UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

October 16, 2019

35GL-19-1118
Speaker Tina Rose Muña Barnes

OCT 16 2019
Time 4:23 ( )AM (X)PM
Received By

**HONORABLE TINA ROSE MUÑA BARNES**
Speaker
*I Mina'trentai Singko Na Liheslaturan Guåhan*
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96932

**Re: Bill No. 93-35 (COR) – *An Act Relative to Rezoning Lot 11-07-1-3NEW, Located in the Municipality of Mangilao, from Single Family Dwelling (R1) to Commercial (C), for the Purposes of Establishing a Kidney Dialysis Clinic and Medically-Related Commercial Facility***

Dear Madame Speaker:

The number of people on our island with diabetes and kidney disease is staggering. We need more resources to combat this illness and increase public awareness so that it can be prevented altogether. While a healthy lifestyle is the surest way to limit and reduce the number of people affected by kidney disease, we must still deal with the problem before us.

That is why I have signed Bill 93-35, *An Act Relative to Rezoning Lot 11-07-1-3NEW, Located in the Municipality of Mangilao, from Single Family Dwelling (R1) to Commercial (C), for the Purposes of Establishing a Kidney Dialysis Clinic and Medically-Related Commercial Facility*, as **Public Law 35-41**.

As we work toward improving healthcare on Guam, we must also continue to provide solutions and make treatment available to those who suffer from this horrible disease.

As a registered nurse, I have seen what the lack of adequate services can do to our families. As indicated by the Committee Report for this bill, a new dialysis center in the village of Mangilao will be the closest dialysis treatment center available to southern residents. While our island clearly needs more facilities like this, I am pleased that the Legislature acted quickly to increase the availability of dialysis treatment options with this measure.

2019 OCT 16 PM 4:42

1118

RICARDO J. BORDALLO GOVERNOR'S COMPLEX • HAGÅTÑA, GUAM 96910
P.O. BOX 2950 • HAGÅTÑA, GUAM 96932
671.472.8931 • 671.472.8932/6

I look forward to more solutions that put our people on a path to healthier lives.

*Senseremente,*

**LOURDES A. LEON GUERRERO**
*Maga'hågan Guåhan*
Governor of Guam

Enclosure(s): Bill No. 93-35 *nka* Public Law 35-41

cc via email: *Sigundo Maga'låhen Guåhan*
Compiler of Laws

2019.6269
RCVD AT CENTRAL FILE
OCT 7 '19 PM12:45
Tina Sanchez

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

**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN***

This is to certify that **Bill No. 93-35 (COR), "AN ACT RELATIVE TO REZONING LOT 1107-1-3NEW, LOCATED IN THE MUNICIPALITY OF *MANGILAO*, FROM SINGLE FAMILY DWELLING (R1) TO COMMERCIAL (C), FOR THE PURPOSES OF ESTABLISHING A KIDNEY DIALYSIS CLINIC AND MEDICALLY-RELATED COMMERCIAL FACILITY,"** was on the 4th day of October 2019, duly and regularly passed.

**Tina Rose Muña Barnes**
**Speaker**

Attested:

**Amanda L. Shelton**
**Legislative Secretary**

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This Act was received by *I Maga'hågan Guåhan* this 7th day of Oct, 2019, at 12:38 o'clock P.M.

Tina Sanchez

Assistant Staff Officer
*Maga'håga's* Office

APPROVED:

Lourdes A. Leon Guerrero
*I Maga'hågan Guåhan*

Date: 10/16/2019

Public Law No. 35-41

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

**Bill No. 93-35 (COR)**
As amended by the Committee on Health,
Tourism, Historic Preservation, Land and Justice.

Introduced by: Tina Rose Muña Barnes
William M. Castro
Régine Biscoe Lee
Kelly Marsh (Taitano), PhD
James C. Moylan
Louise B. Muña
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Jose "Pedo" Terlaje
Therese M. Terlaje
Mary Camacho Torres

**AN ACT RELATIVE TO REZONING LOT 1107-1-3NEW, LOCATED IN THE MUNICIPALITY OF *MANGILAO*, FROM SINGLE FAMILY DWELLING (R1) TO COMMERCIAL (C), FOR THE PURPOSES OF ESTABLISHING A KIDNEY DIALYSIS CLINIC AND MEDICALLY-RELATED COMMERCIAL FACILITY.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the subject Lot 1107-1-3NEW, municipality of *Mangilao*, is presently zoned Single Family Dwelling zone (R1). The subject lot is fronting Route 10, *Mangilao*

(Vietnam Veterans Highway). There are other commercial lots in the immediate area, but such lots are not necessarily contiguous to the subject lot.

*I Liheslaturan Guåhan* finds that it is the intent of the owners of Lot 1107-1-3NEW to utilize the subject lot *solely* for constructing, maintaining, and operating a kidney dialysis clinic facility to serve the community and its neighbors. Further, in consideration of the medical needs of the population of *Mangilao* and residents of southern Guam, the change of zone to Commercial (C) would further enable the designated property to provide additional medical services for the community.

The municipality of *Mangilao* has an expanding population base, and the population's health care demands are constantly increasing. An additional private medical clinic providing needed medical services to the community would be compatible with increasing healthcare demands. Additionally, residents of the southern and southeastern areas of Guam are essentially residing in medically underserved areas, and this proposed development would place additional medical services within a much more convenient location, reducing the need for travel to other locations on-island for medical assistance.

Therefore, it is the intent of *I Liheslaturan Guåhan* that the rezoning of Lot No. 1107-1-3NEW, municipality of *Mangilao*, be *solely* restricted for the purpose of establishing a kidney dialysis clinic and medically-related commercial facility for the community and its surrounding neighbors.

It is further the intent of this legislation that a land zoning consideration report be prepared by the Department of Land Management for consideration of *I Liheslaturan Guåhan* prior to passage of this bill.

**Section 2. Rezoning.**

Lot No. 1107-1-3NEW, municipality of *Mangilao*, Guam, containing a land area of 3,007 ± square meters, is hereby rezoned from Single Family Dwelling (R1)

to Commercial (C). The real property map for Lot No. 11-7-1-3NEW, municipality of *Mangilao* is hereby incorporated and appended to this Act as EXHIBIT "A."

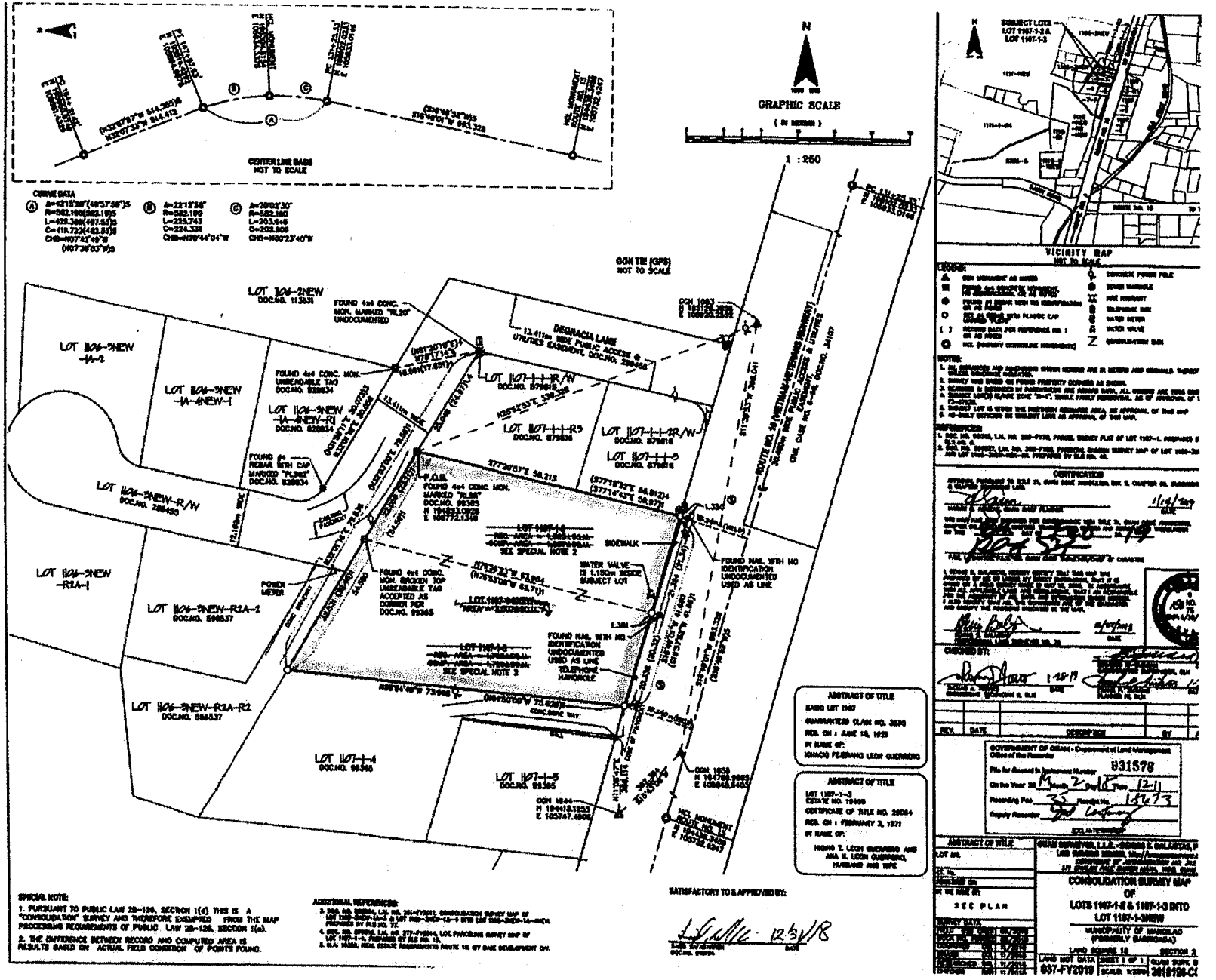
**Section 3. Commercial Use Restriction.**

(a) The use of subject Lot No. 1107-1-3NEW, municipality of *Mangilao,* zoned Commercial (C) pursuant to this Act, is restricted to establishing a kidney dialysis clinic and medically-related commercial activities. For the purposes of this Act, medically-related commercial activity *shall* include, but is not limited to, establishing a kidney dialysis clinic, doctor's office(s), doctor's clinic, pharmacy, physical therapy services, and similar medically-related applications.

(b) Commercial utilization of the subject property for any non-medically related commercial activity will require a zoning variance prior to conducting any other type of commercial activity.

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

EXHIBIT "A"


CENTER LINE BASIS
NOT TO SCALE
CURVE DATA
GRAPHIC SCALE
1 : 250
GGN TIE (GPS)
NOT TO SCALE
LOT 1104-2NEW
DOC.NO. 113631
LOT 1104-2NEW-1-A-2
LOT 1104-2NEW-1-A-NEW-1
LOT 1104-2NEW-1-A-NEW-R1
DOC.NO. 628834
LOT 1104-2NEW-R/W
DOC.NO. 628455
LOT 1104-2NEW-R2A-1
LOT 1104-2NEW-R2A-2
DOC.NO. 598537
LOT 1104-2NEW-R2A-R2
DOC.NO. 598537
DEGRACIA LANE
12.411m WIDE PUBLIC ACCESS &
UTILITIES EASEMENT, DOC.NO. 628628
LOT 1071-1-4R/W
DOC.NO. 679816
LOT 1071-1-R2
DOC.NO. 679816
LOT 1071-1-4R/W
DOC.NO. 679816
LOT 1071-1-3
DOC.NO. 679816
ROUTE NO. 10 (NATIONAL HIGHWAY)
ONE CLASS NO. 6 AC PUBLIC ACCESS &
UTILITIES EASEMENT, DOC.NO. 34107
LOT 1071-1-4
DOC.NO. 98365
LOT 1071-1-5
DOC.NO. 98365
LOT 1107-1-5
SEE SPECIAL NOTE 2
LOT 1107-1-6
SEE SPECIAL NOTE 2
LOT 1102-2NEW
SEE SPECIAL NOTE 2
P.O.B.
FOUND 4x4 CONC. MON.
MARKED "PLS67"
DOC.NO. 98365
FOUND 4x4 CONC. MON.
MARKED "PLS20"
UNDOCUMENTED
FOUND 4x4 CONC. MON.
UNREADABLE TAG
DOC.NO. 628834
FOUND 4x4 CONC. MON.
BROKEN TOP
UNREADABLE TAG
ACCEPTED AS
CORNER PER
DOC.NO. 98365
FOUND 6ø
REBAR WITH CAP
MARKED "PLS67"
DOC.NO. 628834
FOUND NAIL WITH NO
IDENTIFICATION
UNDOCUMENTED
USED AS LINE
FOUND NAIL WITH NO
IDENTIFICATION
UNDOCUMENTED
USED AS LINE
TELEPHONE
MANHOLE
WATER VALVE
IS 1.150m INSIDE
SUBJECT LOT
SIDEWALK
POWER
METER
CONCRETE WAY
GGN 1067
GGN 1068
GGN 1069
GGN 1044
NO. MONUMENT
FOUND, NO
IDENTIFICATION
ABSTRACT OF TITLE
BASIC LOT 1107
GUARANTEE CLAIM NO. 3376
RCD. ON : JUNE 18, 1929
IN NAME OF:
IGNACIO FEJERANG LEON GUERRERO
ABSTRACT OF TITLE
LOT 1107-1-3
ESTATE NO. 19498
CERTIFICATE OF TITLE NO. 29084
RCD. ON : FEBRUARY 3, 1971
IN NAME OF:
HIGINO T. LEON GUERRERO AND
ANA R. LEON GUERRERO,
HUSBAND AND WIFE
SPECIAL NOTE:
1. PURSUANT TO PUBLIC LAW 28-126, SECTION 1(c) THIS IS A "CONSOLIDATION" SURVEY AND THEREFORE EXEMPTED FROM THE MAP PROCESSING REQUIREMENTS OF PUBLIC LAW 28-126, SECTION 1(a).
2. THE DIFFERENCE BETWEEN RECORD AND COMPUTED AREA IS RESULTS BASED ON ACTUAL FIELD CONDITION OF POINTS FOUND.
ADDITIONAL REFERENCES:
SATISFACTORY TO & APPROVED BY:
12/3/18
VICINITY MAP
NOT TO SCALE
SUBJECT LOTS
LOT 1107-1-2 &
LOT 1107-1-3
CERTIFICATION
GOVERNMENT OF GUAM - Department of Land Management
Office of the Recorder
931578
CONSOLIDATION SURVEY MAP
OF
LOTS 1107-1-2 & 1107-1-3 INTO
LOT 1107-1-3NEW
MUNICIPALITY OF MANGILAO
(FORMERLY BARRIGADA)
LAND REGISTRATION
SECTION 2
LAND MAP DATA
SHEET 1 OF 1
037-FY2019
SCALE: 1:250
2018186-CS