



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

Rev. 02/4/2019

Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932

Phone: 649-5263 Ext. 400 Fax: 649-5383

REGULAR BOARD MEETING AGENDA

Department of Land Management Conference Room
3rd Floor, ITC Building, Tamuning, Guam
Thursday, February 21, 2019; 1:00PM

Public Notice: The *Guam Daily Post* on February 14, 2019 and February 19, 2019

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MINUTES**
 1. January 29, 2019, Special Meeting
- IV. PUBLIC COMMENTS**
- V. 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
- VI. NEW BUSINESS**
 1. Chamorro Land Trust Commission; Separate Agency
 - a. Transition Report
 - b. Resolution Draft; Approval Authority to the Administrative Director Granted by the Commission
 - c. Return of Loan Guaranty Funds and Survey & Infrastructure Funds
 2. Land Inventory
 - a. Residential
 - b. Agriculture
 3. Guam Economic Development Authority
 - a. Projected GEDA Revenue from CLTC MOA
 4. Constituent Matters
 - a. Annie Siguenza
 - b. Feja Families
 - c. Emily G. Sablan
 - d. Frances Faria
 - e. Linda Hernandez
 - f. Municipality of Yigo; Public Lands
- V. ADMINISTRATIVE MATTER**
 1. Processing of Maps
 2. Beneficiary Approval List
 3. Utility Authorization List
 4. Survey & Infrastructure Fund
 5. Commercial Licenses
 6. Financial Report
- VI. COMMISSIONERS COMMENTS**
- VII. ADJOURNMENT**

Next Meeting-Thursday, March 7, 2019;1PM



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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

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Commissioner

Jack E. Hattig III
Administrative Director

I. CALL TO ORDER

Chairwoman Pika 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.

Rev. 02/4/2019

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:

- (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.

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).

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.

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.

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.

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. ADJOURNMENT: 5:12 p.m.



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:

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,~~ 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 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 Ámot 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 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.

7. ~~§5.6(d) On or before~~ **By** the 2015th 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 the ~~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 (e)~~**(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~~ lot or use or cultivate the agricultural ~~tract lot~~. Failure to occupy or use such ~~tract lot~~ 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.~~

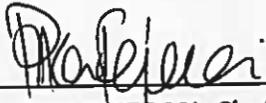
WHEREAS, at the October 18, 2018, CLT Board of Commissioners meeting, the commissioners approved a motion to recommend the changes outlined above to *I Liheslaturan Guahan*.

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.

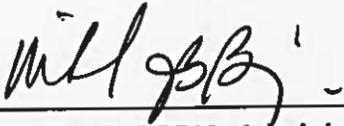
2. The Chamorro Land Trust Commission Board of Commissioners transmits Resolution No. 2018-09 to *I Liheslaturan Guahan*.

**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.**



G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission

Date: 10-18-18



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

Date: Oct 18, 2018

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

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**

**AUTHORITY:
GUAM WATERWORKS AUTHORITY**

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

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

Date: _____

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

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.***

**G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission**

Date: _____

**JACK E. HATTIG III, Administrative Director
Chamorro Land Trust Commission**

Date: _____

Bill 8-35; Relative to Leasing of Public Real Property and Related Facilities

I Mina Tremal Singko Na Lheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	COMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
835 (LS)	Telo T. Baltaque	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. 8-357(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 JUN -7 AM 11: 21 

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

2 **Section 1.** § 5217(a) of Subarticle C, Article 2, Chapter 5, Division 1, Title
3 5, Guam Code Annotated, is hereby *amended*, to read:

4 **“§ 5127. Commercial Leasing of Public Real Property and Related**
5 **Facilities.**

6 (a) Public Real Property and Related Facilities. From the effective
7 date of this law, and notwithstanding any other provision of this Chapter, no
8 commercial contract, lease, permit, or license for use of public real property,
9 and related facilities by any non-governmental person or entity, shall be
10 solicited, negotiated, entered into, or made for a term in excess of ~~five~~ ten
11 (~~5~~10) years, inclusive of any extension, option, or renewal.

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

1 tenth (§10th) anniversary of the making of such contract, lease,
2 permit, or license.

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (e) The solicitation and award of any such contract, lease, permit, or
23 license shall be conducted as provided in this Chapter, and the
24 Determination of Need shall be a part of such record and subject to § 5251
25 of this Chapter, along with any modification, amendment, exercise of option
26 or renewal, or extension of such contract, lease, permit, or license.”
27

1 **Section 2. Severability.** *If* any provision of this Act or the application to
2 any person or circumstance is found to be invalid or contrary to law, such
3 invalidity *shall not* affect other provisions or applications of this Act that can be
4 given effect without the invalid provision or application, and to this end the
5 provisions of this Act are severable.

Resolution Draft



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 18, 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. 2019-02

**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



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

GEDA Revenue from CLTC MOA

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)

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

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

RECITALS

6
7
8 **WHEREAS**, Guam law provides at 21 G.C.A. §75101 that upon and after
9 the enactment of this Chapter, all available lands shall immediately assume the status of
10 Chamorro homelands and shall be under the control of the CLTC to be used and disposed
11 of in accordance with the provisions of this Chapter; and

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

19
20 **WHEREAS**, the CLTC has identified the need to retain the services of
21 GEDA to assist it with the development, management, and maintenance of Chamorro

CFD 0818-4141

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

1 homelands designated for Commercial Leasing or Licensing pursuant to 21 G.C.A.
2 §75122 and financing of capital improvements and infrastructure so that CLTC lands will
3 be developed pursuant to the requirements of law; and
4

5 **WHEREAS**, because of GEDA's unique mandate to promote investments
6 and the development of various industries in Guam and to invest in and provide technical
7 assistance in support of its objectives, the CLTC desires to enter into a service agreement
8 whereby GEDA will provide the CLTC with services relating to development,
9 management, and maintenance of Chamorro homelands designated for Commercial
10 Leasing or Licensing pursuant to the requirements of the Chamorro Land Trust Act as
11 amended.
12

13 **NOW, THEREFORE**, in consideration of the mutual covenants contained
14 herein, the parties hereby agree as follows:
15

16 **AGREEMENT**
17

18 1. **General Consultancy and Property Management Services to be provided by**
19 **GEDA** for those properties placed under GEDA management by CLTC. Within the
20 scope of services to be provided by GEDA, GEDA agrees to:
21

22 a. As directed by the CLTC, manage commercial leases/licenses and prepare
23 billing, accounting and receipts of money from commercial leases/licenses;
24 negotiate payment plans for those in arrears if necessary; and remit
25 commercial lease/license rents to the CLTC as provided for in this MOU.
26

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

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

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- 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;

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

- 1 j. Assist the CLTC in presenting leases/licenses to the Guam Legislature for
- 2 approval as required by Public Law 32-40;
- 3
- 4 k. Conduct periodic inspections and prepare reports in collaboration with the
- 5 CLTC, in accordance with 21 G.C.A. §75122, Commercial Leases and
- 6 Licenses;
- 7
- 8 l. Do all other things necessary to carry out the above objectives.
- 9
- 10 2. **Professional consultants.** In connection with the services provided to the CLTC,
- 11 GEDA may retain experts, advisors, consultants, and legal counsel as necessary
- 12 provided that prior approval is obtained from CLTC.
- 13
- 14 3. **Provide monthly updates** to the CLTC on the status of the inventory, development
- 15 and leasing of Chamorro Homelands reserved for commercial use and expenses
- 16 incurred by GEDA during the previous month.
- 17
- 18 4. **Cooperation by CLTC.** The CLTC shall do the following to assist GEDA in performing
- 19 the services set forth in Section 1:
- 20
- 21 a. Provide GEDA with the lot number(s) and location(s) of Chamorro homelands
- 22 designated by CLTC for commercial use covered under the scope of this
- 23 Memorandum of Understanding to include CLTC objectives and requirements
- 24 for the development of the property and requirements for the solicitation and
- 25 selection of prospective tenants;
- 26
- 27 b. Provide Legislative notification of GEDA involvement;
- 28

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

- 1 c. Provide survey maps, sketches, abstract of title, etc. of the commercial
2 properties by the CLTC for commercial lease/license and, if not available,
3 vicinity maps of properties;
4
5 d. Participate in the evaluation of proposals and ranking of prospective developers
6 and/or lessees/licensees;
7
8 e. Review periodic reports submitted by GEDA;
9
10 f. In collaboration with GEDA, seek all necessary approvals for the commercial
11 lease/license of the Chamorro homelands;
12
13 g. Evaluate and act upon commercial lease/license agreements recommended
14 for execution by GEDA;
15
16 h. Act upon financing agreements, contracts or other documents recommended
17 for execution by GEDA in order to secure financing for capital improvements
18 on CLTC properties;
19
20 i. Execute all other documents necessary for GEDA to carry out the services
21 listed in this MOU;
22
23 j. Perform all inspections of current and future commercial leases/licenses, issue
24 and enforce eviction notices and pursue any legal action against tenants
25 including but not limited to evictions, based upon the advice and
26 recommendation of GEDA.
27

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

1 k. If deemed necessary by the CLTC and agreed to by GEDA, the CLTC may
2 allow GEDA to manage commercial leases and/or licenses currently being
3 managed by CLTC under any terms and conditions agreed to at that time.
4

5 **5. CLTC may assist GEDA with the following:**
6

- 7 a. Provide lease/license files for each commercial lessee/licensee;
8
9 b. Authorize GEDA to speak with staff and lessees when necessary to ensure
10 completeness and accuracy of inventory and lease/licenses;
11
12 c. Authorize GEDA to bring CLTC files to the GEDA office with GEDA
13 commitment to ensure complete file return upon completion of the tasks
14 identified in this MOU;
15

16 **6. Payment for Services.**
17

- 18 a. GEDA shall require lessees and licensees to pay the CLTC directly for its share
19 of the payments required to be paid by commercial lessees/licensees of
20 Chamorro Homelands and shall require lessees to pay to GEDA directly for its
21 share of the payments required to be paid by commercial lessee/licensee to
22 GEDA, as payment for GEDA services unless other payment methods are
23 approved by CLTC. To allow effective management of leases, each party shall
24 provide the other with a monthly accounting of payments which shall be due
25 within twenty (20) calendar days after the end of each month.
26
27 b. The CLTC shall be entitled to 86% of all payments due and GEDA shall be
28 entitled to 14% of all payments due, until such time as GEDA's initial costs are
29 paid. Thereafter, the CLTC shall be entitled to 90% of all payments due while

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

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

3
4 c. The parties agree that GEDA's initial costs as specified in Section 5(b) above,
5 consist of all costs associated with the performance of duties specified in
6 Section 1 (a) through (k), except as provided in Section 5(d) below. Once a
7 lease or license is executed, GEDA shall prepare and submit to CLTC, a final
8 statement of costs incurred to include an analysis of the amount of time needed
9 to recover such costs, based upon GEDA's share of payments. Upon
10 expiration of this time period, GEDA's entitlement will be 10% of payments.

11
12 d. For services under Section 1(d) above (GEDA as Central Financial Manager),
13 fees associated with the provision of this service shall be identical to the fee
14 structure established by GEDA's rules and regulations for the sale of bonds
15 and are in addition to the fees specified in Section 5(b) above. GEDA Rules
16 and Regulations currently set financing fees at one-half (1/2) of one percent
17 (1%) of the principal for the first Ten Million Dollars (\$10,000,000.00) plus one-
18 fifth (1/5) of one percent (1%) of the principal above Ten Million Dollars
19 (\$10,000,000.00).

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

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

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

5
6 9. **Termination.** At any time during the initial term or extended term, either party can
7 elect to terminate this Memorandum of Understanding if either party provides the
8 other with a written notice of termination no later than ninety (90) days prior to the
9 termination date. Upon termination of this MOU, all files shall be returned to the
10 CLTC and all transactions including any outstanding payments shall be concluded.

11
12 10. **Effective Date.** The effective date of this Memorandum of Understanding shall be
13 the date of execution by the Governor of Guam.

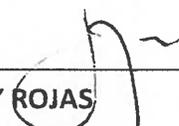
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**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CHAMORRO LAND TRUST COMMISSION AND
THE GUAM ECONOMIC DEVELOPMENT AUTHORITY**

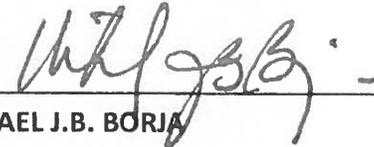
IN WITNESS HEREOF, the parties have executed this Memorandum of Understanding effective the date the Governor of Guam affixes his signature.

Guam Economic Development Authority

Chamorro Land Trust Commission



JAY ROJAS
Administrator



MICHAEL J.B. BORJA
Administrative Director

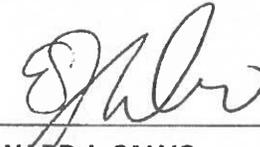
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Date: 5/11/18

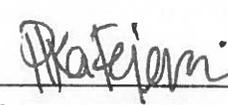
CONCURRED BY:

**Guam Economic Development Authority
Board of Directors**

**Chamorro Land Trust Commission
Board of Commissioners**



EDWARD J. CALVO
Chairman



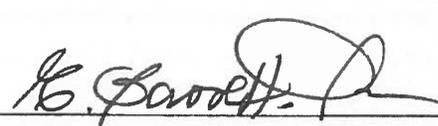
G. PIKA FEJERAN
Chairwoman

Date: 5-21-18

Date: 5.11.18

APPROVED AS TO LEGALITY AND FORM

APPROVED



ELIZABETH BARRETT-ANDERSON
Attorney General of Guam



EDDIE BAZA CALVO
Governor of Guam

Date: 8/10/18

Date: 8/20/18

DLM 18-0292

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

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	Malojoj	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	September 1, 2005 to September 1, 2012			Rent not determined
Cushing Zoo	Lot 5133-1	Tumon	1,024.00		1st day of month	\$0.00	June 1, 1990 to June 30, 2010			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**

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
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	Maloljoj	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-RW	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

**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
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
WML, 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	\$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 Ámot 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 Ámot 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 Ámot 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 Ámot 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 Ámot 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.

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(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.

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(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.

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(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

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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

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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

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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

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CH. 75 CHAMORRO LAND TRUST COMMISSION

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



**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.

G. PIKA FEJERAN, Chairwoman
Chamorro Land Trust Commission

Date: 20 March 2017



**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 *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 *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.

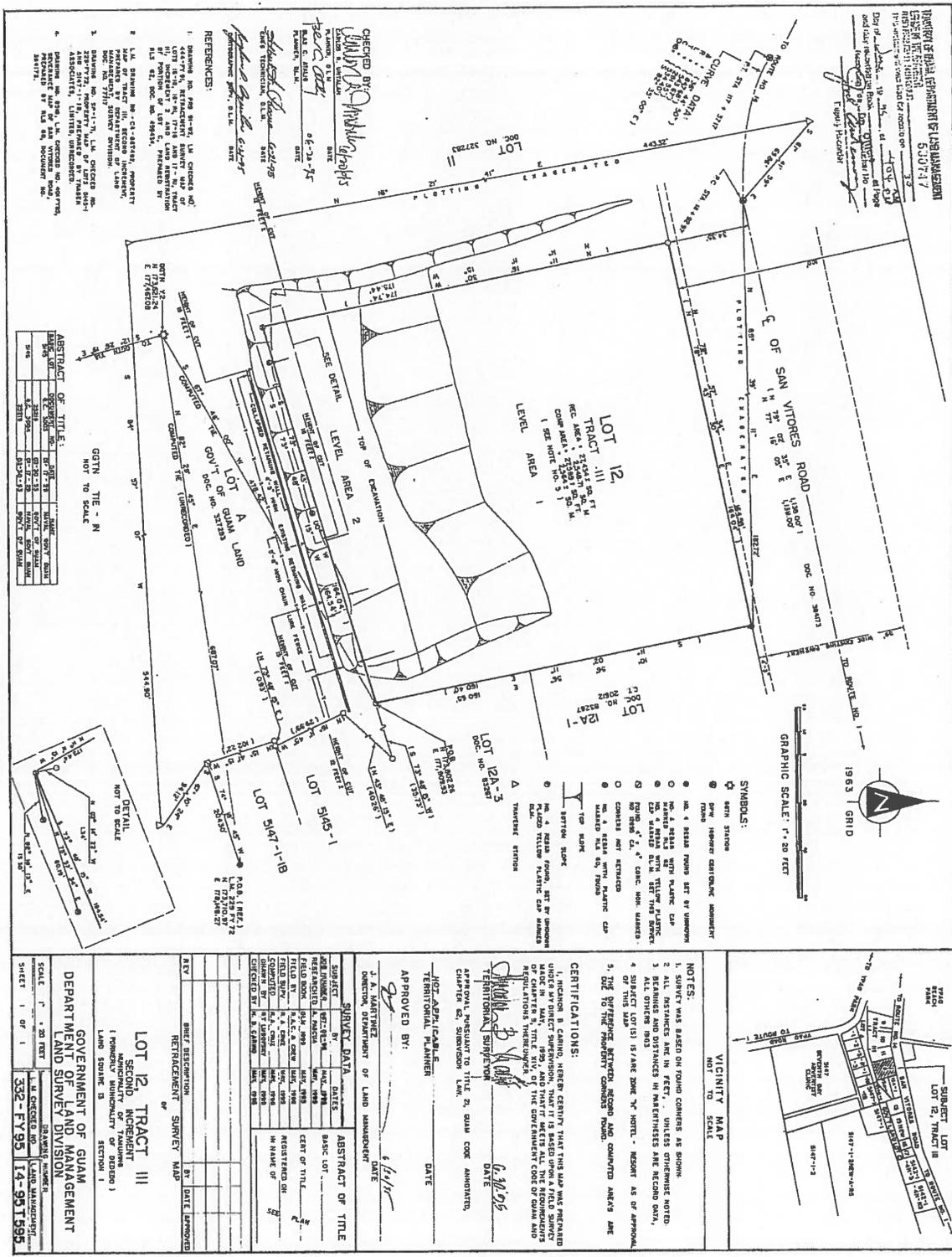
Pratejeran

Date: 20 March 2017

10095

10095

CLTC Resolution No. 2017-05 EXHIBIT "A"



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

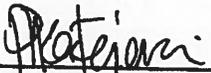
WHEREAS, on May 3, 2018, the Chamorro Land Trust Commission board of commissioners at their regularly scheduled meeting, Tamuning, Guam, reviewed and approved by motion to authorize the Administrative Director to proceed in accordance with 21 GCA, §75122 to declare and designate Lot Number 7161-R1, Yigo,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

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. BORA, Administrative Director
Chamorro Land Trust Commission

Date: 5/29/18

Constituent Matters

Annie Siguenza

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting

ANNIE CRUZ SIGUENZA

1. FACTS:

- a. **Location:** Portion of Lot 3443 Chalan Pago
- b. **Lot Size:** ½ acre
- c. **Lease Ins. No and Signing Date:** Unrecorded; Signing Date -November 26, 2002
- d. **Complaint/Issue:** Request for an Addendum Issuance

2. CHRONOLOGICAL FACTS:

- a. **Original Applicant:** Ana Cruz Siguenza
- b. **Application Date and Time:** December 5, 1995 at 11 :03 AM
- c. **Application Number:** 000114
- d. **Application Type:** Residential
- e. **Take-Over Applicant:** Annie Cruz Siguenza
- f. **Application Date:** May 2, 2014

g. Time Line (start from LUP Holder Jose S.A. Siguenza, C.I. #28688, Haligi, Sinajana)

- i. LUP New Assignment
 - 1. Permit #37-Sinajana
 - 2. Start - September 9, 1960 - 5-year lease
 - 3. Approximately 1 hectare at Haligi
- ii. LUP Renewal for Haligi, Sinajana (approximately 1 hectare)
 - 1. September 1, 1970 - August 31, 1971
- iii. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 1971 -August 31, 1972
- iv. January 31, 1972
 - 1. Letter from DLM to Mr. Siguenza in regards to a notice under Estate No. 15, as Facto, Sinajana is in the process of surveying the private lands
- v. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 1972 -August 31, 1973
- vi. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. Adding wife, Ana C. Siguenza to LUP Agreement
 - 3. September 1, 1973-August 31, 1974
- vii. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 197 4 - August 31, 1975
- viii. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 1975 - August 31, 1976
- ix. LUP Extension for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 1976 - August 31, 1977
- x. LUP Extension for Haligi, Sinajana
 - 1. September 1, 1977 - August 31, 1978

- xi. LUP Approval dated October 25, 1979
- xii. LUP Agreement under Ana C. Siguenza for Haligi, Sinajana
 - 1. LUP #37-Sinajana
 - 2. September 1, 1980 -August 31, 1981
 - 3. 1 acre
- xiii. LUP Renewal under Jose S.A. Siguenza for Haligi, Sinajana
 - 1. September 1, 1981-August31, 1982
- xiv. LUP Renewal under Jose S.A. and Ana C. Siguenza
 - 1. September 1, 1983 -August 31, 1984
- xv. LUP Renewal under Jose S. A. Siguenza for Haligi, Sinajana
 - 1. Lot 101, Unit #4, Map #34
- xvi. December 4, 1958
 - 1. LUP Agreement to continue using property
- xvii. LUP Agreement
 - 1. September 1, 1985 -August 31, 1986

- h. July 11, 1995 – Applicant, Jesse Cruz Siguenza
 - i. Obtained a utility authorization under CL TC-UT-230
 - ii. Lot #3470 Chalan Pago
 - iii. LUP #37-Sinajana under Jose S.A. Siguenza

- i. September 18, 1996 -Renewal in lieu of July 11, 1995

- j. November 26, 2002 -Lease issued to Ana Cruz Siguenza for a Portion of Lot 3443 for .50 subject to survey

- k. ***Action: Our recommendation is to move Ms. Annie Cruz Siguenza to a property within CLT inventory because her current living area is on the Ramirez family private property.***

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting

EDWARD CRUZ SIGUENZA

A. FACTS

- a. **Location:** Currently residing on a portion of Lot 3443-R1 Chalan Pago
- b. **Lot Size/Lease Type:** N/A
- c. **Lease Instrument Number and Signing Date:** N/A
- d. **Complaint/Issue:** *Occupying on Ramirez Property (private) and would like to be on government land behind him*

B. CHRONOLOGICAL FACTS

- a. **Original Applicant's Date and Time:** July 15, 1998 at 10:14 AM
- b. **Application Number:** 4771
- c. Indicated on CLT Application that he is a preoccupier on Chalan Pago lot with Parents
- d. August 23, 2001 – CLTC issued utility authorization for power, water, telephone, and Dept. of Agriculture under CLTC-UT-1623 for a Portion of Lot 3470, Chalan Pago under Jesse Cruz Siguenza (brother of Edward).
- e. October 6, 1999 – Utility Request through CLTC indicates that Jesse Siguenza is moving out so Edward can stay on property; all utilities are under Jesse Siguenza
- f. September 27, 2002 - Mayor's Verification indications "A" occupying since January 1, 1996

C. RECOMMENDATION

Motion to approve the transfer of Edward Cruz Siguenza to a portion of Lot 3470-R3 Chalan Pago, pending a map scheme for subject lot.

Feja Families

**CHAMORRO LAND TRUST COMMISSION
FEJA STAFF REPORT**

2/15/2019; 1:21 PM

type	acres	last name	full name	Occupying Gov't land at:	Date of Application	Time of Application	numerical sequence	PRIORITY	Lot	Block	Tract	Municipality	NOIA	NOIA date	lot description	signing date	complaint/issue	staff remarks	recommendations
R	0.25	Arciga	Ernie Feja Arciga	Pagat Mangliao 5355-1-1A	5/16/1997	11:45 AM	3979	1				Mangliao	FALSE				Request to process application	Pending qualifying docs; Application submitted indicates Ernie Arciga and BC shows Ernesto Arciga; no mayors certification on file	Pending docs to complete the file
R	0.25	Arciga	Gerard Feja Arciga	Pagat, Mangliao	12/2/1995	2:17 PM	556	1				Mangliao	FALSE				Request to process Residential application	Pending qualifying docs; Application submitted the GMH BC and not an official BC; pending qualifying docs	Pending docs to complete the file
R	0.25	Arciga	Gilbert F. Arciga		12/4/1995	8:35 AM	812		4-2	8	15213	Mangliao	FALSE				Request to approve the issuance of a Residential Lease	Applicant is occupying Lot 4-2, Block 8, Tract 15213, Mangliao, containing an area of 2470 sqm; all docs complete	approve the issuance of a Residential Lease to Gilbert Arciga for Lot 4-2, Block 8, Tract 15213, Mangliao
A	5	Arciga	Michael Feja Arciga	Mangliao, Pagat Tun Kiko Feja Dr. Deed 5355-1-1A	6/16/1998	3:50 PM	4729					Mangliao Pagat	FALSE				Request to process application	All qualifying docs complete; no mayors certification; app interviewed on 7-7-2014 and his preference of a lot is in the South (Talofoto/Maloljloj)	Pending docs to complete the file
R	0.25	Arciga	Michael Feja Arciga	Pagat Mangliao, Tun Kiko - Feja Dr. Index #18-1-3 Deed#5355-1-1A	5/15/1998	2:20 PM	4663	1				Mangliao	FALSE				Request to process application	All qualifying docs complete; no mayors certification; app interviewed on 6-15-1999	Pending docs to complete the file
R	0.25	Arciga	Roque Feja Arciga	Pagat Mangliao, index #18-1-3 Deed# 5355-1-1A	5/18/1998	2:03 PM	4670	1				Mangliao	FALSE				Request to process application	Pending qualifying docs; no mayors certification	Pending docs to complete the file
A	0.25	Feja	Francisco Cruz Feja	Mangliao, Pagat	12/7/1995	10:18 AM	1498	1									Request by Benefactor to transfer his beneficiary rights to daughter, Valerie Guerrero due to benefactor having an Agriculture Lease	Benefactor, Howard Guerrero, aka Emmanuel Guerrero has a Agriculture Lease with CLTC and wishes to transfer his beneficiary rights to Valerie who is also a CLTC applicant with a time and date of	

**CHAMORRO LAND TRUST COMMISSION
FEJA STAFF REPORT**

2/15/2019, 1:21 PM

type	acres	last name	full name	Occupying Gov't land at:	Date of Application	Time of Application	numerical sequence	PRIORITY	Lot	Block	Tract	Municipality	NOIA	NOIA date	lot description	signing date	complaint/issue	staff remarks	recommendations
R	0.25	Feja	Francisco Cruz Feja	Pagat Mangilao	12/7/1995	10:34 AM	1503		5402-RSNEW-27			Mangilao	FALSE	3/24/2005	Lot 5402-RSNEW-27, Mangilao containing an area of not more than one-half (.50) acre	2/8/2008	Req to transfer beneficiary rights from Emmanuel F. Guerrero, aka Howard Guerrero to Valerie T. Guerrero	App is deceased; Beneficiary is requesting to transfer his rights to his daughter due to him holding a Ag Lease with CLTC; Valerie Guerrero is also a CLTC Residential applicant having a date and time of 3-22-2006; all transfer docs if approved are complete for transfer	Pending boards decision.
R	0.25	Fretz	Frances Arciga Fretz		12/2/1995	2:16 PM	555	1					FALSE				Request to process application	Applicants BC from DPHSS dated 8-19-1997 indicates FRANCIS and not FRANCES; Applicant also provided a Govuam BC dated 7-30-1956 that indicates FRANCES, as shown on her application; App is currently residing off-island	Pending update on BC
R	0.25	Feja	Francisco Cruz Feja	Pagat Mangilao	12/7/1995	10:34 AM	1503		5402-RSNEW-27			Mangilao	FALSE	3/24/2005	Lot 5402-RSNEW-27, Mangilao containing an area of not more than one-half (.50) acre	2/8/2008	Applicant is deceased; benefactor named, Doris G. Santiago is also deceased	Due to the Beneficiary being deceased	
A	1	Guerrero	Abraham John Guerrero	Pagat Mangilao (Francisco Feja Residence)	12/4/1995	4:04 PM	1040		22	9	15213	Mangilao	TRUE	1/25/2006			Request the issuance of a Agriculture Lease	Applicant claims that the survey was completed; a copy needs to be provided for the file for issuance of Agriculture Lease; Applicant placed on Lot 22, Block 9, Tract 15213, Mangilao	Motion to approve the issuance of a Agriculture Lease for Lot 22, Block 9, Tract 15213, Mangilao, subject to survey.

**CHAMORRO LAND TRUST COMMISSION
FEJA STAFF REPORT**

2/15/2019; 1:21 PM

type	acres	last name	full name	Occupying Gov't land at:	Date of Application	Time of Application	numerical sequence	PRIORITY	Lot	Block	Tract	Municipality	NOIA	NOIA date	lot description	signing date	complaint/issue	staff remarks	recommendations
A	5	Guerrero	Jermaine Howard Guerrero		12/2/1995	10:37 AM	203		21	9	15213	Mangilao	TRUE	1/27/2006			Request the issuance of a Agriculture Lease	the survey was completed; a copy needs to be provided for the file for issuance of Agriculture Lease; applicant has been placed on Lot 21, Block 9, Tract 15213, Mangilao	Motion to approve the issuance of a Agriculture Lease for Lot 21, Block 9, Tract 15213, Mangilao, subject to survey.
R	0.25	Guerrero	Lorette Tenorio Guerrero	L5402, Tun Kiko Feja Street, 03/26/09: Mayors Certification Letter	12/7/1995	10:44 AM	1631		19	9	15213	Mangilao	FALSE		Lot 19, Block 9, Tract 15213, Mangilao containing an area of 2,023+/- square meters	4/18/2017	Lessee is requesting to be processed as a preoccupier	Applicant is part of the 102 leases that require legislative approval and is now requesting to utilize the preoccupier status; applicant original application was dated March 22, 2006 and indicated she was not a preoccupier of government land; applicant requested in 2010 to change her status from NO not occupying to YES occupying; 3/26/2009 applicant provided a Mayors Certification that she is currently residing at Lot 5402, Tun Kiko Feja Street; 3/29/2010 app requested to switch date and time with sister, Valerie Guerrero; 7/9/2013 request to switch applications was approved by Mayor	Pending board decision

**CHAMORRO LAND TRUST COMMISSION
FEJA STAFF REPORT**

2/15/2019; 1:21 PM

type	acres	last name	full name	Occupying Gov't land at:	Date of Application	Time of Application	numerical sequence	PRIORITY	Lot	Block	Tract	Municipality	NOIA	NOIA date	lot description	signing date	complaint/issue	staff remarks	recommendations
A	5	Santiago	Frederico Quinata Santiago		12/2/1995	6:26 PM	779		5402			Mangiliao	TRUE	8/26/2004			Request the issuance of a Agriculture Lease	Applicant claims that the survey was completed; a copy needs to be provided for the file for issuance of Agriculture Lease; applicant is placed on Lot 20, Block 9, Tract 15213, Mangiliao	Motion to approve the issuance of a Agriculture Lease for Lot 20, Block 9, Tract 15213, Mangiliao, subject to survey.
R	0.25	Tenorio	Winifreda Arciga Feja Tenorio	Pagat Mangiliao, index #18-1-3 Deed# 5355-1-1A	5/18/1998	2:02 PM	4669	1				Mangiliao	FALSE				Request to approve the issuance of a Residential Lease	Applicant is a 1998 applicant who is preoccupying govt land; 8-24-2006, Mayors Certification provided indicating applicant is residing at #144 Ten Kiko Feja in a semi-concrete home; has utilities; occupying on Lot 4-3, Block 8, Tract 15213, Mangiliao; all docs complete	Motion to approve the issuance of a Residential Lease to Winifreda Tenorio for Lot 4-3, Block 8, Tract 15213, Mangiliao
NOT AN APPLICANT WITH CLTC																			
		Arciga	Arsenio Feja Arciga																
		Arciga	Raymond Feja Arciga																

Emily G. Sablan

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting
Staff Report

EMILY GUERRERO SABLAN

1. FACTS

- a. **Location:** A portion of Lot 278-R4, Umatac
- b. **Lot Size / Lease Type:** .50 acres; Residential
- c. **Lease Instrument No. and Signing Date:** 832005 January 27, 2012
- d. **Complaint/Issue:** *Applicant was informed of issues regarding lease term and need to prepare an addendum due to survey map.*

2. CHRONOLOGICAL FACTS

- a. **Application Date and Time:** **January 10, 1996 at 4:37pm**
- b. **Application Sequence Number:** **0003090**
- c. **Survey Authorization issued August 15, 2014**

3. RECOMMENDATIONS

Motion to approve Addendum to Lease, Instrument number 832005 as to Parcel Description of Lot 278-13-3, Umatac containing an area of 2,557.00 +-square meters, LM094FY2015, effective date of lease being January 27, 2012

Linda Hernandez

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting
February 21, 2019
Staff Report

Linda S. Hernandez

1. PURPOSE:

- a. **Relocation From Tract 10316 To Tract 1113 (ADDENDUM)**
- b. **Approval of Loan Guarantee for the amount of (\$136,00.00)**

2. CHRONOLOGICAL FACTS:

- a. **Original Applicant: Linda S. Hernandez**
- b. **Application Date and Time: December 4, 1995 at 8:04am – Residential Applicant**
- c. **Application Number: 000786**
- d. **Application Type: Residential recoded under Document No. 912928**
- e. **January 9, 2019 GHC pre-approved Mrs. Hernandez for Mortgage Home Loan**
- f. **February 1, 2019 GHC Letter Supporting Mrs. Hernandez Land Exchange**

3. STAFF ANALYSIS:

Mrs. Linda S. Hernandez, has been given a lease for Lot 21, Block 15, Tract 10316, this particular lot has been surveyed by Mrs. Hernandez. Mrs. Hernandez has now been prequalified with Guam Housing Corporation for Mortgage Home Loan in the amount of one hundred thirty six thousand dollars (\$136,000.00).

Several years back CLTC and GHC entered into an agreement to have model homes built on 10 CLTC lots within Tract 1113, Dededo. One home has been completed which we have been attempting to sell to one of our CLTC Beneficiaries. Mrs. Hernandez has expressed her interest in purchasing this home.

Since Mrs. Linda Hernandez had been Pre-Approved for the amount required to purchase this home, and has the support from GHC, she is requesting from the CLTC Board of Commissioners to approve her request to relocate from Lot 21, Block 15, Tract 10316 Dededo to Lot 1, Block 12, Tract 1113. And for the CLTC Board of Commissioner to approve a Loan Guarantee in the amount of \$136,000.00.

Shall the commission approve this requests Mrs. Hernandez will be giving up her Lot in Tract 10316 containing an area of 1,998± square meters for the Lot in Tract 1113 containing an area of 575± square meters. This will not only add approximately 1,423± square meters back into

the inventory it will satisfy the sale of model home, and add a surveyed parcel to the available list of parcels to be leased.

4. RECOMENDATIONS:

The CLTC Board of Commissioners approve an Addendum for Mrs. Hernandez to relocate from Lot 21, Block 15, Tract 10316 to Lot 1, Block 12, Tract 1113, and approval for a loan guarantee in the amount of One Hundred Thirty Six Thousand Dollars (\$136,000.00).

Attachments:

Recorded Residential Lease Document No. 912928
GHC Pre-Approval Letter
GHC Letter to CLTC

Municipality of Yigo; Public Lands



YIGO MAYOR'S OFFICE

"OFFICINAN I TAOTAO"

Rudy M. Matanane, Mayor
Anthony P. Sanchez, Vice Mayor

February 6, 2019

Mr. Jack Hattig III
Administrative Director
Chamorro Land Trust
Government of Guam
P.O. Box 2950
Hagatna, Guam 96910



Subject: Municipality of Yigo Public Lands Development

Reference: Progress Report and New Farmers Market

Hafa Adai! Administrative Director Hattig:

I want to update you on our progress regarding development of public lands in Yigo.

Block 7, Lot 9, at Tun Enrique Rosario St.

We now refer to this parcel as the Yigo Community Center and Sports Complex.

After multiple meetings with residents and representatives of local sports and civic associations we have settled on a master plan that includes:

Community center
Football field, front box office, open pavilions
Adjustable bleachers
Locker rooms and rest rooms
Basketball/volleyball court
Walking trail and bike path
Lighting
Parking

See Proposed Site Master Plan, enclosed.

I have appointed several members of my Municipal Planning Council to follow through about funding and development options. To that end, we have been consulting with Mayor Robert Hoffman regarding his successful acquisition of grants-in-aid for Sinajana projects. I will keep you informed of our progress.

Lot 7055 Tract 154

The Yigo Municipal Planning Council is engaged in master planning for future, needed municipal improvements, particularly a Yigo Farmers Market and Night Market. Additionally, we are considering other needed developments as Yigo continues to grow, such as:

Additional sports facilities to supplement the nearby Yigo Gym. Note that Yigo is the second most populated Village on Guam and attracts more housing than any other area. Lot 7055 is approximately 2 miles from the proposed Yigo Community Center and Sports Complex and serves an entirely different neighborhood.

An emergency shelter to assist with typhoon evacuations and relieve some of the burden and overcrowding at public schools during those events. When not needed as a typhoon shelter, this facility will serve as an after-school center where children can do homework under supervision and engage in other social and civic activities such as Scouts, band and arts & crafts and 4H Club activities.

A new mayor's office, with adequate facilities and parking to serve the dozens of daily residents who need assistance.

An outdoor concert pavilion to host local and islandwide events.

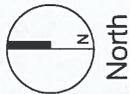
The ideal Yigo location for these future projects is Lot 7055 T 154 (see enclosed map). As you can see from the enclosure, this property would be accessed via the road currently serving the Yigo Gym, DPW bus depot and GAIN, thereby limiting access to Marine Corps Drive to an efficient, single ingress/egress.

On behalf of the Yigo Municipal Planning Council and the People of Yigo, I respectfully ask for your support to process this request to reserve Lot 7055, Tract 154 for these and related Yigo municipal projects.

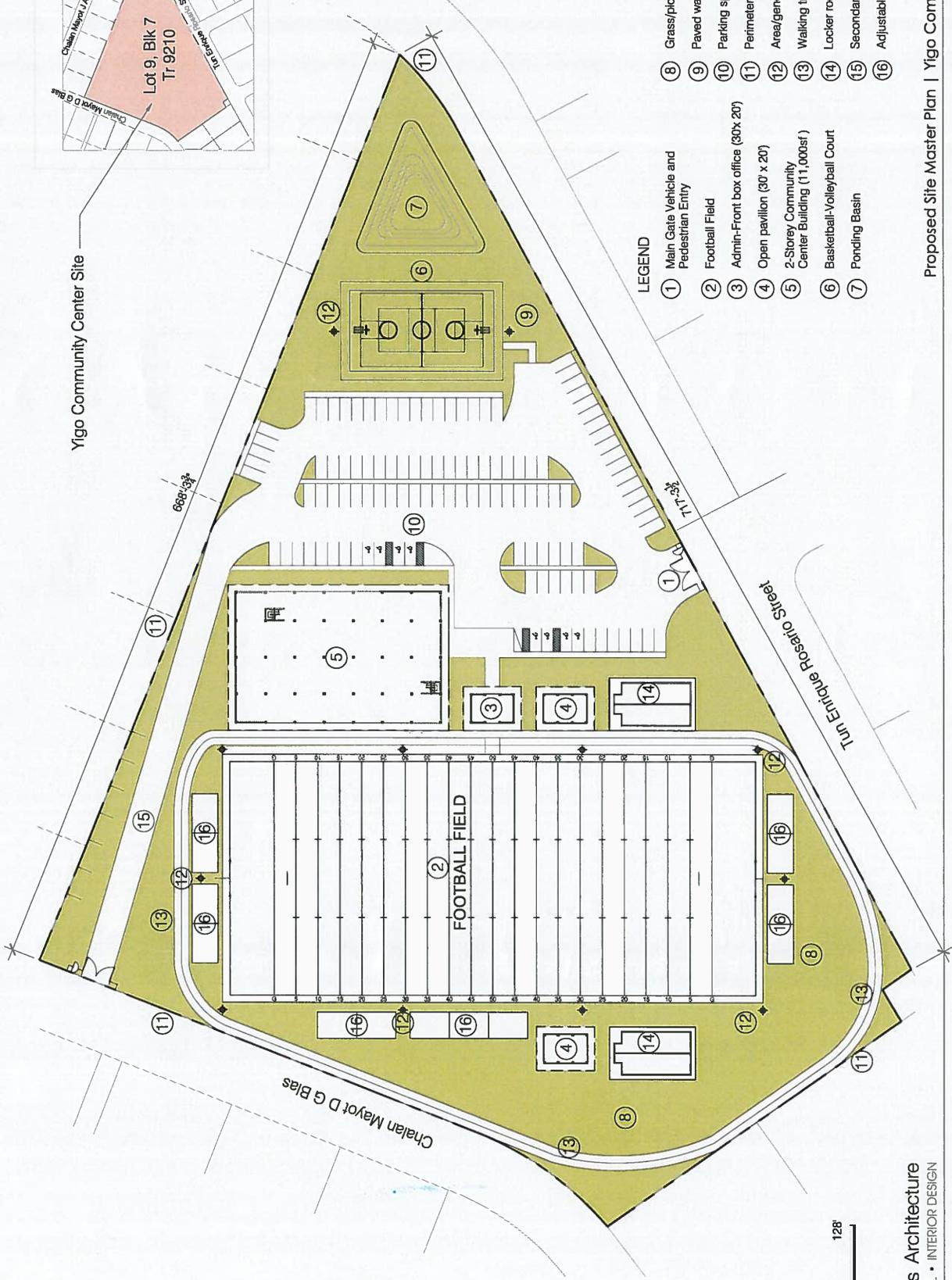
Sincerely,



Rudy M. Matanane
YIGO MAYOR

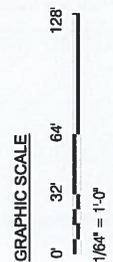


Yigo Community Center Site



LEGEND

- ① Main Gate Vehicle and Pedestrian Entry
- ② Football Field
- ③ Admin-Front box office (30'x 20')
- ④ Open pavilion (30' x 20')
- ⑤ 2-Storey Community Center Building (11,000sqft)
- ⑥ Basketball-Volleyball Court
- ⑦ Ponding Basin
- ⑧ Grass/picnic grounds
- ⑨ Paved walkway
- ⑩ Parking spaces
- ⑪ Perimeter fence
- ⑫ Area/general lighting, typical
- ⑬ Walking trail and bike path
- ⑭ Locker room and Restroom
- ⑮ Secondary Egress
- ⑯ Adjustable bleachers



Ari Partners Architecture
 ARCHITECTURE • RETAIL • INTERIOR DESIGN

Turkey Bay Business Center
 Suite 201, 810 Palm San Vicente Rd.,
 Turon, Guam, USA, 96913
 Tel: (671) 846-5145
 Fax: (671) 846-5144
 www.ariarchitecture.com

Proposed Site Master Plan | Yigo Community Center

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CLTC

Maps & Addendums

**CHAMORRO LAND TRUST COMMISSION
MAP APPROVAL**

1/23/2019, 11:03 AM

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	RELEASE#	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	Matras	Michael Santos Matras	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	Matras	James Santos Matras	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	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 Urchango 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 Mateme 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 Mangliao	A portion of Lot 5402, Mangliao 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 Mangliao under LM307FY2018

**CHAMORRO LAND TRUST COMMISSION
MAP APPROVAL**

1/23/2019, 11:03 AM

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	RELEAS#	COMPLAINT/ISSUE	RECOMMENDATIONS
A	Reyes	William Naputi Reyes	12/2/1995	5:18 PM	691	3/12/2018		Lot 4, Block 13, Tract 2831, Talofoto 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 Talofoto under LM244FY2018
R	Reyes	Millie Ann Reyes	12/2/1995	10:25 AM	186	3/23/2018		Lot 5, Block 13, Tract 2831, Talofoto 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 Talofoto under LM244FY2019
A	Reyes	Michael Wayne Reyes	12/2/1995	5:19 PM	692	12/20/2007		PENDING				Pending map approval	Motion to approve Lease issuance on T2831, B13, L6-6 Talofoto under LM244FY2020
R	Reyes	Steven Willie Reyes	12/2/1995	10:23 AM	183	3/12/2018		Lot 7, Block 13, Tract 2831, Talofoto 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 Talofoto under LM244FY2019
R	Nelson	Shawn Joseph Nelson	12/7/1995	4:32 PM	1815	3/21/2018		Lot 6-8, Block 13, Tract 2831, Talofoto 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 Talofoto 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**

1/23/2019 11:03 AM

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	LEASE#	COMPLAINT/ISSUE	RECOMMENDATIONS
R	Taitano	Pedro Taimarilo Taitano	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

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, Manglao	Mia Theresa Toves	Daughter	Jack E. Hattig III, Administrative Director
11	2/12/2019 Julia A. Pangelinan	Lot 1, Block 8, Tract 18113, Manglao	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. Actfalle	Lot 7150-R4NEW-1-R1, Yigo	David R. Quitugua, Jr.	Son	Jack E. Hattig III, Administrative Director

Utility Authorization List

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

FY2019 Monthly Revenue Collection Report - December 2019

Tena



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



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

LOURDES A. LEON GUERRERO
Governor

JOSEPH M. BORJA
Director

JOSHUA F. TENORIO
Lieutenant Governor

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

February 13, 2019

Memorandum

To: Governor of Guam
From: Acting Director, Department of Land Management
Subject: FY 2019 MONTHLY REVENUE COLLECTION REPORT - DECEMBER 2018

Website:
http://dlm.guam.gov

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:

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

Table with 3 columns: ACCOUNT NAME, DECEMBER Rev COLLECTED, To Date COLLECTED. Rows include 3222 - Land Survey Revolving Fund, 1100 - Dept's/Other Special Account, 3100 - General Fund Account, 3624 - Chamorro Land Trust Commission, 3669 - Chamorro Land Trust Survey, GRAND TOTAL, and To Date Collection for FY 2019.

Telephone:
671-649-LAND (5263)

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

Chamorro Land Trust Commission

Table with 4 columns: DESCRIPTION, DECEMBER Rev COLLECTED, To Date COLLECTED, Account Bal as of DECEMBER 2018. Rows include Bank of Guam Account TDOA, Bank of Guam Account Chkg, Bank of Guam TCD, GRAND TOTAL, and To Date Collection for FY 2019 (Chamorro Land Trust - NAF).



FY 2019 MONTHLY REVENUE COLLECTION REPORT – DECEMBER 2018

February 13, 2019

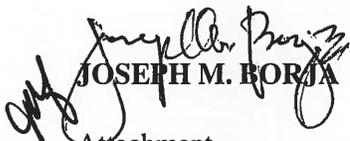
Page 2 of 2

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 Leases/License		CLTO	3624-54201	\$ 62,658.50	\$ 10,929.24	\$ 58,017.81										\$ 131,605.55
Interest		CLTO	3624-54101	\$ 281.76	\$ 275.82	\$ 288.05										\$ 845.13
CLT-OPS Sale of Govt Land		CLTO	3624-57207													\$ -
CLT-SUR-Commercial Lease & Lic (P.L. 33-90)		CLTS	3669-52001	\$ 458.33	\$ 458.33	\$ 37,200.00										\$ 38,116.66
CLT-SUR-Agr/Res Land Trust Lease (P.L. 33-90)		CLTS	3669-56001	\$ 322.00	\$ 133.00	\$ -										\$ 455.00
CLT-SUR-Sale of Govt Land (P.L. 33-90)		CLTS	3669-57001		\$ 2,392.02	\$ -										\$ 2,392.02
CLT-Interest Inc		CLTS	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
Chamorro Land Trust Survey Total (3669)				\$ 780.48	\$ 2,888.80	\$ 27,200.76										\$ 40,869.78
CLTO/CLTS TOTAL				\$ 64,170.74	\$ 14,233.06	\$ 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

- Copies Provided to:
- (GF) Deposited into General Fund.
 - (LSRF) Deposited into Land Survey Revolving Fund Account
 - (SA) * 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. Tertaja, 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

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting

ANNIE CRUZ SIGUENZA

1. FACTS:

- a. **Location:** Portion of Lot 3443 Chalan Pago
- b. **Lot Size:** ½ acre
- c. **Lease Ins. No and Signing Date:** Unrecorded; Signing Date -November 26, 2002
- d. **Complaint/Issue:** Request for an Addendum Issuance

2. CHRONOLOGICAL FACTS:

- a. **Original Applicant:** Ana Cruz Siguenza
- b. **Application Date and Time:** December 5, 1995 at 11 :03 AM
- c. **Application Number:** 000114
- d. **Application Type:** Residential
- e. **Take-Over Applicant:** Annie Cruz Siguenza
- f. **Application Date:** May 2, 2014

g. Time Line (start from LUP Holder Jose S.A. Siguenza, C.I. #28688, Haligi, Sinajana)

- i. LUP New Assignment
 - 1. Permit #37-Sinajana
 - 2. Start - September 9, 1960 - 5-year lease
 - 3. Approximately 1 hectare at Haligi
- ii. LUP Renewal for Haligi, Sinajana (approximately 1 hectare)
 - 1. September 1, 1970 - August 31, 1971
- iii. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 1971 -August 31, 1972
- iv. January 31, 1972
 - 1. Letter from DLM to Mr. Siguenza in regards to a notice under Estate No. 15, as Facto, Sinajana is in the process of surveying the private lands
- v. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 1972 -August 31, 1973
- vi. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. Adding wife, Ana C. Siguenza to LUP Agreement
 - 3. September 1, 1973-August 31, 1974
- vii. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 197 4 - August 31, 1975
- viii. LUP Renewal for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 1975 - August 31, 1976
- ix. LUP Extension for Haligi, Sinajana
 - 1. 1 acre
 - 2. September 1, 1976 - August 31, 1977
- x. LUP Extension for Haligi, Sinajana
 - 1. September 1, 1977 - August 31, 1978

- xi. LUP Approval dated October 25, 1979
- xii. LUP Agreement under Ana C. Siguenza for Haligi, Sinajana
 - 1. LUP #37-Sinajana
 - 2. September 1, 1980 -August 31, 1981
 - 3. 1 acre
- xiii. LUP Renewal under Jose S.A. Siguenza for Haligi, Sinajana
 - 1. September 1, 1981-August31, 1982
- xiv. LUP Renewal under Jose S.A. and Ana C. Siguenza
 - 1. September 1, 1983 -August 31, 1984
- xv. LUP Renewal under Jose S. A. Siguenza for Haligi, Sinajana
 - 1. Lot 101, Unit #4, Map #34
- xvi. December 4, 1958
 - 1. LUP Agreement to continue using property
- xvii. LUP Agreement
 - 1. September 1, 1985 -August 31, 1986

- h. July 11, 1995 – Applicant, Jesse Cruz Siguenza
 - i. Obtained a utility authorization under CL TC-UT-230
 - ii. Lot #3470 Chalan Pago
 - iii. LUP #37-Sinajana under Jose S.A. Siguenza

- i. September 18, 1996 -Renewal in lieu of July 11, 1995

- j. November 26, 2002 -Lease issued to Ana Cruz Siguenza for a Portion of Lot 3443 for .50 subject to survey

- k. ***Action: Our recommendation is to move Ms. Annie Cruz Siguenza to a property within CLT inventory because her current living area is on the Ramirez family private property.***

CHAMORRO LAND TRUST COMMISSION
Board of Commissioners Meeting

EDWARD CRUZ SIGUENZA

A. FACTS

- a. **Location:** Currently residing on a portion of Lot 3443-R1 Chalan Pago
- b. **Lot Size/Lease Type:** N/A
- c. **Lease Instrument Number and Signing Date:** N/A
- d. **Complaint/Issue:** *Occupying on Ramirez Property (private) and would like to be on government land behind him*

B. CHRONOLOGICAL FACTS

- a. **Original Applicant's Date and Time:** July 15, 1998 at 10:14 AM
- b. **Application Number:** 4771
- c. Indicated on CLT Application that he is a preoccupier on Chalan Pago lot with Parents
- d. August 23, 2001 – CLTC issued utility authorization for power, water, telephone, and Dept. of Agriculture under CLTC-UT-1623 for a Portion of Lot 3470, Chalan Pago under Jesse Cruz Siguenza (brother of Edward).
- e. October 6, 1999 – Utility Request through CLTC indicates that Jesse Siguenza is moving out so Edward can stay on property; all utilities are under Jesse Siguenza
- f. September 27, 2002 - Mayor's Verification indications "A" occupying since January 1, 1996

C. RECOMMENDATION

Motion to approve the transfer of Edward Cruz Siguenza to a portion of Lot 3470-R3 Chalan Pago, pending a map scheme for subject lot.