



GUAM ANCESTRAL LANDS COMMISSION

Kumision I Tâno' Saina-Ta

RESOLUTION NO. 2018-03

Declaration and Termination of License Agreement with Guam Environmental Protection Agency

WHEREAS, the Guam Ancestral Lands Commission, in accordance with Title 21, Guam Code Annotated, Chapter 80 and Public Law 25-45, has the responsibility for the return of excess government lands to its original land owners except in circumstances when land is clearly under existing public use or lands were Spanish Crown Land; and

WHEREAS, the Guam Ancestral Lands Commission shall administer all assets and revenues of the Land Bank Fund where resulting income shall provide just compensation for those dispossessed ancestral landowners; and

WHEREAS, the Title 5 Guam Code Annotated, Chapter 21, Investments and Deposits, governs the methods and processes for Guam Ancestral Lands Commission to invest its monetary assets; and

WHEREAS, the Guam Ancestral Lands Commission entered into a License Agreement with the Guam Environmental Protection Agency on October 3, 2005, for the rental use of real property and building located on a portion of Lot No. 2276 consisting of building number 15-6100, including an adjacent all concrete utility building, parking lot and common area consisting of approximately ±8,000 square feet, Tiyan Guam; and

WHEREAS, the agreed monthly compensation for this license is \$1.00 per square foot which is \$8,000 per month or \$96,000 per year; and

WHEREAS, as of July 26, 2018, the Guam Environmental Protection Agency monthly rental payments are in arrears for thirty-six (36) months totaling \$288,000; as shown in statement of account managed by the Guam Economic Development Authority shown in EXHIBIT A; and

WHEREAS, the Guam Ancestral Lands Commission has attempted to finalize a Memorandum of Understanding with the Guam Environmental Protection Agency regarding the payment of its rental fees since October 3, 2017, and requested its Administrator to meet with the Guam Ancestral Lands Commission board of commissioners at its regularly scheduled meeting held on July 25, 2018, but did not attend nor sent a proxy to discuss the MOU and past due rental payments; and

WHEREAS, on July 25, 2018, the Guam Ancestral Lands Commission board of commissioners at their regularly scheduled meeting, Tamuning, Guam, unanimously passed a motion to give a ninety day notice to the Guam Environmental Protection Agency of its intent to terminate the License Agreement in accordance with Section VI of the Agreement.

NOW THEREFORE BE IT RESOLVED,

The Guam Ancestral Lands Commission board of commissioners directs its Executive Director to issue a ninety-day notice of intent to terminate its License Agreement with the Guam Environmental Protection Agency for default on its rental payments.

**DULY AND REGULARLY ADOPTED BY THE GUAM ANCESTRAL LANDS COMMISSION
THIS 25TH DAY OF JULY 2018.**


ANTHONY ADA, Chairperson

Date: 03 AUG 2018


MARIA CRUZ, Secretary

Date: 8/3/2018


MICHAEL J.B. BORJA, Executive Director

Date: 8/3/2018

EDDIE BAZA CALVO
Governor of Guam
I Maga'Lahen Guahan

RAY TENORIO
Lt. Governor of Guam
I Segundo Na Maga'lahen Guahan



JAY ROJAS
Administrator
Adminastradot

MANA SILVA TAIJERON
Deputy Administrator
Sigundo Na Adminastradot

Aturidãd Inadilãnton Ikunumihan Guahan

Statement

Customer Name:

GEPA
Guam EPA Administration Building
Bldg. 17-3304, Mariner Ave. Tiyan
Barrigada, Guam 96913

Date: 7/26/2018

Customer ID: GA004

Account Summary

Previous Balance:	\$0.00
Charges:	\$288,000.00
Payments/Credits:	\$0.00
Current Balance:	\$288,000.00

Guam Ancestral Land Commission
License for 8,000 sq. ft. located in
Building No. 15-6101 Tiyan

Billing Number	Date	Description	Charges	Payments/ Credits	Balance
		Previous Balance	\$0.00	\$0.00	\$0.00
05047	11/1/2014	Monthly Lease - November 2014	\$8,000.00	\$0.00	\$8,000.00
05077	12/1/2014	Monthly Lease - December 2014	\$8,000.00	\$0.00	\$8,000.00
05104	1/1/2015	Monthly Lease - January 2015	\$8,000.00	\$0.00	\$8,000.00
05116	2/1/2015	Monthly Lease - February 2015	\$8,000.00	\$0.00	\$8,000.00
05143	3/1/2015	Monthly Lease - March 2015	\$8,000.00	\$0.00	\$8,000.00
05176	4/1/2015	Monthly Lease - April 2015	\$8,000.00	\$0.00	\$8,000.00
05205	5/1/2015	Monthly Lease - May 2015	\$8,000.00	\$0.00	\$8,000.00
05230	6/1/2015	Monthly Lease - June 2015	\$8,000.00	\$0.00	\$8,000.00
05254	7/1/2015	Monthly Lease - July 2015	\$8,000.00	\$0.00	\$8,000.00
05282	8/1/2015	Monthly Lease - August 2015	\$8,000.00	\$0.00	\$8,000.00
05315	9/1/2015	Monthly Lease - September 2015	\$8,000.00	\$0.00	\$8,000.00
16001	10/1/2015	Monthly Lease - October 2015	\$8,000.00	\$0.00	\$8,000.00
16165	4/1/2016	Monthly Lease - April 2016	\$8,000.00	\$0.00	\$8,000.00
16193	5/1/2016	Monthly Lease - May 2016	\$8,000.00	\$0.00	\$8,000.00
16219	6/1/2016	Monthly Lease - June 2016	\$8,000.00	\$0.00	\$8,000.00
16248	7/1/2016	Monthly Lease - July 2016	\$8,000.00	\$0.00	\$8,000.00
16273	8/1/2016	Monthly Lease - August 2016	\$8,000.00	\$0.00	\$8,000.00
16303	9/1/2016	Monthly Lease - September 2016	\$8,000.00	\$0.00	\$8,000.00
17018	10/1/2016	Monthly Lease - October 2016	\$8,000.00	\$0.00	\$8,000.00
17043	11/1/2016	Monthly Lease - November 2016	\$8,000.00	\$0.00	\$8,000.00
17071	12/1/2016	Monthly Lease - December 2016	\$8,000.00	\$0.00	\$8,000.00



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Aturidád Inadilânton Ikunumihan Guahan

Billing Number	Date	Description	Charges	Payments/ Credits	Balance
17225	5/1/2017	Monthly Lease - May 2017	\$8,000.00	\$0.00	\$8,000.00
17342	6/1/2017	Monthly Lease - June 2017	\$8,000.00	\$0.00	\$8,000.00
17343	7/1/2017	Monthly Lease - July 2017	\$8,000.00	\$0.00	\$8,000.00
17344	8/1/2017	Monthly Lease - August 2017	\$8,000.00	\$0.00	\$8,000.00
17345	9/1/2017	Monthly Lease - September 2017	\$8,000.00	\$0.00	\$8,000.00
18022	10/1/2017	Monthly Lease - October 2017	\$8,000.00	\$0.00	\$8,000.00
18051	11/1/2017	Monthly Lease - November 2017	\$8,000.00	\$0.00	\$8,000.00
18083	12/1/2017	Monthly Lease - December 2017	\$8,000.00	\$0.00	\$8,000.00
18119	1/1/2018	Monthly Lease - January 2018	\$8,000.00	\$0.00	\$8,000.00
18150	2/1/2018	Monthly Lease - February 2018	\$8,000.00	\$0.00	\$8,000.00
18183	3/1/2018	Monthly Lease - March 2018	\$8,000.00	\$0.00	\$8,000.00
18212	4/1/2018	Monthly Lease - April 2018	\$8,000.00	\$0.00	\$8,000.00
18241	5/1/2018	Monthly Lease - May 2018	\$8,000.00	\$0.00	\$8,000.00
18277	6/1/2018	Monthly Lease - June 2018	\$8,000.00	\$0.00	\$8,000.00
18309	7/1/2018	Monthly Lease - July 2018	\$8,000.00	\$0.00	\$8,000.00

Current Balance: \$288,000.00

Certified to be true and correct. If payment has been made, please disregard.
Make all checks payable to: Guam Economic Development Authority

Thank you for your business!

