



Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

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Felix P. Camacho
Governor of Guam

Michael W. Cruz, M.D.
Lieutenant Governor of Guam

Commission Members

Oscar A. Calvo
Acting Chairman

David J. Matanane
Vice-Chairman

Pauline Gumataotao
Commissioner

Carmen G. Tajalle
Commissioner

Andrew S. Leon Guerrero
Commissioner

Jesse G. Garcia
Administrative Director

COMMISSION MEETING MINUTES

CLTC Office, Suite 101, Anigua Commercial Building
September 17, 2009; 1:09pm – 3:50pm

I. CALL TO ORDER

Meeting was called to order at 1:09pm by Acting Chairman Oscar Calvo.

II. ROLL CALL

Present were Acting Chairman Oscar Calvo, Vice-Chairman David Matanane, Commissioner Andrew Leon Guerrero, Commissioner Pauline Gumataotao, Commissioner Carmen Tajalle, Legal Counsel Delia Lujan and Administrative Director Jesse Garcia.

III. APPROVAL OF MINUTES (August 20, 2009)

Vice-Chairman Matanane moved to approve the minutes of August 20, 2009. Commissioner Tajalle seconded the motion. There were no objections, MOTION PASSED.

IV. PUBLIC COMMENTS

None.

V. PENDING BUSINESS

None.

VI. CORRESPONDENCE

1. Joaquin M. Barnes – Application rights of Linda M. Santiago

Joaquin Barnes – I'm requesting to take over the land from my mom that passed away, Linda Santiago.

Vice-Chairman Matanane – Are you the only child?

Joaquin Barnes – Yes.

Acting Chairman Calvo – Jess on the application that Mr. Barnes is applying on his mom was there a beneficiary on that thing?

Administrative Director Garcia – Let me pull out the file.

Acting Chairman Calvo – Mr. Barnes did your mom by any chance put you as the beneficiary for this?

Joaquin Barnes – I have no idea.

Acting Chairman Calvo – Okay, you have no knowledge of that, okay.

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Administrative Director Garcia – No beneficiary assigned.

Acting Chairman Calvo – Was there any probate done on this? You know when you do the probate that you're going to be the one to be taking over the piece of property. You know since your mom did not leave any Will saying that you're going to be the one to assume the property.

Joaquin Barnes – I'm not sure what you mean by that.

Acting Chairman Calvo – You know because you're coming in here to stake claim on your mom's piece of property okay but on the beneficiary it doesn't state, your mom did not leave anybody to take over the piece of property okay. So ideally what it is is you need a probate to go through that and correct me on this legal counsel.

Legal Counsel Lujan – It depends on what the lease states but in the absence of that any interest that she has it would have to pass through probate to clear areas. If there's a Will then there's a beneficiary listed in that. If there's no Will then according to the law it would go to the husband. It all depends on the nature of what it is but it would go according to law, he is the son so he may have right to that.

Administrative Director Garcia – The reason why it had to come to the Commission is because in the law for the Chamorro Land Trust I think its 160 days after the passing of the person that died to take over and the request is way over. She passed away in November of 2007 so that is why it's coming to the Commission to take consideration that's why he's here. But if the request came in within then...(interrupted).

Acting Chairman Calvo – Then it would be easily to be transferable to him for that matter.

Administrative Director Garcia – Right, because of the time frame it would need Board approval.

Vice-Chairman Matanane – And if he is the only child then it would pass to him but we would need an affidavit from him and attest to it that he is the only child and probably a little bit of looking into in order for it to make sure that he is the only child. I'm not saying that he's not.

Administrative Director Garcia – Okay so if he gets the affidavit then it would be fine to relinquish it.

Vice-Chairman Matanane – Yeah.

Commissioner Gumataotao – Do you guys have also a copy of the birth certificate?

Joaquin Barnes – I got everything from my mom's sisters and everybody stating that I am the only child. I got the birth certificate stating I am the only child. I got everything that was needed prior to me being up here, what was needed to be done.

Acting Chairman Calvo – Even the death certificate, right?

Joaquin Barnes – Everything.