEW-R2, 5174-REM-2-R1, 5174-REM-1, ET. AL., BY R.L.S. NO. 65.

LEGEND

- ▲ FOUND 1993 GGN MONUMENT AS NOTED
- ■ FOUND MONUMENT AS NOTED
- ● FOUND #4 REBAR, NO IDENTIFICATION, OR AS NOTED
- ○ SET #4 REBAR WITH CAP MARKED "PLS75"
- ——— SUBJECT PROPERTY LIMITS
- ——— PROPERTY LINE
- RW ——— RIGHT OF WAY
- ( ) RECORD DATA PER REFERENCE NO. 1

CERTIFICATE OF SURVEYOR

I, DENNIS S. BALAGTAS, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT IS BASED ON A FIELD SURVEY MADE ON 07/20/2018, IN CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

08/06/2018
DENNIS S. BALAGTAS DATE
PROFESSIONAL LAND SURVEYOR # 75

DENNIS S. BALAGTAS CERTIFICATE NO. 75 EXP: 04/30/2019 PROFESSIONAL LAND SURVEYOR G U A M

GUAM SURVEYOR, L.L.C.
DENNIS S. BALAGTAS, P.L.S. #75
LAND SURVEYING SERVICES, http://www.guamsurveyor.com
671-637-2042(w) 671-637-2041(f) surveyor@guamsurveyor.com

DWG.# : 2018-145_RETRACE.DWG PROJ.#: 2016-006

CLIENT: STUART KELLY
SURV : WG/DSB

BILL NO. 8-35;
RELATIVE TO LEASING OF PUBLIC REAL PROPERTY AND RELATED FACILITIES

CLTC MEETING
2.7.19

I Mina'Trentai Singko Na Liheslaturan
BILL STATUS

B-35 (LS)	Telo T. Taitague	AN ACT TO *AMEND* § 5217(a) OF SUBARTICLE C, ARTICLE 2, CHAPTER 5, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO COMMERCIAL LEASING OF PUBLIC REAL PROPERTY AND RELATED FACILITIES.	1/7/19 11:21 a.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 8-35(LS)

Introduced by:

Telo T. Taitague

AN ACT TO *AMEND* § 5217(a) OF SUBARTICLE C, ARTICLE 2, CHAPTER 5, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO COMMERCIAL LEASING OF PUBLIC REAL PROPERTY AND RELATED FACILITIES.

2019 JUL -7 AM 11:21

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 5217(a) of Subarticle C, Article 2, Chapter 5, Division 1, Title 5, Guam Code Annotated, is hereby *amended*, to read:

"**§ 5127. Commercial Leasing of Public Real Property and Related Facilities.**

(a) Public Real Property and Related Facilities. From the effective date of this law, and notwithstanding any other provision of this Chapter, no commercial contract, lease, permit, or license for use of public real property, and related facilities by any non-governmental person or entity, shall be solicited, negotiated, entered into, or made for a term in excess of ~~five~~ ten (~~5~~10) years, inclusive of any extension, option, or renewal.

(1) Any contract, lease, permit or license made, renewed or extended in violation of this law shall become void upon the ~~fifth~~

tenth (~~5~~10th) anniversary of the making of such contract, lease, permit, or license.

(2) This limitation shall not apply to residential and agricultural leases to beneficiaries under the Chamorro Land Trust.

(3) Any such contract, lease, permit, or license shall mean a "lease of real property" and not the lease of supplies as that term is used in § 5030(u) of this Chapter.

(b) Exceptional Term Contracts. The Chief Procurement Officer, the Director of Public Works, or the head of a purchasing agency, as authority may exist therefore, may solicit a contract for a term longer than otherwise allowed by this Section (an "Exceptional Term Contract").

(1) Prior to soliciting any Exceptional Term Contract, I Maga'låhi (the Governor) or, in the case of an autonomous agency, the Board of Directors, shall make a written Determination of Need justifying by a quantifiable sum an Exceptional Term Contract, and specifying the full term, inclusive of extensions, options and renewals, for such contract, and provide a copy of such Determination of Need to the Speaker of I Liheslaturan Guåhan.

(2) No Exceptional Term Contract shall be solicited unless a Determination of Need is obtained from I Maga'låhi (the Governor) or, in the case of an autonomous agency, the Board of Directors.

(3) A written Determination of Need shall be valid for two (2) years or until an Exceptional Term Contract is executed to fill the stated need, whichever comes first.

(c) Subsequent to transmitting a Determination of Need to the Speaker of I Liheslaturan Guåhan, a notice of solicitation shall be published as provided in § 5211(c) of Subarticle B of Article 3 of this Chapter, such

notice to conspicuously note the solicitation is for an Exceptional Term Contract, and specifying the term thereof, as well as the date of the proper Determination of Need. Any Exceptional Term Contract made in violation of this Section shall be void.

(d) Legislative Approval Required for Exceptional Term Contracts. Subsequent to satisfying the requirements of this § 5127, the commercial contract, lease, permit, or license for use of public real property and related facilities shall be transmitted to I Liheslaturan Guåhan for approval or disapproval, in whole.

(1) I Liheslaturan Guåhan shall take action to approve or disapprove the commercial contract, lease, permit, or license within sixty (60) calendar days from the date of filing with the Speaker.

(2) A public hearing shall be conducted by the Chairperson of the Legislative Committee having oversight jurisdiction during the sixty (60)-day review period, and said Committee shall report its findings and recommendations to I Liheslaturan Guåhan.

(3) The sixty (60) day period allowed for I Liheslaturan Guåhan to approve or disapprove the contract, lease, permit, or license shall be tolled from the time that a public hearing is noticed and until a Committee Report is completed.

(4) Legislative approval shall be by enactment into law.

(e) The solicitation and award of any such contract, lease, permit, or license shall be conducted as provided in this Chapter, and the Determination of Need shall be a part of such record and subject to § 5251 of this Chapter, along with any modification, amendment, exercise of option or renewal, or extension of such contract, lease, permit, or license."

Section 2. Severability. *If* any provision of this Act or the 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.

Resolution Draft

CLTC Meeting
2.21.19

CHAMORRO LAND TRUST COMMISSION

RESOLUTION NO. 2019-01

Resolution to Grant the Authority to the Administrative Director relative to Approving Utility Authorizations to Leaseholders

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC},*** in accordance with Title 21GCA, Section 75102(b), the Commission employed an Administrative Director who serves in full time capacity and to whom maintains powers and authority as may be delegated by the CLTC; and

WHEREAS, the CLTC, in accordance with Public Law 23-38, Sections 3.1 and 3.2 as the Administrative Director is given the authority to authenticate and sign, on behalf of the Commission, licenses, leases, loan contracts, personnel actions, procurement and purchase forms, contracts with other governmental agencies and Commission resolutions and having full charge of and responsibility for the administration and execution of all actions approved by the Commission and in effectuating Commission policy; and

WHEREAS, the CLTC, in accordance with Title 21, Section 75108(d)(1), the Administrative Director of the CLTC with respect to commission land, shall approve all requests for the extension of power, water, or telephone services; and

WHEREAS, on August 16, 2018, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by a motion to grant the approval authority to the Administrative Director to approve utility authorizations for lease holders;

NOW THEREFORE BE IT RESOLVED, by the Members of the Chamorro Land Trust Commission, the Administrative Director of the CLTC be duly authorized to approve utility authorizations for leaseholders.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS _____ DAY OF _____ 2019.

_____ _____

G. PIKA FEJERAN, CHAIRWOMAN **DATE**

_____ _____

JACK E. HATTIG, III, Administrative Director **DATE**

CHAMORRO LAND TRUST COMMISSION

RESOLUTION NO. 2019-02

Resolution to Grant the Authority to the Administrative Director relative to Approving Beneficiary Designations for Leaseholders

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC},*** in accordance with Title 21GCA, Section 75102(b), the Commission employed an Administrative Director who serves in full time capacity and to whom maintains powers and authority as may be delegated by the CLTC; and

WHEREAS, in accordance with Public Law 23-38, Sections 3.1 and 3.2 as the Administrative Director is given the authority to authenticate and sign, on behalf of the Commission, licenses, leases, loan contracts, personnel actions, procurement and purchase forms, contracts with other governmental agencies and Commission resolutions and having full charge of and responsibility for the administration and execution of all actions approved by the Commission and in effectuating Commission policy; and

WHEREAS, in accordance with Public Law 23-38, Section 9.1(a)(b) a Lessee shall, upon execution of the lease, designate the person in whom lessee directs the interest in the tract to vest upon death. A lessee's designation may be changed at any time by the lessee. Such designation shall be made as specified in the Act with the right in the lessee to change the beneficiary at any time, if filed with and approved by the Commission; and

WHEREAS, on December 20, 2018, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by a motion to grant the approval authority to the Administrative Director to approve beneficiary designations for leaseholders in accordance of law;

NOW THEREFORE BE IT RESOLVED, by the Members of the Chamorro Land Trust Commission, the Administrative Director of the CLTC be duly authorized to approve beneficiary designations for leaseholders.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS _____ DAY OF _____2019.

_____ _____

G. PIKA FEJERAN, CHAIRWOMAN **DATE**

_____ _____

JACK E. HATTIG, III, Administrative Director **DATE**

CHAMORRO LAND TRUST COMMISSION

RESOLUTION NO. 2019-03

Resolution to Grant the Authority to the Administrative Director relative to Approving Beneficiary Designations for Applicants

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC),*** in accordance with Title 21GCA, Section 75102(b), the Commission employed an Administrative Director who serves in full time capacity and to whom maintains powers and authority as may be delegated by the CLTC; and

WHEREAS, in accordance with Public Law 23-38, Sections 3.1 and 3.2 as the Administrative Director is given the authority to authenticate and sign, on behalf of the Commission, licenses, leases, loan contracts, personnel actions, procurement and purchase forms, contracts with other governmental agencies and Commission resolutions and having full charge of and responsibility for the administration and execution of all actions approved by the Commission and in effectuating Commission policy; and

WHEREAS, in accordance with Public Law 23-38, Section 5.8(a)(1)(2) a applicant may designate a relative qualified under the Act to include husband and wife, children, widows or widowers of the brothers and sister, or nieces and nephews to succeed to the applicant's application rights upon death of the applicant; and

WHEREAS, on January 17, 2019, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by a motion to grant the approval authority to the Administrative Director to approve beneficiary designations for leaseholders in accordance of law;

NOW THEREFORE BE IT RESOLVED, by the Members of the Chamorro Land Trust Commission, the Administrative Director of the CLTC be duly authorized to approve Beneficiary Designations for Applicants.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS _____ DAY OF _____ 2019.

_____ _____

G. PIKA FEJERAN, CHAIRWOMAN **DATE**

_____ _____

JACK E. HATTIG, III, Administrative Director **DATE**

CHAMORRO LAND TRUST COMMISSION

RESOLUTION NO. 2019-04

Resolution to Grant the Authority to the Administrative Director relative to Approving Lease Transfers within Accordance of Law

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC),*** in accordance with Title 21GCA, Section 75102(b), the Commission employed an Administrative Director who serves in full time capacity and to whom maintains powers and authority as may be delegated by the CLTC; and

WHEREAS, in accordance with Public Law 23-38, Sections 3.1 and 3.2 as the Administrative Director is given the authority to authenticate and sign, on behalf of the Commission, licenses, leases, loan contracts, personnel actions, procurement and purchase forms, contracts with other governmental agencies and Commission resolutions and having full charge of and responsibility for the administration and execution of all actions approved by the Commission and in effectuating Commission policy; and

WHEREAS, in accordance with Public Law 23-38, Section 7.5, requests for transfers will be considered for approval only if the lessee has held such lease for a period of at least seven years, unless the CLTC, in its considered opinion, finds that an emergency exists which makes transfer imperative; and

WHEREAS, on January 17, 2019, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by a motion to grant the approval authority to the Administrative Director to approve beneficiary designations for leaseholders in accordance of law;

NOW THEREFORE BE IT RESOLVED, by the Members of the Chamorro Land Trust Commission, the Administrative Director of the CLTC be duly authorized to approve Lease Transfers within accordance of the law.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS _____ DAY OF _____ 2019.

_____ _____

G. PIKA FEJERAN, CHAIRWOMAN **DATE**

_____ _____

JACK E. HATTIG, III, Administrative Director **DATE**

GEDA Revenue from CLTC MOA

CLTC Meeting
2.21.19

Projected GEDA Revenue from CLTC MOA

Lot No.	Location	Census Tract (Opp. Zone)	Acreage	Tax Appraisal (per DLM)	10% Cap (Est. Annual Rent)	CLTC 86%	GEDA 14%	Resolution No.	Date to Legislature
New Leases									
5075-REM-A NEW-R1	Behind East West Rental	66010951901 (yes)	1.90	$516,196	$51,620	$44,393	$7,227	2016-10	June 24, 2016
7054-R5	Near Yigo Gym	66010955800 (no)	12.00	$2,052,800	$205,280	$176,541	$28,739	2016-11	June 24, 2016
Tract 10123 (7128-REM)	Across Yigo Gym	66010950502 (yes)	30.00	$2,666,037	$266,604	$229,279	$37,325	2016-12	June 24, 2016
5173-1-R2NEW-6 and R6	Oka Point	66010951902 (yes)	39.00	$19,904,592	$1,990,459	$1,711,795	$278,664	2017-04	March 21, 2017
Lot 12, Tract 111	Across GVB	66010951902 (yes)	0.63	$860,400	$86,040	$73,994	$12,046	2017-05	March 21, 2017
Total					**$2,600,003**	**$2,236,002**	**$364,000**		

Guam Racing Federation Lease
December 31, 2018

Public Law 34-142 which authorizes CLTC to lease Lot 7161-R1 to Guam Racing Federation for the Guam International Raceway Park, was unanimously approved by the Legislature and signed by the Governor on December 12, 2018. The law requires the following:

- A right of first refusal to Guam Racing Federation (GRF) for the lease within 15 days following enactment of the law. (Section 3)
- CLTC has 180 days from the date GRF exercises its right of first refusal to submit a lease to the legislature for approval. GRF exercised its right in a letter dated December 21, 2018 so the deadline for submission of the lease to the Legislature is Wednesday, June 19, 2019 based upon 180 calendar days. (Section 4)
- A 50 year lease "for commercial purposes to include operation of a raceway, related support facilities and various outdoor events." (Section 2) (This provision may allow many different types of commercial activities.)
- "Conditions of the lease shall comply with 21 GCA Section 75122." (Section 4) (21 GCA Section 75122 contains the rules and regulations for Commercial Leases and Licenses. The major provisions affecting the GRF lease are presented below.)
- Mineral extraction is prohibited and shall not be included in the terms of the lease. (Section 4)
- Note that a Determination of Need does not have to be prepared because the Legislature has already authorized a lease.

Major provisions of 21 GCA Section 75122 affecting GRF lease:

- Rent not less than 10% of Fair Market Value (FMV) based upon appraisal. (Note that other laws affecting CLTC may indicate that 2 appraisals are necessary in determining FMV.)
- Escalation every 5 years based upon FMV
- Participation rent – percentage above mutually agreed upon revenue threshold. Starts on the 5th anniversary of the lease and paid in 4 equal quarterly installments
- Late payment – 4% above prime rate, calculated daily and compounded quarterly
- Phase 1 Environmental Site Assessment is required as well as performance bond to ensure property is returned to acceptable end-state
- Business liability insurance indemnifying and holding CLTC harmless
- Tenant pays lease processing fees including legal but not staff time which must be paid before lease recordation or pick up.
- Valid business license before lease execution.

CLTC Rules and Regulations

Section by section summary of Public Law 33-95 (Nov. 9, 2015), now codified as 21 GCA Section 75122:

75122. Commercial Leases and Licenses

(a) Definitions – Subsections 1-4 define Commercial Lease, Commercial License, Commercial Use and Tenant.

(b) Designation of Available Land for Commercial Use
1. CLTC cannot designate more than 9% "of the total remaining unassigned CLTC land inventory" for commercial use, must hold public hearing and submit approved CLTC resolution to Legislature within 30 days after adoption of resolution.
2. Legislature has 60 days to review resolution and may conduct public hearings
3. Commercial leases no more than 25 years while Commercial Licenses no more than 21 years, unless otherwise approved by legislature for longer term.
4. CLTC cannot solicit until after 60 day legislative review period has elapsed
5. All income from leases/licenses shall be deposited into CLTC Survey and Infrastructure fund until 2020 and to Chamorro Home Loan Fund thereafter
6. Any solicitation issued prior to this law is void

(c) Lease Agreement Stipulations (at a minimum)
1. Notice soliciting lease/license shall be published at least 30 days prior to deadline for proposal submission, at least once in newspaper and continuously on GALC and DLM websites
2. Award leases/licenses through competitive bid process. If land has existing commercial activity by virtue of previous authorization, cannot invalidate lease unless defaulted on.
3. Can receive unsolicited proposals but must then advertise
4. Post awards 5 days after on CLTC and DLM websites for the term of the lease/license.
5. Annual rent no less than 10% cap and shall escalate at a minimum of 5 year intervals based upon current appraisal but in no event lower than previous rent. Options to renew existing leases shall be based upon current appraisal at the time the option is exercised
6. Participation rent
   a. Defined as "a mutually agreed upon percentage of the revenues generated above a mutually agreed upon revenue threshold."
   b. Participation rent shall be applicable from the 5th anniversary to the last day of lease and shall be paid in 4 equal quarterly installments.
7. Advance or accelerated rental payment may be required by CLTC as a lease condition
8. Rent Amendments and Payment Schedules. Temporary rent reduction is allowed with 3 year audited financial statements which cannot be more than 1 year at a time, although can be extended by the CLTC. Temporary reductions cannot affect future rent escalations. Exercise of options cannot be allowed if tenant has not paid all rent.
9. Payment Plans. Requests for rent payment plans shall be in writing with reasons for request and shall include audited financials for previous 3 years. Interest must be paid

on unpaid balance. Provide financial institutions with copy. Back rent should be paid within one year to extent possible.

10. Taxes and assessments shall be paid by tenant including utilities
11. Interest for Late Payments. Rent arrears shall bear interest at a rate of 4% per annum in excess of the prime rate, calculated daily and compounded monthly.
12. Tenants shall prepare Phase I Environmental Site Assessment before the issuance of a lease agreement.
13. Condition of Land after Use Period. Restore land to pre-lease or better condition. "CLTC shall require that a performance bond be provided to ensure that the property is returned in acceptable end-state and bond does not relieve tenant of responsibility to restore property
14. Tenant Requirements. All leases/licenses shall require tenant to have business liability insurance and shall require tenants to respond to CLTC requests for information.
15. Improvements to CLTC Property. Any improvement belongs to CLTC upon lease termination. If CLTC wants property cleared, tenant must bear costs.
16. Processing fees. Tenant shall pay all fees for processing leases, amendments, assignments estoppels, etc. except for staff costs
17. Business License. Applicants must be licensed to do business in Guam prior to the execution of a lease/license and for duration of lease term.
18. Compliance with Environmental Law. All activities on leased properties must be in compliance with environmental laws. Failure to comply is material default by tenant.
19. Events of Default. If rent is not paid and if tenant fails to comply
20. Right to Cure. CLTC has right to cure default.

Section 75123. Annual and Monthly Reports. GEDA to report to CLTC to include variables in business survey and include 5 year revenue projection with copy to Governor and Legislature. CLTC shall provide monthly reports on revenues to Governor, Legislature and OPA.

Public Law 31-44 (May 17, 2011) requires two appraisals for CLTC leases. Potential lessee shall pay for both appraisals but CLTC shall choose one of them. (Section 75107, Title 21 GCA)

18-0292

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CHAMORRO LAND TRUST COMMISSION
AND THE
GUAM ECONOMIC DEVELOPMENT AUTHORITY

This **MEMORANDUM OF UNDERSTANDING ("MOU")** is entered into by and between **CHAMORRO LAND TRUST COMMISSION ("CLTC")** whose address is P.O. Box 2950, Hagatna, Guam 96932; and, the **GUAM ECONOMIC DEVELOPMENT AUTHORITY ("GEDA")**, a Guam public corporation whose address is 590 South Marine Corps Drive, Suite 511, Tamuning, Guam 96913.

RECITALS

WHEREAS, Guam law provides at 21 G.C.A. §75101 that upon and after the enactment of this Chapter, all available lands shall immediately assume the status of Chamorro homelands and shall be under the control of the CLTC to be used and disposed of in accordance with the provisions of this Chapter; and

WHEREAS, GEDA is authorized pursuant to 12 G.C.A. §50103(d) to promote investments of entrepreneurial capital in Guam, if need be form and operate its own industries, invest in and provide technical assistance in support of its objectives, develop and maintain facilities for lease or sale and provide for the expansion of agricultural, industrial, hospital, housing and tourist facilities through financial assistance and other means; and

WHEREAS, the CLTC has identified the need to retain the services of GEDA to assist it with the development, management, and maintenance of Chamorro

OPA-0818-4141

homelands designated for Commercial Leasing or Licensing pursuant to 21 G.C.A. §75122 and financing of capital improvements and infrastructure so that CLTC lands will be developed pursuant to the requirements of law; and

WHEREAS, because of GEDA's unique mandate to promote investments and the development of various industries in Guam and to invest in and provide technical assistance in support of its objectives, the CLTC desires to enter into a service agreement whereby GEDA will provide the CLTC with services relating to development, management, and maintenance of Chamorro homelands designated for Commercial Leasing or Licensing pursuant to the requirements of the Chamorro Land Trust Act as amended.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereby agree as follows:

AGREEMENT

1. **General Consultancy and Property Management Services to be provided by GEDA** for those properties placed under GEDA management by CLTC. Within the scope of services to be provided by GEDA, GEDA agrees to:

   a. As directed by the CLTC, manage commercial leases/licenses and prepare billing, accounting and receipts of money from commercial leases/licenses; negotiate payment plans for those in arrears if necessary; and remit commercial lease/license rents to the CLTC as provided for in this MOU.

   b. Periodically review CLTC Rules and Regulations for commercial lease/licenses and recommend revisions as needed to ensure that the CLTC achieves the objectives of the commercial lease/license program.

c. Assist the CLTC in preparing a land use plan and analyze the infrastructure needed by the CLTC for its residential and agricultural subdivisions to determine the amounts that need to be generated from commercial leases/licenses;

d. In its role as Central Financial Manager for the Government of Guam, assist CLTC in identifying the type of financing required for capital improvements including infrastructure development on CLTC properties, securing financing for capital improvements and infrastructure development, negotiating financing agreements and recommending the execution of any financing agreement.

e. As directed by the CLTC, prepare Requests for Proposals ("RFP") for the development and/or leasing/licensing of Chamorro Homelands designated for commercial use;

f. Advertise RFPs and receive all proposals;

g. In collaboration with the CLTC, evaluate all proposals received and rank prospective developers and/or lessees;

h. Negotiate lease/license agreements to be entered into with the highest ranking developer(s) in collaboration with the CLTC;

i. Recommend the execution of any commercial lease/license agreement for approval by the CLTC;

j. Assist the CLTC in presenting leases/licenses to the Guam Legislature for approval as required by Public Law 32-40;

k. Conduct periodic inspections and prepare reports in collaboration with the CLTC, in accordance with 21 G.C.A. §75122, Commercial Leases and Licenses;

l. Do all other things necessary to carry out the above objectives.

2. **Professional consultants**. In connection with the services provided to the CLTC, GEDA may retain experts, advisors, consultants, and legal counsel as necessary provided that prior approval is obtained from CLTC.

3. **Provide monthly updates** to the CLTC on the status of the inventory, development and leasing of Chamorro Homelands reserved for commercial use and expenses incurred by GEDA during the previous month.

4. **Cooperation by CLTC**. The CLTC shall do the following to assist GEDA in performing the services set forth in Section 1:

a. Provide GEDA with the lot number(s) and location(s) of Chamorro homelands designated by CLTC for commercial use covered under the scope of this Memorandum of Understanding to include CLTC objectives and requirements for the development of the property and requirements for the solicitation and selection of prospective tenants;

b. Provide Legislative notification of GEDA involvement;

c. Provide survey maps, sketches, abstract of title, etc. of the commercial properties by the CLTC for commercial lease/license and, if not available, vicinity maps of properties;

d. Participate in the evaluation of proposals and ranking of prospective developers and/or lessees/licensees;

e. Review periodic reports submitted by GEDA;

f. In collaboration with GEDA, seek all necessary approvals for the commercial lease/license of the Chamorro homelands;

g. Evaluate and act upon commercial lease/license agreements recommended for execution by GEDA;

h. Act upon financing agreements, contracts or other documents recommended for execution by GEDA in order to secure financing for capital improvements on CLTC properties;

i. Execute all other documents necessary for GEDA to carry out the services listed in this MOU;

j. Perform all inspections of current and future commercial leases/licenses, issue and enforce eviction notices and pursue any legal action against tenants including but not limited to evictions, based upon the advice and recommendation of GEDA.

k. If deemed necessary by the CLTC and agreed to by GEDA, the CLTC may allow GEDA to manage commercial leases and/or licenses currently being managed by CLTC under any terms and conditions agreed to at that time.

5. **CLTC may assist GEDA** with the following:

a. Provide lease/license files for each commercial lessee/licensee;

b. Authorize GEDA to speak with staff and lessees when necessary to ensure completeness and accuracy of inventory and lease/licenses;

c. Authorize GEDA to bring CLTC files to the GEDA office with GEDA commitment to ensure complete file return upon completion of the tasks identified in this MOU;

6. **Payment for Services**.

a. GEDA shall require lessees and licensees to pay the CLTC directly for its share of the payments required to be paid by commercial lessees/licensees of Chamorro Homelands and shall require lessees to pay to GEDA directly for its share of the payments required to be paid by commercial lessee/licensee to GEDA, as payment for GEDA services unless other payment methods are approved by CLTC. To allow effective management of leases, each party shall provide the other with a monthly accounting of payments which shall be due within twenty (20) calendar days after the end of each month.

b. The CLTC shall be entitled to 86% of all payments due and GEDA shall be entitled to 14% of all payments due, until such time as GEDA's initial costs are paid. Thereafter, the CLTC shall be entitled to 90% of all payments due while

GEDA shall be entitled to 10% of all payments due. GEDA's entitlement to payment under this MOU, shall expire pursuant to Section 7 of this MOU.

c. The parties agree that GEDA's initial costs as specified in Section 5(b) above, consist of all costs associated with the performance of duties specified in Section 1 (a) through (k), except as provided in Section 5(d) below. Once a lease or license is executed, GEDA shall prepare and submit to CLTC, a final statement of costs incurred to include an analysis of the amount of time needed to recover such costs, based upon GEDA's share of payments. Upon expiration of this time period, GEDA's entitlement will be 10% of payments.

d. For services under Section 1(d) above (GEDA as Central Financial Manager), fees associated with the provision of this service shall be identical to the fee structure established by GEDA's rules and regulations for the sale of bonds and are in addition to the fees specified in Section 5(b) above. GEDA Rules and Regulations currently set financing fees at one-half (1/2) of one percent (1%) of the principal for the first Ten Million Dollars ($10,000,000.00) plus one-fifth (1/5) of one percent (1%) of the principal above Ten Million Dollars ($10,000,000.00).

7. **Method and Time of Remittance of Payments and Rents**. Should any revenues intended for CLTC be collected by GEDA from commercial lessees/licensees, GEDA shall remit such revenues to the CLTC no later than twenty (20) calendar days after receipt from commercial lessees/licensees. Should any revenues intended for GEDA be collected by CLTC from commercial lessees/licensees, CLTC shall remit such revenues to GEDA no later than twenty (20) calendar days after receipt from commercial lessees/licensees.

8. **Initial Term and Automatic Renewal**. This Memorandum of Understanding shall remain in effect for an initial term of ten (10) years from the effective date and shall be renewed at the expiration of the initial term for three additional terms of five (5) years each, subject to mutual agreement and the availability of funds.

9. **Termination.** At any time during the initial term or extended term, either party can elect to terminate this Memorandum of Understanding if either party provides the other with a written notice of termination no later than ninety (90) days prior to the termination date. Upon termination of this MOU, all files shall be returned to the CLTC and all transactions including any outstanding payments shall be concluded.

10. **Effective Date**. The effective date of this Memorandum of Understanding shall be the date of execution by the Governor of Guam.

/ / / / /

MEMORANDUM OF UNDERSTANDING
BETWEEN THE CHAMORRO LAND TRUST COMMISSION AND THE GUAM ECONOMIC DEVELOPMENT AUTHORITY

IN WITNESS HEREOF, the parties have executed this Memorandum of Understanding effective the date the Governor of Guam affixes his signature.

Guam Economic Development Authority

JAY ROJAS
Administrator
Date: 5/17/18

Chamorro Land Trust Commission

MICHAEL J.B. BORJA
Administrative Director
Date: 5/11/18

CONCURRED BY:

Guam Economic Development Authority
Board of Directors

EDWARD J. CALVO
Chairman
Date: 5-21-18

Chamorro Land Trust Commission
Board of Commissioners

G. PIKA FEJERAN
Chairwoman
Date: 5.11.18

APPROVED AS TO LEGALITY AND FORM

ELIZABETH BARRETT-ANDERSON
Attorney General of Guam

Date: 8/10/18

DLM 18-0292

APPROVED

EDDIE BAZA CALVO
Governor of Guam

Date: 8/20/18

RECEIVED
06/21/18
OFFICE OF THE ATTORNEY GENERAL
SOLICITORS DIVISION

FACT SHEET
April 2012
(Subject to CLTC Verification)

Licensee:	WMJ Inc. (dba Guam Home Center)
POC/Address:	Mr. Mike Wu, President P.O. Box 24294 GMF Barrigada, Guam 96921
Legal Description:	Lot No. 10068-R1, Dededo
Land Area:	1,914 square meters
Property Improvements:	
License Term:	Not to exceed 21 years from April 1, 2005 to April 1, 2026. "Licensee shall have the right to extend the term of this Agreement upon the same terms, covenants and conditions as herein contained, except as otherwise provided herein, for one successive additional period of 21 years..."
Expiration:	April 1, 2047 if the option is exercised.
Current Rental Rate:	2% per year of fair market value. For initial term, FMV pegged at $180K or $3,600 per year based upon October 1, 2004 appraisal.
Payment Due Date:	Payable annually due on the beginning term of the lease and annually thereafter.
Escalation:	If licensee exercises its option to extend, annual fee during the extended term shall be equal to 2% per year of the FMV exclusive of improvements. Determination of FMV shall be based on the highest and best use, taking the leasehold into account.
Other Rents:	40% of any rental payments, fees or assessments of any sort received by licensee for said space and/or accommodations.
Assignment/ Subletting:	Rights of Licensee may not be transferred or assigned to any other person, firm, corporation or other entity. Licensee may, without Licensor's permission, provide space or accommodations to others for its retail business activity enhancement and related retail activity upon and/or within their facilities provided that licensee gives 45 day notice to licensor.

Estoppel:	
Sub-Subleases:	
Authorized Uses:	"The above described real property may be occupied and used by licensee solely for the activities proposed by the licensee and for incidental purposes related to the operation and maintenance of a retail hardware outlet specializing in building materials and hardware supplies for consumers and construction contractors..."
Current Activity/Use:	
Upon Termination:	Agreement may be terminated by either party on 180 days notice without cause and 90 days written notice "for cause." If licensor so requests, licensee shall remove all improvements constructed or erected on the property at licensee's expense.
Insurance Required:	Comprehensive Liability Insurance of not less than $300K for injury or death for one person; not less than $100K for any one occurrence, and a policy in the sum of $100K insuring against claims of third persons for property damage. CLTC may require increases in coverage but no more than annually.
Other Conditions:	Licensee may restrict public access to Licensee's equipment, improvements and/or facilities. Licensee shall deliver written notice of intent to extend the term no later than 60 days before the end of the then current term. Such written notice shall include a market value appraisal for determining fair market rental value for the option period.
Comments:	The following is a schedule of rent payments: • April 1, 2005 to September 30, 2005 – Deferred for 6 months by license during construction period • October 1, 2005 to April 1, 2026 – $3,600 per year • April 1, 2026 to April 1, 2047 – To be determined
Annual Property Inspection:	
Previous Issues:	December 8, 2003 - Unitek prepared "Limited Environmental Assessment Survey at Lot No. 10067-1-R2 which is owned by WMJ Inc.

December 16, 2003 – Title Guaranty submits Preliminary Title Report for Lot 10068-R1 indicating the property is owned by GovGuam in fee simple.

January 19, 2004 – WMJ requests to use Lot 10068-R1 to build 20K square foot facility.

April 28, 2004 – WMJ legal counsel Quan and Lopez provide "Background Information Concerning Lot 10068-R1 which basically provides a background of the lot, how it was created, who used it, etc.

June 14, 2004 – CLTC issues authorization to WMJ to take possession and begin obtaining permits.

May 10, 2005 – CLTC letter to WMJ indicating that CLTC is preparing an amendment to the license to reflect that the fee is 2% per year for first 5 years to allow recovery of expenses associated with clearing and removal of trash, debris and abandoned vehicles from the property. After 5 years, license fee will increase to 6% of FMV for the remaining term as this is CLTC policy. (Note: there does not appear to be any license amendments in the file nor does there appear to be any response from WMJ to CLTC's letter.)

Sources: License between CLTC and WMJ effective as of April 1, 2005

CLTC Schedule of Rents
As of February 2013

Lessee/Licensee	Lot Number	Location	Area (square meters)	Monthly Payment	Payment Terms	Total Annual Payment	Applicable Period for Amount of Payment	Exercise Option to Extend Before:	Date Exercised Option to Extend	Remarks
Agfayan, Incorporated	Lot 10063 REM PORTION-3	Dededo	5,432.00	$3,500.00	Monthly	$42,000.00	December 1, 2005 to July 1, 2025	NLT 60 days prior to end of term		
Ambros Incorporated	Lot 1417-1 & Lot 1418-1	Agana	189.25	$130.00	Annually in advance	$1,560.00	April 1, 2005 to March 31, 2026	NLT 60 days prior to end of term		
Asahi Association of Guam	Lot 11, Block 3, Tract 1143	Dededo	1,920.00	$8.33	Annually in advance	$100.00	June 1, 2008 to June 1, 2033	Upon expiration of first term		
Choice Phone, LLC	Lot 17-1-R1,Blk F, Tract 9	Barrigada	3,080.00	$2,016.48	Monthly	$24,197.76	June 2, 2011 to June 1, 2016	NLT 60 days prior to end of term		
Choice Phone, LLC	Lot 10129-4	Dededo	929.00	$349.32	Monthly	$4,191.84	May 2, 2008 to May 1, 2013	NLT 60 days prior to end of term		
Choice Phone LLC	Lot 470-2-1	Santa Rita	929.00	$315.00	Monthly	$3,780.00	June 2, 2008 to June 1, 2013	NLT 60 days prior to end of term		
Choice Phone, LLC	Lot 360-2-4	Malojloj	471.00	$190.00	Monthly	$2,280.00	August 1, 2011 to July 31, 2016	NLT 60 days prior to end of term		
Choice Phone, LLc	Lot 527-1	Merizo				$0.00				Terminated
Choice Phone, LLC	Lot 278-24	Umatac	929.00	$374.76	Monthly	$4,497.12	August 1, 2011 to July 31, 2016	NLT 60 days prior to end of term		
Core Tech International	Lot 10090-1	Machanao	20,234.29			$0.00	[redacted]			Rent not determined
Cushing Zoo	Lot 5133-1	Tumon	1,024.00		1st day of month	$0.00	[redacted]			License has expired
DoCoMo Guam Holdings, Inc.	Lot 10125-11-R2	Astumbo	232.25	$109.15	Monthly	$1,309.80	September 2, 2010 to September 1, 2015	NLT 60 days prior to end of term		
DoCoMo Guam Holdings, Inc.	Lot 10129-3	Dededo	232.25	$109.15	Monthly	$1,309.80	November 2, 2011 to November 1, 2016	NLT 60 days prior to end of term		
DoCoMo Guam Holdings, Inc.	Lot 102-2	Yona	175.95	$78.68	Monthly	$944.16	November 2, 2011 to November 1, 2016	NLT 60 days prior to end of term		
DoCoMo Guam Holdings, Inc.	Lot 17-1-1, Block F, Tract 9,	Barrigada	966.00	$520.00	Monthly	$6,240.00	October 1, 2009 to September 30, 2014	NLT 60 days prior to end of term		
DoCoMo Guam Holdings, Inc.	Lot 248-1	Agat	356.19	$142.47	Monthly	$1,709.64	November 2, 2011 to November 1, 2016	NLT 60 days prior to end of term		
DoCoMo Guam Holdings, Inc.	Lot 278-5	Umatac	318.59	$145.72	Monthly	$1,748.64	November 2, 2011 to November 1, 2016	NLT 60 days prior to end of term		

CLTC Schedule of Rents
As of February 2013

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DoCoMo Guam Holdings, Inc.	Lot 354-8	Inarajan	952.07	$352.26	Monthly	$4,227.12	November 2, 2011 to November 1, 2016	NLT 60 days prior to end of term		License will terminate Oct. 31, 2012
DoCoMo Guam Holdings, Inc	Lot 360-2-3	Malojloj	1,261.99	$247.53	Monthly	$2,970.36	November 2, 2011 to November 1, 2016	NLT 60 days prior to end of term		License will terminate Oct. 31, 2012
DoCoMo Guam Holdings, Inc.	Lot 7117-3-1-1	Mt. Santa Rosa	0.00			$0.00				Terminated
DoCoMo Guam Holdings, Inc.	Lot 7717-4	Mt. Santa Rosa	1,338.00	$310.00	Monthly	$3,720.00	August 1, 2009 to July 31, 2014	NLT 60 days prior to end of term		
DoCoMo Guam Holdings,Inc.	Lot 354-7 & 354-R6-R/W	Inarajan	999.00	$320.00	Monthly	$3,840.00	August 11, 2009 to August 10, 2014	NLT 60 days prior to end of term		
Guam Telephone Authority	Lot 527	Merizo	6,421.00	$0.00		$0.00	October 1993 to September 30, 2014			Rent to be determined
Guam Broadcast Partners	Lot 11-R11, Block D, Tract 9	Barrigada	6,069.84	$1,090.05	Monthly	$13,080.60	November 1, 2011 to October 31, 2017	90 days prior notice to exercise option to renew		Rent and schedule extracted from minutes not lease amendment
Guam International Country Club	Lot 10122-12	Dededo	829,124.00	$19,871.17	NLT 15th of the month	$238,454.00	February 1, 2009 to January 31, 2014	90 days prior notice to exercise option to renew		
Guam Racing Federation	Lot 7161-R1	Yigo	1,011,714.11	$3,630.00	1st day of the month	$43,560.00	June 1, 2008 to May 31, 2013			
Guam Resource Recovery Partners	Parcel B of Lot 439 R1	Santa Rita	352,872.12	$4,400.00	Monthly	$52,800.00	December 31, 2007 to December 30, 2012	Automatic Renewal		
Guam Rugby Club	Lot 10057-NEW-5	Dededo	48,951.00	$0.00		$0.00	June 1, 2012 to May 31, 2017	NLT 60 days prior to end of term		
Habeck Photos	Between Tract B-1, Lot 5172 & Philippine Sea	Tamuning	711.00	$275.00	Annually in advance	$3,300.00	April 2, 2010 to April 1, 2015	NLT 60 days prior to end of term		
HMS Recycling dba Ko'Ko Recycling	Lot 5219-1-1	Barrigada	22,104.00	$0.00	Monthly	$0.00	July 1, 2008 to June 30, 2013	NLT 60 days prior to end of term		94 years of rent credit has been given
Inadahen I Lina'la Kotturan Chamoru, Inc.	Lot 5173-1-R2NEW-4NEW-1	Tamuning	32,374.85	$0.00	Quarterly	$0.00	December 2, 2011 to December 1, 2016	NLT 60 days prior to end of term		Rent is 5% of each dollar collected from entrance fees

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As of February 2013

Lessee/Licensee	Lot Number	Location	Area (square meters)	Monthly Payment	Payment Terms	Total Annual Payment	Applicable Period for Amount of Payment	Exercise Option to Extend Before:	Date Exercised Option to Extend	Remarks
PTI [IT&E Overseas Inc.	Lot 10125-R12-1	Dededo	232.00	$69.68	Monthly	$836.16	January 5, 2010 to January 4, 2015	NLT 60 days prior to end of term		
PTI [IT&E Overseas Inc.	Lot 7117-4-1	Mt. Santa Rosa	1,323.00	$350.00	Monthly	$4,200.00	January 5, 2010 to January 4, 2015	NLT 60 days prior to end of term		
PTI [IT&E Overseas, Inc.	Lot 5419-3-1	Mangilao	342.00	$90.00	Monthly	$1,080.00	January 2, 2012 to January 1, 2017	NLT 60 days prior to end of term		
PTI [T&E Overseas, Inc.	Lot 7160-3-1	Yigo	929.00	$260.00	Monthly	$3,120.00	January 2, 2012 to January 1, 2017	NLT 60 days prior to end of term		
Johnny Cool Towing Services	Lot 5149-6	Dededo	3,823.00	$477.88	Monthly	$5,734.56	March 27, 1997 to March 26, 2018	Has right and priority to reapply and renew license		Reduced rent is allowed for property cleanup
KGTF-TV12	Lot 10-R3, Block D, Tract 9	Barrigada	5,307.00	$0.00	Monthly	$0.00	October 1, 2011 to September 30, 2015	Not mentioned in license		
KM Broadcasting of Guam, LLC	Lot 10-4, Block D, Tract 9	Barrigada	2,060.00	$1,348.68	Monthly	$16,184.16	September 1, 2010 to August 31, 2015	NLT 60 days prior to end of term		
Layao Enterprise	Lot 6, Tract 1112	Dededo	20,234.28		Annually in advance		July 1, 2011 to June 30, 2016	NLT 60 days prior to end of term		To be determined
Lujan, Frank M. & Evelyn C. dba Evelyn Store	Lot 212	Umatac	504.00	$26.00	Monthly	$312.00	February 2, 2008 to February 1, 2013	NLT 60 days prior to end of term		
Moy Communications, Inc.	Lot 10-1, Block D, Tract 9	Barrigada	1,619.00	$850.00	1st day of the month	$10,200.00	May 1, 2009 to April 30, 2014	No extensions provided in license		
Premier Hotels & Resorts (Guam), Inc.	Alupat Island	Tamuning	4,047.00	$3,000.00	1st day of the month	$36,000.00	October 1, 2008 to September 30, 2013	NLT 60 days prior to end of term		
Tata Communications	6 ft. x 320 ft. section of Taleyfac Reef Flat	Agat	178.00	$416.67	Annually on or before Oct. 1	$5,000.00	October 1, 2008 to September 30, 2021			
US Postal Service	Lot 443 part 1-2NEW-R1	Agat	613.00	$514.70	Annually on each lease year	$6,176.40	July 1, 2009 to June 30, 2014	At least 30 days before end of term		
US Postal Service	318 sf at 125 Iglesias Circle	Dededo	0.00	$416.67	Monthly	$5,000.00	March 1, 2012 to February 28, 2017	At least 90 days before end of term		
US Postal Service	Lot 18, Tract 3621	Inarajan	946.36	$320.58	Annually in advance	$3,847.00	July 1, 2009 to June 30, 2014	At least 30 days before end of term		Post Office has or will close
Watson, Bernard	Lot 7159	Yigo	40,460.00	$100.00	Annually in advance	$1,200.00	July 1, 2011 to June 30, 2016	NLT 60 days prior to end of term		

CLTC Schedule of Rents
As of February 2013

Lessee/Licensee	Lot Number	Location	Area (square meters)	Monthly Payment	Payment Terms	Total Annual Payment	Applicable Period for Amount of Payment	Exercise Option to Extend Before:	Date Exercised Option to Extend	Remarks
WMJ, Inc. dba Guam Home Center	Lot 10068-R1	Dededo	1,914.00	$300.00	Annually	$3,600.00	October 1, 2005 to April 1, 2026	NLT 60 days prior to end of term		
Totals	**48 Licenses**		**2,436,843.39 (602.15 Acres)**	**$47,025.93**		**$564,311.12**				
GEDA 14%				**$6,583.63**		**$79,003.56**				

SOURCE: Added by P.L. 22-76:1.

§ 75121. The Establishment of '*Hatdin Åmot Chamorro*'.

(a) The *Chamorro* Land Trust Commission *shall* designate and make available a parcel of land in the northern part of the island that *shall* be designated as a Biodiversity Conservation Easement for the purpose of transplanting and cultivating herbal plants, and establishing *Hatdin Åmot Chamorro*.

(b) Block 3, Tract 1722 in the municipality of Mangilao, as shown on Land Management Instrument No. 880762 (Exhibit A), *shall* be designated as a Biodiversity Conservation Easement for the purpose of providing land for *Hatdin Åmot Chamorro*.

(c) The *Chamorro* Land Trust Commission, in consultation with the *Håya* Foundation (a non-profit organization dedicated to the preservation of the *Chamorro* healing arts), is hereby directed to establish the criteria, application, and operational procedures of *Hatdin Åmot Chamorro*. The procedures *shall* establish the parameters for the usage of the parceled lot and a list of plants to be cultivated. To qualify to use a parcel of *Hatdin Åmot Chamorro*, an applicant must be an individual eligible for residential lease of *Chamorro* Land Trust Commission land, and either:

(1) be a member or officer of a non-profit organization registered with the Department of Revenue and Taxation, whose charter includes the advancement of *Chamorro* traditional healing or medicine, or the advancement of *Chamorro* heritage and culture; or

(2) be a *Suruhana* or *Suruhanu*, or an apprentice, or a student of traditional *Chamorro* medicines.

Preference *shall* be given to an applicant who meets more than one (1) of the qualifications in this Subsection.

SOURCE: Added by P.L. 30-032:3 (June 16, 2009), amended by P.L. 33-210:2 (Dec. 15, 2016).

2017 NOTE: Pursuant to P.L. 33-210:3:

Exemption. § 2107 of Title 2, Guam Code Annotated, and the Standing Rules of *I Mina'Trentai Tres Na Liheslaturan Guåhan* relative to the appraisals of land *shall* not apply to this Act.

§ 75122. Commercial Leases and Licenses.

(a) Definitions.

(1) *Commercial lease* is a leasehold interest in real property between the CLTC and a tenant (hereinafter referred to as "Commercial Lessee") for the commercial use of real property under the management of the CLTC.

(2) *Commercial license* is an agreement between a tenant (hereinafter referred to as the "Commercial Licensee") and the CLTC which permits certain activity to be conducted upon real property in the inventory of the CLTC, but does not confer upon the licensee any title or leasehold interest, and is terminable upon cessation of the approved activity. Pursuant to § 75107(c) of Chapter 75, Title 21 GCA, the Commission is authorized to grant licenses for terms not to exceed twenty-one (21) years in each case, to:

(A) public utility companies, or corporations as telephone lines, electric power and light lines, gas mains, and the like; or

(B) for lots within a village in which lands are leased under the provisions § 75107(a) of Chapter 75, Title 21 GCA, to:

(i) churches, hospitals, public schools, post offices, and other improvements for public purposes; or

(ii) theaters, garages, service stations, markets, stores, and other mercantile establishments (all of which *shall* be owned by the § 75107(a) lessees of the Commission or by organizations formed and controlled by said lessees).

(3) *Commercial use* means commercial agriculture, commercial aquaculture, and any permitted use or a conditional use expressly allowed on an "A," "R1," "R2," "C," "P," "S-1," or "PF" zoned property pursuant to §§ 61304, 61305, 61306, 61307,61308, 61312 and 61313 of Article 3, Chapter 61 of Title 21 GCA. Commercial use includes mineral extraction when specifically approved by the CLTC and *I Liheslaturan Guåhan* (the Guam Legislature). The appropriate regulatory clearances will be required for all commercial uses of CLTC lands.

(4) *Tenant* means an applicant who has been approved for either a commercial lease or license, and can also be referred to as a "Commercial Lessee or Commercial Licensee" in this Act.

(b) Designation of Available Land for Commercial Use.

(1) Notwithstanding § 75107(f) of Chapter 75 of Title 21, Guam Code Annotated, and Section 6.9 of Exhibit A of Public Law 23-38, the CLTC may declare and designate that certain lands, not to exceed nine percent (9%) of the total remaining unassigned Chamorro Land Trust Commission land area inventory, "are not required for § 75107 leases to native Chamorros for residential, subsistence agriculture, or subsistence aquaculture, and are available for commercial leasing or licensing to the general public pursuant to § 75105(d) of Chapter 75, Title 21 GCA." Said declaration *shall* be in the form of a Board Resolution approved by the Commissioners at a duly scheduled meeting of the CLTC held after a CLTC public hearing on the specific lot and area of land to be designated. The approved CLTC resolution *shall* be transmitted to *I Liheslaturan Guåhan* within thirty (30) days from the date of passage of the resolution.

(2) *I Liheslaturan Guåhan shall* have sixty (60) days to review the Resolution declaring the list of available lots identified in this Subsection, and may conduct public hearings on said lot list during this sixty (60)-day period.

(3) The lots identified in this Subsection may be leased or licensed by the CLTC to the general public pursuant to § 75105(d) of Chapter 75 of Title 21, Guam Code Annotated, for commercial use and for a term not to exceed twenty-five (25) years; or licensed pursuant to § 75107(c) of Chapter 75, Title 21, Guam Code Annotated, for a term not to exceed twenty-one (21) years, unless otherwise approved by *I Liheslaturan Guåhan* for a longer term.

(4) The CLTC *shall not* initiate any solicitations for commercial leasing or licensing until at least sixty (60) days have elapsed from the date *I Liheslaturan Guåhan* received the transmittal of the CLTC Resolution and list in accordance with this Section.

(5) Notwithstanding § 75105(b) of Chapter 75 of Title 21, Guam Code Annotated, all income arising out of any lease or license of those properties declared in this Subsection *shall* be credited to and deposited in the Chamorro Land Trust Survey and Infrastructure Fund until 2020, and to the Chamorro Home Loan Fund thereafter.

(6) Any solicitation for interest or proposals, prior to the enactment of this Act, for commercial activity on CLTC land with the intent of entering into a commercial lease *shall* be null and void.

(c) Lease Agreement Stipulations. The execution of commercial lease agreements or licenses of the available properties identified pursuant to this Section *shall* be subject, at a minimum, to the following stipulations:

(1) Notice of Land Designated to be Available for Commercial Use. Solicitation for the leasing or licensing of land designated as available for commercial use *shall* be published at least thirty (30) days prior to the deadline for submittal of proposals from prospective lessees or licensees. Notice *shall* be posted on the websites of the CLTC and the Department of Land Management (DLM) continuously, and through any methods of electronic publication capable of providing notice to the general public, and at least once in a newspaper of general circulation.

(2) Award of Lease through Competitive Bid. The lease or license for the commercial use of CLTC land designated as available for commercial activity *shall* be awarded through a competitive bid process to entities determined to be responsible and responsive, as defined in Guam's procurement law, to the requirements stipulated by the CLTC. However, in the event that a designated available land has an existing commercial activity by virtue of a previous authorization, this Act *shall not* be interpreted to invalidate existing commercial leases or licenses where lessee or licensee has not defaulted during the entire term of the lease or license, and lessee or licensee has complied with the laws of Guam. At the expiration of a lease or license, and all options to renew that lease or license, the CLTC *shall* reconsider its designation as available land and comply with all other provisions of this Act.

(3) Unsolicited Proposals. The CLTC may also accept unsolicited proposals for the development and commercialization of CLTC land designated as available for commercial use, but must subsequently place such proposals to competitive solicitation.

(4) Posting of Awards. Awards of leases and licenses *shall* be posted, within five (5) working days from the date of award, on the CLTC and DLM websites for the term of the lease.

(5) Minimum Annual Rent. Annual rent *shall be no less than* ten percent (10%) of the current appraisal of fair market value of the land that is to be leased. Rent *shall* escalate at a minimum of five (5) year intervals based at a minimum upon current appraisal of fair market

Doc. No. 35GL-19-0226.

value of the land being leased, but in no event shall rent be lower than the rent charged during the previous five (5) year period. The rent to be charged on any request to exercise an option to renew an existing lease *shall* also be based on the current appraisal of the fair market value of the land at the time the option to renew is exercised.

(6) Participation Rent.

(A) Definition. The tenant pays to the CLTC a mutually agreed upon percentage of the revenues generated above a mutually agreed upon revenue threshold.

(B) Applicability. Participation rent *shall* be applicable from the fifth (5th) anniversary date to the last day of the lease. The annual participation rent *shall* be made in four (4) equal quarterly installments.

(7) Advance Rental Payment. CLTC may require accelerated or advanced rental payments as a condition of the lease.

(8) Rent Amendments and Payment Schedules. Tenants may submit written requests for temporary reductions in rent. Tenants *shall* submit audited financial statements covering the previous three (3) year period as supporting documents. CLTC *shall* consider the current financial position of the tenant and the prospect for improvements in the tenant's financial position, market conditions, the benefit to the Trust in temporarily reducing the rent, and such other information as may be required in considering tenant's request for rent reductions. Any rent reductions authorized by CLTC *shall not* exceed one (1) year but may, upon written application by the tenant, be extended by the Commission if such extension would be beneficial for the Trust. As temporary rent reductions are intended to assist tenants over a short period of time, tenants must agree in writing that such temporary reductions shall in no way affect the annual amounts due or the schedule of rent escalations for future option terms identified in the lease agreement. Requests for rent reductions *shall* be subject to Commission approval. The CLTC *shall not* allow the exercise of options for additional terms unless all past due rent is paid. All amendments of rent and payment schedules *shall* be fully documented.

(9) Payment Plans. Requests to develop a payment plan for back rent *shall* be submitted in writing with the reasons for the request. In addition, tenants *shall* submit a copy of its audited financial statements

covering the previous three (3) year period. Payment plans must include a provision for payment of interest on the unpaid balance. In addition, payment plans must contain the requirement that late fees using the industry standard be paid, in the event the lessee *does not* make payments as scheduled, and if the lessee is *not* deemed to be in breach of the lease. Financial institutions must be provided with copies of approved payment plans if estoppel, mortgage or other such agreements require such notification. To the extent possible, payment plans for outstanding rent must be paid off within the fiscal year to avoid budgetary problems within CLTC.

(10) Taxes and Assessments. Tenants *shall* pay all taxes and assessments lawfully levied against the leased premises and against any business conducted thereon or in connection therewith. Tenant *shall* also pay all charges for utility services furnished or provided to the leased premises.

(11) Interest for Late Payment. All rent in arrears *shall* bear interest at a rate of four percent (4%) per annum in excess of the prime rate, calculated daily and compounded monthly, without demand, from the date it should have been paid to CLTC, until actual payment to CLTC.

(12) Environmental Site Assessment (ESA). Prospective tenants *shall* be required to prepare at their own expense, a Phase I Environmental Site Assessment (ESA) of the leased property to serve as a baseline of conditions at the site prior to the start of the lease. The comprehensiveness of the assessment *shall* be determined by CLTC in collaboration with the Guam Environmental Protection Agency. The Phase I ESA *shall* be referenced in any lease or license agreement for the property. Prior to the issuance of any agreement, tenants or prospective tenants must conduct a Phase I ESA of the site at tenant's expense.

(13) Condition of Land After Use Period. At the end of the lease or license period, or upon termination, tenant *shall* restore the land to baseline levels established at the start of their lease or license, or better/higher environmental levels agreed upon in the lease or license, and *shall* bear all expenses relating to such restoration and Phase I and Phase II evaluations. However, in the case where mineral extraction or the extraction of natural resources at the site was authorized initially in the lease or license agreement, the site *shall* be returned to the CLTC in

the better/higher environmental end-state that was agreed upon at the beginning of the lease or license. CLTC *shall* require that a performance bond be provided to ensure that the property is returned in an acceptable end-state, but that said bond *shall not* relieve the lessee of the responsibility of returning the land to the required baseline state.

(14) Tenant Requirements. All lease and license agreements *shall* require tenants and subtenants to have business liability insurance that indemnifies and holds CLTC harmless, and *shall* require the tenant to respond to CLTC requests for information on a timely basis.

(15) Improvements to CLTC Property. All lease and license agreements *shall* require that any improvements made to or upon the real property *shall* belong in title to the CLTC upon termination or expiration of the lease or license, and that any removal required by the CLTC of improvements or items remaining on the property *shall* be the responsibility of the tenant at no cost to the CLTC.

(16) Processing Fees. Tenants *shall* pay for those expenses associated with the processing of leases, amendments, assignments, estoppels, consents or other such documents, including, but not limited to, attorneys' fees, appraisal fees, title report fees, survey fees, credit report fees, recording fees, and documentation fees, but *not* including CLTC staff time. Payment of fees *shall* be made prior to document recordation or pick up.

(17) Business License. Applicants must be licensed to do business in Guam prior to the execution of a lease or license, and all tenants must maintain a valid license to do business in Guam during the term of their lease or license.

(18) Compliance with Environmental Laws. All activities on leased or licensed available real property *shall* be in compliance and maintained in accordance with existing environmental laws. Failure to comply with environmental laws *shall* be a material default by tenant.

(19) Events of Default; Termination. In any of the following events (each an "Event of Default"):

(A) if rent or any part thereof shall not be paid on any day when such payment is due, CLTC may, at any time thereafter, give notice of such failure to the lessee, and if the failure is not

remedied by the lessee within five (5) days after the giving of such notice; or

(B) if the lessee shall fail or neglect to perform or comply with any of the terms, covenants or conditions contained in the lease (other than the covenants to pay rent) on the part of the lessee to be performed or observed, CLTC may, at any time thereafter, give notice of such failure or neglect to the lessee and the lessee:

(i) if the matter complained of in such notice is capable of being remedied by the payment of money, has not corrected the matter complained of within a period of five (5) days after the giving of such notice; or

(ii) if the matter complained of in such notice is not capable of being remedied by the payment of money has not corrected the matter complained of within a period of twenty (20) days after the giving of such notice, or if a period of more than such twenty (20) days is reasonably required to remedy, with reasonable diligence, the matters complained of in such notice, has not forthwith commenced to remedy the same and diligently prosecute the remedying of the same to completion;

(iii) if an event of insolvency shall have occurred with respect to the lessee, or

(iv) a breach of an obligation by the lessee which has resulted in cancellation of insurance coverage where the lessee has not prior to or concurrent with such cancellation replaced such coverage with comparable coverage or breach of an obligation where there has been a notice of cancellation of insurance coverage which has not been cured and where the lessee has not, within the period of time set out in such notice (or within ten (10) days where no period is set out therein) replaced such coverage with comparable coverage or which is otherwise a breach of the obligations respecting insurance; or

(v) abandonment of the project by the lessee; or then the CLTC, at its option, may terminate the lease by notice to the lessee, in which event such termination *shall* be effective

Doc. No. 35GL-19-0226.

CHAMORRO LAND TRUST COMMISSION
RESOLUTION NO. 2016-10

Declaration and Designation of Land for Commercial Use

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC)***, pursuant to Public Law 33-95, may declare and designate certain lands for commercial leasing or licensing to the general public. CLTC shall conduct a public hearing for the proposed lands and the commissioners shall approve by resolution the proposed lands. The resolution shall then be forwarded to *I Liheslaturan Guahan* within thirty days for review; and

WHEREAS, the CLTC board of commissioners at their November 19, 2015, regularly scheduled meeting passed a motion for the CLTC Administrative Director conduct a public hearing of proposed lands; and

WHEREAS, on January 19, 2016, at 6:00PM, the CLTC conducted a public hearing for the proposed lands at the Dededo Senior Center, Dededo Guam; and

WHEREAS, on January 21, 2016, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed the public hearing comments on the proposed lands for commercial use; and

WHEREAS, on June 16, 2016, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed the following parcel:

Lot 5075-REM-A NEW-R1, Tamuning. Size: 1.9 acres. Zone: R2. Survey Map: 172FY2012 & 057FY2016 Sketch. Tax Assessed Value: ~$471,583. Potential use for commercial activity conducive to its size and location.

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners approves the listed land and declares this land to be designated property for commercial use having been duly public heard in accordance with Public Law 33-95; and

2. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan* with its recommendation to approve the property identified in this Resolution.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS 16TH DAY OF JUNE 2016.

Date: 6/21/16

CHAMORRO LAND TRUST COMMISSION
RESOLUTION NO. 2016-11

Declaration and Designation of Land for Commercial Use

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC)***, pursuant to Public Law 33-95, may declare and designate certain lands for commercial leasing or licensing to the general public. CLTC shall conduct a public hearing for the proposed lands and the commissioners shall approve by resolution the proposed lands. The resolution shall then be forwarded to *I Liheslaturan Guahan* within thirty days for review; and

WHEREAS, the CLTC board of commissioners at their November 19, 2015, regularly scheduled meeting passed a motion for the CLTC Administrative Director conduct a public hearing of proposed lands; and

WHEREAS, on January 19, 2016, at 6:00PM, the CLTC conducted a public hearing for the proposed lands at the Dededo Senior Center, Dededo Guam; and

WHEREAS, on January 21, 2016, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed the public hearing comments on the proposed lands for commercial use; and

WHEREAS, on June 16, 2016, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed the following parcel:

> **Lot 7054-R5, Yigo. Size: 12 acres. Zone: A. Survey Map: 167FY93. Tax Assessed Value: N/A. Currently being used as light industrial and potential to be used for any commercial or multi-residential activity conducive to its size and location.**

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners approves the listed land and declares this land to be designated property for commercial use having been duly public heard in accordance with Public Law 33-95; and

2. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan* with its recommendation to approve the property identified in this Resolution.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS 16TH DAY OF JUNE 2016.

CHAMORRO LAND TRUST COMMISSION
RESOLUTION NO. 2017-04

Declaration and Designation of Land for Commercial Use

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC)***, pursuant to Public Law 33-95, may declare and designate certain lands for commercial leasing or licensing to the general public. CLTC shall conduct a public hearing for the proposed lands and the commissioners shall approve by resolution the proposed lands. The resolution shall then be forwarded to *I Liheslaturan Guahan* within thirty days for review; and

WHEREAS, the CLTC board of commissioners at their November 19, 2015, regularly scheduled meeting passed a motion for the CLTC Administrative Director conduct a public hearing of proposed lands; and

WHEREAS, on January 19, 2016, at 6:00PM, the CLTC conducted a public hearing for the proposed lands at the Dededo Senior Center, Dededo Guam; and

WHEREAS, on January 21, 2016, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed the public hearing comments on the proposed lands for commercial use; and

WHEREAS, subsequent to the public hearing and meeting on the determination to designate these parcels for commercial use, the Guam Legislature passed two bills which were enacted into law removing up to thirteen and a half acres from these land parcels and an adjacent lot for other uses; and

WHEREAS, on March 16, 2017, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, approved by a motion to designate the following parcels for commercial use:

> **Lot 5173-1-R2NEW-6 and Lot 5173-1-R2NEW-R6, Municipality of Tamuning, collectively consisting of approximately 34 acres, as shown on survey map L.M. No. 076FY2013, Instrument No. 851244, shown in Exhibit "A", currently Multiple Dwelling Zone (R2).**

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners approves the listed land parcels and declares these land parcels to be designated property for commercial use having been duly public heard in accordance with Public Law 33-95; and

2. The Chamorro Land Trust Commission Board of Commissioners asserts its authority to determine and control the use of these designated properties; and

3. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan* with its recommendation to approve the properties identified in this Resolution.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS 16TH DAY OF MARCH 2017.

Pika Fejeran

G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission

Date: 20 March 2017

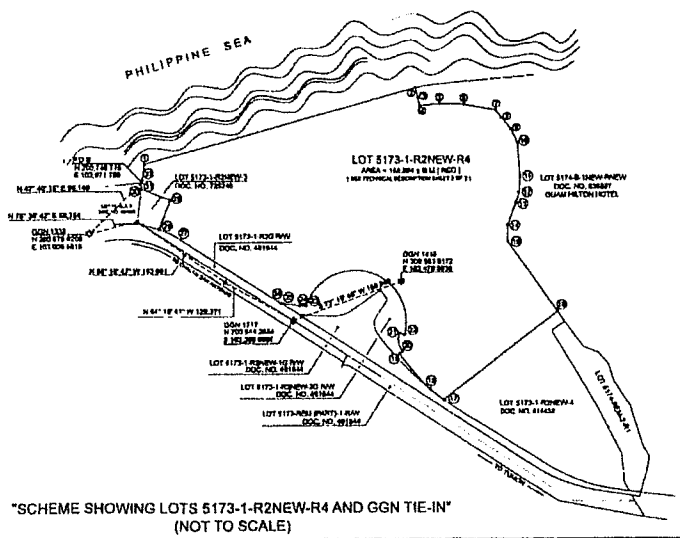
LEGEND:
- GGN STATION
- FOUND 4"x4" CONRETE MONUMENT, SET BY UNKNOWN. DOC NO. 491844
- FOUND #4 REBAR WITH CAP MARKED PLS 82 UNDOCUMENTED
- FOUND #4 REBAR WITH CAP MARKED PLS 77 UNDOCUMENTED
- FOUND 6"x6" CONRETE MONUMENT, SET BY UNKNOWN UNDOCUMENTED.
- SET #4 REBAR WITH CAP MARKED DLM.
- TRAVERSE STATION (NAIL OR REBAR SET)
- CORNER NOT RETRACED
- FIRE HYDRANT
- CHAIN LINK FENCE
- SEWER MAN HOLE
- ELECTRICAL MAN HOLE
- POWER MAN HOLE
- POWER MAN HOLE

SPECIAL NOTE:

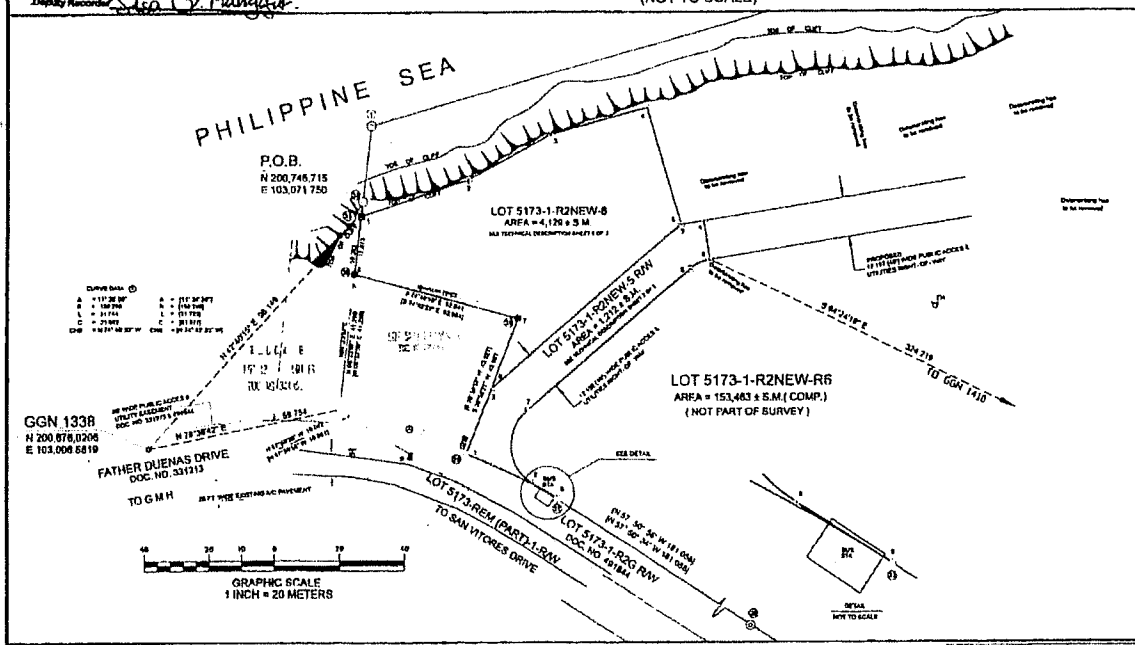
1) DATA FOR LOT 5173-1-R2NEW-R6 AS SHOWN ON THIS MAP ARE RECORD DATA AND NOT FIELD CONDITION.

2) PER PUBLIC LAW 28-126, SECTION 1 (d), THIS IS A "LOT PARCELING" SURVEY AND THEREFORE EXEMPTED FROM THE MAP PROCESSING REQUIREMENTS OF P.L. 28-126 SEC 1 (e)

Land or Claim, Government of Guam
Department of Land Management Office of the Recorder
File for Record in Instrument No. 851244
On the Year 13 Month 05 Day 13 Time 1:24
Recording Fee _____ Receipt No. _____
Deputy Recorder Lisa D. Mangaoang



"SCHEME SHOWING LOTS 5173-1-R2NEW-R4 AND GGN TIE-IN"
(NOT TO SCALE)



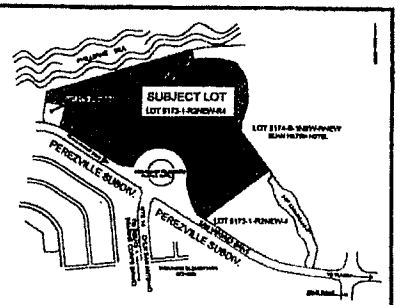
"ENLARGED PLAN"

CHECKED BY :
FRANK P. TAITANO, PLANNER, DLM — 5-2-2013 DATE
HENRY L. CUSACO, ENGINEERING TECHNICIAN, DLM — 5.2.13 DATE

CERTIFICATION OF PROFESSIONAL LAND SURVEYOR

I, PAUL L. SANTOS, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED ON A FIELD SURVEY MADE ON FEBRUARY 2013 IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, AND THAT I AM RESPONSIBLE FOR THE ACCURACY OF THE DATA AND INFORMATION SHOWN HEREON. I ALSO CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THIS MAP

PAUL L. SANTOS
PROFESSIONAL LAND SURVEYOR NO. 08
5-2-13 DATE



VICINITY MAP (NOT DRAWN TO SCALE)

NOTES:
1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN
2. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED
3. BEARINGS AND DISTANCES WITHIN PARENTHESIS ARE RECORD, IN BRACKET ARE 1993 RECORD DATA AS PER REFERENCE 2, ALL OTHERS ARE 1993 VALUES.
4. SUBJECT LOT (S) IS / ARE ZONED "R2" MULTI DWELLING AS PER 1997 OFFICIAL ZONING MAP, P.367&38
5. SUBJECT LOT (S) IS / ARE WITHIN THE NORTHERN AQUIFER
6. AS-BUILTS EXIST ON THE PROPERTY AS OF APPROVAL OF THIS MAP
7. CONCRETE HOUSES AS PER AS-BUILTS ARE ONE STORY, SINGLE FAMILY UNITS..

REFERENCES:
1. RETRACEMENT SURVEY MAP OF LOTS 5173-1-1R2NEW-R2, 5174-REM-2 R1, 5174-REM-1 5174-R2A-2-1G R/W, 5173-1-R2NEW-1G R/W, 5173-1-R2NEW-2G R/W,5173-1-R2G R/W, PARCELLING DWV REVERANCE) OF LOT 5173-REM(PART)-1, BY RLS. NO 95, L.M. NO 470 FY92,DOC. NO. 491844.
2. RE-SUBDIVISION SURVEY MAP OF LOTS 5173-1-R2NEW-R2, BY P.L.S.# 88 DWG. NO. 14-067997, L.M. NO. 104 FY 2006, DOC. NO. 725348.
3. LOT PARCELING SURVEY MAP OF LOTS 5173-1-R2NEW-R3, BY P.L S.# 88 DWG. NO. 14-067704, L.M. NO. 004 FY 2011, DOC. NO. 814450.
4. CONSOLIDATION & RE-SUBDIVISION OF BLOCK 8 LOT 11NEW, 11-1, LOT 5173-1-2 INTO BLOCK 8 LOT 11, 12, 13, PEREZVILLE, PREPARED BY JUAN R. MESA RLS NO 20 DWG. NO, M203-353, L.M. NO. 433 FY 72, DOC. NO. 364388.

CERTIFICATION AND APPROVALS :

SATISFACTORY TO AND APPROVED BY :

DAVID V. CAMACHO — 5/3/13 DATE
ACTING DIRECTOR, DEPARTMENT OF LAND MANAGEMENT
ACTING ADMINISTRATIVE DIRECTOR, CHAMORRO LAND TRUST COMMISSION

CERTIFICATION OF GUAM CHIEF PLANNER
APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 62, SUBDIVISION LAW

MARVIN D. AGUILAN — 5/3/13 DATE
ACTING GUAM CHIEF PLANNER

CERTIFICATION OF GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE
THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 36, ARTICLE 3, UNIFORM TRIANGULATION SYSTEM AND REGULATIONS THEREUNDER THIS 3rd DAY OF May 2013

PAUL L. SANTOS, PLS # 88
GUAM CHIEF SURVEYOR / CHIEF OF CADASTRE

REVISION #	DESCRIPTION	BY	APPROVED BY	DATE

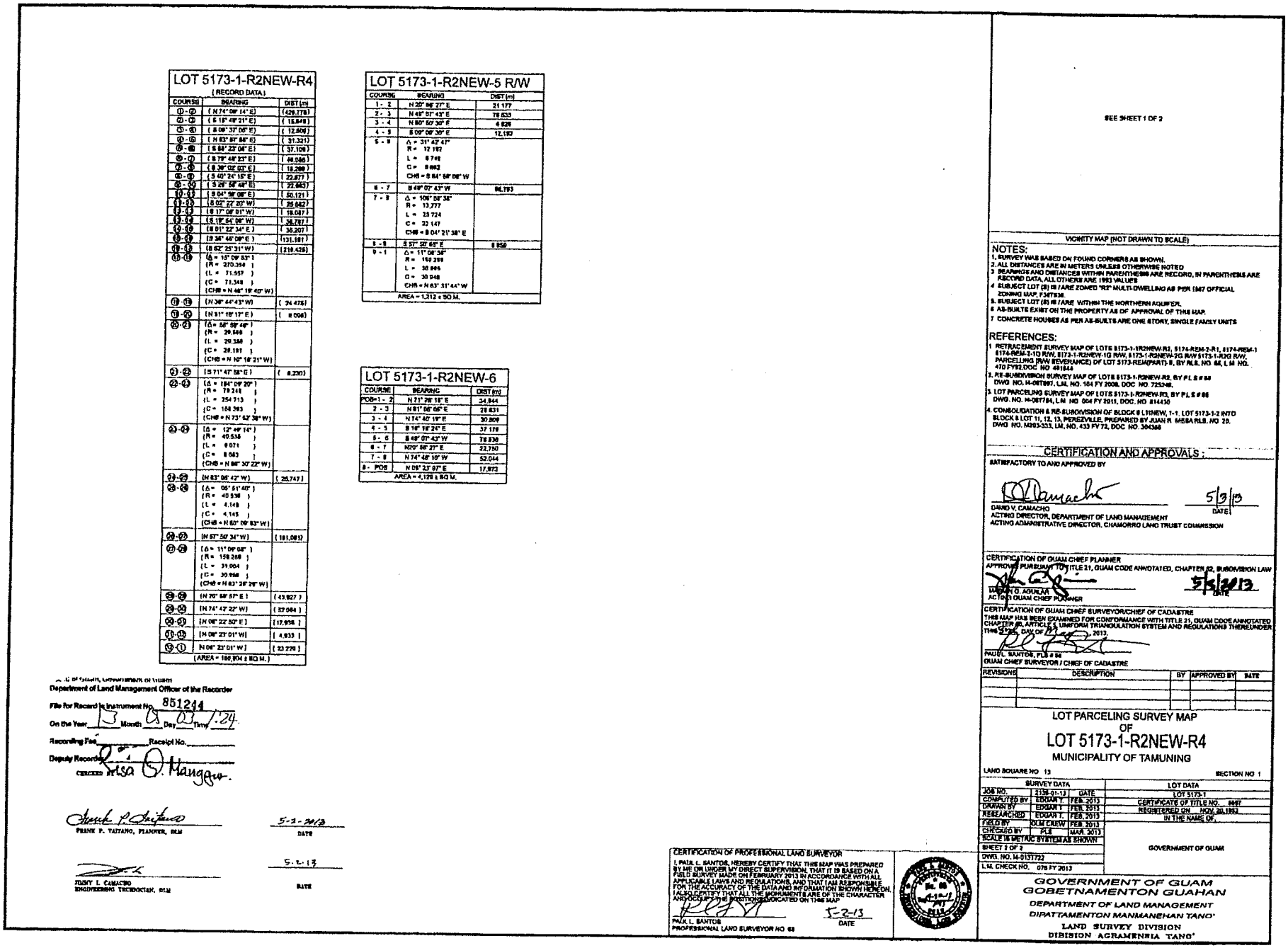
LOT PARCELING SURVEY MAP
OF
LOT 5173-1-R2NEW-R4
MUNICIPALITY OF TAMUNING

LAND SQUARE NO 13 — SECTION NO 1

SURVEY DATA			LOT DATA
JOB NO	1338-01-13	DATE	LOT 5173-1
COMPUTED BY	EDGAR T.	FEB. 2013	CERTIFICATE OF TITLE NO. 5697
DRAWN BY	EDGAR T.	FEB. 2013	REGISTERED ON NOV. 20, 1952
RESEARCHED	EDGAR T.	FEB. 2013	IN THE NAME OF
FIELD BY	DLM CREW	FEB. 2013	
CHECKED BY	PLS	MAR. 2013	
SCALE IN METRIC SYSTEM AS SHOWN			
SHEET 1 OF 2			GOVERNMENT OF GUAM
DWG. NO. 14-013T722			
L.M. CHECK NO. 070 FY 2013			

GOVERNMENT OF GUAM
GOBETNAMENTON GUAHAN
DEPARTMENT OF LAND MANAGEMENT
DIPATTAMENTON MANMANEHAN TANO'
LAND SURVEY DIVISION
DIBISION AGRAMENSIA TANO'

S-14242 ½



LOT 5173-1-R2NEW-R4
(RECORD DATA)

COURSE	BEARING	DIST (m)
①-②	(N 74° 09' 14" E)	(429.778)
②-③	(S 18° 49' 21" E)	(15.849)
③-④	(S 09° 37' 05" E)	(12.809)
④-⑤	(N 83° 51' 55" E)	(31.321)
⑤-⑥	(S 84° 22' 04" E)	(37.109)
⑥-⑦	(S 79° 48' 33" E)	(46.086)
⑦-⑧	(S 39° 02' 03" E)	(18.289)
⑧-⑨	(S 40° 24' 15" E)	(22.877)
⑨-⑩	(S 29° 58' 48" E)	(22.643)
⑩-⑪	(S 04° 56' 08" E)	(50.121)
⑪-⑫	(S 02° 22' 20" W)	(25.642)
⑫-⑬	(S 17° 08' 01" W)	(19.087)
⑬-⑭	(S 19° 54' 08" W)	(36.787)
⑭-⑮	(S 01° 22' 34" E)	(36.207)
⑮-⑯	(S 36° 46' 09" E)	(131.181)
⑯-⑰	(S 62° 25' 31" W)	(219.426)
⑰-⑱	(Δ = 15° 09' 53") (R = 370.356) (L = 71.557) (C = 71.348) (CHB = N 46° 19' 40" W)	
⑱-⑲	(N 38° 44' 43" W)	(24.478)
⑲-⑳	(N 51° 15' 17" E)	(8.008)
⑳-㉑	(Δ = 58° 59' 49") (R = 29.848) (L = 29.388) (C = 28.181) (CHB = N 10° 18' 21" W)	
㉑-㉒	(S 71° 47' 58" E)	(8.230)
㉒-㉓	(Δ = 184° 09' 20") (R = 79.348) (L = 254.713) (C = 158.393) (CHB = N 73° 52' 38" W)	
㉓-㉔	(Δ = 12° 49' 14") (R = 40.538) (L = 9.071) (C = 9.053) (CHB = N 88° 30' 22" W)	
㉔-㉕	(N 83° 05' 42" W)	(26.747)
㉕-㉖	(Δ = 05° 51' 45") (R = 40.538) (L = 4.148) (C = 4.145) (CHB = N 80° 09' 53" W)	
㉖-㉗	(N 67° 50' 34" W)	(181.081)
㉗-㉘	(Δ = 11° 09' 08") (R = 158.368) (L = 31.004) (C = 30.958) (CHB = N 83° 29' 29" W)	
㉘-㉙	(N 70° 58' 57" E)	(43.827)
㉙-㉚	(N 74° 42' 22" W)	(87.084)
㉚-㉛	(N 08° 22' 50" E)	(17.958)
㉛-㉜	(N 08° 27' 01" W)	(4.933)
㉜-①	(N 08° 23' 01" W)	(23.279)
	(AREA = 166,904 ± SQ M.)	

LOT 5173-1-R2NEW-5 R/W

COURSE	BEARING	DIST (m)
1 - 2	N 20° 06' 27" E	31.177
2 - 3	N 48° 07' 43" E	78.839
3 - 4	N 80° 50' 30" E	4.826
4 - 5	S 09° 09' 30" E	12.193
5 - 6	Δ = 31° 42' 47" R = 12.192 L = 6.748 C = 6.662 CHB = S 84° 58' 06" W	
6 - 7	S 48° 07' 43" W	96.793
7 - 8	Δ = 106° 58' 36" R = 13.777 L = 25.724 C = 22.147 CHB = S 04° 21' 38" E	
8 - 9	S 57° 50' 60" E	8.958
9 - 1	Δ = 11° 08' 36" R = 160.288 L = 30.995 C = 30.948 CHB = N 63° 31' 44" W	
	AREA = 1,212 ± SQ M.	

LOT 5173-1-R2NEW-6

COURSE	BEARING	DIST (m)
POB=1 - 2	N 71° 29' 18" E	34.844
2 - 3	N 81° 06' 06" E	28.831
3 - 4	N 74° 40' 19" E	30.809
4 - 5	S 16° 18' 24" E	37.178
5 - 6	S 48° 07' 43" W	78.838
6 - 7	N20° 06' 27" E	22.750
7 - 8	N 74° 48' 10" W	52.044
8 - POB	N 06° 23' 07" E	17.973
	AREA = 1,128 ± SQ M.	

SEE SHEET 1 OF 2

VICINITY MAP (NOT DRAWN TO SCALE)

NOTES:
1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN.
2. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED
3. BEARINGS AND DISTANCES WITHIN PARENTHESIS ARE RECORD, IN PARENTHESIS ARE RECORD DATA, ALL OTHERS ARE 1993 VALUES
4. SUBJECT LOT (S) IS / ARE ZONED "R2" MULTI-DWELLING AS PER 1947 OFFICIAL ZONING MAP, F.347836
5. SUBJECT LOT (S) IS / ARE WITHIN THE NORTHERN AQUIFER.
6. AS-BUILTS EXIST ON THE PROPERTY AS OF APPROVAL OF THIS MAP.
7. CONCRETE HOUSES AS PER AS-BUILTS ARE ONE STORY, SINGLE FAMILY UNITS

REFERENCES:
1. RETRACEMENT SURVEY MAP OF LOTS 5173-1-1R2NEW-R3, 5174-REM-2-R1, 5174-REM-1 5174-REM-1-1D R/W, 5173-1-R2NEW-1G R/W, 5173-1-R2NEW-2G R/W 5173-1-R2G R/W, PARCELLING (R/W REVERANCE) OF LOT 5173-REM(PART)-R, BY PLS. NO 68, L.M. NO. 470 FY92,DOC NO 491844
2. RE-SUBDIVISION SURVEY MAP OF LOTS 5173-1-R2NEW-R2, BY PLS # 68 DWG NO. M-087897, LM. NO. 104 FY 2008, DOC NO 725348.
3. LOT PARCELING SURVEY MAP OF LOTS 5173-1-R2NEW-R3, BY PLS # 68 DWG NO. M-087784, L.M NO 004 FY 2011, DOC. NO 814430
4. CONSOLIDATION & RE-SUBDIVISION OF BLOCK 8 LISNEW, 1-1, LOT 5173-1-2 INTO BLOCK 8 LOT 11, 12, 13, PEREZVILLE, PREPARED BY JUAN R MESA RLS. NO 29. DWG NO. M093-333, LM. NO. 433 FY 72, DOC NO. 304366

CERTIFICATION AND APPROVALS :

SATISFACTORY TO AND APPROVED BY

DAVID V. CAMACHO
ACTING DIRECTOR, DEPARTMENT OF LAND MANAGEMENT
ACTING ADMINISTRATIVE DIRECTOR, CHAMORRO LAND TRUST COMMISSION
DATE 5/3/13

CERTIFICATION OF GUAM CHIEF PLANNER
APPROVED PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 62, SUBDIVISION LAW

MARILYN D. A. MANIBUSAN
ACTING GUAM CHIEF PLANNER
DATE 5/3/2013

CERTIFICATION OF GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE
THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED CHAPTER 60, ARTICLE 3, UNIFORM TRIANGULATION SYSTEM AND REGULATIONS THEREUNDER THIS 3rd DAY OF May, 2013.

PAUL L. SANTOS, PLS # 68
GUAM CHIEF SURVEYOR / CHIEF OF CADASTRE

REVISIONS	DESCRIPTION	BY	APPROVED BY	DATE

LOT PARCELING SURVEY MAP
OF
LOT 5173-1-R2NEW-R4
MUNICIPALITY OF TAMUNING

LAND BOUARE NO 13 SECTION NO 1

SURVEY DATA			LOT DATA
JOB NO.	2138-01-13	DATE	LOT 5173-1
COMPUTED BY	EDGAR T.	FEB. 2013	CERTIFICATE OF TITLE NO. 8497
DRAWN BY	EDGAR T.	FEB. 2013	REGISTERED ON NOV. 20, 1992
RESEARCHED	EDGAR T.	FEB. 2013	IN THE NAME OF
FIELD BY	DLM CREW	FEB. 2013	
CHECKED BY	PLS	MAR. 2013	
SCALE IS METRIC SYSTEM AS SHOWN			
SHEET 2 OF 2			GOVERNMENT OF GUAM
DWG. NO. M-0131722			
L.M. CHECK NO. 078 FY 2013			

GOVERNMENT OF GUAM
GOBETNAMENTON GUAHAN
DEPARTMENT OF LAND MANAGEMENT
DIPATTAMENTON MANMANEHAN TANO'
LAND SURVEY DIVISION
DIBISION AGRAMENSIA TANO'

Department of Land Management Officer of the Recorder
File for Record in Instrument No. 851214
On the Year 13 Month 05 Day 03 Time 1:24
Recording Fee _____ Receipt No. _____
Deputy Recorder
CERTIFIED BY: Lisa G. Mangaoang

FRANK P. TAITANO, PLANNER, DLM
DATE 5-2-2013

JOSEY L. CAMACHO
ENGINEERING TECHNICIAN, DLM
DATE 5-2-13

CERTIFICATION OF PROFESSIONAL LAND SURVEYOR
I, PAUL L. SANTOS, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED ON A FIELD SURVEY MADE ON FEBRUARY 2013 IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, AND THAT I AM RESPONSIBLE FOR THE ACCURACY OF THE DATA AND INFORMATION SHOWN HEREON. I ALSO CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THIS MAP.

PAUL L. SANTOS
PROFESSIONAL LAND SURVEYOR NO 68
DATE 5-2-13

S-142422

CHAMORRO LAND TRUST COMMISSION
RESOLUTION NO. 2017-05

Declaration and Designation of Land for Commercial Use

WHEREAS, the Chamorro Land Trust Commission ***(hereafter CLTC)***, pursuant to Public Law 33-95, may declare and designate certain lands for commercial leasing or licensing to the general public. CLTC shall conduct a public hearing for the proposed lands and the commissioners shall approve by resolution the proposed lands. The resolution shall then be forwarded to *I Liheslaturan Guahan* within thirty days for review; and

WHEREAS, the CLTC board of commissioners at their November 19, 2015, regularly scheduled meeting passed a motion for the CLTC Administrative Director conduct a public hearing of proposed lands; and

WHEREAS, on January 19, 2016, at 6:00PM, the CLTC conducted a public hearing for the proposed lands at the Dededo Senior Center, Dededo Guam; and

WHEREAS, on January 21, 2016, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed the public hearing comments on the proposed lands for commercial use; and

WHEREAS, on March 16, 2017, the CLTC board of commissioners at their regularly scheduled meeting, Tamuning, Guam, approved by a motion to designate the following parcel for commercial use:

Tract 111, Lot 12, Municipality of Tamuning, consisting of approximately 2,564 square meters, as shown on survey map L.M. No. 332FY95, Instrument No. 530747, shown in Exhibit "A", currently Resort-Hotel Zone (H).

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners approves the listed land parcel and declares this land to be designated property for commercial use having been duly public heard in accordance with Public Law 33-95; and

2. The Chamorro Land Trust Commission Board of Commissioners asserts its authority to determine and control the use of this designated property; and

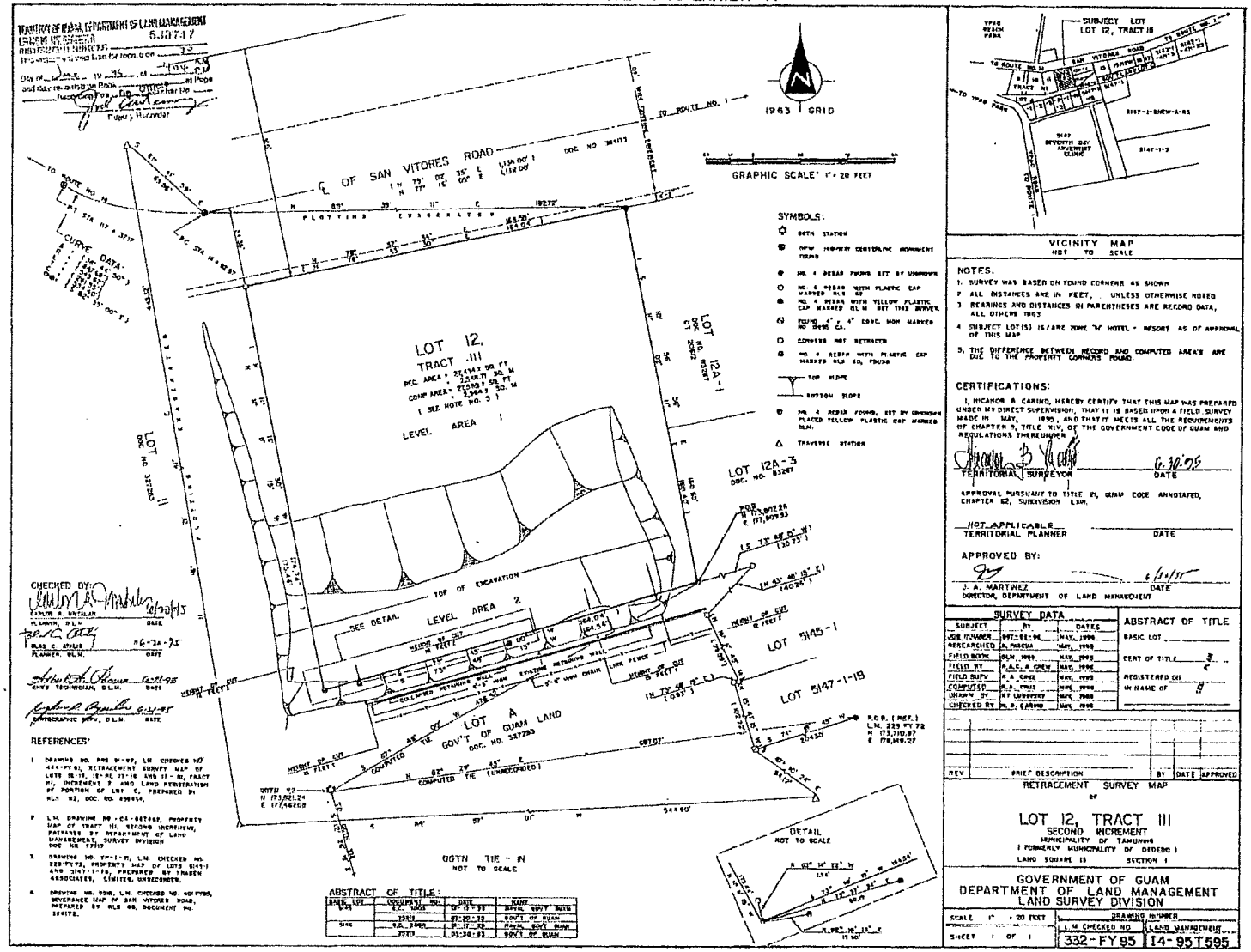
3. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan* with its recommendation to approve the property identified in this Resolution.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION THIS 16TH DAY OF MARCH 2017.

PKatigbak

Date: 20 March 2017

10095 10095



VICINITY MAP
NOT TO SCALE

NOTES:
1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN
2. ALL INSTANCES ARE IN FEET, UNLESS OTHERWISE NOTED
3. BEARINGS AND DISTANCES IN PARENTHESES ARE RECORD DATA, ALL OTHERS 1963
4. SUBJECT LOT(S) IS/ARE ZONE "H" HOTEL - RESORT AS OF APPROVAL OF THIS MAP
5. THE DIFFERENCE BETWEEN RECORD AND COMPUTED AREA'S ARE DUE TO THE PROPERTY CORNERS FOUND.

CERTIFICATIONS:

I, NICANOR R. CARINO, HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS BASED UPON A FIELD SURVEY MADE IN MAY, 1995, AND THAT IT MEETS ALL THE REQUIREMENTS OF CHAPTER 9, TITLE XIV, OF THE GOVERNMENT CODE OF GUAM AND REGULATIONS THEREUNDER.

TERRITORIAL SURVEYOR — DATE 6.30.95

APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, CHAPTER 82, SUBDIVISION LAW.

NOT APPLICABLE
TERRITORIAL PLANNER — DATE

APPROVED BY:
J. A. MARTINEZ — DATE 6/30/95
DIRECTOR, DEPARTMENT OF LAND MANAGEMENT

SURVEY DATA

SUBJECT	BY	DATES
JOB NUMBER	997-RELIM	MAY, 1995
RESEARCHED	A. MACUA	MAY, 1995
FIELD WORK	R.L.M. /	MAY, 1995
FIELD BY	R.A.C. & CREW	MAY, 1995
FIELD SUPV.	R.A. CRUZ	MAY, 1995
COMPUTED	R.L. CRUZ	MAY, 1995
DRAWN BY	MT CABRERA	MAY, 1995
CHECKED BY	N. R. CARINO	MAY, 1995

ABSTRACT OF TITLE
BASIC LOT
CERT OF TITLE
REGISTERED OR
IN NAME OF

REFERENCES:

1. DRAWING NO. PRS 91-97, L.M. CHECKED NO 444-FY 91, RETRACEMENT SURVEY MAP OF LOTS 10-1B, 10-1C, 17-1B AND 17-1C, TRACT III, INCREMENT 2 AND LAND REGISTRATION OF PORTION OF LOT C, PREPARED BY RLS 82, DOC. NO. 456414.
2. L.M. DRAWING NO. 1-C1-867268, PROPERTY MAP OF TRACT III, SECOND INCREMENT, PATAGUES BY DEPARTMENT OF LAND MANAGEMENT, SURVEY DIVISION DOC NO 17715
3. DRAWING NO. 97-1-1, L.M. CHECKED NO. 328-FY 92, PROPERTY MAP OF LOTS 5147-1 AND 5147-1-1B, PREPARED BY FABEN ASSOCIATES, LIMITED, UNRECORDED.
4. DRAWING NO. 8348, L.M. CHECKED NO. 404-FY 85, SEVERANCE MAP OF SAN VITORES ROAD, PREPARED BY RLS 82, DOCUMENT NO. 384173.

REV	BRIEF DESCRIPTION	BY	DATE APPROVED

RETRACEMENT SURVEY MAP
OF
LOT 12, TRACT III
SECOND INCREMENT
MUNICIPALITY OF TAMUNING
(FORMERLY MUNICIPALITY OF DEDEDO)
LAND SQUARE 13 SECTION 1

GOVERNMENT OF GUAM
DEPARTMENT OF LAND MANAGEMENT
LAND SURVEY DIVISION

SCALE	DRAWING NUMBER	
1" = 20 FEET	L.M. CHECKED NO.	LAND MANAGEMENT
SHEET 1 OF 1	332-FY95	14-95T595

CLTC Resolution No. 2017-05 EXHIBIT "A"

CHAMORRO LAND TRUST COMMISSION
Kumision Inangokkon Tano' Chamoru
RESOLUTION NO. 2018-06

Declaration and Position on
Guam Racing Federation License Agreement and
Pursuing a New Lease Agreement
for Lot Number 7161-R1, Yigo, Guam

WHEREAS, the Chamorro Land Trust Commission (CLTC), engaged in a License Agreement, dated June 1, 1998, with the Guam Racing Federation (GRF), for Lot Number 7161-R1, Municipality of Yigo, Guam, consisting of approximately 1,019,844 square meters (252 acres) as authorized by Public Law 24-141, and

WHEREAS, the GRF License Agreement will expire on May 31, 2018, with no remaining options to extend, and

WHEREAS, the Chamorro Land Trust Commission recognizes the service GRF provides to the community by providing a regulated raceway course, and

WHEREAS, the CLTC recognizes the potential for adverse impact to the property should it be allowed to be unused and unsecured for any period of time until a new lease agreement could be promulgated; and

WHEREAS, the CLTC recognizes the need to pursue a new lease agreement on two separate tracks via legislation to renew the contract and to initiate a new lease in accordance with Title 21, Guam Code Annotated (GCA), Chapter 75, Section 75122, Commercial Leases and Licenses, and

WHEREAS, the legal counsel conveyed at the May 3, 2018, the Chamorro Land Trust Commission board of commissioners at their regularly scheduled meeting that 18 GCA, §51105, Renewal, Continued Possession, the parties are presumed to have renewed the hiring on the same terms and for the same time, not exceeding one month when the rent is payable monthly, not in any case one year, and

WHEREAS, on May 3, 2018, the Chamorro Land Trust Commission board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by motion to authorize a month to month extension of the existing Guam Racing Federation License Agreement for its existing terms, not to exceed one year, and

WHEREAS, on May 3, 2018, the Chamorro Land Trust Commission board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by motion to authorize the Administrative Director to proceed in accordance with 21 GCA, §75122 to declare and designate Lot Number 7161-R1, Yigo, Guam, for commercial use, and

WHEREAS, on May 3, 2018, the Chamorro Land Trust Commission board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by motion to authorize the Administrative Director to seek legislation to award a new lease agreement to Guam Racing Federation under new terms and conditions.

Doc. No. 34GL-18-1955.
Doc. No. 35GL-19-0226.

NOW THEREFORE BE IT RESOLVED,

1. The Chamorro Land Trust Commission Board of Commissioners authorizes a month to month extension of the existing Guam Racing Federation License Agreement for its existing terms, not to exceed one year, and

2. The Chamorro Land Trust Commission Board of Commissioners authorizes the Administrative Director to proceed in accordance with 21 GCA, §75122 to declare and designate Lot Number 7161-R1, Yigo, Guam, for commercial use, and

3. The Chamorro Land Trust Commission Board of Commissioners authorizes the Administrative Director to proceed to seek legislation to award a new lease agreement to Guam Racing Federation under new terms and conditions, and

4. The Chamorro Land Trust Commission Board of Commissioners transmits this Resolution to *I Liheslaturan Guahan.*

CHAMORRO LAND TRUST COMMISSION RESOLUTION NO. 2018-06
IS DULY AND REGULARLY ADOPTED BY THE CHAMORRO LAND TRUST COMMISSION
BOARD OF COMMISSIONERS THIS 3rd DAY OF MAY 2018

G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission

Date: 29 May 2018

MICHAEL J.B. BORJA, Administrative Director
Chamorro Land Trust Commission

Date: 5/29/18

Doc. No. 34GL-18-1955.

Doc. No. 35GL-19-0226.

CLTC
Maps & Addendums

CLTC Meeting
2.7.19

CHAMORRO LAND TRUST COMMISSION
MAP APPROVAL

TYPE	LAST NAME	FULL NAME	DATE OF APPLICATION	TIME OF APPLICATION	SEQUENCE NO.	LAST SA ISSUED	PRE-OCCUPIER	LOT DESCRIPTION	SIGNING DATE	LEASE EXP. DATE	RecLEASE#	COMPLAINT/ISSUE	RECOMMENDATIONS
R	Crisostomo	Bertha Munoz Crisostomo	12/2/1995	10:59 AM	193	8/28/2017		Lot 1, Block 5NEW, Tract 1022, Dededo containing an area of not more than one-half (.50) acre subject to survey	8/22/2003	8/22/2102	701317	Pending map approval	Motion to approve Addendum Lease for L10123-3-33 Dededo under LM339FY2018
R	Cruz	Doreen Bennette Cruz	12/4/1995	12:35 PM	1004	4/10/2018		PENDING			N/A	Pending map approval and lease issuance	Motion to approve Lease issuance for L10123-3-13 Dededo under LM306FY2018
A	Mafnas	Michael Santos Mafnas	12/9/1995	9:47 AM	1506	3/8/2008		Lot 2, Block 3REM, Tract 100C, Dededo containing an area of 2,272+/- square meters subject to survey as shown on Scheme No. M05-S035 attached as Exhibit A	3/9/2018	3/9/2117	920237	Pending map approval	Motion to approve Addendum Lease for T100C, Block 3REM, Lot 2 Dededo under LM260FY2018
A	Mafnas	James Santos Mafnas	12/9/1995	9:48 AM	1507	5/1/2018		PENDING	N/A	N/A	N/A	Pending map approval	Motion to approve Lease issuance for T100C, Block 3REM, Lot 3 Dededo under LM260FY018
R	Benavente	Ericka Jean Benavente	2/5/1998	10:58 AM	4369	2/9/2018	Hahaso Rd. Dededo	Lot 10125-11-3-6-2, Dededo containing an area of 1,794+/- square meters subject to survey as shown on Scheme No. M05-S036 attached as Exhibit B	9/16/2002	9/16/2101	Addendum: 914585	Pending map approval	Motion to approve Addendum Lease for L10125-11-3-6-2 Dededo under LM198FY2018
A	Sablan	David Joseph Sablan	12/7/1995	10:39 AM	206	8/2/2007		Lot 10171-81, Dededo containing an area of 4,047+/- square meters subject to survey as shown on Scheme No. M05-S033 attached as Exhibit B	11/26/2002	11/26/2101	909105	Pending map approval	Motion to approve Addendum Lease for L10171-81 Dededo under LM104FY2018
R	Babauta	Christine C. Babauta	12/2/1995	11:34 AM	300	10/15/2014		Lot 1, Block 3NEW, Tract 1022, Dededo	12/9/2003	12/9/2102	N/A	Pending map approval	Motion to approve Addendum Lease issuance on T1022, B3NEW, L1 Dededo under LM348FY2018
R	Camacho	Jessie Jr. Castro Camacho	12/20/1995	11:32 AM	298	2/24/2016		Lot 2, Block 3NEW, Tract 1022, Dededo	12/9/2003	12/9/2102	691003; Addendum: 883993 on 10/2/15	Pending map approval	Motion to approve Addendum Lease issuance on T1022, B3NEW, L2 Dededo under LM348FY2018
R	Cruz	John S.N. Cruz	12/2/1995	1:31 PM	389	8/26/2003		Lot 3, Block 3NEW, Tract 1022, Dededo containing an area of not more than one-half (.50) acre subject to survey	9/29/2003	9/29/2102	Lease: 681798; Addendum: 690077 on 3/24/04	Pending map approval	Motion to approve Addendum Lease issuance on T1022, B3NEW, L3 Dededo under LM348FY2018
R	Santos	Lugene Karol Unchangco Santos	12/4/1995	12:00 PM	932	None		PENDING			N/A	Pending map approval	Motion to approve lease issuance on L10122-22-12 Dededo under LM344FY2018
R	Manglona	Thomas Lujan Manglona	12/2/1995	2:30 PM	574	5/25/2005		Lot 15, Block 7, Tract 11405, Dededo containing an area of one-half (.50) acre.	12/11/2003	12/11/2102	687911: Addendum: 704764 on 03/02/05; 2nd Addendum: 710372 on 6/27/05	Pending map approval	Motion to approve Addendum Lease issuance on T11405, B15, L15 Dededo under LM222FY2018
R	Johnson	Gerald Heath Materne Johnson	12/2/1995	2:55 PM	464	5/1/2008		PENDING			N/A	Pending map approval	Motion to approve lease issuance on L8-33-13 Inarajan under LM323FY2018
R	Cabrera	Annie B. Cabrera	9/9/2002	12:08 PM	5773	4/20/2016	Lot 5402 upper pagat Mangilao	A portion of Lot 5402, Mangilao containing an area of not more than one-half (.50) acre subject to survey	12/24/2002	12/24/2101	N/A	Pending map approval	Motion to approve Addendum Lease issuance on T15213, B9, L29-1 Mangilao under LM307FY2018

Doc. No. 35GL-19-0226.

CHAMORRO LAND TRUST COMMISSION
MAP APPROVAL

TYPE	LAST NAME	FULL NAME	DATE OF APPLICATION	TIME OF APPLICATION	SEQUENCE NO	LAST SA ISSUED	PRE-OCCUPIER	LOT DESCRIPTION	SIGNING DATE	LEASE EXP DATE	Rec LEASE#	COMPLAINT/ISSUE	RECOMMENDATIONS
A	Reyes	William Naputi Reyes	12/2/1995	5:18 PM	691	3/12/2018		Lot 4, Block 13, Tract 2831, Talofofo containing an area of 2,655+/- square meters subject to survey as shown on Scheme No. M011-S004 attached as Exhibit A	2/23/2018	2/23/2117	921454	Pending map approval	Motion to approve Addendum Lease Issuance on T2831, B13, L6-4 Talofofo under LM244FY2018
R	Reyes	Millie Ann Reyes	12/2/1995	10:25 AM	186	3/23/2018		Lot 5, Block 13, Tract 2831, Talofofo containing an area of 2,056+/- square meters subject to survey as shown on Scheme No. M011-S004 attached as Exhibit B	11/19/1997	11/19/2096	N/A	Pending map approval	Motion to approve Addendum Lease Issuance on T2831, B13, L6-5 Talofofo under LM244FY2019
A	Reyes	Michael Wayne Reyes	12/2/1995	5:19 PM	692	12/202007		PENDING				Pending map approval	Motion to approve Lease Issuance on T2831, B13, L6-6 Talofofo under LM244FY2020
R	Reyes	Steven Willie Reyes	12/2/1995	10:23 AM	183	3/12/2018		Lot 7, Block 13, Tract 2831, Talofofo containing an area of 2,115+/- square meters subject to survey as shown on Scheme No. M011-S004 attached as Exhibit B	11/19/1997	11/19/2096	Addendum: 919268	Pending map approval	Motion to approve Addendum Lease Issuance on T2831, B13, L6-7 Talofofo under LM244FY2019
R	Nelson	Shawn Joseph Nelson	12/7/1995	4:32 PM	1815	3/21/2018		Lot 6-8, Block 13, Tract 2831, Talofofo containing an area of 2,024+/- square meters subject to survey as shown on Scheme No. M011-S004 attached as Exhibit A	2/7/2018	2/7/2117	920132	Pending map approval	Motion to approve Addendum Lease Issuance on T2831, B13, L6-8 Talofofo under LM244FY2019
A	San Agustin	Vandrick Perez San Agustin	12/2/1995	1:55 PM	523	3/7/2018		Lot 19, Block 10, Tract 10121, Yigo containing an area of 4,047+/- square meters subject to survey as shown on Subdivision Master Plan No. 2015-M13-4	12/18/2001	12/18/2100	704399; Addendum: 918999 on 3/7/18	Pending map approval	Motion to approve Addendum Lease Issuance on T10121, B10, L19 Dededo under LM322FY2018
R	Cing	Robert Terlaje Cing	12/4/1995	1:55 PM	1005	1/10/2006		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-105 Yigo under LM294FY2018
R	Franquez	Michael James Franquez	12/2/1995	4:51 PM	687	1/20/2006		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-106 Yigo under LM294FY2018
R	Guerrero	Francine Benavente Guerrero	12/4/1995	3:01 PM	1081	None		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-107 Yigo under LM294FY2018
R	Westfall	Michael John Westfall	12/2/1995	3:19 PM	557	12/30/2004		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-109 Yigo under LM294FY2018
A	Wilson	Elenita Rivera Wilson	12/2/1995	3:10 PM	528	None		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-111 Yigo under LM294FY2018
A	Vawter	George Quenga Horace Vawter	12/4/1995	10:52AM	865	7/12/2007		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-112 Yigo under LM294FY2018
R	Santos	Ray Steven Santos	12/2/1995	10:56 AM	190	12/17/2007		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-121 Yigo under LM294FY2018
R	Duenas	Anita Martinez Duenas	12/4/1995	3:44 PM	1150	10/6/2005		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-124 Yigo under LM294FY2018
R	Camacho	Keith Lujan Camacho	12/5/1995	9:56 AM	661	10/30/2006		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-132 Yigo under LM294FY2018

CHAMORRO LAND TRUST COMMISSION
MAP APPROVAL

TYPE	LAST NAME	FULL NAME	DATE OF APPLICATION	TIME OF APPLICATION	SEQUENCE NO.	LAST SA ISSUED	PRE-OCCUPIER	LOT DESCRIPTION	SIGNING DATE	LEASE EXP. DATE	RecLEASE#	COMPLAINT/ISSUE	RECOMMENDATIONS
R	Taltano	Pedro Taimanglo Taltano	12/5/1995	4:17 PM	1304	4/18/2008		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-133 Yigo under LM294FY2018
R	Quinene	Angelina Fegurgur Santos Quinene	12/2/1995	5:32 PM	712	4/9/2008		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-150 Yigo under LM294FY2018
R	Cacapit	Kimberlin Castro Cacapit	12/6/1995	8:02 AM	1218	4/9/2008		PENDING				Pending map approval	Motion to approve Lease Issuance on L7160-151 Yigo under LM294FY2018
R	Aguon	Jess Quintanilla Aguon	12/2/1995	10:21 AM	146	7/11/2017		Lot 11, Block 26, Tract 9210 (Phase - II), Yigo containing an area of 2,514+/- square meters subject to survey as shown on Subdivision Master Plan No. 2015-M13-1	7/5/2017	7/5/2116		Pending map approval	Motion to approve T9210, B26, L11 Yigo under LM351FY2018
	UNKNOWN LESSEE											Pending map approval	Motion to approve L7160-122 Yigo map under LM294FY2018
	UNKNOWN LESSEE											Pending map approval	Motion to approve L7160-131 Yigo map under LM294FY2018
	UNKNOWN LESSEE											Pending map approval	Motion to approve T10121, B8, L12 and L13 Dededo under LM135FY2018
	UNKNOWN LESSEE											Pending map approval	Motion to approve T10121, B4, L27 3 Dededo under LM322FY2018
	UNKNOWN LESSEE											Pending map approval	Motion to approve L480-74 Agat under LM339FY2018

Beneficiary Approval List

CLTC Meeting
2.21.19

Beneficiary Approvals

	Date approved	Applicant	Lot Description	Designated Beneficiary	Relation to Applicant	Approving Official
1	1/31/2019	Rosa Nededog Cruz	Lot 19, Block 3, Tract 31402, Agat	Leah Rose Cruz	Granddaughter	Paul L. Santos, Acting Director
2	2/11/2019	Eddie Concepcion Muna	Lot 3, Block 17, Tract 10316, Dededo	Sirena Roxanna Muna	Niece	Jack E. Hattig III, Administrative Director
3	2/11/2019	Florencia Sablan Villagomez	none	Sean S. Villagomez	Son	Jack E. Hattig III, Administrative Director
4	2/12/2019	Emmett Samuel Whitt	none	James N. Whitt	Brother	Jack E. Hattig III, Administrative Director
5	2/12/2019	Fred Tajalle Babauta	none	Anthony L.G. Babauta	Son	Jack E. Hattig III, Administrative Director
6	2/12/2019	Ann Marie Ayuyu	none	Monique Rose Ayuyu	Daughter	Jack E. Hattig III, Administrative Director
7	2/12/2019	Bianca Tamara Ward	none	Angelica Cecilia Trevizo	Daughter	Jack E. Hattig III, Administrative Director
8	2/12/2019	Cecilia Merfalen Guevara Eustaquio	none	George Castro Eustaquio Jr.	Spouse	Jack E. Hattig III, Administrative Director
9	2/12/2019	Allen Roy Kidd	none	Mariana Araneta Kidd	Daughter	Jack E. Hattig III, Administrative Director
10	2/12/2019	Lorenzo Thomas Toves	Lot 4, Block 5, Tract 15213, Mangilao	Mia Theresa Toves	Daughter	Jack E. Hattig III, Administrative Director
11	2/12/2019	Julia A. Pangelinan	Lot 1, Block 8, Tract 18113, Mangilao	Jocelyn A. Pangelinan	Daughter	Jack E. Hattig III, Administrative Director
12	2/12/2019	Teodoro Aguon Nauta	Lot 10119-6, Dededo	Raymond C. Nauta	Son	Jack E. Hattig III, Administrative Director
13	2/12/2019	Christopher Edward Hill	Lot 11, Block 15, Tract 9210 (Phase-1), Yigo	Latesha Lynn M. Hill	Spouse	Jack E. Hattig III, Administrative Director
14	2/12/2019	Teresita Mendiola McDaniel	Lot 7153, Yigo	Gus M. Gogue	Common-law	Jack E. Hattig III, Administrative Director
15	2/12/2019	Josefa A. Acfalle	Lot 7150-R4NEW-1-R1, Yigo	David R. Quitugua, Jr.	Son	Jack E. Hattig III, Administrative Director

Utility Authorization List

CLTC Meeting
2.21.19

Utility Authorizations Issued

	Date	Type	Applicant	Lot Description	Recorded Lease Doc#	Type of Authorization	Approving Official
1	2/7/2019	Agriculture	Andrew M. Cruz	Lot 5412-10, Mangilao	897196	power/water	Jack E. Hattig III, Administrative Director
2	2/11/2019	Residential	Kathy M. Wusstig	Lot 7022-12, Yigo	893190	power/water/telephone	Jack E. Hattig III, Administrative Director
3	2/13/2019	Residential	Marcia Damian Taitano	Lot 19NEW-3, Block F, Tract 9, Barrigada	900601	power/water	Jack E. Hattig III, Administrative Director

Tina

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
http://dlm.guam.gov

E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

LOURDES A. LEON GUERRERO
Governor

JOSHUA F. TENORIO
Lieutenant Governor

JOSEPH M. BORJA
Director

February 13, 2019

Memorandum

To: Governor of Guam

From: Acting Director, Department of Land Management

Subject: **FY 2019 MONTHLY REVENUE COLLECTION REPORT – DECEMBER 2018**

Buenas yan Hafa Adai! Forwarded is the ***DECEMBER 2018*** Revenue Collection Report, pursuant to Public Law 17-70, Section 13971.1, revenues collected by the Department of Land Management and the Chamorro Land Trust Commission and deposited into the various accounts listed below:

ACCOUNT NAME	DECEMBER Rev COLLECTED	To Date COLLECTED
3222 - Land Survey Revolving Fund	$352,992.20	$806,718.23
1100 - Dept's/Other Special Account	$1,364.71	$3,867.42
3100 - General Fund Account	$0.00	$1.59
3624 – Chamorro Land Trust Commission	$58,405.86	$133,050.68
3669 – Chamorro Land Trust Survey	$37,200.15	$40,964.13
GRAND TOTAL	**$449,962.92**	**$984,602.05**
To Date Collection for FY 2019		**$984,602.05**

In addition, revenues from the Non-Appropriated Funds were received, as follow:3

Chamorro Land Trust Commission

DESCRIPTION	DECEMBER Rev COLLECTED	To Date COLLECTED	Account Bal as of DECEMBER 2018
Bank of Guam Account TDOA #XXXXXX2274	$21.64	$64.22	$203,862.78
Bank of Guam Account Chkg #XXXXX5976	$0.00	$0.00	$10,940.94
Bank of Guam TCD #XXXXXX7964	$0.00	$0.00	$300,000.00
GRAND TOTAL	**$21.64**	$64.22	**$514,803.72**
To Date Collection for FY 2019 (Chamorro Land Trust – NAF)		**$64.22**	

FY2019 Monthly Revenue Collection Report - December 2019

CLTC Meeting
2.21.19

Ancestral Lands Commission

DESCRIPTION	DECEMBER Rev COLLECTED	To Date COLLECTED	Account Bal as of DECEMBER 2018
Bank of Hawaii Account # XXXX-XX0217 Trust	$7.56	$19.29	$77,987.22
Coast 360 FCU Account #XX6454			
- Trust Share Savings #0100	$23,069.47	$173,643.39	$708,139.32
- Secondary Savings #0101	$5.37	$5.37	$4,992.08
- Survey Infrastructure & Dev #0102	$24,921.31	$99,081.00	$123,999.45
- Checking #0200	$1.04	$1.04	$3,374.50
- 12 Months Jumbo Term Share #0401	$7,544.58	$7,544.58	$527,860.70
- 24 Months Jumbo Term Share #0403	$0.00	$0.00	$314,705.87
- 36 Months Jumbo Term Share #0404	$0.00	$0.00	$311,890.85
- 18 Months Jumbo Term Share #0405	$0.00	$0.00	$1,000,000.00
- 24 Months Jumbo Term Share #0406	$0.00	$0.00	$1,000,000.00
- 48 Months Jumbo Term Share #0407	$0.00	$0.00	$2,100,000.00
- 36 Months Jumbo Term Share #0408	$0.00	$0.00	$2,490,000.00
GRAND TOTAL	$55,549.33	$280,294.67	**$8,662,949.99**
To Date Collection for FY 2019 (Ancestral Lands – NAF)		$280,294.67	

If you have any questions or require additional information, please do not hesitate to call our Administrative Support Unit at 649-5263 ext. 600.

Senseramente,

JOSEPH M. BORJA

Attachment

cc: Speaker Tina Muna-Barnes, 35th Guam Legislature
Chairperson Therese M. Terlaje, Committee on Environment, Land, Agriculture, and Procurement Reform
Office of the Public Auditor of Guam
Director, Bureau of Budget and Management Research
Mr. Jason Baza, DLM Budget Analyst, Bureau of Budget & Management Research
Director, Department of Administration
Comptroller, Department of Administration
Financial Statement Reporting Branch, Department of Administration
CLTC Board Members (via Board Secretary)
DLM Deputy Director
DLM Division Heads (4)

DEPARTMENT OF LAND MANAGEMENT
REVENUE COLLECTION REPORT
FISCAL YEAR 2019

TITLE DESCRIPTION	Carry Over Balance	ACCT.	ACCT. #	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	TO DATE
Documentary Taxes		LSRF	3222-51801	$ 127,197.49	$ 235,068.80	$ 319,932.83										$ 682,199.12
Recording Fee		LSRF	3222-56910	$ 29,523.50	$ 23,230.50	$ 22,343.50										$ 75,097.50
Photostat Fees		LSRF	3222-56912	$ 5,665.00	$ 4,882.50	$ 3,834.00										$ 14,381.50
Survey Copies		LSRF	3222-56912	$ 2,705.00	$ 1,397.00	$ 882.00										$ 4,984.00
C.T. Copies		LSRF	3222-56912	$ 5,115.50	$ 12,852.00	$ 2,955.50										$ 20,923.00
Subpoena Fees		LSRF	3222-57208													$ -
Commercial Lease		LSRF	3222-54202	$ 3,044.37	$ 3,044.37	$ 3,044.37										$ 9,133.11
Recording Overage		GF	3100-56916		$ 1.59											$ 1.59
HPR & Other App. Fee	*$ 86,680.16*	SA	1100-2429A	$ 327.75	$ 1,948.00	$ 1,150.25										$ 3,426.00
LUPRA (2900RS010)	*$ 10,238.06*	SA	1100-23316		$ 226.96	$ 214.46										$ 441.42
GGN Fee (2910RS010) P.L. 23-31	*$ 23,466.24*	SA	1100-23337													$ -
Land Trust Application Fees		CLTO	3624-52101	$ 450.00	$ 50.00	$ 100.00										$ 600.00
Commercial Lease/License		CLTO	3624-54201	$ 62,658.50	$ 10,929.24	$ 58,017.81										$ 131,605.55
Interest		CLTO	3624-54101	$ 281.76	$ 275.32	$ 288.05										$ 845.13
CLT-OPS Sale of Govt Land		CLTO	3624-57207													$ -
CLT-SUR-Commercial Lease & Lic (P.L. 33-90)			3669-52001	$ 458.33	$ 458.33	$ 37,200.00										$ 38,116.66
CLT-SUR-Agr/Res Land Trust Lease (P.L. 33-90)			3669-56001	$ 322.00	$ 133.00	$ -										$ 455.00
CLT-SUR-Sale of Govt Land (P.L. 33-90)			3669-57001		$ 2,392.02	$ -										$ 2,392.02
CLT-Interest Inc			3669-54101	$ 0.15	$ 0.15	$ 0.15										$ 0.45
LSRF COLLECTED (3222)				$ 173,250.86	$ 280,475.17	$ 352,992.20	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 806,718.23
GENERAL FUNDS COLLECTED (3100)				$ -	$ 1.59	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1.59
SPECIAL ACCT. COLLECTED (1100)				$ 327.75	$ 2,174.96	$ 1,364.71	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,867.42
DLM TOTAL				$ 173,578.61	$ 282,651.72	$ 354,356.91	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 810,587.24
Chamorro Land Trust Operations Total (3624)				$ 63,390.26	$ 11,254.56	$ 58,405.86	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 133,050.68
[redacted]				[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
CLTO/CLTS TOTAL				$ 64,170.74	$ 14,238.06	$ 95,606.01	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 174,014.81
GRAND TOTAL				$ 237,749.35	$ 296,889.78	$ 449,962.92	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 984,602.05

Documentary Taxes collection is now being deposited into LSRF, effective 23 Oct 2000, as per Executive Order 2000-35

(GF) Deposited into General Fund.
(LSRF) Deposited into Land Survey Revolving Fund Account
(S/A) * Deposited into established Special Account.
(CLTO) Deposited into Chamorro Land Trust Operations
(CLTS) Deposited into Chamorro Land Trust Survey Fund

Prepared By:
Patricia A. Muna, Administrative Assistant 1/15/19

Copies Provided to:
Speaker (Acting) Therese M. Terlaje, 34th Guam Legislature
Chairman Thomas C. Ada, Committee on Environment, Land, Agriculture, and Procurement Reform
Office of the Public Auditor
Director, Bureau of Budget & Management Research (BBMR)
BBMR, Mr. Jason Baza, DLM Budget Analyst
Director, Department of Administration
DOA, Comptroller
DOA, Financial Statement Reporting Branch
DLM Deputy Director
DLM Division Heads (4)
CLTC Board Members

Margerita

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

Street Address:
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Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
http://dlm.guam.gov

E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

LOURDES A. LEON GUERRERO
Governor

JOSHUA F. TENORIO
Lieutenant Governor

JOSEPH M. BORJA
Director

February 20, 2019

Memorandum

To: Governor of Guam

From: Acting Director, Department of Land Management

Subject: **FY 2019 MONTHLY REVENUE COLLECTION REPORT – JANUARY 2019**

Buenas yan Hafa Adai! Forwarded is the ***JANUARY 2019*** Revenue Collection Report, pursuant to Public Law 17-70, Section 13971.1, revenues collected by the Department of Land Management and deposited into the various accounts listed below:

ACCOUNT NAME	DECEMBER Rev COLLECTED	To Date COLLECTED
3222 - Land Survey Revolving Fund	$141,748.04	$948,466.27
1100 - Dept's/Other Special Account	$2,965.75	$6,833.17
3100 - General Fund Account	$1.00	$2.59
GRAND TOTAL	**$144,714.79**	**$955,302.03**
To Date Collection for FY 2019		**$955,302.03**

If you have any questions or require additional information, please do not hesitate to call our Administrative Support Unit at 649-5263 ext. 600.

Senseramente,

JOSEPH M. BORJA

Attachment

cc: Speaker Tina Muna-Barnes, 35th Guam Legislature
Chairperson Therese M. Terlaje, Committee on Environment, Land, Agriculture, and Procurement Reform
Office of the Public Auditor of Guam
Director, Bureau of Budget and Management Research
Mr. Jason Baza, DLM Budget Analyst, Bureau of Budget & Management Research
Director, Department of Administration
Comptroller, Department of Administration
Financial Statement Reporting Branch, Department of Administration
DLM Division Heads (4)

DEPARTMENT OF LAND MANAGEMENT
REVENUE COLLECTION REPORT
FISCAL YEAR 2019

TITLE DESCRIPTION	Carry Over Balance	ACCT.	ACCT. #	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	TO DATE
Documentary Taxes		LSRF	3222-51801	$ 127,197.49	$ 235,068.80	$ 319,932.83	$ 106,322.67									$ 788,521.79
Recording Fee		LSRF	3222-56910	$ 29,523.50	$ 23,230.50	$ 22,343.50	$ 23,506.50									$ 98,604.00
Photostat Fees		LSRF	3222-56912	$ 5,665.00	$ 4,882.50	$ 3,834.00	$ 4,315.00									$ 18,696.50
Survey Copies		LSRF	3222-56912	$ 2,705.00	$ 1,397.00	$ 882.00	$ 1,107.50									$ 6,091.50
C.T. Copies		LSRF	3222-56912	$ 5,115.50	$ 12,852.00	$ 2,955.50	$ 3,452.00									$ 24,375.00
Subpoena Fees		LSRF	3222-57208													$ -
Commercial Lease		LSRF	3222-54202	$ 3,044.37	$ 3,044.37	$ 3,044.37	$ 3,044.37									$ 12,177.48
Recording Overage		GF	3100-56916		$ 1.59		$ 1.00									$ 2.59
HPR & Other App. Fee	*$ 86,680.16*	SA	1100-2429A	$ 327.75	$ 1,948.00	$ 1,150.25	$ 965.75									$ 4,391.75
LUPRA (2900RS010)	*$ 10,238.06*	SA	1100-23316		$ 226.96	$ 214.46										$ 441.42
GGN Fee (2910RS010) P.L. 23-31	*$ 23,466.24*	SA	1100-23337				$ 2,000.00									$ 2,000.00
LSRF COLLECTED (3222)				$ 173,250.86	$ 280,475.17	$ 352,992.20	$ 141,748.04	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 948,466.27
GENERAL FUNDS COLLECTED (3100)				$ -	$ 1.59	$ -	$ 1.00	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 2.59
SPECIAL ACCT. COLLECTED (1100)				$ 327.75	$ 2,174.96	$ 1,364.71	$ 2,965.75	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 6,833.17
DLM TOTAL				$ 173,578.61	$ 282,651.72	$ 354,356.91	$ 144,714.79	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 955,302.03

Documentary Taxes collection is now being deposited into LSRF, effective 23 Oct 2000, as per Executive Order 2000-35

(GF) Deposited into General Fund.
(LSRF) Deposited into Land Survey Revolving Fund Account
(S/A) * Deposited into established Special Account.

Prepared By:
Patricia A. Muna, Administrative Assistant 2/20/19

Copies Provided to:
Speaker Tina Muna-Barnes, 35th Guam Legislature
Chairperson Therese M. Terlaje, Committee on Environment, Land, Agriculture, and Procurement Reform
Office of the Public Auditor
Director, Bureau of Budget & Management Research (BBMR)
BBMR, Mr. Jason Baza, DLM Budget Analyst
Director, Department of Administration
DOA, Comptroller
DOA, Financial Statement Reporting Branch
DLM Deputy Director
DLM Division Heads (4)

Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932 *Phone: 649-5263 Ext. 400 Fax: 649-5383*

Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

Commission Members

G. Pika Fejeran
Chairwoman

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

Austin J. Duenas
Commissioner

Shawntel L. Techaira
Commissioner

Jack E. Hattig III
Administrative Director

February 25, 2019

Memorandum

TO: Honorable Lourdes A. Leon Guerrero
Governor of Guam

FR: Administrative Director

RE: **FY2019 Monthly Revenue Collection Report**

Buenas yan Hafa Adai!

In accordance with the Guam Code Annotated Title 21, Chapter 75, §75123(b), the Chamorro Land Trust Commission (CLTC) is submitting its monthly revenue collection report for Appropriated and Non-Appropriated Funds for January 2019.

Account/Fund Name	JANUARY REV Collected	Year to Date Collected
3222 - CLTC Operations	$ 416,146.25	$549,196.93
3415 - CLTC Loan Guaranty	$ 11,290.61	$21,923.92
3669 - CLTC Survey & Infrastructure	$ 6,129.81	$47,093.94
Total	**$ 433,566.67**	**$618,214.79**

In addition, revenues from the Non-Appropriated Funds are reported as follows:

Account/Fund Name	JANUARY REV Collected	Year to Date Collected	Acct. Bal. as of JANUARY 2019
Bank of Guam Acct. TDOA #XXXXXX2274	$21.64	$85.86	$203,884.42
Bank of Guam Acct. Chkg #XXXXXX5976	$ 0.00	$0.00	$10,940.94
Bank of Guam TCD #XXXXXX7964	$0.00	$0.00	$300,000.00
Total	**$ 21.64**	**$85.86**	**$514,825.36**

Rev. 02/4/2019

If you should have any questions or require additional information, please do not hesitate to contact Mr. Joseph Cruz at 649-5263 ext. 430.

Senseramente,

Jack E. Hattig III

Attachment

Cc: Speaker, Senator Tina Muña-Barnes, 35th Guam Legislature
Chairwoman, Senator Therese M. Terlaje, Committee on Environment, Land, Agriculture, and Procurement Reform
Office of Public Accountability
Director, Bureau of Budget and Management Research (BBMR)
Mr. Jason Baza, CLTC Budget Analyst, BBMR
Director, Department of Administration
Comptroller, Department of Administration
Financial Statement Reporting Branch, Department of Administration
CLTC Board Members

CHAMORRO LAND TRUST COMMISSION
REVENUE COLLECTION REPORT
FISCAL YEAR 2019

TITLE DESCRIPTION	ACCT.	ACCT. #	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	TO DATE
Land Trust Application Fees	OPS	3624-52101	450.00	50.00	100.00	150.00									$ 750.00
Interest	OPS	3624-54101	281.76	275.32	288.05	322.64									$ 1,167.77
Commercial/ License	OPS	3624-54201	62,658.50	10,929.24	58,017.81	415,673.61									$ 547,279.16
Agr/Res Land Trust Lease	OPS	3624-54202													$ -
															$ -
Commercial / License	SI	3669-52001	458.33	458.33		5,916.66									$ 6,833.32
Interest	SI	3669-54101	0.15	0.15	0.15	0.15									$ 0.60
Agr/Res Land Trust Lease	SI	3669-56001	322.00	133.00		213.00									$ 668.00
Sale of Government Land	SI	3669-57001		2,392.02	37,200.00										$ 39,592.02
															$ -
Payment In Lieu of Real Property Taxes	LG	3415-37502	4,003.97	2,759.91	3,829.78	11,277.25									$ 21,870.91
Interest	LG	3415-54101	13.36	12.93	13.36	13.36									$ 53.01
															$ -
															$ -
															$ -
															$ -
															$ -
															$ -
															$ -
															$ -
CLTC Operations Total			$ 63,390.26	$ 11,254.56	$ 58,405.86	$ 416,146.25	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 549,196.93
CLTC Survey & Infrastructure Total			$ 780.48	$ 2,983.50	$ 37,200.15	$ 6,129.81	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 47,093.94
CLTC Loan Guaranty Total			$ 4,017.33	$ 2,772.84	$ 3,843.14	$ 11,290.61	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 21,923.92
GRAND TOTAL			$ 68,188.07	$ 17,010.90	$ 99,449.15	$ 433,566.67	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 618,214.79

(OPS) CLTC Operations Fund
(SI) CLTC Survey & Infrastructure Fund
(LG) CLTC Loan Guaranty Fund

Prepared By:
Joseph Cruz, Program Coordinator III

Copies Provided to:
Speaker, Senator Tina Muña Barnes, 35th Guam Legislature
Chairwoman, Senator Therese M. Terlaje, Committee on Health, Tourism, Historic I
Office of the Public Accountability
Director, Bureau of Budget & Management Research (BBMR)
BBMR, Mr. Jason Baza, DLM Budget Analyst
Director, Department of Administration
DOA, Comptroller
DOA, Financial Statement Reporting Branch
CLTC Board Members

2/25/2019

DIRECTOR'S REPORT – 7 Mar 2019
Jack E. Hattig, III – Administrative Director
CHamoru Land Trust Commission

SEPARATION OF AGENCIES –
Currently, the separation from DLM and GALC is ongoing. I'm pleased to report that a Request for Proposal for CLTC office space has been submitted to the General Services Agency for procurement. I have taken the initiative of assessing our needs for square footage at other areas within the ITC Building and I'm content to report that I have found a suitable space that is considerably better than our current space. The separation and relocation of certain offices has been decelerated by the impending expiration of the lease for the space in the ITC Building on 30 Jun although the three agencies under the current FY19 budget have enough money to continue the lease until the end of the fiscal year. I would like to have a separate lease in place for the CLTC by June. All three agencies propose to seek square footage separately within the confines of the ITC Building for the FY20 budget and beyond. A Memorandum of Understanding (MOU) is being established for the continued use of the DLM Conference Room, survey related activities, records services, land registration, use of official government vehicles, and other related services. I am currently working with DLM IT staff on the separation of the CLTC website. I will be reporting to the Board monthly on the status of all separation activities.

BUDGET & FINANCE–
On 25 Feb I transmitted the FY2019 Monthly Revenue Collection Report to the Governor in accordance with GCA, Title 21, Chapter 75, 75123(b). The CLTC Board of Commissioners was copied on the memorandum. I hold weekly meetings with Program Coordinator III (PC3) Cruz with regards to budget and finance. PC3 Cruz has indicated that from the sale of government lands, we are expected to gain at least $200,000 in new revenue during FY19. We must be prepared for the prospect of separate utilities and communications expenses as well as that of supplies and equipment. I am currently reviewing the Guam Raceway Lease and its relation to the proposal by GEDA. A meeting is forthcoming with representatives from the Guam Raceway to proceed with lease negotiation. The proposed lease will be made available at the 7 Mar Board meeting. I would like to get the Board's input for the five other properties before engaging GEDA further because I believe we may be able to manage those leases without giving up 14% as a service fee. Given the current projection for the amount of land available for commercial leasing, it's estimated that the CLTC will only have about 50 more acres available due to the 9% allowed by law. Current projections show that Trust will not be able to sustain operations after 2026 with current leasing and licensing.

Initial Recommendations-
1. Propose handling our commercial lease agreements in-house to maximize our financial benefit
2. Propose increasing in the percentage cap on property available for commercial lease from 9% up to no more than 25% for legislative approval
3. Propose identifying more funds for separate operations and personnel to hire appropriate supervisory staff and improve employee working conditions

STAFFING –

A proposed organizational chart has been submitted to the Board. All job descriptions are currently being reviewed. One DLM Land Administrator (LAD) and Land Agent Supervisor (LAS) are currently detailed to CLTC for supervision purposes. There is a need for a CLTC LAD to work with DLM on crucial services and research for complex cases that require a deeper knowledge of land laws, rules, and regulations. There is a need for a CLTC LAS to supervise all Land Agents. Employees do not have enough workspace to accomplish their assigned tasks. Office space reorganization is currently ongoing in conjunction with separation of the three land agencies. One Land Agent I (LA1) is currently transcribing and organizing minutes for the Board full time. There is a vacant LA1 position that we are unable to fill in FY19. There is one Land Agent II (LA2) and one LA1 handling compliance issues. Two Engineer Technician II (ET2s) are managing surveying and drafting duties for what should be at least 9 LAs. I am working to improve the current employee evaluation system. I am concerned about the DLM Director's request to use executive authority to transfer three key employees to DLM as well as to release a CLTC employee after their probationary period. I suggest a separate executive session to discuss these personnel matters further. These personnel actions will result in a need to fill these vacant positions for continued operations.

Initial Recommendations

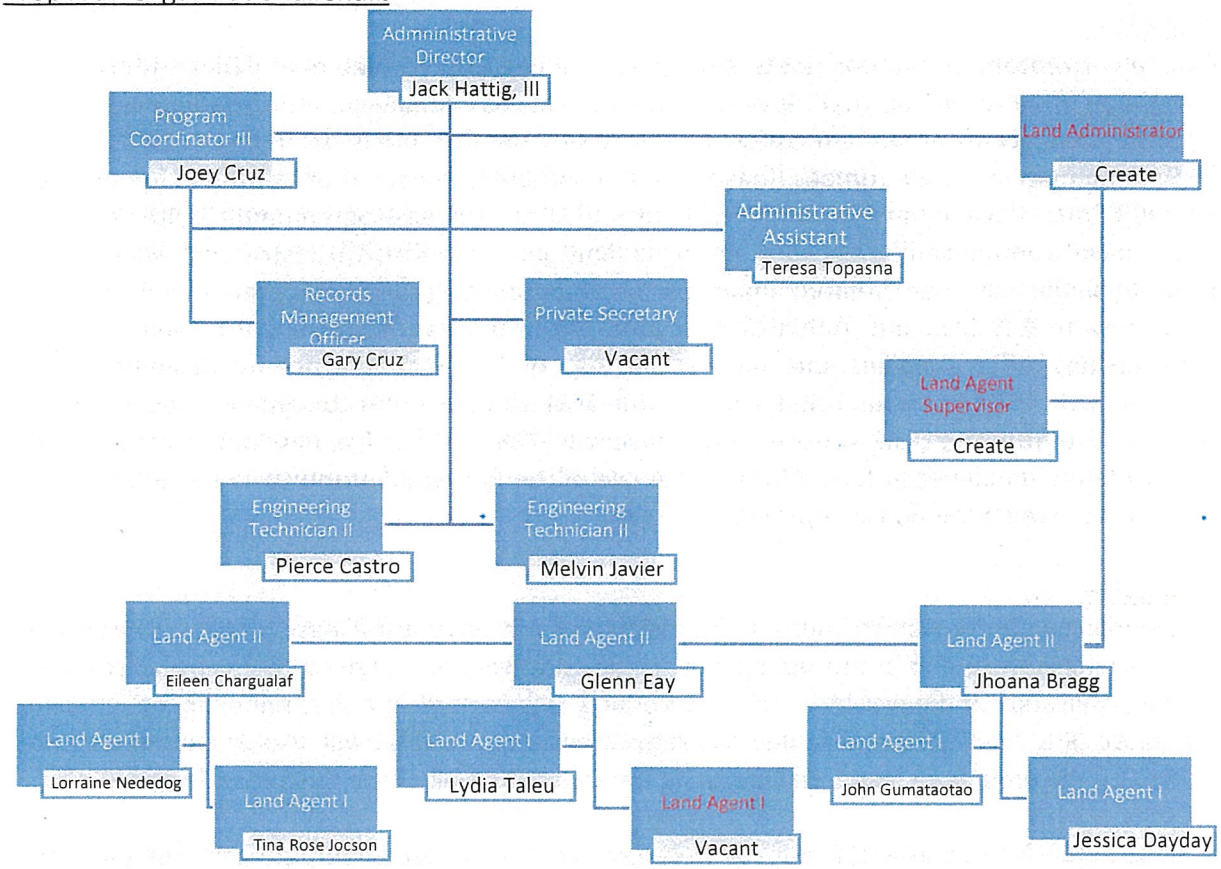
Short Term – FY19

1. Establish employee Organizational Chart and conduct review of job descriptions
2. Immediately require that all Land Agents be assigned Land Agent duties and responsibilities
3. Re-establish employee floor plan to maximize space and make appropriate improvements without tapping into the existing budget
4. Immediately hire a private secretary instead on an administrative aide for clerical duties for the AD as well as organizing the minutes and agenda items for the Board
5. Retain services of DLM Land LAD and Land Agent Supervisor (LAS) until the end of FY19 and establish and implement a training and mentoring plan for a permanent CLTC LAD
6. Establish employee Performance Evaluation Module (PEM) and performance indicators
7. Establish Employee Standard Operating Procedures and a Customer Service Policy

Long Term – FY20 and beyond

1. Remodel offices for improved workplace environment
2. Establish MOUs with DPW, DOAg, and GHURA/GHC to create and implement Compliance Training Programs (CTPs) for all Land Agents (LAGs) with regards to building codes, public easements, rights of way, and agricultural and housing compliance
3. Establish repository or central files area for Commission documents
4. Establish MOU with DLM for continued supervision of ET2s, continued use of the DLM Conference Room, use of official government vehicles, and other services
5. Look for larger workspace that is collocated with DLM and GALC without leasing
6. Establish one Land Administrator (LA) position and job description
7. Fill the vacant Land Agent I (LA1) position

Proposed Organizational Chart



PROPOSED EMPLOYEE RATING SCHEME –

Rated Employee	*Supervisor*	*Rater*	*Reviewer*	*Approver*
Land Administrator (LAD)	AD	AD	AD	AD
Land Agent Supervisor (LAS)	LAD	LAD	AD	AD
Program Coordinator III (PC3)	LAD	LAD	AD	AD
Engineer Technician II (ET2) - 2	COC	LAS	LAD	AD
Records Management Officer (RMO)	PC3	PC3	LAS	AD
Land Agent II (LA2) - 3	LAS	LAS	LAD	AD
Administrative Assistant (AA)	PC3	PC3	LAD	AD
Private Secretary (PS)	PC3	PC3	LAD	AD
Land Agent I (LA1) - 6	LAS	LAS	LAD	AD

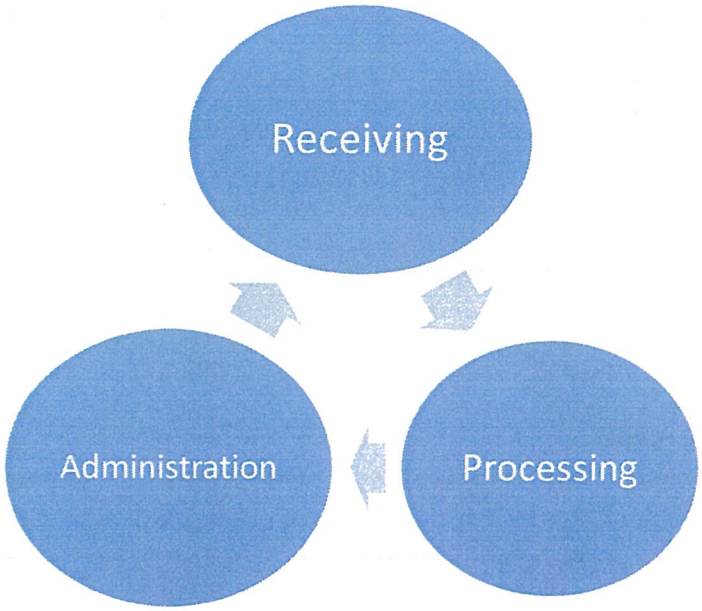
ASSESTS –

Complete inventory of physical assets is ongoing. The Records Management Officer (RMO) Cruz is in charge of determining what files are needed as well as compiling existing equipment. I was recently made aware of and am conducting an assessment of assets belonging to CLTC at the DPW compound in Upper Tumon. I have begun a complete review of all contracts for services with PC3 Cruz. I have initiated a complete review of all current lease agreements is also with PC3 Cruz. I have commenced an accounting for all land parcels with ET2s Castro and Javier and a property binder has been created. I have started an accounting for all equipment, vehicles, and supplies with PC3 Cruz and Administrative Aide (AA) Topasna. Projections for needs such as consumables, office supplies, and fuel for the rest of the fiscal year are forthcoming. Upon direction from OTECH, I established contact with DLM website editor to complete separation of CLTC website from the DLM website. The license with PBS is still active and I am waiting for PBS to provide the documentation confirming the use of the Barrigada property in exchange for in-kind services which the Board approved on 7 Feb.

PROCESS –

I am working with the staff to improve the residential and agricultural lease process in according with existing statute and proposed changes to the statues. I am working to ensure all staff are trained in all steps of the process. I am also working to ensure all staff are trained in the enabling legislation (P.L. 12-226) and the rules and regulations (P.L. 23-38). I will also ensure all staff are trained on the employee Standard Operating Procedure as well as the Customer Service Policy.

1. RECEIVING – Make contact, acquire all necessary application documentation, answer questions
2. PROCESSING – Schedule appointments and follow up dates, submit required documentation
3. ADMINISTRATION – Approval of application, administration of the lease, inspection



Government of Guam
Fiscal Year 2019
Agency Staffing Pattern
(CURRENT)

[BBMR SP-1]

FUNCTIONAL AREA: GENERAL GOVERNMENT

DEPARTMENT/AGENCY: DEPARTMENT OF LAND MANAGEMENT

PROGRAM: CHAMORRO LAND TRUST COMMISSION

FUND: CHAMORRO LAND TRUST OPERATIONS 5624A192960SE201 (per OFB Request)

	Input by Department															Input by Department			
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)
								Increment				Benefits							
No.	Position Number	Position Title 1/	Name of Incumbent	Grade/ Step	Salary	Overtime	Special*	Date	Amt.	(E+F+G+I) Subtotal	(J * 26.56%) 2/ (J * 26.56%) 2/	Retire (DDI) ($19.01*26PP) 3/	Social Security (6.2% * J)	Medicare (1.45% * J)	Life 4/	Medical (Premium)	Dental (Premium)	Total Benefits (K thru Q)	(J + R) TOTAL
1	CLTC-001	Administrative Director	Hattig, Jack III	EP-10	76,174	$0	$0		$0	$76,174	$20,232	$495	$0	$1,105	$187	$6,340	$373	$28,732	$104,906
2	CLTC-002	Land Agent II	Casem, Jhoana Marie V.	K-4	37,914	0	0	7/30/2019	0	37,914	10,070	495	0	550	187	2,512	204	14,018	51,932
3	CLTC-003	Program Coordinator III	Cruz, Joseph B. Jr.	N-3	48,490	0	0	6/13/2019	0	48,490	12,879	495	0	703	187	1,671	229	16,164	64,654
4	CLTC-030	Land Agent I	Taleu, Lydia E.	I-2	30,803	0	0	3/1/2018	0	30,803	8,181	495	0	447	187	1,246	204	10,760	41,563
5	CLTC-032	Records Management Officer	Cruz, Gary F.	J-9	41,349	0	0	3/21/2019	0	41,349	10,982	0	0	600	187	0	0	11,769	53,118
6	CLTC-042	Land Agent I	Gumataotao, John J.	I-3	30,803	0	0	2/8/2019	0	30,803	8,181	495	0	447	187	0	0	9,310	40,113
7	CLTC-056	Land Agent I	Nededog, Lorraine S.	I-6	34,439	0	0	4/27/2019	0	34,439	9,147	495	0	499	187	2,512	204	13,044	47,483
8	CLTC-066	Land Agent I	Jocson, TinaRose T.	I-1	28,595	0	0	9/24/2019	0	28,595	7,595	495	0	415	187	0	0	8,692	37,287
9	CLTC-069	Engineering Technician II (TDP)	Castro, Pierce J.	J-14	48,338	0	0	8/16/2018	0	48,338	12,839	0	0	701	187	2,512	204	16,443	64,781
10	CLTC-071	Administrative Assistant	Topasna, Teresa T.	J-7	38,845	0	0	11/30/2018	0	38,845	10,317	0	0	563	187	1,246	204	12,517	51,362
11	CLTC-074	Engineering Technician II (TDP)	Javier, Melvin O.	J-10	42,661	0	0	8/16/2018	0	42,661	11,331	0	0	619	187	3,839	229	16,205	58,866
12	CLTC-079	Land Agent II	Eay, Glenn R.	K-5	39,350	0	0	12/30/2018	0	39,350	10,451	495	0	571	187	6,340	373	18,417	57,767
13	CLTC-081	Land Agent I	Dayday, Jessica S.	I-1	28,595	0	0	10/1/2019	0	28,595	7,595	495	0	415	187	0	0	8,692	37,287
14	CLTC-1075	Land Agent II	Chargualaf, Eileen A.	K-6	40,841	0	0	7/31/2019	0	40,841	10,847	495	0	592	187	2,512	204	14,837	55,678
15						0	0		0										
16						0	0		0										
17	CLTC-051	Land Agent I	VACANT 1/23/19 (Mafnas, D).	I-1	28,595	0	0		0	28,595	7,595	495	0	415	187	6,340	373	15,405	44,000
18	CLTC-064	UC - Private Secretary	VACANT 9/23/18 (Jocson, T.)	I-5	33,182	0	0		0	33,182	8,813	495	0	481	187	6,340	373	16,689	49,871
19	CLTC-073	Land Agent Supervisor	Unfunded	N-1	45,014	0	0		0	45,014	11,956	495	0	653	187	6,340	373	20,004	65,018
20		Land Administrator	Proposed	O-1	49,897	0	0		0	49,897	13,253	495	0	724	187	6,340	373	21,372	71,269
21					0	0	0		0	0	0	0	0	0	0	0	0	0	0
22					0	0	0		0	0	0	0	0	0	0	0	0	0	0
23					0	0	0		0	0	0	0	0	0	0	0	0	0	0
			Grand Total:	----	$723,885	$0	$0	----	$0	$723,885	$192,264	$6,930	$0	$10,500	$3,366	$56,090	$3,920	$273,070	$996,955

* Night Differential / Hazardous / Worker's Compensation / etc.

1/ Indicate "(LTA)" or "(Temp.)" next to Position Title (where applicable)

2/ FY 2019 GovGuam contribution rate of 26.56% for the Government of Guam Retirement

3/ FY 2019 GovGuam contribution rate of $19.01 (bi-weekly) for DDI

4/ FY 2019 GovGuam contribution rate of $187 (per annum) for Life Insurance

IMPROVING TRANSPARENCY –

I am currently working with the Office of Technology on separating the CLTC website from the DLM website to provide for greater transparency. I am also coordinating with OTECH on a social media policy that may be used to start our social media presence as a Commission. Initial conversation may include creating a technical position to specifically manage our IT and social media infrastructure. I am also developing strategies to comply with all FOIA requests for maximum effective response to transparency requests.

OLD BUSINESS –

1. Resolution 2018-09 (See attached report)
2. GWA Right of Entry – Agreement established, to be presented to Board on 7 Mar
3. Inadahen I Lina'la Kotturan Chamoru – document submitted satisfies requirement, lease is expiring soon
4. Kelly, Nicole – Board Resolution is prepared, to be presented to Board on 7 Mar
5. Aguon, Gregory – right of way judgement has been issued, spoke with DPW and they will proceed with the easement widening
6. Bill 8 - 35 Relative to leasing of Public Real Property and Related Facilities – Recommend positive testimony by the Commission on this legislation although our commercial leases are essentially unaffected because they are derived from legislation as per our legal counsel

NEW BUSINESS –

1. Director's Report
   a. Transition – Report Submitted 7 Feb 2019
   b. Proposed Staffing Pattern – (See attached)
   c. 2019 CLTC Priorities – Received 29 Jan 2019
   d. Improving Transparency (See attached report)
   e. Resolutions granting authority to Administrative Director (see attached)
   f. Return of transferred funds – (see attached memorandum)
2. Guam Economic Development Authority
   a. Projected revenue from CLTC MOU – (see attached proposal)

ADMINISTRATIVE MATTERS –

1. Processing of Maps – request authority to approve maps and schemes
2. Beneficiary and Utility Authorization Report – to be provided to the Board on 7 Mar
3. Survey and Infrastructure Fund Report – to be provided to the Board on 7 Mar
4. Commercial Licenses Report – request to table due to audit
5. Financial Report – to be provided to the Board on 7 Mar
6. Bank of Guam authorization and signatories – to be provided to the Board on 7 Mar