# Kumision Inangokkon Tano' CHamoru
## (CHamoru Land Trust Commission)

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*Lourdes A. Leon Guerrero*
*Governor*

*Joshua F. Tenorio*
*Lieutenant Governor*

***Commission Members***

*John F. Reyes, Jr.*
*Chairman*

*Austin J. Duenas*
*Commissioner*

*Arlene P. Bordallo*
*Commissioner*

*Angela T. Santos*
*Commissioner*

*Vacant*
*Commissioner*

*Jack E. Hattig III*
*Administrative Director*


**COMMISSION MEETING MINUTES**
CHamoru Land Trust Conference Room
Suite 223, 2nd Floor, ITC Building
590 S. Marine Corp Drive, Tamuning, Guam
Thursday, March 18, 2021; 1:16 p.m. – 6:56 p.m.

Public Notice: The *Pacific Daily News* on March 11, 2021 and March 16, 2021

**Chairman John Reyes, Jr:** Before we call the meeting to order, I would like to go ahead and begin with the Inefresi and I'll go ahead and lead us this afternoon.
**All:** Reciting the Inefresi
**Chairman J. Reyes, Jr.:** Thank you very much the time is 1:16 p.m. and I call this regular meeting the Kumision Inangokkon Tano' CHamoru, Chamorro Land Trust Commission to order and I will begin with Roll Call.

*Roll Call*
**Chairman J. Reyes, Jr.:** Commissioner Duenas.
**Commissioner Austin Duenas:** Here.
**Chairman J. Reyes, Jr.:** Commissioner Bordallo.
**Commissioner Arlene Bordallo:** I'm here.
**Chairman J. Reyes, Jr.:** Commissioner Santos.
**Commissioner Angela Santos:** Esta gue yu.
**Chairman J. Reyes, Jr.:** Director Hattig.
**Administrative Director Jack Hattig, III:** Esta gue yu lokkue.
**Chairman J. Reyes, Jr.:** Si Yu'os Ma'åse' and Attorney Toft.
**Legal Counsel Nicolas Toft:** Here.
**Chairman J. Reyes, Jr.:** Thank you, Sir. First item on our agenda is the Approval of Minutes. Commissioner Santos, I believe the echo is coming from your side.
**Commissioner A. Santos:** Dispensa yu.
**Chairman J. Reyes, Jr.:** Could you try and mute real quick?
**Commissioner A. Santos** Dispensa trying to

*Approval of Minutes*
**Chairman J. Reyes, Jr.:** Okay, yes, the echo is coming from your side. So just wanted to let you know. Okay, so with the approval of the minutes, does anybody have any questions and the minutes to be approved? Is our January 21st 2021 meeting minutes. We're pretty much up to date, I believe Miss Tina had also informed me that our February meeting minutes is ready for review and we'll be able to approve those in next in our next meeting on the 25th. So, we're thank you so much, Miss Tina for that and that will get us up to date through these next couple of meetings so, appreciate that. Commissioners any questions in regards to the minutes from January 21st?

**Commissioner A. Duenas**: Mr. Chairman, I have no questions I actually was not present for this particular meeting so I have no questions at this time.
**Chairman J. Reyes, Jr.:** Okay. Commissioner Bordallo or Commissioner Santos.
**Commissioner A. Bordallo**: I have none.
**Chairman J. Reyes, Jr.:** Okay, alright.
**Commissioner A. Santos**: None from me also.
**Chairman J. Reyes, Jr.:** Thank you so much. May I get a motion then so we can approve the January 21st 2021 meeting minutes.
**Commissioner A. Bordallo**: I move that the minutes of January 20th be accepted as presented.
**Chairman J. Reyes, Jr.:** Okay.
**Commissioner A. Santos**: I second that motion.
**Chairman J. Reyes, Jr.:** Alright. Saina Bordallo for clarification, its January 21st was the date of our...
**Commissioner A. Bordallo:** January 21st.
**Chairman J. Reyes, Jr.:** Yeah. Okay, thank you so much.
**Commissioner A. Bordallo**: Yeah.
**Chairman J. Reyes, Jr.:** I may get a second.
**Commissioner A. Santos**: I second that motion Chair.
**Chairman J. Reyes, Jr.:** Thank you, Commissioner Santos do I hear any objections?
**Commissioner A. Bordallo**: None.
**Chairman J. Reyes, Jr.:** Okay. Hearing none, the motion passes and the meeting minutes have been approved for January 21 2021. Alright, thank you so much. Alright, so moving on to our constituent matters in the in the agenda that's been presented. I'm going to switch things around real quick. So, Ms. Eileen, you'll be the one to be navigating through these. I would like to begin with our residential constituent matters and then I would like to also begin with the constituent matters regarding Mr. Gamboa and Mr. Salas. Alright, so I'll give the Commissioners just a moment to pull up that packet. I do have it here as well, Mr. Salas, thank you so much for joining us today. Once again, I really appreciate your patience as we navigated through some unforeseen circumstances in our February meeting. I did connect with Ms. Jessica and she will present the Staff Report, right? And then we'll have the opportunity to discuss with the Board and then move for either approval or if there's any other questions that we need to address. Alright. So, thank you again, Sir for your patience and I appreciate your time again with us today. I'll turn it over to Ms. Eileen.
**Land Agent II Eileen Chargualaf**: Okay, Jessica that would be your case for Mr. Gamboa, go ahead and present it.

*Vincent Duenas Gamboa*

**Land Agent I Jessica Dayday**: Hafa Adai Commissioners. Today, we have Mr. Vincent Duenas Gamboa, he is requesting for a tax waiver, request to transfer of his lease, requests of relocation and Survey Authorization. Before we do the relocation actually Mr. Gamboa is requesting for the tax waiver and transfer of the lease first...
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent I J. Dayday**: To Mr. Salas.

**Chairman J. Reyes, Jr.:** Okay, and then Jessica just for the Commissions, kind of getting them up to speed, we did push this in our meeting so that we can get any additional information. And since we didn't get through this in the February meeting, could you brief the Commission kind of based on the additional information that you were able to gather based on our request?

**Land Agent I J. Dayday:** Okay, so my findings, I did another site inspection and based on my site inspection, the individual that is currently occupying the property was placed there by Department of Land Management, he does have documentation.

**Chairman J. Reyes, Jr.:** Okay. And we didn't we didn't have all that that information, when we were meeting in with this in January, so you're able to get that information and can you remind me again that the land was not registered correct, in that sense?

**Land Agent I J. Dayday:** Correct.

**Chairman J. Reyes, Jr.:** Okay and so the first two things that we need to address, here is the tax waiver and was that's for Mr. Gamboa, correct?

**Land Agent I J. Dayday:** Yes.

**Chairman J. Reyes, Jr.:** And then the request to transfer the lease which will be from Mr. Gamboa to Mr. Salas?

**Land Agent I J. Dayday:** Correct.

**Chairman J. Reyes, Jr.:** Okay, and the other thing that I also wanted to clarify based on our discussion, right, when you did the site inspection that, I think you did mention this sorry, but it is in Land Management records of the current person that's occupying correct?

**Land Agent I J. Dayday:** Correct. He had a Land Use Permit.

**Chairman J. Reyes, Jr.:** So, Commissioners that was one of the additional points of information from our January meeting that I requested for Ms. Jessica to take a look at and then I think what we have before us now- barring any additional questions that you may have that we have sufficient information to now proceed on these items. So, do you guys have any questions on this?

**Commissioner A. Santos:** Ms. Dayday, I'm sorry, I'm just looking. I'm just getting to the report, but where do we stand right now? I'm sorry, if you mentioned it already, would you mind repeating yourself?

**Land Agent I J. Dayday:** Okay so based on the site inspection I conducted and the research, I found that the person who is currently occupying was placed there by Department of Land Management and he does have a Land Use Permit.

**Chairman J. Reyes, Jr.:** Yeah.

**Commissioner A. Santos:** But the property that they're on; that is CLTC property?

**Land Agent I J. Dayday:** Yes, it was transferred to the Trust later on.

**Chairman J. Reyes, Jr.:** Yeah.

**Land Agent I J. Dayday:** When CLTC issued a lease to Mr. Gamboa, the property was in the Trust's inventory. However, it wasn't registered yet until 2018.

**Commissioner A. Santos:** Okay, thank you.

**Chairman J. Reyes, Jr.:** Okay. So, Commissioner Santos, I think to further maybe help to clarify in your question was; that would be part of the relocation question, right? Why are we moving from one property to the other? Is because of that there was someone that was dwelling there and Miss Jessica was able to figure out who's there?

When was it put back into our inventory via Land Management? So just, you know, again, that was to help us really kind of connect the dots. And in this particular case. Any additional questions for Mr.?
**Commissioner A. Bordallo**: Yes, I have a question.
**Chairman J. Reyes, Jr.:** Yes, ma'am.
**Commissioner A. Bordallo**: So, what lot number are we giving- is Mr. Duenas getting?
**Land Agent I Jessica Dayday**: Well, actually what I wanted, or what we're requesting to do first was to transfer the lease to Mr. Salas and then from there, we can do the relocation for Mr. Salas.
**Land Agent I J. Dayday:** So, you want the number the lot.
**Chairman J. Reyes, Jr.:** Okay.
**Commissioner A. Bordallo:** So, you don't have a lot number right now for Mr. Salas.
**Land Agent I J. Dayday:** Yes, I do. Yes, we do.
**Commissioner A. Bordallo**: Okay.
**Land Agent I J. Dayday**: So, it's a lot 10171-85 in Dededo.
**Commissioner A. Bordallo**: 101?
**Land Agent I J. Dayday**: 71 – 85.
**Land Agent II E. Chargualaf**: That would be the Municipality of Yigo, just to verify.
**Land Agent I J. Dayday**: No, Dededo. 10171 - 85 Dededo.
**Commissioner A. Bordallo**: And what's the square meter?
**Land Agent I J. Dayday**: This is for half acre. 1909 right, 1909 square meters, half acre.
**Chairman J. Reyes, Jr.:** Okay, thank you.
**Land Agent I J. Dayday**: Mr. Gamboa's lease is for a half-acre.
**Chairman J. Reyes, Jr.:** Okay, so it's like for like *inaudible* correct Ms. Jessica?
**Land Agent I J. Dayday**: Correct.
**Chairman J. Reyes, Jr.:** Okay, any other questions commissioners?
**Commissioner A. Bordallo**: So yes, on the tax waiver, is that for the lot that was previously supposed to go to him?
**Land Agent I J. Dayday**: Correct. The lease lot, yes.
**Commissioner A. Bordallo**: That's 10154 Dededo?
**Land Agent I J. Dayday**: Yigo.
**Commissioner A. Bordallo**: That's...
**Land Agent I J. Dayday**: Yigo.
**Commissioner A. Bordallo**: In Yigo?
**Land Agent I J. Dayday**: Yes.
**Commissioner A. Bordallo**: Because your report shows Dededo.
**Land Agent I J. Dayday**: Okay I apologize.
**Commissioner A. Bordallo**: 101?
**Chairman J. Reyes, Jr.:** Okay, alright, so thank you for that Saina Bordallo. So 1054 is Dededo 101...
**Land Agent I J. Dayday**: No.
**Commissioner A. Bordallo**: No, Yigo.
**Chairman J. Reyes, Jr.:** I'm sorry Yigo, 10171- 85 is Dededo?
**Commissioner A. Bordallo**: Correct.
**Land Agent I J. Dayday:** Correct.

**Chairman J. Reyes, Jr.:** Okay. Anything else Saina Bordallo?
**Commissioner A. Bordallo**: Yeah, I think now we can go through with...
**Chairman J. Reyes, Jr.:** Okay. No, those are those are good clarifying points to make sure that we know that it's a life for like, which lots etc..... and thank you for...
**Commissioner A. Bordallo**: Yeah.
**Chairman J. Reyes, Jr.:** And thank you for also that clarification on the tax waiver, the tax waivers only for the previous lot which is on the 10154. Okay. Awesome. Thank you again Miss Jessica for the addition of research and for getting that information for the, for the Commissioners to make a decision. So, Commissioners, any other questions on the first, two items?
**Commissioner A. Bordallo:** Has Mr. Salas seen the property in Dededo.
**Land Agent I J. Dayday**: Yes, he has.
**Commissioner A. Bordallo**: and is he satisfied with the Property?
**Land Agent I J. Dayday**: Yes.
**Chairman J. Reyes, Jr.:** Mr. Salas, you can chime in sir.
**Land Agent I J. Dayday**: He's...
**Chairman J. Reyes, Jr.:** you're here.
**Mr. George Salas**: Yeah, I'm okay with it.
**Chairman J. Reyes, Jr.:** Awesome.
**Commissioner A. Bordallo:** Okay.
**Chairman J. Reyes, Jr.:** Thank you.
**Commissioner A. Bordallo**: So, Mr. Chairman received.
**Chairman J. Reyes, Jr.:** Okay, So Ms. Dayday would like us to take this in two parts so Commissioners, if there's no additional questions if we can get a motion to, two motions and then we can move on to the next. If there's no other questions.
**Commissioner A. Bordallo:** Can I ask you first, was there a lease on the Yigo lot if we have to void that lease?
**Land Agent I J. Dayday:** No, it's just an addendum because you're just transferring the lease from Mr. Gamboa to Mr. Salas. And even with the relocation, it's just an addendum.
**Commissioner A. Bordallo**: So, in other words it was never really lot 10154 Yigo? Was never really given to Mr. Duenas Gamboa?
**Land Agent I J. Dayday**: Yes, it was. Yes, he was issued the lease for lot 10154, Yigo. He was issued the lease. Now, his request is to transfer the lease to Mr. Salas.
**Commissioner A. Bordallo:** Yeah, but we would have to cancel out first the lease 10154, Yigo. We would have to withdraw that...
**Land Agent I J. Dayday**: It it'll just be an addendum.
**Chairman J. Reyes, Jr.:** Yeah.
**Land Agent I J. Dayday**: to the residential lease.
**Chairman J. Reyes, Jr.:** It's an addendum to the existing residential lease, correct?
**Land Agent I J. Dayday**: Yes.
**Chairman J. Reyes, Jr.:** Okay. Okay, any additional questions?
**Commissioner A. Bordallo**: Okay.

**Chairman J. Reyes, Jr.:** Alright, Commissioners any additional questions? Okay, hearing none may I get a motion again this will be in two parts as recommended by Miss Jessica.

**Commissioner A. Duenas:** Mr. Chairman, I'll make a motion to grant the tax waiver to Mr. Vincent Duenas Gamboa for Lot 10154 in Yigo from the start period of the pre-occupier of the subject lot as determined by the Agency in 2021.

**Chairman J. Reyes, Jr.:** Alright, thank you Mr. Duenas. May I get a second?

**Commissioner A. Bordallo:** I second that. I got to second.

**Chairman J. Reyes, Jr.:** Okay, thank you Commissioner Bordallo. Any objections? Okay hearing none. Alright, motion passes for the tax waiver for the previous lot, leased lot of 10154 in Yigo. Okay. Thank you. So, the next recommendation for Ms. Jessica.

**Land Agent I J. Dayday:** Oh...

**Commissioner A. Bordallo:** That is the motion.

**Land Agent I J. Dayday:** Sorry.

**Chairman J. Reyes, Jr.:** Commissioner Santos, can you hear us still? We cannot hear you Commissioner Santos. Dispensa. Alright guys, let's give Commissioner Santos a minute here. She needs to log out and log back in she has, we are not able to hear her.

**Commissioner A. Santos:** Can you hear me now?

**Chairman J. Reyes, Jr.:** Yes. Hunggan.

**Commissioner A. Santos:** I think it might have been when you muted me, maybe, I don't know.

**Chairman J. Reyes, Jr.:** Okay, you're good. You can hear us okay?

**Commissioner A. Santos:** Yeah, I can hear you perfectly fine but I mean you muted me and then I am muted myself. So, I don't know if that was the...

**Chairman J. Reyes, Jr.:** Yeah, sorry about that but the echo is gone so that worked.

**Commissioner A. Santos:** Yes.

**Chairman J. Reyes, Jr.:** Yes. Okay. Thank you. Alright, guys sorry about that for the next item of recommendation from Miss Jessica may get a motion, please.

**Commissioner A. Bordallo:** Okay, that would be part A, B, C & D?

**Chairman J. Reyes, Jr.:** No, Saina Bordallo just B.

**Commissioner A. Bordallo:** Just B, okay. I would like to make a motion to approve the transfer of the residential lease of Vincent Duenas Gamboa to George Salas Junior to be set forth by the addendum provided the following conditions are met: Is the full and complete survey of the property provided in the addendum and second, the full and complete payment of all taxes owed to term set forth by the Commission.

**Chairman J. Reyes, Jr.:** Okay.

**Commissioner A. Duenas:** Second, that motion.

**Chairman J. Reyes, Jr.:** Alright, thank you so much any objections.

**Commissioner A. Bordallo:** None.

**Commissioner A. Santos:** None.

**Chairman J. Reyes, Jr.:** Okay, hearing none, the motion passes for the transfer of lease from Mr. Vincent Duenas Gamboa to Mr. George Salas Jr. Okay, thank you so much Commissioners. Alright, now the request for relocation and request for Survey Authorization, Ms. Dayday, any additional insight to that?

**Land Agent I J. Dayday:** So, for the request to relocate from 10154 Yigo to 10171-85 Dededo for Mr. Salas, upon relocation or approval for the relocation a completion of survey prior to the addendum.
**Chairman J. Reyes, Jr.:** Right so that was in Saina Bordallo's motion.
**Land Agent I J. Dayday**: For the relocation?
**Chairman J. Reyes, Jr.:** Yes, so the transfer of the lease and then now it's the relocation, correct?
**Land Agent I J. Dayday**: Correct.
**Chairman J. Reyes, Jr.:** Okay, alright. Okay.
**Land Agent I J. Dayday:** Also, so the waiving of taxes and then survey authorization to survey so Mr. Salas just to be clear, the waiving of taxes is only for Mr. Gamboa and now, once the addendum, once you sign the addendum you are responsible for the taxes for the new property.
**Commissioner A. Santos**: For the new property.
**Land Agent I J. Dayday**: For the new one, yes.
**Commissioner A. Santos**: Right.
**Chairman J. Reyes, Jr.:** Right from the point of the date, correct.
**Land Agent I J. Dayday:** So, when the addendum is signed, the taxes will be your responsibility.
**Chairman J. Reyes, Jr.:** Alright, and that's for the relocation, right? Those are the, but yeah, we covered that in the transfer to make sure that, but you're just reiterating that, right, Ms. Dayday?
**Land Agent I J. Dayday:** Well so the request to transfer of lease is under Mr. Gamboa now the relocation would be under Mr. Salas.
**Chairman J. Reyes, Jr.:** Correct.
**Land Agent I J. Dayday**: Right.
**Chairman J. Reyes, Jr.:** Okay with regards to the survey...
**Land Agent I J. Dayday:** So, the addendum, we will prepare the addendum upon submission of a survey map, approved recorded survey map. So even if we transfer the file, the addendum won't be prepared until a survey map is submitted.
**Chairman J. Reyes, Jr.:** Okay so what is the time frame or timeline that Mr. Salas needs to complete this and I know that we've discussed this a little bit but I did want to address it here as well.
**Land Agent I J. Dayday:** Well, it was 60 days.
**Chairman J. Reyes, Jr.:** Okay from the time though, the point of issuance or the point of when this is approved by the Board? When does the clock start ticking in essence?
**Land Agent I J. Dayday**: So, when we issue the survey authorization, he does have sixty days.
**Chairman J. Reyes, Jr.:** Okay now, Mr. Salas...
**Land Agent I J. Dayday:** I apologize, correction 90 days.
**Chairman J. Reyes, Jr.:** Ninety days, ninety days from the date of the issuance of the survey authorization. Mr. Salas, I know that we had this discussion and I know that you shared with us in the last January Board Meeting that there had been some back and forth in regards to a survey and given that it was an exchange between I believe in the meeting you had mentioned that it was an exchange between the Land Trust, Mr.

Quan and other parties may have been involved. So, I also had Ms. Jessica go into and look and if we could find anything that and I know you have also said that you don't have anything in that exchange so I just wanted to make sure that that was brought up that she has done her additional leg work and has not found anything in files that in regards to a survey. So, the one thing that I've asked Ms. Jessica to do is what happens or to verify for us what happens after the ninety days if you're not able to secure that survey and get that work done? Is there an opportunity to extend that for you and I believe the answer is yes and it would just have to go through- would it have to come through the Board or is it sufficient enough to go through the Director, Jessica?

**Land Agent I J. Dayday**: Yes, to the director.

**Chairman J. Reyes, Jr.:** Alright, so if in that case Sir that's one of the things that we can definitely help out on if you're not able to do that within the ninety days work directly with Ms. Jessica and she'll steward that over to the Director to help if we need to get that extension for you, okay? Alright, awesome, thank you sir. Alright, Commissioners, is there anything, any other questions that you have in regards to the next set items to action on?

**Commissioner A. Santos:** So right now, we are just going to approve the relocation *inaudible*.

**Chairman J. Reyes, Jr.:** Yes, correct and then the next one would be we would do the authorization for survey.

**Land Agent I J. Dayday:** Would it be easier to just put the survey authorization in the motion like subject to survey?

**Commissioner A. Bordallo**: Conditional.

**Chairman J. Reyes, Jr.:** Yes, Saina Bordallo?

**Commissioner A. Bordallo:** No, it'll be conditional.

**Chairman J. Reyes, Jr.:** Yeah, we can make it conditional. Yes, we can. Commissioners, any questions? Any additional questions discussion? Okay, if we want to proceed, may I get a motion, please? Commissioner Santos, you're signaling?

**Commissioner A. Santos**: Yeah, I could definitely.

**Chairman J. Reyes, Jr.:** Okay, I thought you were mute again. So sorry. I was just checking.

**Commissioner A. Santos**: No, I'm good. I was waiting if the other two commissions, I was giving them the opportunity to make that motion first but...

**Commissioner A. Bordallo**: You first, I'm giving it to you.

**Commissioner A. Santos**: Okay. See I know.

**Land Agent I J. Dayday**: Okay, just remember 10154, Municipality of Yigo.

**Commissioner A. Santos**: Right.

**Chairman J. Reyes, Jr.:** Yes.

**Land Agent I J. Dayday**: Sorry.

**Commissioner A. Santos**: Okay, so I make a motion to approve the relocation of Lot 10154 to be issued to Mr. George Salas in Yigo to Lot 10171-85 in Dededo to be set forth by the addendum to lease with the condition that he gets the property surveyed.

**Chairman J. Reyes, Jr.:** Okay.

**Commissioner A. Santos**: Do not exceed one half of an acre.

**Chairman J. Reyes, Jr.:** Alright. Thank you, Commissioner Santos. May get a second?

**Commissioner A. Bordallo**: I second it.
**Chairman J. Reyes, Jr.**: Okay, thank you Commissioner Bordallo. Any objections?
**Commissioner A. Bordallo**: None.
**Chairman J. Reyes, Jr.**: Okay hearing none. The motion passes on the relocation of Mr. Salas's, relocation from Lot 10154 to 10171-85 with the condition of the survey. Alright thank you commissioners.
**Commissioner A. Bordallo**: No, you're welcome.
**Chairman J. Reyes, Jr.**: We'll move onto the next item Mr. Salas. Thank you so much for your time today and again I apologize again for the unforeseen circumstances that we had but I'm glad that we were able to this done for you today. Si Yu'os Ma'åse' sir.
**Commissioner A. Santos**: *inaudible* Mr. Salas.
**Mr. G. Salas**: Thank you.
**Commissioner A. Santos**: Gosa mo'na.
**Chairman J. Reyes, Jr.**: Okay, Ms. Eileen, next on the agenda please on residential.
**Land Agent II E. Chargualaf**: Okay, Lydia, this is your case Jamie Bass.
**Chairman J. Reyes, Jr.**: Actually, Ms. Eileen, let's stick with residential please.

*Rebecca Fernandez Aguero*
*Teresita Therese Pablo Mallari*

**Land Agent II E. Chargualaf**: Okay, so Glenn we have Rebecca Aguero and that the simultaneously with Mallari so that you can explain the Commissioners of what's actually is going to transpire, what's going to take place with the two.
**Land Agent II Glenn Eay**: Hafa adai commissioners. My name is Glenn Eay, I'm a Land Agent here at Chamorro Land Trust and we're going to discuss the case here is Rebecca Hernandez Aguero, unfortunately, Rebecca Aguero cannot attend today's meeting. I've been trying to get ahold of her for the past seven days and without luck I didn't get a chance to contact her. But we have this issue several weeks ago if not three weeks ago in regards to her case. So, if I may, if the commissioners want me to proceed without the presence of Rebecca Aguero, I can proceed.
**Chairman J. Reyes, Jr.**: Okay, is this the same as for Ms. Mallari?
**Land Agent II G. Eay**: Yes, these two cases is pretty much in relation because it's a duplicate lease that was issued to both Rebecca Aguero and Teresita Mallari.
**Chairman J. Reyes, Jr.**: Okay and neither are present, correct?
**Land Agent II G. Eay**: Ms. Mallari *inaudible* mentioned wasn't able to make it today because I couldn't get ahold of her but Ms. Mallari should be- I'm not sure if she's here right now, but I spoke to her an hour ago she did mention to me that she will be online.
**Chairman J. Reyes, Jr.**: Okay.
**Ms. Terry Pablo (Teresita Mallari)**: Yes, I'm actually here.
**Land Agent II G. Eay**: Hi, good afternoon.
**Chairman J. Reyes, Jr.**: Okay, Hafa adai. Thank you.
**Ms. T. Pablo**: Good afternoon.
**Chairman J. Reyes, Jr.**: Thank you.
**Ms. T. Pablo**: Thank you.

**Chairman J. Reyes, Jr.:** Commissioners, any objections if there's no representation from our constituent to just proceed?
**Commissioner A. Santos:** I don't see why not.
**Chairman J. Reyes, Jr.:** Okay, yeah if this is not to complex. Okay Ms. Dayday, let's start with Ms. Mallari since she's present and then we'll do the next one.
**Land Agent II G. Eay:** Okay, we have Ms. Mallari here and she's here today because of a duplicate lease that was issued to her and also to Rebecca Aguero. Ms. Mallari is a 1995 applicant and was issued a lease back in 1997 and also later to find out that the same lot that was issued to her was issued to Ms. Aguero in 2007. So, this a case where one lot was issued to two lessees, unfortunately.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent II G. Eay:** Okay so once again on January 1997 a residential lease was issued to Ms. Mallari and it was discovered on March 2019 when we found out that a land agent had mistakenly issued a lot, her lot to somebody else and on December 1st 2020 Ms. Mallari called up our office inquiring about lease of her property. The reason why she called up because she had gone to DRT at Revenue and Tax to inquire about her property tax only to find out that she was told to get ahold of Land Management because records show on their side that it was issued to somebody else besides her and that's when I got a chance to discuss this issue with her and after doing my research it shows that yes, she is a lessee that was issued back in 1997. The lot description is Tract 9210, Lot 10, Block 2, Yigo and December 2007 was an addendum that was issued out to Ms. Aguero, Rebecca Fernandez which is the same lot 9210, Lot 10, Block 2, Yigo but my recommendation here is because Ms. Mallari was the original lessee way back in 1997 I feel that she will be the rightful lessee because she was issued that in 1997 whereas the other individual was issued that lot back in 2007 and that's my recommendation and I have Ms. Mallari that if she wants to make any statement.
**Chairman J. Reyes, Jr.:** Okay, I do have one questions; what will we do with the lease for Ms. Aguero.
**Land Agent II G. Eay:** Okay, I've submitted before you Ms. Aguero's staff report an aerial that identified two lots, vacant lots within the same tract and what happen, I know of the place unfortunately it's not acceptable at this time, it doesn't have the utilities available but those are the two vacant lots thus far that can be issued out to Ms. Aguero.
**Chairman J. Reyes, Jr.:** Okay and in your conversations with her, I'm sorry I thought we could do this independently but I realize now that it's kind of together. In your discussions with Ms. Aguero, did you discuss these parcels that are available?
**Land Agent II G. Eay:** No sir I haven't because the time that when we had our discussion she was also calling me about her concerns about what's going to happen to her lot and I told her that I was in the process of completing my staff report for her and once the staff report is completed I will see if I can present this to the Board and also notify her if the date has been set and I tried several calls about 5 or 6 times trying to get ahold of her but I was not able to contact her at this time.

**Chairman J. Reyes, Jr.:** Okay, got it. But even just an option of where we can move her? Or I mean not really move because this looks like this was done in error but what her options for other land lots for her? Did you discuss that?
**Land Agent II G. Eay**: Yeah, like I mentioned there are two other lots that are available in the tracts, same tract 9210 but we have another constituent that's going to be appearing after us later on or rather a lessee *inaudible* that he wants to terminate his lease that is located at 9210 as well and I went and visited that lot last week and also found out that this is a great lot to relocate Ms. Rebecca Aguero because it has water and power available and because it has accessible access to the property.
**Chairman J. Reyes, Jr.:** Okay. So, but...
**Land Agent II G. Eay:** I didn't mention that because it's not vacant until such time until we...
**Chairman J. Reyes, Jr.:** Understood but the other two lots. Lot 3 and 2 Block 28, 9210 those are the ones that you discussed with her?
**Land Agent II G. Eay**: No, at the time I had not completed my findings, sir.
**Chairman J. Reyes, Jr.:** Okay, so you have not had any discussions with Ms. Aguero on potential lots?
**Land Agent II G. Eay**: Correct.
**Chairman J. Reyes, Jr.:** Okay. Alright. Just wanted to make sure so Commissioners, any other questions? This is...
**Commissioner A. Bordallo**: Why did it take 10 years to discover that it's a duplicate lease?
**Land Agent II G. Eay**: 10 years only because like I mentioned Ms. Mallari went up to Rev & Tax to inquire to inquire about her taxes only to find out that the said property didn't have her name on it. It was mentioned that it was Rebecca Aguero and it was kind of impossible to track down only because of that issue where they found out that there were two names rather her name was not listed on the property taxes.
**Commissioner A. Bordallo**: Did you do a title research on that lot?
**Land Agent II G. Eay**: Well, at title research is not necessary because the property itself belongs to the Trust.
**Commissioner A. Bordallo**: Yes, I think it is necessary, so that we don't duplicate things.
**Land Agent II G. Eay**: Well, at the time I was like...
**Commissioner A. Bordallo**: I find that I know it is necessary reports in order we don't duplicate things like this, it may, you may have not been...
**Legal Counsel N. Toft**: Well, the title report wouldn't show anything except that it's owned by the Trust and then from that point, our own records would show who it's leased to. So, a title company or any sort of title report will just show that it's owned by CLTC.
**Chairman J. Reyes, Jr.:** Okay and so our records would have to...
**Commissioner A. Bordallo:** Yes, but Attorney...
**Legal Counsel N. Toft:** Yes, it was due to failure of our record system.
**Commissioner A. Bordallo**: Attorney Toft, it would show also a lease agreement on that lot, on the title report.
**Legal Counsel N. Toft**: If it's been filed. Yeah.

**Ms. T. Pablo**: Yeah.
**Commissioner A. Santos**: At least for the most part the track number, right, the lot number?
**Commissioner A. Bordallo**: The lot number, definitely.
**Commissioner A. Santos**: Right. So that's the most important.
**Legal Counsel N. Toft:** It should be but there have been a couple times where we've we have like a large lot that encompasses maybe 20 different potential plots and we just we issue out a lease for a portion of lot, large lot say number five or something like that and then it's on the tenant to map out and survey their particular piece and bring it back. So, if you did a title report for that, it would come back with 15 20 people on it.
**Ms. T. Pablo**: Hi this is Terry Mallari and I wanted to kind of share with you I know you asked why it's taking 10 years to find out and I wanted to share with you guys that I've been following up with CHamoru Land Trust, I actually went down there in February of 2008, I've been calling before that to find out what we can do to build and at that time there was no banks that were, even up until today, that we could not...
**Commissioner A. Bordallo**: Get a loan?
**Chairman J. Reyes, Jr.:** Ms. Mallari, can you hear us? We cannot hear you, ma'am. Ms. Mallari?
**Land Agent II G. Eay**: Yes, let me give her a call. Yes, I am. Ms. Mallari, you're a mute. Can you *inaudible* again? Okay.
**Chairman J. Reyes, Jr.:** No, she's going to joining again, it looks like she left.
**Commissioner A. Santos**: Let's communication.
**Commissioner A. Bordallo**: Mr. Chairman.
**Chairman J. Reyes, Jr.:** Yes, ma'am.
**Commissioner A. Bordallo**: The fault is on our side.
**Chairman J. Reyes, Jr.:** Yes, I'm definitely recognizing that Saina and we'll discuss this as soon as Ms. Mallari gets back on. I do want to hear, sorry guys we'll just take a pause here with waiting for Ms. Mallari to join us she did start to give us some insight into this journey for the past 10 years and it's definitely want to hear her journey through this in trying to get this rectified and just for additional guidance or further on how we proceed on some of these things, Ms. Eileen, can you please make sure we take some of these additional notes in, I'm sure that Ms. Mallari is not the only one that has these that would be sharing these things *inaudible*.
**Commissioner A. Bordallo**: Mr. Reyes?
**Chairman J. Reyes, Jr.:** Yes, ma'am.
**Commissioner A. Bordallo**: Where's the Mr. Hattig, is he around?
**Chairman J. Reyes, Jr.:** Yes, yes, he is.
**Administrative Director J. Hattig, III:** Hafa Adai Commissioner Bordallo, I'm here.
**Chairman J. Reyes, Jr.:** Hi, Mrs. Mallari, can you...
**Ms. T. Pablo**: Hi, I'm sorry its technical difficulty I didn't realize but I guess I'll wait until you guys are, if I'm available to speak, just let me know.
**Chairman J. Reyes, Jr.:** Yes, please proceed.
**Ms. T. Pablo**: Thank you. Okay so yeah. I was listening to Ms. Bordallo here asking why did it take 10 years to find this out? That's my question as well. I've been in contact with CHamoru Land Trust, I was so excited that I was awarded this, it really means a lot

to me because I woke up at three o'clock in the morning in 1995 just so that I can get in line with a lot of other people and I remember leaving that place in Asan at one o'clock in the afternoon but it was worth it and at the time I was even eight months pregnant but it took very long to get this lease and I was very grateful it was worth the wait but I was really disappointed that I kept following up with CHamoru Land Trust, how can I go about to build a house and what kind of help and all I kept getting was the runaround, everybody kept encouraging me to change the property. I didn't understand why. In 2008, I walked into CHamoru Land Trust when it was down in Agana and I met with three individuals, I signed in, I asked what to do. They told me to go and get a surveyor to find the points because it was already surveyed and anyways, I did that, they gave me the name I contacted the survey I even paid half of it. I couldn't complete the points because they told me, there was a neighbor there that informed me that informed me that it belonged to someone else and I was never informed. My contact number, my email address, my mailing address has never changed and so I was being encouraged by the people down there to change the lot and I didn't understand why. I never knew, I'm just finding out today, listening to Glenn that it was issued out in 2007; why wasn't I informed that when I finally went down to meet with them because I kept getting the runaround over the phone in 2008. I even have a copy of the log because I had requested to be please give me a copy of the log so it can show that I've been coming down here. I left many messages; I have a time line with many messages with the different people that I met with only to find out that it's no longer under my name and I just found that out in 2020. I've been paying the taxes on this property since 2011 'till today, I'm up to date on the property and I was never informed I just keep getting the runaround. I don't have any political ties, I don't have any connection, I'm just asking for what's right. And so yes, I'm very dumbfounded that this was given to someone and I was never contacted. I've visited asking to get authorization to clear the property, get power and water and they told me okay, we're going to get it, we will work the paperwork, get it approved, we'll let you know, I never got a phone call. This is since 2008 and I'm still waiting. So, you know, I just wanted to share that with you guys and that's where I started contacting Glenn and I'm glad that he's done the research and I'm just asking you guys to reconsider this, I mean, I really, he asked me if I'm interested in relocating but I just felt that this was my lot, this was my blessing at the time when I really needed it the most. It took twenty, my son is twenty-five years, it twenty-five years to finally get someone to work with me from CHamoru Land Trust but I was always getting the runaround and it's very frustrating. But thank you for allowing me to speak, but yeah, I will wait for the decision from this Commission.

**Chairman J. Reyes, Jr.:** Yeah. Si Yu'os Ma'åse' very much Ms. Mallari. I do understand your frustration, it's been a lot of years so I appreciate Glenn in kind of surfacing this and kind of getting you the answers that you need, thank you so much in that and everyone that may have helped and assisted in this research to get some answers for Mrs. Mallari and so let's go ahead and Glenn let's go ahead and take care of Mrs. Mallari and then I want you to stay closely, contact, continuing to stay closely with Mrs. Aguero as well even if we've not heard back from her but we will need to again,

depending on what the Commission decides on this today, we'll have to make sure that we take care of Mrs. Aguero as well because this is the same timeline.
**Commissioner A. Bordallo**: Mr. Chairman, can I ask a question *inaudible* Mr. Glenn?
**Chairman J. Reyes, Jr.:** Yes.
**Commissioner A. Bordallo**: If the property, the land Tract 9210, Lot 10, Block 2 in Yigo, is there a house there on that lot?
**Land Agent II G. Eay:** The property right now is vacant, it's an empty lot, there's no house there.
**Commissioner A. Bordallo:** Are they farming or what?
**Land Agent II G. Eay**: I'm sorry?
**Commissioner A. Bordallo**: Are they occupying it? Do you know if they're using the land?
**Land Agent II G. Eay**: When I last visited that place last month with Ms. Mallari at the time there's nobody occupying the property.
**Commissioner A. Bordallo**: Okay. And do you know if there's power or water in that place?
**Land Agent II G. Eay**: There is power and water available within *inaudible*.
**Commissioner A. Bordallo**: *inaudible* in that lot?
**Land Agent II G. Eay** Yes, within 20 to 50 feet.
**Commissioner A. Bordallo**: But is it but it's not connected into the lot?
**Land Agent II G. Eay**: There though. No, it's not, it's the water that's within the easement itself. Not connected to the subject line.
**Commissioner A. Bordallo**: So, Mrs. Aguero didn't apply for water and power for that lot?
**Land Agent II G. Eay**: Yes, she would have to apply for water on power. Yes, which is available.
**Chairman J. Reyes, Jr.:** so, nothing's existing though? There's no exciting, we don't have to worry about existing infrastructure that may have put in place, there's no exciting structure or any signs of someone living there or farming or anything?
**Land Agent II G. Eay**: It's nothing but vegetation, sir.
**Chairman J. Reyes, Jr.:** Okay, okay.
**Commissioner A. Bordallo**: Can I ask you another question, Mr. Glenn?
**Land Agent II G. Eay**: Yes.
**Commissioner A. Bordallo**: Is there a lease with Mrs. Aguero?
**Land Agent II G. Eay**: Yes, the lease is within the same subject lot, lot 10; it's a duplicated lease.
**Chairman J. Reyes, Jr.:** Yes.
**Land Agent II G. Eay:** What had happened prior to issuing Ms. Aguero Lot 10, she was issued Lot 7. What had happened was they did an addendum to relocate her to lot 10 only because the property that was issued to her back in 1997 was already occupied by a Land Use Permittee. That's the reason why she was relocated from Lot 7 and put to Lot 10 not knowing that Lot 10 was already issued out to Ms. Mallari.
**Commissioner A. Bordallo:** Now, on that lot 7, is it occupied, are they using the land?

**Land Agent II G. Eay**: Lot 7 is consolidated with Lot 8 so it's a consolidation of two lots and yes it's being occupied by a land use permit that there prior to 1994 in fact it was back in the '70s if I'm not mistaken.
**Commissioner A. Bordallo**: And are they using it?
**Land Agent II G. Eay**: Yes, they are.
**Commissioner A. Bordallo**: Whoever's what is it used for: Are they farming?
**Land Agent II G. Eay**: This lot, lot 7 and 8 was part of the Palomo family which were the original lessees which were the original lessee's way back if I'm not mistaken in the late 70s and was subdivided into several lots for the land use permittee that was currently occupying to date. So yes, the lot is being occupied as we speak.
**Commissioner A. Bordallo**: Yeah, but what is it used for? Farming or?
**Land Agent II G. Eay**: It's resident *inaudible* it's used for residential.
**Land Agent II E. Chargualaf:** Can I just clarify this? With the Palomo's, prior to CHamoru Land Trust being born, the Palomo's have been occupying that lot under the Department of Land Management.
**Chairman J. Reyes, Jr.:** Okay. So, Mr. Eay, just to regurgitating what you just said; so, with Ms. Aguero she was given Lot 7 but it was already occupied and then they moved her to lot 10 which was technically already leased and occupied, well not occupied but leased but not know that a lease was still created, executed.
**Land Agent II G. Eay**: Yes, not knowing that lot 10 was already issued out to Ms. Mallari.
**Chairman J. Reyes, Jr.:** Right, so it was still issued?
**Land Agent II G. Eay:** To date I still recognize that- but the only thing different right now, sir is Ms. Mallari we have records that show that she is the lessee but on Ms. Aguero's case not only that she has the lease it's a recorded lease; that's the difference now. Ms. Mallari's is not recorded and Ms. Aguero is a recorded lease.
**Commissioner A. Bordallo**: Does Ms. Aguero, does she pay the taxes on that lot?
**Land Agent II G. Eay**: Yes.
**Commissioner A. Bordallo**: So, there's a...
**Chairman J. Reyes, Jr.:** Wait Ms. Aguero or Ms Mallari?
**Land Agent II G. Eay**: Ms. Mallari has been paying the taxes.
**Chairman J. Reyes, Jr.:** So...
**Commissioner A. Bordallo**: But how about Miss Aguero?
**Land Agent II G. Eay**: She's up to date.
**Chairman J. Reyes, Jr.:** So, you're saying that two people have been paying the taxes or, or just Ms. Mallari?
**Land Agent II G. Eay**: but thus far I know I would like to go back and reconfirm if Ms. Aguero is up to date on her property tax if Ms. Aguero is up to date on a property tax. I don't want to mention that she is paying property tax as of today, but all I know. I don't have that on my report right now that she's up to date with her property tax. On records, on file then I should have noted that on my staff report I didn't see that.
**Chairman J. Reyes, Jr.:** Okay.
**Commissioner A. Bordallo:** But does Ms. Mallari, her tax receipt show her name? Or Ms. Aguero?

**Land Agent II G. Eay**: We have her file listed as a lessee but when you do the research it's listed under Rebecca the lot description.
**Commissioner A. Bordallo**: When Mrs. Mallari pays the taxes what receipt is it written to? In her name? Is she given a receipt showing she's the one that paid it?
**Land Agent II G. Eay**: I believe it does state her name but it also identifies the lot description itself.
**Chairman J. Reyes, Jr.**: Okay so Mrs. Mallari in your receipts, sorry if you could still here us, in your receipts it's listed as your name, Mrs. Mallari? So, Glenn in your discussions with Mrs. Mallari it's lot number and her name is basically in the receipts?
**Land Agent II E. Chargualaf**: it has it in file.
**Land Agent II G. Eay**: She has on file that she has been paying property tax which is the lot description that was described on her lease. I have to go back and check if her name was included but I know that the lot description was described.
**Chairman J. Reyes, Jr.**: Okay and that's fine. I mean she has the receipts so - okay. Any, any, additional...
**Commissioner A. Bordallo**: I have a...
**Chairman J. Reyes, Jr.**: Yes.
**Commissioner A. Bordallo**: I have a question for the attorney.
**Chairman J. Reyes, Jr.**: Yes.
**Commissioner A. Bordallo** Can we, first, we have to check if Ms. Aguero is paying her taxes; which has more weight, the documented document that is recorded or the lease agreement where the person is paying taxes on?
**Legal Counsel N. Toft**: The recordation because under Guam Law it doesn't matter who pays the taxes on something. We actually had cases in court where people have tried to basically take government land by paying taxes on it and then trying to register it. So, it we don't really pay attention to who pays the taxes.
**Chairman J. Reyes, Jr.**: Okay, So Glenn how can we make sure that we are going to help both Mrs. Mallari and Ms. Aguero and that we can clear this up so they can proceed and do whatever they want or need to in the land and that we have no more questions regarding Tract 9210, Lot 2, B2.
**Land Agent II G. Eay**: I have to get a hold of Ms. Aguero and make an offer and show and possible give her a site tour of the location of the possible vacant property that will be vacant like I mentioned we have another constituent after us that wants to terminate his lot that is within the same tract that has all water and power available and what's even better the accessibility to the place is much better. You don't need an all-terrain truck to go there you can buy a 2021 sedan and go through there with no problem. The access is, the grade level is elevated.
**Chairman J. Reyes, Jr.**: Okay and so Mrs. Mallari, so we're going to, here's what I think we're going to do. I'm going to have Glenn do additional work on this. We have a path forward, right. We've already discovered all these missing links or ambiguities or we're definitely getting answers to you. I'm also going to request that if you can give us a little bit more time and have Glenn work through this, we are meeting next we again and I did advise that if we had any constituent matters for next week, we will bring it up because our focus in these next two meetings under Constituent Matters *inaudible* so if you give us a little more time and we give Glenn to try and get in

contact with Ms. Aguero keep close contact with you. You have his number or email if you need and just give us a little more time to work through this. I think there are still a lot of questions that need to be answered. We're continue to also get guidance from Legal Counsel in the best way forward but unfortunately being that Ms. Aguero is not here we can't have these discussions. Most importantly, thank you for being here and kind of sharing with us your journey in kind of getting these answers for you. So, if you're agreeing to that, if you could just give us a little more time and we'll make sure that you're kept up to date on the progress or lack thereof.

**Ms. T. Pablo**: Yes, I agree. I mean, this is the most information that I've gotten. So, I hope that I continue to get updated with it. And I've been working with Glenn and he's been very and he's in touch with me so I'm glad thank you.

**Chairman J. Reyes, Jr.:** Okay so I want to, commissioners if you have no objections, I'm going to table this and leave this with Glenn but I think Saina Bordallo, you're raising your hand, we cannot hear you.

**Commissioner A. Bordallo:** Yeah, if Mrs. Mallari sees another property that she likes more than the lot she has now or just giving her an option to...

**Ms. T. Pablo:** Yeah, that was actually offered to me and I just, I go back again and I don't understand. I've been calling, I've been in communication, I went down and visited and not once was it even brought up to me or asked or even, I was not aware that this happened and so at this time it means a lot to me; just the journey that I went to get this and I'm asking also each and every one of you; I mean, I do agree, I'm glad that you're going to take care of both of us but I hope that I would get that you guys grant me this property as I got the lease in 1997 and yeah. I did not record it with Land Management, I was asking for direction because when this was first issued out, it wasn't clear, it wasn't like a clear-cut and you know I've been in contact with CHamoru Land Trust and this is the first time that I was able to get a little bit more information as what's happening, what to do and so I'm willing to wait and see but I'm hoping that you guys will also consider my request as I am listed as the first lessor but I know that there's other things that may prevent it but we'll just wait.

**Chairman J. Reyes, Jr.:** Yeah, understood Mrs. Mallari.

**Commissioner A. Bordallo**: I'm really sorry Mrs. Mallari this has happened. I'm so sorry.

**Ms. T. Pablo**: Thank you.

**Chairman J. Reyes, Jr.:** Okay, so Mrs. Mallari thank you so much for agreeing to that. Glenn, please continue to get additional on this and Commissioner Santos?

**Commissioner A. Santos**: What I do want to ask, Mr. Eay, what you suggest be the first step into getting the information and where we want to go, right? We already know Mrs. Mallari wants to keep that property; she's been paying taxes her taxes; is it now just getting a hold of Ms. Aguero?

**Land Agent II G. Eay**: Yes, yes definitely and I also want to give her that opportunity, I would like to give her also an offer to other lots that are vacant and like I mentioned earlier, there's a possible lot that someone, one of our lessees want's to terminate and I myself went I went out and visited, I feel in love with the property, myself; I was putting myself like a lessee, like, I want this. So, I'm hoping that that's what's going to

be the turn out but I want Ms. Aguero also to be given that opportunity to do a site inspection to those lots and give her a chance to look at it as well.
**Commissioner A. Santos**: Right. Alright, but as of right now, I mean just to be clear; there's nothing going on that property?
**Land Agent II G. Eay**: There's nothing going on at those vacant, two vacant lots there's nothing going on.
**Commissioner A. Santos**: But the two vacant lots, the one that is being lots...
**Land Agent II G. Eay**: No, the other two vacant lots.
**Commissioner A. Santos**: *inaudible* is that what you're talking about.
**Land Agent II G. Eay**: It's a 9210 its' described as Block 28, Lot 3 and the other one is Block 28, Lot 2, I also was able to provide you with an aerial map, that's the last page and is shows the location of those two vacant lots versus a lot that is actually in question right now, Block 2, Lot 10; you can see the distance in the tract.
**Commissioner A. Santos**: Right. Okay, alright. Thank you, Mr. Eay I appreciate you and I hope your endeavors with getting a hold of Ms. Aguero is reached. Good luck with that. Mrs. Mallari, we'll be in contact with you.
**Ms. T. Pablo**: Thank you for giving me the time and the opportunity to share.
**Chairman J. Reyes, Jr.**: Thank you guys. Alright, so, we'll go ahead and table this. Glenn, will get updates again; if we have more progress, we can, we can bring this up in the next week's meeting.
**Land Agent II G. Eay**: Okay.
**Chairman J. Reyes, Jr.**: Okay. Alright, thank you so much. Ms. Eileen, next please.

*Fannie Marie Cruz McKee*
**Land Agent II E. Chargualaf**: Glenn up next with Fannie McKee.
**Land Agent II G. Eay**: Okay, I was able to speak with Ms. McKee this morning and she did mention that she's going to be joining us today; is Ms. McKee in, did she sign in? Okay.
**Ms. Fannie McKee**: I'm here.
**Land Agent II E. Chargualaf**: She was earlier. There she is, she's on.
**Chairman J. Reyes, Jr.**: Hi Ms. McKee.
**Ms. F. McKee**: Hi.
**Chairman J. Reyes, Jr.**: You can hear us, okay?
**Ms. F. McKee**: Yes.
**Chairman J. Reyes, Jr.**: Okay, thank you. Alright, we can hear you so. Okay. Proceed Glenn please.
**Land Agent II G. Eay**: Okay, this a case where Ms. McKee, Fannie McKee is requesting to relocate to a registered property and after reviewing this case, I found several discrepancies upon the issuance of the lease and I'll just try to go down as quick as possible on the staff report and *inaudible* important points here. 1995, she's a 1995 applicant and she was issued a lot described as 7153 which a half acre lot *inaudible* 2008, she acknowledged that 7153 is an unregistered lot and that we're in the process of doing a land registration to that subject lot. April 2nd 2012, she was actually given a lease of *inaudible* lot 7153 and that was subject to survey and on 2013 of July she decline that municipality award and wanted to relocate to another lot identified as Lot

7151-R11 and she was given a Survey Authorization and December of that year she wanted to relinquish her lease to her daughter, Maria and was denied because it didn't meet the seven year period and that she was also notified that the lot 7151R11 because she didn't make her deadline and surveyed was voided and the property that still lease is still in 7153, Yigo. So, she still has that portion there, the relocation was never commenced. So, later part of last year 2020; I received a call from Ms. McKee, we questioned the status of the lease and that she would like to relocate to another location because she plans to build her home and with that, I went ahead and did my research and also interviewing her I asked if she had any homes or lots that she has fee simple and she mentioned yes, she already has a house that she had purchased back in 2002 and with her husband at the time and as of today she is no longer with her husband and her husband right now is currently occupying the house that they had purchased and she wants start, her dream is to start building her home at the Trust property and I explained to her that you can't have to residential homes. There is a public law that puts you as priority two if you already have and that's designated, that's shown on my staff report that if you have already a private home that will put you as a priority two and then you'll be put on a waiting list after all the priority one has been given a lease and also gave you a statute of the law where it shows the 21 GCA 75 where land registration you are not allowed issue out any unregistered land to any of our constituents because it was unregistered that property that was leased was not legal in a sense because it's unregistered. So my finding is or recommendation is that she be put back into priority two because she already has a fee simple property that she had purchased with her husband at the time and I suggested also that the only way she could remain as priority one was to see if she can have her name removed from the property deemed or ownership from the property that purchased and *inaudible* under the husband's name and that was an option and I also gave another option if she wants to switch her residential application to agriculture that was another option that I also mentioned with Ms. McKee. So, we have a situation here where a lease was given on unregistered property and also a lease that was issued to her at the time when she already had the property that she had purchased with her husband.

**Commissioner A. Duenas**: Mr. Chair. I think you're muted.

**Chairman J. Reyes, Jr.:** I apologize. Okay, thank you. Thank you, Glenn. I do have, commissioners, one clarifying question and I'll pass it over to you guys. Can you confirm, what's the timeline in regards to when the lease was issued and then, the date of when this the property or the home that Ms. McKee owns with her or are now ex-husband, but can we I want to draw that timeline, please? I'm not still not clear on that.

**Land Agent II G. Eay**: Was that directing to me, sir?

**Chairman J. Reyes, Jr.:** To Ms. McKee.

**Ms. F. McKee**: When I applied for this, it was in 1995. Normally, when you pay for something, they explain to you what you're paying for. I wasn't told that if I get married in the long run that if I buy a house, I'm not entitled. So, I paid for it, waited for years and in I believe in 2012 is when I got a call from Mr. Gumataotao and Shawn that I will seeing properties so they took me to so many properties same scenario, no

explanation nothing what so ever, no Ms. McKee do you have a house or do you have a property already. I wasn't asked those questions because if I did know that I wasn't going to be able to qualify because I own a residential already; I would have already answered it, it would have been in my records. But there were no questions that were asked if I owned a property so I continued with Mr. Shawn and Mr. Gumataotao along the road they showed me several properties, in Mataguac and Chalan Emsley if I'm correct and the one in Mataguac wasn't, they just showed it to me but they're telling me that it wasn't worth getting because I have to wait for so many years to get a power pole or water to get into that property. I waited for months for them to show me another property and I kept calling and calling I never got a call back so I gave it a rest because of what situations you guys are, company is going through. So, when I finally got another agent it's Mr. Glenn, I repeated myself over and over again. I wasn't aware or nobody told me since the time I paid fifty dollars to the time that I was trying to do this process that, number one, if you apply for this; you are not allowed to have a property, you are not to own a residential property. I wasn't told or it wasn't even explained. So, Mr. Glenn had told me so we've been carefully and I'm really glad that he is the agent. He has been giving me feedback so I'm just sitting here with a group of panels just trying to figure out what can I do next. What are my options? I know that there is a law but that wasn't even told to me until just recently. So, I want to know what's going to happen because these things, I wasn't even informed. Because when you're sitting down and you're going to buy a home eventually they explain to you this, this this and this, these are your options; same thing when you're paying fifty dollars it doesn't even state on the application you are not allowed to own a home or to purchase a home or if you have a home, you'll be this step or this step. It doesn't state on the application. So, I want to know where do I stand now because right now, I'm not living in the home, he is. I'm having issues with him I'm buying portion or selling out my portion or for him to even sign a piece of paper, he disagrees so I don't live in the home but I still own the home because my name is still there. So, I want to know what's going to happen next. What step do I need to take or what step are you guys going to take to grant whatever I'm asking for. If I can't get a residential, will I be able to get an agriculture because I already have a residential and I, like I said, it doesn't state anywhere when you're applying for this, you're not allowed to buy a residential so I want to know where I stand or what can Mr. Eay do to help me move forward or this panel to help me move forward.

**Chairman J. Reyes, Jr.:** Ms. Eileen, did you want to add something or you're raising your hand?

**Land Agent II E. Chargualaf**: Yeah, what we could do probably is have her request for a switch of application type from residential to agriculture so that maybe we can move on and she can build on an agriculture property. Glenn, did you offer to her to change her application type? And she needs to farm two thirds of the property.

**Chairman J. Reyes, Jr.:** Glenn, was that communicated?

**Land Agent II G. Eay**: That was in my thought also. That's why I asked, I also gave her those options to see if she was, you know, wants to switch her application from residential to agriculture, but I am not sure.

**Chairman J. Reyes, Jr.:** But, here's where...

**Land Agent II G. Eay** If in the case where even if you switch to an Ag, that you're able to build a home since you already have a home, a residential home.
**Chairman J. Reyes, Jr.:** Yeah.
**Land Agent II G. Eay**: So, I'm not sure what are the, you know?
**Chairman J. Reyes, Jr.:** Yeah.
**Land Agent II G. Eay**: If it's doable or not I'm not, this is beyond my...
**Chairman J. Reyes, Jr.:** Yeah, no understood. So, here's a couple things. Let me just give a couple of feedback here. One thing is I you know I don't want to I don't want to set Ms. McKee up for failure, right? I don't want to give her an agricultural property and give her the stipulations and the parameters on you have to farm two thirds of the land. I don't know Ms. McKee if you're ready to take that on, right. Is that something that you want to do and go through the proper channels in being a bonafide farmer, etc., etc.? So, what I don't want to do is set Ms. McKee up for failure. What I want to try and do is what our recourse in trying to rectify this is. Ms. McKee, it may not be something to your agreement or your liking but there are, the law that we have to follow. Now again, I'm still not probably clear on this timeline of at the point of when a lease was issued and the point of when you owned your home or purchased your home. Can I get that clarified? I'm still not sure of that timeframe.
**Ms. F. McKee**: I believe I purchase because it was a home near foreclosure. I this was a foreclosure home, it belonged to my ex-sister-in-law. I was living in the home at the time, so it was up for foreclosure and we had nowhere to go so I had to step up to the plate to see if I can save the home so we won't be homeless and so that's what I did. If I'm correct, I bought this house and in the early 2000s, if I'm correct.
**Chairman J. Reyes, Jr.:** Did you say early 2000s?
**Ms. F. McKee**: Yeah, I think I'm, I don't have my documents in front of me, but I believe it.
**Land Agent II G. Eay**: That's 2002.
**Ms. F. McKee**: 2002.
**Chairman J. Reyes, Jr.:** Okay, so Ms. McKee, you purchased your home in 2002, correct?
**Ms. F. McKee**: Yes.
**Chairman J. Reyes, Jr.:** Okay, or we'll get definitive answers when you have your docs, but okay, so 2002; Glenn when was the lease issue for Ms. McKee or...
**Land Agent II G. Eay**: The lease issued to her was at...
**Land Agent II E. Chargualaf**: April.
**Land Agent II G. Eay**: April 2nd, 2012.
**Chairman J. Reyes, Jr.:** Okay, 2012. Okay.
**Land Agent II G. Eay**: Right.
**Chairman J. Reyes, Jr.:** We issued a lease, obviously, not questioning our constituent whether or not she still met the parameters of being a leaseholder of the trust. Correct? Is that my...
**Land Agent II G. Eay**: That's true. Part of our procedures of issuing out a lease, one of the basic questions; do you own or rental, you know, or have a property, or rent a property? So, to see if the they qualify for the program. I believe just in this case that question wasn't even asked to our constituent or...

**Chairman J. Reyes, Jr.:** Do we have anything that documents this checklist, this checklist that we have in questioning our- from an app *inaudible* to being a lease holder? Is there any type of documentation that has this checklist to affirm that they still could they satisfy these terms?

**Land Agent II G. Eay:** I can't really say at the time when this was – the lease was issued but in my past 4 years here, I know that we do have a checklist that we do have to follow and guidelines that we have to follow, yes. But at that time 2012, I can't answer for that.

**Chairman J. Reyes, Jr.:** Understood, I just want to see kind of clear that. Okay, I'm done commissioners, do you have any questions?

**Commissioner A. Bordallo**: I have, I need guidance from the attorney. What can we do? Because Ms. McKee right now is not married, doesn't own property, she can't even get it back from her ex-husband so she's in a dilemma.

**Legal Counsel N. Toft**: Technically, she may still own part of it as a practical matter, what we would be looking at is if we tried to basically bring some sort of action to cancel the lease on the basis of her owning property; the first thing that would happen at an administrative hearing on, it would be that we would be asked whether or not we brought this up at the time of the lease signing and if we don't have any definitive documents one way or the other, that's probably not a case where *inaudible* and I agree that it's probably not a great thing to set her up for failure on an agricultural lease if she doesn't have the ability to fulfill the more stringent requirements, that an agricultural lease would require. And also agree that, we can't have her remaining on Lot 7153 as that's not legal due to the prohibition on unregistered lands being used for leases. Honestly, at this point, the lease has already been issued, it's just a matter of what to do with it.

**Chairman J. Reyes, Jr.:** Correct.

**Legal Counsel N. Toft**: So, I think that we just, I think we kind of eat the air around this one and see if we can and just transfer the location of it. Because if we try, if we...

**Chairman J. Reyes, Jr.:** Okay.

**Legal Counsel N. Toft**: If we try to do any sort of administrative action, I do not believe we would be successful given that given the facts that we have.

**Chairman J. Reyes, Jr.:** Yeah. Okay, thank you, Attorney Toft. May ask a question to obviously 75 7151, Is that the current lease that's on there?

**Land Agent II G. Eay**: No.

**Land Agent II E. Chargualaf**: 7153.

**Land Agent II G. Eay:** 7153. 7151 R11 was at lease where she wanted to be relocated never matured.

**Chairman J. Reyes, Jr.:** Okay, so 7153 which is unregistered and we don't you don't even want to deal with that today, correct?

**Land Agent II G. Eay**: Right.

**Chairman J. Reyes, Jr.:** Okay.

**Ms. F. McKee**: I believe *inaudible*.

**Commissioner A. Bordallo**: Fannie?

**Chairman J. Reyes, Jr.:** Yes, yes, Director Hattig?

**Administrative Director J. Hattig, III:** Sorry, I just wanted to ask, I'm noting here in the staff report that Ms. McKee had attempted to transfer her lease or relinquish her lease in 2013 but was not able to do it because of the seven years and currently right now if she received the lease in 2012 then would she be able to transfer the lease to her daughter and if her daughter doesn't have any interest in owning or doesn't own any property; would it be possible to do it like that? And maybe the daughter can issue an authorization for Ms. McKee to occupy the property. I mean, I'm just thinking outside the box here, sir.

**Chairman J. Reyes, Jr.:** Ms. McKee.

**Ms. F. McKee**: My children don't own any property so I wouldn't know, I mean, I don't know how to do this because this is what Mr. Eay said, there's a new law right now that was in 2020, I believe that you have to have properties that belong to relatives and whatsoever to go ahead and get one or to occupy it. But at this point in time, they do not have. So, I don't know how to answer that question Mr. Hattig because they don't and so I don't have, but I'm not sure if they do, if they had, my family has property that I don't know this, because my parents don't own properties.

**Chairman J. Reyes, Jr.:** Okay. Hey, Glenn, could you fill in the gaps?

**Land Agent II G. Eay**: I did bring up to Ms. McKee as another option which I didn't mention earlier. I'm glad the Director brought that up and I also mentioned if any family property was taken or condemned from the federal government, they would have to qualify under Chapter 75a, the new requirements. So, if there was a condemned property, family property then I don't see that as an issue because from the family the daughter will qualify.

**Chairman J. Reyes, Jr.:** Okay. Glenn, have you what is, so again not this is not binding but just curious if the board decides to honor this, if the board decides to honor this, is there options out there for Ms. McKee?

**Land Agent II G. Eay**: When you say options, trying to find a registered property?

**Chairman J. Reyes, Jr.:** Yeah, I've registered property another lot?

**Land Agent II G. Eay**: Yes, we can probably find. I'm pretty sure we could find a property that registered property but I can't guarantee you the if the road is accessible, or if you have any infrastructures...

**Chairman J. Reyes, Jr.:** Understood. But it's unregistered and we're not dealing with any unregistered property. So, Commissioners, any questions from you?

**Commissioner A. Bordallo**: Yeah, I have a question for Fannie McKee.

**Ms. F. McKee**: Yes.

**Commissioner A. Bordallo**: Fannie, the house that you and your ex-husband own, is it paid off already?

**Ms. F. McKee**: Yes, it was paid off in 2016. I gave Mr. Glenn, a copy of it.

**Commissioner A. Bordallo**: So, why don't you put a lien on it and he owes you money for it.

**Ms. F. McKee**: How do I? I don't know how to do that?

**Commissioner A. Bordallo**: There's Attorney Toft, a freebie.

**Chairman J. Reyes, Jr.:** Saina Bordallo, there's a lot of options here you know for her.

**Commissioner A. Bordallo**: Well, that's one option.

**Chairman J. Reyes, Jr.:** Yes, that is, that could be an option.

**Commissioner A. Bordallo**: I mean that would force, Mr. Leon Guerrero to pay her off so she can get a house.
**Chairman J. Reyes, Jr.:** yeah, so let's...
**Commissioner A. Bordallo**: Fannie, work on that.
**Chairman J. Reyes, Jr.:** Yeah.
**Ms. F. McKee**: Yes.
**Commissioner A. Bordallo:** I know Fannie.
**Chairman J. Reyes, Jr.:** Yeah, let's do this, commissioners, Ms. McKee, I'm going to table this further, I want Mr. Eay to go through this a little bit more with you. Again, I don't want to leave you in the dark and I'm going to ask Mr. Glenn and Ms. Eileen to keep tabs on this. The couple of things that I want here is again, I don't want to circumvent the law, I don't want to set Ms. McKee up for failure and go with an agriculture property. But if we have to progress and move forward and right the wrong then we will do that but I want options, solid options where everything has been considered and again as best as we can advise but it's also it's giving Ms. McKee additional information of where she can get additional advisement. I don't want to set us up for that as well so if you guys can- Commissioners, if there's no objections, let us table this again and have Mr. Eay continue to work with Ms. McKee on this and again, Glenn if you need more time for next week, please let us know. I don't want rush this one, okay?
**Land Agent II G. Eay**: Okay, thank you.
**Chairman J. Reyes, Jr.:** Okay, if no objections, we're going to move to the next item.
**Commissioner A. Bordallo**: No, no objections.
**Chairman J. Reyes, Jr.:** Okay, thank you so much.
**Ms. F. McKee**: Thank you.
**Chairman J. Reyes, Jr.:** Ms. McKee and Ms. Eileen will be in contact.
**Ms. F. McKee**: Thank you.
**Chairman J. Reyes, Jr.:** Okay folks, were almost at the top of the hour but we have two more residential. So, Ms. Eileen let's move forward with those please.

*Jose Taitingfong Sayama*
**Land Agent II E. Chargualaf**: Okay. Glenn Mr. Jose Taitingfong Sayama?
**Chairman J. Reyes, Jr.:** Oh, Mr. Glenn, you're so popular today?
**Land Agent II G. Eay**: I know I got my hands are full today.
**Chairman J. Reyes, Jr.:** Right.
**Land Agent II G. Eay**: I have Mr. Jose Sayama here today, he can't join us with Google meet but he's here at our office.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent II G. Eay**: So, I'm going to switch over to another cubicle and have them sit on my, we're going to do a little switch. I'm going to have them sit at my desk and I'm going to move over to another land agent, give me a minute.
**Chairman J. Reyes, Jr.:** Okay, no problem. Thank you.
**Commissioner A. Santos**: Mr. Chair, I don't know how long that's going to take you want to- I mean, I suggest you want to just take a 10-minute break that this month at this point it's already three...

**Chairman J. Reyes, Jr.:** Okay, are we ready? Yeah, we're ready.
**Commissioner A. Santos**: Okay.
**Chairman J. Reyes, Jr.:** Let's finish our resident here, they've been waiting.
**Commissioner A. Santos**: Alright.
**Land Agent II G. Eay**: I'll sit here.
**Chairman J. Reyes, Jr.:** Alright, thank you so much Glenn. Buenas Hafa adai Mr. Sayama.
**Land Agent II G. Eay:** Thank you Mr. Sayama for stopping by. I have Mr. and Mrs. Sayama here and Mr. Sayama is requesting that his wife speak on behalf of him because he has a little trouble hearing so the wife is here to speak on behalf of him if there's any questions. I see her raising her hand.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent II G. Eay:** We can hear you.
**Land Agent I Tina Tainatongo:** You can hear? Can you hear me?
**Chairman J. Reyes, Jr.:** Yes. Yeah but Mrs. Sayama, can you hear us though?
**Mrs. Sayama:** Yes.
**Chairman J. Reyes, Jr.:** Okay, awesome. Okay, alright Glenn let's proceed.
**Land Agent II G. Eay:** Okay. So, we have Mr. Jose Sayama here and he's here today requesting to terminate his lease which I mentioned earlier was in tract 9210 that I went to last week.
**Commissioner A. Santos**: Dispensa yu', Mr. Eay, would you mind just getting closer to the mic I can barely hear you.
**Land Agent II G. Eay:** Okay. Test, good?
**Commissioner A. Santos**: That's better.
**Chairman J. Reyes, Jr.:** That's better.
**Land Agent II G. Eay:** Okay.
**Commissioner A. Santos**: Thank you.
**Land Agent II G. Eay:** Mr. Sayama is here today requesting to terminate this lease at 9210 and also request for reimbursement for his property tax paid and also a reimbursement for his lease fee payment for the ninety-nine years. The situation here is that he was issued a lease back in 1997, a residential lease and all along he thought that he had a good lease and he met with several of our land agents and also our land agent supervisor, our land administrator letting him know that his lease was good and only to find out when he came in here last year and wanting to transfer his lease to someone else and after reviewing his lease again I found that the lease that he has was not, he signed the lease but the lessor did not sign the lease so it's not a good lease. So, because it's not a good lease, he's saying, hey you know, wow I paid all these property tax; what's going to happen to that? I also paid the ninety-nine years in full; will I get reimbursed? So, those are the questions that he wanted to ask and see if the Board can approve reimbursement for expenses paid? And there is a section of the law that allows that I found that is mentioned on the staff report, whereas; if the lessee wishes to terminate the lease he could be reimbursed for the remaining years for the unused years. But there's nothing that's in the law that shows that or even mentions that he can be reimbursed for paying property tax. I didn't find that in the law. So, here we have a situation, he doesn't want the property he wants to terminate the lease but

to me, he can't terminate a lease where a lease was never legal because it was never signed by the director at the time. There has to be an offer and there has to be an acceptance, both of them have to sign, which is only the lessee who signed the lease at the time.

**Chairman J. Reyes, Jr.:** Okay. So, Glenn, I mean, to me that's a sticking point and just to clarify the lease that was issued to Mr. Sayama was not counter signed at the time by the Director Joe Borja, correct?

**Land Agent II G. Eay:** It was not signed by the Director at the time, correct. It was only signed by Mr. Sayama. Eileen...

**Chairman J. Reyes, Jr.:** Can you get closer to the mic? You're starting to fade away again.

**Land Agent II G. Eay:** yeah, the least was only signed by the lessee.

**Chairman J. Reyes, Jr.:** Okay. Only by the lessee, correct?

**Land Agent II G. Eay:** Correct.

**Chairman J. Reyes, Jr.:** Well, I'm glad you found pieces of the law where we can do the reimbursement for the lease fee, but Ms. Eileen, any additional comments there?

**Land Agent II E. Chargualaf:** I have a recommendation because now he wants to transfer it to Lourdes Brown, I believe, yes, am I correct? What we do could, this is a recommendation to rectify this problem is what we can do is ratify the lease and then transfer it over to Ms. Lourdes Brown and then what Mr. Sayama could do is collect whatever he paid for on the property to collect it from Lourdes Brown. That's my recommendation.

**Chairman J. Reyes, Jr.:** But is let me clarify, but is that an option that Mr. Sayama wants to do?

**Mrs. Sayama:** No.

**Chairman J. Reyes, Jr.:** No. Okay, but there is a beneficiary for Lourdes Brown, correct?

**Land Agent II G. Eay:** I don't believe so there was only a mention that they wish to had transfer it to Ms. Brown but they no longer want the lease but if the option that Ms. Eileen mentioned, I did mention that to them as well and that would, in the event that does happen, again, Ms. Brown would have to qualify under 75a, which makes the process lengthier. Ms. Brown did apply and she was interested assuming that everything was going to go smooth but after my research, everything changed. Mr. Sayama no longer wants to move with that. He wants to terminate the lease now.

**Chairman J. Reyes, Jr.:** I just want, thank you for clarifying that Ms. Eileen. I appreciate the options but I want to ask Mrs. Sayama on behalf of Mr. Sayama. Is the final intent that you're coming forth today, is to terminate the lease?

**Mrs. Sayama:** I have to tell you, yes and the reason for this; we've been trying to give this property back, okay. And we are so tired of the obstacles that has been thrown our way. We really are tire of it and I have to commend Jessica because if it weren't for Jessica, we wouldn't have known that the lease the director never signed the lease for my husband and when we went into that office that day; Ms. Brown, my niece was all there to do all the paperwork and then she brought that up. I won't lie to you, we were upset. So, I said; who could we speak to and she told us the Director Hattig. He wasn't in at the time so I said, we both said; we'll wait for him so when he came back, she said she'll go talk to him first. She comes back out and says; the Director said to

just go for it, then we're finding out, Mr. Glenn that this is not legal and binding. So, you know what? It's come to the point where we don't want the property no more, we don't even care if my niece gets it. It started when Mr. Camacho the Director who informed us and said; oh, don't worry, there's plenty people out there that could pay your taxes even for my son's then he has the nerve to call me and tell; oh *inaudible* I don't remember saying that to you guys and you know why I remember the date, is because he was going to the Philippines for a checkup and he was coming back March 9, that's our anniversary. I didn't get a phone call, I kept calling him. Finally, I got fed up, he got fed up; we even talked to Ms. Margaret Borja then this process has been too long. We don't want the property, give it to someone that wants it. And at this point, I told my niece already; sorry nen, this lease is not binding, it's not legal. So, I'm sorry. So, all we want is what's do back to us, okay? We've been paying the property taxes, we're up to date on everything and frankly we're just tired; we really are, give it to someone that wants it.

**Chairman J. Reyes, Jr.:** Yes, understood ma'am.

**Mrs. Sayama:** So, decide what you want to do and I hope that it will be a fair thing for my husband and I. We tried to do everything the right way. We follow by the rules, not it's the balls in you guys court, okay.

**Chairman J. Reyes, Jr.:** Yes, thank you so much Mrs. Sayama. Thank you for your patience in waiting to come before the Commission. Commissioners, I'm going to just direct a question real quick to Mr. Toft and then I'm going to pass it on to you for any questions. Mr. Toft is there anything preventing us from terminating this lease and refunding the portions of the lease and all of the taxes paid?

**Legal Counsel N. Toft:** No.

**Chairman J. Reyes, Jr.:** No, okay. Commissioners, I *inaudible* but I think I would like to honor the final decision of Mr. & Mrs. Sayama and proceed with this but I will leave it to you for questions and if nothing more than we can make some action.

**Commissioner A. Duenas:** Mr. Chair, I have just a quick question; because this lease was never actually signed by the previous administrative director, is there even a lease to actually terminate? Wouldn't the lease itself become null and void? I mean...

**Commissioner A. Bordallo**: Right.

**Chairman J. Reyes, Jr.:** Attorney Toft, *inaudible* to confirm that.

**Legal Counsel N. Toft:** I mean it's I would do the termination regardless just so that you're covered one way or the other. It's not void it's voidable, there's a weird legal distinction on it. It's because the family did everything, they could in their power to consummate the lease, it's voidable against the Commission not against the not against the family so we would still do the same motion to terminate the lease as it exists.

**Chairman J. Reyes, Jr.:** Right.

**Commissioner A. Duenas**: I guess, the reason why I asked this because I know that there were some leases before that had the red x on them and it didn't go any further; do we need to also take that extra step in voiding all those previous leases that were not signed by the Administrative Director or am I miss?

**Chairman J. Reyes, Jr.:** Okay.

**Legal Counsel N. Toft:** No, because that that's the difference between the void and the voidable. So, the void ones are absolutely can't be revived or anything or corrected or anything like that; this one could be corrected just by the signature of the director but that's not what they want in this instance. So, I think a simple motion to terminate the lease and or yeah just to terminate the lease.
**Commissioner A. Duenas**: Okay. Understood. Okay, thank you.
**Legal Counsel N. Toft**: *inaudible*.
**Chairman J. Reyes, Jr.:** Thanks Nick. Director Hattig
**Administrative Director J. Hattig, III:** Thank you. Mr. Chairman I just want to make one point too that we did ask this in the written legal advice from the legal counsel because we are experiencing situations like this, so, I've been informed that that written legal guidance is soon to be given back to us so we're going to have some guidance just for the commissioners to know that in situations like this where there was unconsummated leases; that was a part of the written guidance that we had asked for form the legal counsel with regards to qualification so that would also cover Commissioner Duenas's question.
**Chairman J. Reyes, Jr.:** Okay. Thank you. Any other questions from our commissioners?
**Commissioner A. Bordallo**: None.
**Chairman J. Reyes, Jr.:** Okay. Alright, the actions on us.
**Commissioner A. Bordallo**: *Inaudible*.
**Chairman J. Reyes, Jr.:** So, we have it before us right is the request to terminate the lease to refund the balance of the lease fee or the application fee and then also to- again, with Attorney Toft's guidance we don't have anything that's preventing us from reimbursing the property tax and I'm going to safely say that we should be able to do that. But I'll, Director Hattig...
**Administrative Director J. Hattig, III:** Yeah, I'm sorry sir. I just I want to be able to identify, you know, we have a very finite budget, you know and I don't believe that we had included in our budget the ability for the funding source to do this kind of effort. So, I want to make sure that we can research through Joey right our financial abilities right now. With respect to this, I know that there's nothing legally perhaps that would prevent this from happening, but I just don't want to create a liability right, on our budget that we wouldn't be able to meet. So, would it be possible for us to ascertain that at this point before you make your motion?
**Chairman J. Reyes, Jr.:** Well, let me ask a question. I mean understood but again what is- Glenn, could you give me the total we're looking at?
**Land Agent II G. Eay:** The total for the tax is 539.23.
**Chairman J. Reyes, Jr.:** Sorry. Sir, could you move to the mic? Five what?
**Land Agent II G. Eay:** For the tax roll that they paid, the total is five hundred thirty-nine and twenty-three cents and for the ninety-nine-year lease, that's ninety-nine dollars. I'm not sure if you would be able to reimburse the full ninety-nine or that will be prorated, I'm not sure how we're going to do this.
**Chairman J. Reyes, Jr.:** Again, it was never you know, a fully executed lease, I would give the full ninety-nine, in my opinion but I leave it to the commissioners.
**Land Agent II G. Eay**: Okay.

**Chairman J. Reyes, Jr.:** Okay, so we know the direction, we know the path forward, we just need to make sure we identify the funding source now, Jack, what's going to prevent us from issuing $600?
**Administrative Director J. Hattig, III:** Well, I would have to ask a Joey at this point sir, he's taking care of financials whether we would be able to afford the in the fiscal year, right? Or maybe perhaps we could defer that...
**Mrs. Sayama:** Cares Act.
**Administrative Director J. Hattig, III:** In the next fiscal year.
**Chairman J. Reyes, Jr.:** Hang on yes, Ms. Sayama?
**Mrs. Sayama:** No, I just throw a joke in there, the Cares Act.
**Chairman J. Reyes, Jr.:** Good one Mrs. Sayama, good one. I appreciate that. We needed that. Okay, so here's what we're going to do. Mrs. Sayama, you know our path forward and I hate again to be telling Glenn to table this but let us wrap this up. I'm going to give my directive to the Director by next Wednesday, we need to identify what the funding source is and then we'll take care and wrap this up by next Wednesday but ma'am we have our path forward and this would make *inaudible* take care of this next one.
**Mrs. Sayama:** The bottom line is, we will get our money back?
**Chairman J. Reyes, Jr.:** Yes.
**Mrs. Sayama:** It might not next week, it might be next month but we'll get back?
**Chairman J. Reyes, Jr.:** So, hang on, let me talk to our finance guy. Mr. Cruz, are you available? You're raising your hand.
**Program Coordinator III J. Cruz:** Yes, sir. What we'll do is we will pay or reimburse, Ms. Sayama through the fund or the revenue account that we collect that type of funds from for example, the taxes will be paid out of the revenue fund related to RPT which is the real property taxes.
**Chairman J. Reyes, Jr.:** Okay.
**Program Coordinator III J. Cruz:** Each payment will be reimbursed through the application fees currently right now we're printing out the vendor form to have Mrs. Sayama fill out the form and then we'll get her paid right away. So, there's no need to...
**Chairman J. Reyes, Jr.:** Okay.
**Administrative Director J. Hattig, III:** So, we're good.
**Chairman J. Reyes, Jr.:** Okay, so...
**Mrs. Sayama:** It's going to be on my name, right?
**Program Coordinator III J. Cruz:** Excuse me.
**Mrs. Sayama:** It'll be in my name, right?
**Program Coordinator III J. Cruz:** It will be in the applicant's name.
**All:** Laughing.
**Chairman J. Reyes, Jr.:** Okay, so, Mr. Cruz.
**Administrative Director J. Hattig, III:** So here, I think we're clear, Mr. Chairman, you're good with Joey's confirmation.
**Chairman J. Reyes, Jr.:** Mr. Cruz are you giving, so yeah, Joey, are you giving us the confirmation we can motion and action this now?
**Program Coordinator III J. Cruz:** Two thumbs up, sir.

**Chairman J. Reyes, Jr.:** Okay. Alright, I appreciate that.
**Program Coordinator III J. Cruz:** Good to go.
**Chairman J. Reyes, Jr.:** Okay, Mrs. Sayama it looks like we're not going to table this. So, Commissioners, any objections, any questions, any additional clarification that you need?
**Commissioner A. Bordallo:** No.
**Chairman J. Reyes, Jr.:** No, alright.
**Commissioner A. Santos:** Just need to terminate the lease right now, right?
**Chairman J. Reyes, Jr.:** The floor is yours terminate the lease, we identified the funding source. So, let's go ahead and also make that motion to refund the lease fee and then refund the taxes and according to Mr. Eay let's do the, $99.00 for the lease fee and $539.23 for the taxes.
**Commissioner A. Santos:** That'll be *inaudible*.
**Mrs. Sayama:** One more thing, one more thing I want to give one more thing.
**Chairman J. Reyes, Jr.:** Yes, Mrs....
**Mrs. Sayama:** You have a worker there Jessica, she's an asset to you guys. Please *inaudible* accordingly good because she is good, she's good.
**Chairman J. Reyes, Jr.:** Yes. Yes, she...
**Mrs. Sayama:** And Glenn. I'm glad.
**Chairman J. Reyes, Jr.:** Yes.
**Land Agent II G. Eay:** oh, thank you thank you.
**Chairman J. Reyes, Jr.:** Thank you so much. Thank you for that, for those kind words, Jessica for sure. She's definitely gave us. She's helped me as well. So, thank you so much for those kind words Mrs. Sayama. Okay. Commissioners, floor's yours.
**Commissioner A. Bordallo:** Mr. Duenas, take it.
**Chairman J. Reyes, Jr.:** Take the lead Mr. Duenas.
**Commissioner A. Santos:** Yeah, the green is it's on you.
**Commissioner A. Duenas:** No problem. Alright, so motion to terminate the lease for Mr. Jose Taitingfong Sayama and to refund the lease fee of $99.00 as well as the taxes paid equaling $539.23.
**Commissioner A. Bordallo:** 43.
**Chairman J. Reyes, Jr.:** Alright.
**Commissioner A. Duenas:** I'm sorry was that 23 or 42 cents?
**Commissioner A. Santos:** 23 right.
**Commissioner A. Duenas:** Thank you.
**Chairman J. Reyes, Jr.:** May I get a second.
**Commissioner A. Santos:** I second.
**Chairman J. Reyes, Jr.:** Thank you so much any objections?
**Commissioner A. Bordallo:** No.
**Commissioner A. Duenas:** I'm sorry Mr. Chair if I can also have my motion and the meeting minutes reflect this is for Tract 9210, B8, L14 in Yigo.
**Commissioner A. Santos:** Right.
**Chairman J. Reyes, Jr.:** Thank you, noted Tina that was good?
**Land Agent I T. Tainatongo:** I'm sorry. No, can he repeat his motion? Please?
**Chairman J. Reyes, Jr.:** Okay. Yeah, I wanted to confirm. Okay, go ahead Mr. Duenas.

**Commissioner A. Duenas**: Sure. So, this is motion to terminate the lease for Mr. Jose Taitingfong Sayama, this is track 9210, B8, L14, Yigo, and to refund the lease of 99 dollars and the taxes paid of $539.23.
**Chairman J. Reyes, Jr.:** Thank you so much. May get a second.
**Commissioner A. Santos**: I second the motion.
**Commissioner A. Bordallo**: I did second.
**Chairman J. Reyes, Jr.:** Awesome. Thank you so much Commissioners.
**Commissioner A. Bordallo**: Okay.
**Chairman J. Reyes, Jr.:** Any objections.
**Commissioner A. Santos**: No objections.
**Commissioner A. Bordallo**: None.
**Chairman J. Reyes, Jr.:** Okay, hearing none motion passes.
**Commissioner A. Duenas**: No.
**Chairman J. Reyes, Jr.:** Hearing none motion passes, Mr. Cruz, you're raising your hand.
**Program Coordinator III J. Cruz:** Sir, I know the motion was to reimburse $99.00 can we just verify to ensure that $99.00 was paid maybe an amendment can be made to whatever they paid towards their lease; for example, if they only paid $39.00 *inaudible*.
**Commissioner A. Santos**: Right.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent II E. Chargualaf:** Can I just say something, I just sent Jhoana with the file so to verify that payment of ninety- its $39.00 but she's, the file is heading to your office Joey.
**Chairman J. Reyes, Jr.:** Okay. So, let's, alright, so...
**Program Coordinator III J. Cruz:** But, is it Jose Sayama?
**Land Agent II Jhoana Casem:** Yeah.
**Program Coordinator III J. Cruz:** No, he paid a total of $89.
**Land Agent II G. Eay:** $89 but there's a 10 dollar that he also paid first.
**Program Coordinator III J. Cruz:** Wait, we have all of that already. Or $99, a total of $99. Yes, Sir he paid a total $99.
**Chairman J. Reyes, Jr.:** Yes, we're good? Alright, thank you so much for that team work in checking everything.
**Commissioner A. Duenas**: Thank you.
**Chairman J. Reyes, Jr.:** So, $99 is good, yes.
**Commissioner A. Bordallo**: Yeah.
**Chairman J. Reyes, Jr.:** Okay. Alright, so we guys were at 3:22. I know we have one more residential and we're going to tackle agricultural. So, let's take a 10-minute recess. Okay, recess 10 minutes. Time is 3:22. Thank you.

**RECESS: 3:22-3:32**

**Chairman J. Reyes, Jr.:** Alright, just give them, maybe another minute.
**Land Agent II E. Chargualaf**: Mr. Chair, I have a question.
**Chairman J. Reyes, Jr.:** Yes, ma'am.

**Land Agent II E. Chargualaf:** Mr. Whitman has been here since 1:00. So, do you think we can move Francisco Blas Cruz up on the agriculture listing?
**Chairman J. Reyes, Jr.:** Sure. I don't think I don't for see that as a problem. We just wrap up with a residentials and then we can we can move that accordingly.
**Land Agent II E. Chargualaf:** Okay, I'll let him know.
**Chairman J. Reyes, Jr.:** Okay, we can be able to, no problem.
**Engineering Technician II Melvin Javier:** Thank you very much.
**Chairman J. Reyes, Jr.:** Okay, Commissioner Duenas, Commissioner Santos, you guys there?
**Commissioner A. Duenas:** Sorry about that, I'm here.
**Chairman J. Reyes, Jr.:** No worries. Thank you. Commissioner Santos. Alright, I see her on but let's go ahead and reconvene. The time is 3:33. Alright, so yes. Was that somebody? No. Okay. Alright, so let's, what we're going to do is continue on the agenda. We have one more item on the residential and then we'll move over to agricultural. Ms. Eileen had inquired if we could push up Mr. Whitman, I don't foresee that as a problem so we can take that as we move to the next item on the agenda. So, Ms. Eileen, we have the next one please for residential.

*Margarita Bautista Rosario (dec.) & Elizia Duenas Cruz*
**Land Agent II E. Chargualaf:** Okay. Ms. Lydia, you're up for Ms. Margarita Bautista Rosario. Unmute. Where you at? No, you're still muted.
**Land Agent I Lydia Taleu:** Can you hear me now?
**Land Agent II E. Chargualaf:** Okay, do a test. Can't hear you.
**Land Agent I L. Taleu:** Okay. Let me log off and log *inaudible*.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent II E. Chargualaf:** Okay, going to log on off and then log back on real quick.
**Chairman J. Reyes, Jr.:** Okay, no worries.
**Land Agent I L. Taleu:** Hello.
**Land Agent II E. Chargualaf:** Still can't hear you. Okay there try now.
**Land Agent I L. Taleu:** Can you hear me?
**Land Agent II E. Chargualaf:** No, can't hear you. Unmute.
**Land Agent I L. Taleu:** Okay, can you hear me now?
**Program Coordinator III J. Cruz:** What browser are you using?
**Land Agent II E. Chargualaf:** Can't hear you.
**Land Agent I L. Taleu:** Can you hear me now? I'm going to switch over to Eileen's desk.
**Land Agent II E. Chargualaf:** No, you got to unmute. Coming switch over to my desk. Come on.
**Land Agent I L. Taleu:** Okay, can you hear me now? Yeah, okay.
**Land Agent II E. Chargualaf:** Yes.
**Chairman J. Reyes, Jr.:** There you go.
**Land Agent I L. Taleu:** Sorry about that.
**Chairman J. Reyes, Jr.:** No worries.
**Land Agent I L. Taleu:** Okay, so we have before us, oh, before we begin let me just let you know I'm not too sure Ms. Liza was on earlier; unfortunately, she's getting her

COVID dose number two vaccine today and today is her last day that she can make it. So, she's going to see if she can join us. She was here earlier, so I don't know if you want a table hers or if you want to move forward with the case.

**Chairman J. Reyes, Jr.:** I do, I do see Miss, I do see an Elizia D. Cruz logged in.

**Land Agent I L. Taleu:** She logged in earlier than she had to log out and...

**Chairman J. Reyes, Jr.:** Yeah, I do see it right now.

**Land Agent I L. Taleu:** And oh, there she is.

**Chairman J. Reyes, Jr.:** I do see an Elijah Cruz locked in. Yes. Okay, Ms. Cruz I know you're driving if you can hear us, just give a thumbs up. Okay, alright. Thank you so much. Okay, we're going to begin on your case. Thank you.

**Chairman J. Reyes, Jr.:** Please drive safe.

**Land Agent I L. Taleu:** Okay, so, Ms. Liza, we're requesting to have her designated as the successor to her grandmother's lease, residential lease but at one point, when Ms. her, grandmother was alive, her grandmother made the request to designate her as a successor of her lease as well as add her on as a lessee and at the time they did both, they...

**Chairman J. Reyes, Jr.:** Okay.

**Land Agent I Lydia Taleu:** They designated her as a successor and they also named her as part of the lease. Her grandmother has since died, so now, we want to make sure we're doing everything correctly to have the lease be able to transfer over to her. So, we're asking that she be designated as a successor to take over a lease that she had with her grandmother.

**Chairman J. Reyes, Jr.:** Okay. Thank you. I did read through this thoroughly, this part *inaudible* Ms. Taleu, is there, do we have to take off the grandmother from the existing lease?

**Land Agent I L. Taleu:** Yes, we would have to. We would have to remove the grandmother from the lease taking it from a two-party lease to one party lease with just in her name only.

**Chairman J. Reyes, Jr.:** okay. Sorry, I removed *inaudible* sorry, I apologize I did read that, my bad. And then there are a couple of refunds here as well? Could you go through that?

**Land Agent I L. Taleu:** Yes. What Ms. Liza did was when she was doing the takeover for some reason, they had her pay another application fee as well as another $99.00 of land lease fees which had been paid off already.

**Chairman J. Reyes, Jr.:** Okay. Alright and is the- so request for successor. Designation was she listed prior to her? Grandmother passing?

**Land Agent I L. Taleu:** I'm sorry. Can you repeat that?

**Chairman J. Reyes, Jr.:** So, was Ms. Eliza listed prior to her grandmother passing as the beneficiary?

**Land Agent I L. Taleu** Yes, yes.

**Chairman J. Reyes, Jr.:** Okay. That's all the questions I had. Thank you for that commissioners.

**Commissioner A. Bordallo:** I have no questions.

**Chairman J. Reyes, Jr.:** Okay, thank you, Commissioner Bordallo. Commissioner Duenas?

**Commissioner A. Duenas**: No questions for me at this time.
**Chairman J. Reyes, Jr.**: Commissioner Santos?
**Commissioner A. Santos:** None for me Mr. Chair.
**Chairman J. Reyes, Jr.**: Okay, so we have a couple of things here to action, if there's no additional questions to this; like I said, we had these prior to read through. Ms. Taleu, anything else that we need to be aware of or anything else that needs to be clarified?
**Land Agent I L. Taleu:** No, once we've approved her as the successor of her grandmother's lease and the removal of her grandmother's name from the lease; we're going to have to get a survey recorded map because the lease is actually a portion of; so, the lot description- we've actually identified the lot, we went to it, we did a site visit, we GPS'd the lot, she is – we know the exact lot description. So, she'll have to do a recorded survey map as well as clear any property taxes that are outstanding and once, she's all that then we'll go ahead and do the addendum transferring the lease strictly to her name.
**Chairman J. Reyes, Jr.**: Okay, and so we want to put those as conditions, correct?
**Land Agent I L. Taleu**: Correct.
**Chairman J. Reyes, Jr.**: Okay, so can you can you reiterate those conditions? I don't see them, sorry.
**Land Agent I L. Taleu:** Condition one is the property of taxes need to be cleared as well as a recorded survey map conducted on the updated lot description.
**Chairman J. Reyes, Jr.**: Okay, thank you. And what do we need to do first, Ms. Taleu sorry just so that we can make sure that we do this in order?
**Land Agent I L. Taleu:** Okay, first we need to name her as the successor to the lease, approved the transfer of the lease over to her and then make the condition of the addendum to be done based on the completion of the recorded survey map and the clearance of property taxes.
**Chairman J. Reyes, Jr.**: Okay, and then we'll get to the refunds. Let's take care of those key things first.
**Land Agent I L. Taleu:** Yes.
**Chairman J. Reyes, Jr.**: Alright, thank you for that.
**Commissioner A. Bordallo**: I'll make a motion.
**Chairman J. Reyes, Jr.**: Okay, thank you Saina Bordallo.
**Commissioner A. Bordallo:** Okay, I would like to make a motion to designate Eliza Duenas Cruz as successor to the lease of the late Margarita Bautista Rosario and that the transfer of lease for Tract 15213 Block 5 Lot 1, Mangilao formerly known as a portion of Lot 5402, Mangilao to be conducted in accordance with the law.
**Chairman J. Reyes, Jr.**: Okay, thank you, Commissioner Bordallo.
**Commissioner A. Bordallo**: Can I do two motions or just one?
**Chairman J. Reyes, Jr.**: We'll stick to the one.
**Commissioner A. Bordallo**: Okay.
**Chairman J. Reyes, Jr.**: Okay. May I get a second.
**Commissioner A. Duenas**: I second that motion.
**Chairman J. Reyes, Jr.**: Okay, thank you. Commissioner Duenas, any objections.
**Commissioner A. Bordallo**: None.

**Chairman J. Reyes, Jr.:** Alright, no objections heard, motion passes and that motion is designated *inaudible* Elizia Cruz as a successor of the lease of the late Margarita Bautista Rosario. Okay, thank you so much commissioners. Okay, next action that we need to do is the removal of the lease, I'm sorry, the removal of the name for the portion of Lot 5402; is that correct Ms. Taleu for the next recommendation?
**Land Agent I L. Taleu:** Oh okay, removal of the name of the grandmother...
**Land Agent II J. Casem:** Can't hear you.
**Land Agent I L. Taleu:** My apologies I keep muting. So, the removal of the name Margarita Bautista Rosario from the lease leaving it in the name of Elizia Duenas Cruz.
**Chairman J. Reyes, Jr.:** Okay, because it's dual right now, we're going to back singular?
**Land Agent I L. Taleu:** Right.
**Chairman J. Reyes, Jr.:** Okay, alright.
**Commissioner A. Bordallo:** Motion to remove the name of Margarita Bautista Rosario from the lease for the portion of Lot 5402 Mangilao.
**Chairman J. Reyes, Jr.:** Okay, thank you, may I get a second?
**Commissioner A. Santos:** I second that.
**Chairman J. Reyes, Jr.:** Okay, thank you, Commissioner Santos. Any objections?
**Commissioner A. Bordallo:** None.
**Chairman J. Reyes, Jr.:** Okay, hearing none, the motion passes to remove the name Margarita Bautista Rosario on the lease. Thank you so much and then, okay. Hearing none. The motion passes to remove the name.
**Commissioner A. Bordallo**: The refunds.
**Chairman J. Reyes, Jr.:** Do we deal with the refunds now? Or wait, hang on, Ms. Taleu *inaudible*.
**Land Agent I L. Taleu:** Okay, so the request for the approval of the addendum upon the completion of the recorded survey map and the clearance of property taxes.
**Chairman J. Reyes, Jr.:** Okay, so that would be that would be the conditions before the addendum can be executed, correct?
**Land Agent I L. Taleu**: Yes.
**Chairman J. Reyes, Jr.:** Okay, alright. Cool Commissioners, it's a lot here, but this is definitely will rectify these *inaudible*.
**Commissioner A. Santos:** and that's in the amount of $99.00 or...
**Chairman J. Reyes, Jr.:** Just to making sure the property tax is cleared and recording the survey maps for the updated lot.
**Commissioner A. Santos** *inaudible* okay, be...
**Chairman J. Reyes, Jr.:** And it's a, these are the conditions prior to an addendum being executed.
**Land Agent I L. Taleu**: Yes.
**Chairman J. Reyes, Jr.:** Okay. May get a motion commissioners?
**Commissioner A. Bordallo**: You know a motion since she would need to pay the taxes the refund amount would be a credit of two a refund amount of $50.00 and $99.00.
**Chairman J. Reyes, Jr.:** Hmm, I don't think Saina Bordallo, I don't think we want to apply that, it's for property tax.
**Commissioner A. Bordallo**: I know.
**Chairman J. Reyes, Jr.:** so...

**Commissioner A. Bordallo**: She paid, Elizia paid double on her...
**Chairman J. Reyes, Jr.:** Yes, but we want to make sure that the property taxes are cleared and that's through Rev & Tax and I don't want to necessarily commingle the refund on behalf of...
**Commissioner A. Bordallo**: Yeah, on the tax?
**Chairman J. Reyes, Jr.:** I think its cleaner Saina to just refund and then she can clear the property taxes.
**Commissioner A. Bordallo**: Okay.
**Chairman J. Reyes, Jr.:** Yeah, just because she double paid nai, it's the double payment for the application fee and the lease fee and then these are for the property taxes so rather than commingling the credit for whatever property taxes may be owed, right, we don't want to confuse that or create confusion.
**Commissioner A. Bordallo**: Okay.
**Chairman J. Reyes, Jr.:** Okay. Alright, so we just we just need the motion for the addendum.
**Commissioner A. Bordallo:** Okay a motion for an addendum that Elizia Duenas Cruz pays the property taxes and...
**Chairman J. Reyes, Jr.:** No, Saina. Despensa. The motion right now is in order for the addendum to be executed for this lease we have to, in order or prior to the addendum being executed we need to make sure that the property taxes are cleared and recording the survey map of the updated lot. That's what we need to- the next step and then we can work on the refund. So, may...
**Commissioner A. Bordallo:** Do the wording.
**Chairman J. Reyes, Jr.:** Commissioner Santos, do you want to take the lead on that.
**Commissioner A. Santos**: Yes, I will.
**Chairman J. Reyes, Jr.:** Okay.
**Commissioner A. Santos:** So just to be clear, Mr. Chair, can you repeat that? I'm sorry.
**Chairman J. Reyes, Jr.:** Yeah, so what we need to action here is prior to the addendum being executed for this lease, we need to ensure that Ms. Elizia Cruz pays the property taxes or clears the property taxes and then records a recorded survey map *inaudible*.
**Commissioner A. Santos**: An updated survey map?
**Chairman J. Reyes, Jr.:** Recorded survey map of updated lot description.
**Commissioner A. Santos**: Okay. And that's a lot, Tract 15213, block 5 or is the...
**Chairman J. Reyes, Jr.:** Correct.
**Commissioner A. Santos**: portion, correct?
**Chairman J. Reyes, Jr.:** Block 5 Lot 1, yes.
**Commissioner A. Bordallo:** Yeah.
**Commissioner A. Santos**: Block 5, Lot 1.
**Chairman J. Reyes, Jr.:** Yeah, that track.
**Commissioner A. Santos**: And then this is in order for her to...
**Chairman J. Reyes, Jr.:** In order for us to meet the, the addendum to the lease...
**Commissioner A. Santos**: for her to be the successor?
**Commissioner A. Bordallo**: No, that's done.

**Chairman J. Reyes, Jr.:** The official leaseholder taking out because we've already motion to take off her grandmother.
**Commissioner A. Santos:** Okay, so this is allowing her to be the least a single leaseholder.
**Commissioner A. Bordallo:** Already.
**Chairman J. Reyes, Jr.:** Correct.
**Commissioner A. Santos** Sorry.
**Chairman J. Reyes, Jr.:** Ms. Taleu, that's correct, right?
**Commissioner A. Santos:** So, it would be making a motion to I'm sorry I kind of blanked.
**Chairman J. Reyes, Jr.:** No worries, Ms. Taleu please correct me if I'm wrong. It's- we need to action the addendum?
**Land Agent I L. Taleu:** Yeah.
**Chairman J. Reyes, Jr.:** Prior to executing the addendum that these conditions must be filled with?
**Commissioner A. Santos:** Okay, okay.
**Chairman J. Reyes, Jr.:** Yeah, the property taxes must be cleared and a recorded survey map of the updated lot description Tract 15213 so yeah, that's our action.
**Commissioner A. Santos:** Okay so I make a motion to, I make a motion to be able to have her as the single lease holder for Tract number 15213 Block 5 Lot 1 in Mangilao on the conditions of taking care of the tax having all of the taxes cleared on the property and then having a survey map updated or a survey map conducted on that property of Tract 15213, Block 5, Lot 1 in Mangilao.
**Chairman J. Reyes, Jr.:** Correct.
**Commissioner A. Bordallo:** I second it.
**Chairman J. Reyes, Jr.:** Thank you.
**Commissioner A. Santos:** Dispensa.
**Chairman J. Reyes, Jr.:** Alright, any objections?
**Land Agent I L. Taleu:** Thank you.
**Commissioner A. Bordallo:** None.
**Chairman J. Reyes, Jr.:** Okay, thank you so much, motion passes. Okay any, now we got to work on our refunds. So, Ms. Taleu, to be clear, it's the application fee was an overpayment of $50.00?
**Land Agent I L. Taleu:** Yes.
**Chairman J. Reyes, Jr.:** And then the lease fee of $99.00 of the late Margarita Bautista Rosario, correct?
**Land Agent I L. Taleu:** Yes.
**Chairman J. Reyes, Jr.:** Okay, and we just want to refund those two. Mr. Cruz, are we good to motion and action this today?
**Program Coordinator III J. Cruz:** Yes, sir. It's good.
**Chairman J. Reyes, Jr.:** Thank you so much. Okay, commissioners.
**Commissioner A. Bordallo:** Motion to refund Elizia Duenas Cruz the overpayment of application fee in the amount of $50.00.
**Chairman J. Reyes, Jr.:** Saina, do you want to do both on that one?

**Commissioner A. Bordallo:** And a motion to refund Elizia Duenas Cruz the overpayment of land lease fee the amount of $99.00 for the lease of the late Margarita Bautista Rosario.
**Chairman J. Reyes, Jr.:** Okay, thank you. May get a second.
**Commissioner A. Santos:** I second that.
**Chairman J. Reyes, Jr.:** Are any objections. Okay, hearing none. The motion passes for the refund of the application fee in the lease fee. Thank you so much commissioners.
**Commissioner A. Bordallo:** None. You welcome.
**Chairman J. Reyes, Jr.:** Any questions before we move to the next item which is the agricultural? Okay, Ms. Eileen?

*Francisco Blas Cruz (dec.)*
**Land Agent II E. Chargualaf** Jessica, Francisco Blas Cruz, we moved him up because Mr. Whitman is here.
**Land Agent I J. Dayday:** okay, let me just...
**Chairman J. Reyes, Jr.:** Okay.
**Engineering Technician II M. Javier:** Give us, we're getting him set up right now.
**Land Agent I J. Dayday:** Well, he's already, he's on Lorraine's own.
**Chairman J. Reyes, Jr.:** Awesome. Hafa Adai Mr. Whitman. Thank you for joining us today. Ms. Jessica, let's proceed.
**Land Agent I J. Dayday:** So, we have Francisco Blas Cruz he is an agriculture lessee. Okay so the request is succession to Mr. Francisco Blas Cruz's lease. Mr. Cruz had passed away in December of last year. The issue with this is, sorry. The issue with this case is- I'm sorry. Mr. Cruz had designated Edwardo Whitman in 2019 however, January of 2020 he came back to change designation of successor but with the new successor last year, the new designation there was pending documents. The only thing that was submitted was the form, the designation form but the birth certificate, parent's qualification, birth certificates were not submitted so therefore it wasn't processed. But for Mr. Edwardo Whitman, when Mr. Cruz had designated Mr. Edwardo Whitman, he submitted all the necessary qualifications that was required. So, when Mr. Cruz had passed away, Mr. Whitman had come in and submitted all the documents; he submitted the death certificate he filled out the CLTC application he also submitted his affidavit requesting claim to the lease as a successor.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent I J. Dayday:** But when he submitted those documents and I reviewed the file I found that Mr. Cruz had also submitted to change his designation to his sister Ms. Priscilla Johns. But that wasn't processed because none of her- we didn't have any documentation other than the change form.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent I J. Dayday:** So, this is why I'm bringing this to the Board to request for Mr. Edwardo Whitman to be successor to Mr. Francisco Blas Cruz's lease.
**Chairman J. Reyes, Jr.:** Okay, and so he was the original designee for the lease and then there was another form submitted yet that didn't have all the documentation needed and then I did see in the packet the letter from Ms. Priscilla Johns that is retracting her as a successor for this?

**Commissioner A. Bordallo**: Application.
**Land Agent I J. Dayday:** Yes, because initially she did submit requesting to be the successor, because she wasn't aware Mr. Edwardo Whitman's designation either.
**Chairman J. Reyes, Jr.:** By Mr. Cruz?
**Land Agent I J. Dayday**: Correct.
**Chairman J. Reyes, Jr.:** Okay, alright.
**Land Agent I J. Dayday:** So, she and then just this month she submitted to retract her statement.
**Chairman J. Reyes, Jr.:** Okay, so the retraction is there and it's pretty detailed as far as from the eligibility standpoint we don't have any issues there. Okay, so, it's just to action that the succession to this lease is Mr. Whitman, correct?
**Land Agent I J. Dayday**: Correct.
**Chairman J. Reyes, Jr.:** And there's no extenuating circumstances that's going to come back to us because we have this letter from Ms. Johns.
**Land Agent I J. Dayday** Yes. No, that's what...
**Chairman J. Reyes, Jr.:** Okay. Okay, Commissioners, that's all the questions I had, any questions from you?
**Commissioner A. Bordallo:** Yes, I have a question.
**Chairman J. Reyes, Jr.:** Yes, ma'am.
**Commissioner A. Bordallo:** According to the lease, it is a portion of Lot 10120 and it's 20 acres?
**Land Agent I J. Dayday**: Correct.
**Chairman J. Reyes, Jr.:** Okay, yes. Saina Bordallo, you still there? You cut out. Okay, Saina Bordallo, we can't hear you if you're still speaking. Okay, let's give her a moment to reconnect. I do have a question for Jessica. Did you do- I don't see or maybe I'm not...
**Land Agent I J. Dayday**: Yes.
**Chairman J. Reyes, Jr.:** On the site inspection on March 3rd, 2021, that's recent?
**Land Agent I J. Dayday**: Yes.
**Chairman J. Reyes, Jr.:** Okay so is the property being farmed in your inspection?
**Land Agent I J. Dayday:** Yes.
**Chairman J. Reyes, Jr.:** Okay and when do the requirements kick in for the two-thirds of the property being utilized. And again, I'm asking these questions to ensure that Mr. Whitman is aware of upon taking over this lease.
**Land Agent I J. Dayday** It should have been...
**Chairman J. Reyes, Jr.:** It should have been already but there's no reset button parse on Mr. Whitman taking over this lease. It should always...
**Land Agent I J. Dayday**: No.
**Chairman J. Reyes, Jr.:** Okay and based on your inspection?
**Land Agent I J. Dayday**: Yes. He's in compliance.
**Chairman J. Reyes, Jr.:** You think?
**Land Agent I J. Dayday**: Yeah, however, the property is not surveyed.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent I J. Dayday**: And that should be one of the conditions prior to the transfer.
**Chairman J. Reyes, Jr.:** Okay, has the property ever been surveyed?

**Land Agent I J. Dayday:** No, it hasn't. There was an issuance of a survey authorization and surveyor, would you like to? There a survey that was contacted however it just never went through because at the time Mr. Cruz had fallen ill.
**Chairman J. Reyes, Jr.:** Okay. And is Mr. Whitman aware that we will need a survey to be conducted?
**Land Agent I J. Dayday**: Yes, I did inform him when he did come into submit all the documents, I did inform him of the requirements of the process to do a transfer.
**Chairman J. Reyes, Jr.:** Okay, Mr. Whitman, any issues with the surveys to be conducted prior to the transfer succession of this lease?
**Land Agent I J. Dayday:** Can you check if his mic is on?
**Chairman J. Reyes, Jr.:** We can't hear him, though. Who's close to Mr. Whitman?
**Land Agent I J. Dayday**: Turn on his speaker. Turn on his speaker. There you go. Yeah. Okay, lower down his speaker. Now, close that door on the other side. Okay, got it. I'm sorry.
**Chairman J. Reyes, Jr.:** No worries, Mr. Whitman can you hear us?
**Land Agent I J. Dayday**: Okay.
**Chairman J. Reyes, Jr.:** Mr. Eay, you have a question? We can't hear, sir?
**Land Agent II G. Eay**: Yes, I do and thank you. Can you hear me?
**Chairman J. Reyes, Jr.:** Yes.
**Land Agent II G. Eay:** Okay, if I may I like to request a full site inspection on that property to see if it fully complies two-thirds fully complies with the lease.
**Land Agent I J. Dayday:** Glenn, we did do an inspection.
**Land Agent II G. Eay**: You did an inspection; I believe there was an inspection done but I wanted to see if they provide photos and everything that was that it is two-thirds in compliance because that was there several years ago and I didn't see any compliance at the time.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent I J. Dayday:** Um, Mr. Chairman, commissioners, I did walk the property, me and Lorraine as well as Ms. Johns and Mr. Whitman so I mean if Mr. Eay, if Glenn wants to do another one which he was supposed to accompany me on that site inspection. He was supposed to com so it was me and Ms. Lorraine. There are photos that was taken.
**Chairman J. Reyes, Jr.:** Okay so let me do this. Guys, let's make sure we're collaborating the back end before we bring this up to the commissioners but let me ask Mr. Whitman; Mr. Whitman, so from a few years ago to now has there been progress in farming the land. Again, utilizing the land for farming? Okay, Mr. Whitman we can't hear you. Director Hattig can you please help and maybe we can relocate Mr. Whitman.
**Administrative Director J. Hattig, III:** Yes, sir. Mr. Chairman, can you hear me?
**Chairman J. Reyes, Jr.:** Yes, sir.
**Administrative Director J. Hattig, III:** I have Mr. Whitman.
**Chairman J. Reyes, Jr.:** Okay, perfect. Thank you.
**Administrative Director J. Hattig, III:** Here's a camera. Okay.
**Chairman J. Reyes, Jr.:** Alright Mr. Whitman thank you so much. I apologize for that technical delay. Alright, Mr. Whitman just a question from a few years ago when Mr.

Eay visited the property there was a site inspection done on March 3rd has there been progress and Mr. Eay, can you clarify what's a few years ago?
**Land Agent II G. Eay:** Oh, yes when I did an inspection back then a few years ago I had the opportunity to meet with the lessee at the time and...
**Chairman J. Reyes, Jr.:** What year? What year, sir was that?
**Land Agent II G. Eay:** To be specific about 2019.
**Chairman J. Reyes, Jr.:** Okay, so actually hang on August 8, 2017 it's an inspection report by LA GE and JA farm activity. Is that what you're referencing?
**Land Agent II G. Eay:** Who was the initials again, I'm sorry, sir.
**Chairman J. Reyes, Jr.:** LA GE and JA.
**Land Agent II G. Eay:** I'm sorry there was an echo. I couldn't hear clearly.
**Chairman J. Reyes, Jr.:** Alright. It's LA GE and JA.
**Land Agent II G. Eay:** Okay, yeah that's Land Agent that's myself Glenn Eay. When went there and did an inspection there was only...
**Chairman J. Reyes, Jr.:** But that was in 2017. I want to confirm it's 2017 you're referencing, correct?
**Land Agent II G. Eay:** Yes. Okay 2017. Yes, this one was my first initial inspection.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent II G. Eay:** And then I went there a couple years later again.
**Chairman J. Reyes, Jr.:** Okay, why is that not part of the chronology?
**Land Agent II G. Eay:** Well, when I went there the second time it was just only to inspect the adjacent lots if they were in compliance and I was there talking to the lessee at the time and we had a discussion of what was being farmed at the time a couple of years ago and he took me around.
**Chairman J. Reyes, Jr.:** Okay so Mr. Whitman I'm sorry I just want to make sure we understand what the time-lapse is. So, Mr. Whitman in from the time of the last inspection 2017-2019 to today and the inspection by Ms. Jessica; can you just share with the commission some of the progress or additional type of farming or use of the land that has been done.
**Mr. Edwardo Whitman:** I think it did, my nino's been sick sorry he's my godfather but anyways my uncle has been sick. Right now, we made a lot of progress. I currently have a lot of livestock not at the farm but I plan on moving it there. I have cows, goats and stuff. But there is still his papaya that, I think it did. He's been my news been sorry, he's, my godfather but anyways, my uncle's been sick. Right now, we've been, we made a lot of progress. I currently have a lot of livestock. Not at the farm. I plan on moving in there. I have cows, oats and stuff.
**Chairman J. Reyes, Jr.:** Okay. Okay.
**Mr. E. Whitman:** But there are still his papaya tees that are standing, they're sick and old already but I think it's yeah, I don't know.
**Chairman J. Reyes, Jr.:** And so, Jessica, is there any issues in us progressing with this given the fact that Mr. Eay wants to do another inspection?
**Land Agent I J. Dayday:** Well, you know Mr. Chairman, Mr. Whitman is the successor and he's going to be or he's the successor to this lease because the lessee had passed away. Now, I believe that we could give him that chance to fulfill what he has planned out. He has submitted the farm plan; he is a certified bona fide farmer. On his farm

plan on what he plans on doing with the property and I believe that we should give him that chance but if Mr., if Glenn would like to do another site inspection or would like to make another recommendation then that's fine but I'm bringing this case for succession to the lease, for him to be a successor of the lease. But I really believe that he should be given that chance you know because he's only inheriting the property.

**Chairman J. Reyes, Jr.:** Yes. Understood.

**Land Agent I J. Dayday:** And what happened three years ago that was the lessee, right, the lessee at the time and however he is deceased and it is Mr. Whitman so he should be given that chance.

**Chairman J. Reyes, Jr.:** Understood. Okay, I'm going to pass this over the Commissioners that if they have any additional questions.

**Commissioner A. Bordallo:** Yeah, I was. I ran out of battery on my cell phone. But I have a question on it's a portion lot that leased to Mr. Cruz and now passed down to Mr. Whitman; have they surveyed for his portion?

**Land Agent I J. Dayday:** No, there is no survey however Mr. Whitman is aware that he would need to do a completion of a survey prior to an addendum.

**Chairman J. Reyes, Jr.:** Okay, so we'll make sure that that's a condition.

**Land Agent I J. Dayday:** And the property taxes were paid and they're paid up to date.

**Chairman J. Reyes, Jr.:** Okay.

**Commissioner A. Bordallo:** Do you know whether it's the full 20 acres of tax that he paid for or is it a portion?

**Land Agent I J. Dayday:** Yes, it's for, I have the receipts. I don't know the amount, but I have to see in the file.

**Chairman J. Reyes, Jr.:** Mr. Whitman, do you know offhand was it for the full 20 acres?

**Mr. E. Whitman:** I believe so. Yes.

**Chairman J. Reyes, Jr.:** Okay.

**Land Agent I J. Dayday:** Here you go.

**Chairman J. Reyes, Jr.:** Saina Bordallo, any other questions? Jessica, we'll confirm that as well but Mr. Whitman confirmed or *inaudible*.

**Commissioner A. Bordallo:** Yeah, but there was a survey map done by the government?

**Chairman J. Reyes, Jr.:** Not yet, so.

**Land Agent I J. Dayday:** No.

**Commissioner A. Bordallo:** The government, the government hasn't done a survey map for the whole lot?

**Land Agent I J. Dayday:** Are you talking about the master plan? What we talking about?

**Commissioner A. Bordallo:** That lot number that he has a portion of...

**Land Agent I J. Dayday:** Yes, his lease?

**Commissioner A. Bordallo:** Yeah.

**Land Agent I J. Dayday:** Okay. It was not surveyed.

**Chairman J. Reyes, Jr.:** yeah, it's...

**Commissioner A. Bordallo:** So, 20 acres times 4000 square meters because 4,040 is one acre.

**Land Agent I J. Dayday:** So, 80,940 square meters.

**Commissioner A. Bordallo**: Yeah, that's how much land that is.
**Chairman J. Reyes, Jr.:** Yeah. Yes, so Saina Bordallo the condition this or executing this transaction would be that Mr. Whitman would have to do the survey.
**Commissioner A. Bordallo**: Okay.
**Chairman J. Reyes, Jr.:** Uh, yeah. So, any other questions commissioners?
**Commissioner A. Bordallo** So, we're going to continue this next Thursday?
**Chairman J. Reyes, Jr.:** No, I think we have the opportunity here if there's no other questions or objections to action this and the action would be to, Jessica, remind...
**Land Agent I J. Dayday**: Requesting for designation of successor.
**Commissioner A. Bordallo**: Just for him to be the successor to agree to *inaudible*.
**Chairman J. Reyes, Jr.:** Yes.
**Commissioner A. Bordallo**: Okay.
**Chairman J. Reyes, Jr.:** And then we would also want to do the addendum to the agriculture lease pending the condition of the survey.
**Commissioner A. Bordallo:** Okay, that's good.
**Chairman J. Reyes, Jr.:** Yeah. Okay, any other questions? If not, let's take action and this one Commissioners if you're ready.
**Land Agent I J. Dayday**: No, I thought it was in the file.
**Land Agent II E. Chargualaf**: Jessica, you can mute yourself now.
**Chairman J. Reyes, Jr.:** Commissioners are we ready to take action in this one?
**Commissioner A. Santos**: Do we want to combine them?
**Chairman J. Reyes, Jr.:** Yeah, I think let me ask. Yeah, no let's do it separate because we have to designate a successor first.
**Commissioner A. Santos:** Yeah, right. Okay, I'll make the motion to designate to approve the request of succession to lease from Francisco Blas Cruz deceased for an agricultural type lease for a portion of Lot 10120 in the village of Dededo to Mr. Edwardo Whitman.
**Chairman J. Reyes, Jr.:** Alright, thank you, Commissioner Santos. May I get a second?
**Commissioner A. Bordallo**: I second.
**Chairman J. Reyes, Jr.:** Alright, thank you. Commissioner Bordallo any objections?
**Commissioner A. Santos**: No.
**Chairman J. Reyes, Jr.:** Alright no objections. The motion to designate Edwardo Whitman as a successor to the agriculture lease of Mr. Francisco Cruz has since passed and secondly, we need action on prior to executing the addendum to the agricultural lease a survey must be completed. Alright, may I get a motion please?
**Commissioner A. Santos**: I make the motion to prior to having the addendum to the agriculture lease with the, there has to be a completion of a survey of the portion of the lot and that lot is 10120 in the village of Dededo.
**Chairman J. Reyes, Jr.:** Alright, thank you. Commissioner Santos may I get a second?
**Commissioner A. Duenas**: I second it.
**Chairman J. Reyes, Jr.:** Thank you, Commissioner Duenas, any objections? Hearing none, the motion passes prior to the execution of the addendum to the agricultural lease survey must be completed. Alright, thank you, commissioner. Thank you, Mr. Whitman for your time I appreciate your patience and waiting. Alright, commissioners,

we still have quorum but it looks like Saina Bordallo has dropped off. So, for the interest of time, we'll continue to proceed I'm sure she'll hop back on. Ms. Eileen?

*Jamie Santos Bass*

**Land Agent II E. Chargualaf**: Ms. Lydia, Jamie Santos Bass.

**Land Agent I L. Taleu**: Okay. Um, is he here? He told me he was going to be here. Oh, he's logged on, okay.

**Land Agent II E. Chargualaf**: I see a Mr. Jamie Bass: on, he's on.

**Land Agent I L. Taleu**: Okay, so Mr. Jamie Bass, we're making a request of termination of one of two leases that was issued to him. A request to cover the cost of a recorded survey map and a request for a tax reassessment for the correct lot size. So, Mr. Bass at one point had a property lease over at an area behind Okkodo the it got turned over to DOE so he was supposed to be relocated rather and when they relocated him instead of doing an addendum, updating the lot description what they did was they issued another lease to him. So now he has two leases. They hired the survey because the Relocation Act requires covering the cost of relocation and one of the costs that they promised to cover was a recorded survey map. They hired a surveyor unfortunately he never completed the work on the map. So, in the meantime, Mr. Bass has been farming on an area that is just a portion of and the new lease that was issued is a totally different area and totally different lot size that has buildings on it. So, he has been incurring property tax statements from Revenue and Tax for property he's not using and buildings he did not build. So, we need to make the correction because he's getting huge tax bills on something he doesn't even use.

**Chairman J. Reyes, Jr.**: Okay.

**Commissioner A. Santos**: Has that been already, that issue been taken care of already to be taken off of that property that he's being taxed on?

**Land Agent I L. Taleu**: No, which is why we're requesting the termination of the lot that he's not utilizing and then we need to...

**Commissioner A. Santos**: Okay. Ms. Taleu which lot is that?

**Land Agent I L. Taleu**: The lot that he is not using is the lot that is known as what is it, let me make sure the lot, Lot 10125-11-4 containing an area of 6385 square meters.

**Commissioner A. Santos**: Okay, thank you for the clarification.

**Land Agent I L. Taleu**: No problem.

**Chairman J. Reyes, Jr.**: Ms. Taleu, he's already been moved though, right?

**Land Agent I L. Taleu**: He has been moved but the thing is they never completed a survey map for him and so the area that he's in we actually need to do a scheme because it's one huge lot and then from there we can have the survey map done on the portion that he is using.

**Commissioner A. Santos**: And that's a portion of lot 10120?

**Land Agent I L. Taleu**: That is - let me make sure I got this correct, sorry.

**Commissioner A. Santos**: Is that?

**Land Agent I L. Taleu**: Yeah, that's the portion of, sorry let me pull up the map that I have, my apologies.

**Mr. Jamie Bass**: Ms. Lydia, is it okay if I just go ahead and sort of clarify some lot descriptions while you're doing your research?

**Land Agent I L. Taleu**: Sure.
**Mr. J. Bass:** Okay, so what I have on record, 10120 was the Okkodo property where I was residing and farming on before I was notified that I needed to be relocated to make room for the Okkodo High School. So, I was showed a lot 10125-11-4; now upon being showed this property by the survey he had asked me to confirm with CHamoru Land Trust in regards to clarifying the easement of that property because he says, the closest easement was on Route 3. Now, just to give you an idea of where 10125-11-4 is located it's adjacent to the Astumbo Middle School. So very far from any access to that property. At that point, I brought it up to CHamoru Land Trust and they showed me another lot on the other side of Astumbo Middle School which is according to the map they gave me which I found out later is not a proper map like it wasn't recorded is 10125-11-A8, now this property I started to work on. This property, I was shown the land markers, I started to put down fruit trees I had some issues with that property with illegal dumping, stolen cars being put right on the road that we use as an easement. It was just a dirt road it wasn't the proper easement but I had trouble accessing that on a weekly basis which I also had brought up to the attention of CHamoru Land Trust. So, what sort of put all this on the back burner which I stop kind of pursing aggressively was that I had some health issues with my daughter and we were going back and forth to the Philippines so it was just sort of put on the back burner. So, at that point, it just died in the water nothing has happened since. Upon signing the lease for 10125-11-4 I noticed that the property that I was working on and the lot description wasn't correct so that's just where it stopped, nothing else happened. There were all kinds of issues with that property, the people that were issued leases behind me came in with a backhoe and took out my markers. So, it was just a nightmare just trying to get that property squared away but those are the lot numbers that I have on my record. Additionally, I would like to also I guess bring to lite lot number M05 T10125 B22 L1, now this is that lot number is the lot that I'm being taxed on with a five hundred and sixty-one thousand eight hundred and ninety-three building on top of that property. So that's the information I got. And that lot number I have the tax bills right here and this is the second year that I received this tax bill so I thought it was taken care of last year. But apparently this year again I'm being billed.
**Chairman J. Reyes, Jr.:** Okay, thank you, Mr. Bass for that. Ms. Taleu?
**Land Agent I L. Taleu:** Yes.
**Chairman J. Reyes, Jr.:** Okay, so let's take this property at a time because there's lot of *inaudible* here to make sure that we're not confused. So, the one that Mr. Bass had mentioned I don't have it listed here is the one that ends with A8
**Land Agent I L. Taleu**: Right.
**Chairman J. Reyes, Jr.:** What is?
**Land Agent I L. Taleu**: Go ahead complete, sorry, my bad.
**Chairman J. Reyes, Jr.:** No go ahead.
**Land Agent I L. Taleu**: The lot description is actually supposed the updated lot description is Lot 10125-11-4 Dededo containing an area of 6,385 square meters.
**Chairman J. Reyes, Jr.:** Okay. Got it.
**Land Agent I L. Taleu**: And so, what my understanding is, is when Revenue and Tax does it, they look at the Arc Map which is the aerial overview and so when you go to

that lot, you'll see that there's multiple structures on there, which is what he's being taxed on that he's not even staying on.

**Chairman J. Reyes, Jr.:** Okay. But is the lease – does the lease indicate that property, though?

**Land Agent I L. Taleu:** The lease, okay. On his lease, let me just double check because I have his file right in front of me; I want to make sure I got the because he has two leases. So, the lease we have him listed on is yeah, 10125-11-4 that was the lease that he signed the second one on but my understanding was that was not the lot that he wanted. He was supposed to be relocated on the other side of Astumbo Middle School which is actually the updated lot description of that is Tract 1113 Block 16, he's supposed to get a half-acre portion on that lot.

**Chairman J. Reyes, Jr.:** Okay so Commissioners, any questions? I'm still trying to wrap my head around this.

**Commissioner A. Santos**: So, the lot that he's, the lot that he wants is and this is for Ms. Linda Taleu; the lot that he wants is a half-acre portion in across from Astumbo which is 1113 Block 16, correct? That's the one that he wants?

**Land Agent I L. Taleu**: He was supposed to get that area.

**Commissioner A. Santos**: Okay. Then.

**Chairman J. Reyes, Jr.:** Is that still available?

**Commissioner A. Santos**: This lot.

**Land Agent I L. Taleu**: Yes, actually.

**Chairman J. Reyes, Jr.:** Sorry.

**Land Agent I L. Taleu**: Actually, it's one huge lot that hasn't been, there are no leases issued on there at least in this updated lot description.

**Commissioner A. Santos**: Okay.

**Land Agent I L. Taleu:** So, the area needs to schemed out and we need to face him on a lot there therefore, we're correcting the issue because his original lease that he had was for half an acre.

**Commissioner A. Santos**: And that was at behind Astumbo at 10120?

**Land Agent I Lydia Taleu**: No, that was over at Okkodo, behind Okkodo.

**Commissioner A. Santos**: Okkodo, I'm sorry. But that was his initial?

**Land Agent I L. Taleu**: Yes, which was a half-acre portion of lot 10120?

**Commissioner A. Santos**: Yeah right, okay. So, he was issued a second lease at 10125-11-4?

**Land Agent I L. Taleu**: Yes.

**Commissioner A. Santos**: Okay but he didn't end up going into 10125-11-A8?

**Land Agent I L. Taleu**: Right, which is now known as a portion of tract 1113 block 16, Dededo.

**Commissioner A. Santos**: Okay, so that is that. But then the place that's he's being taxed at is a totally different place?

**Land Agent I L. Taleu**: Exactly.

**Commissioner A. Santos**: That's crazy.

**Land Agent I L. Taleu:** You got it.

**Mr. J. Bass:** Yeah, and like I said, it's not just my getting billed for the property for a half a million-dollar building structure that's on it and upon the site visit with Ms. Linda, it was pretty much confirmed that there's nothing there.
**Commissioner A. Santos**: Yeah. Yeah.
**Chairman J. Reyes, Jr.:** Okay. Alright, I don't have any other- let me ask questions on in regards to the survey map and then who will be conducting that Ms. Lydia?
**Land Agent I L. Taleu:** Well, what it is, is because he had no choice, he was relocated by us; we would have to cover the cost of the recorded survey map because we relocated him.
**Chairman J. Reyes, Jr.:** Okay, so we would, we would set get all that together and get that process for that and cover those cost?
**Land Agent I L. Taleu**: Yes.
**Chairman J. Reyes, Jr.:** And then, in regards to the reassessment for the correct lot size; that will be done from what I'm reading here from 2007 but it'll be based on that survey?
**Land Agent I L. Taleu:** Yes, so what it is, is because there's two leases, we need to terminate the lease for the larger lot size which he's not even utilizing and then to the original do an addendum for the original lot which is the 10120 the half acre and so we can do an addendum saying it's the new lot description is a portion of Tract 1113 Block 16 and then the recorded survey map is completed we would have the actual lot description on there.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent I L. Taleu:** But CLTC would have to cover the cost of the recorded survey map simply because he was relocated not by choice.
**Chairman J. Reyes, Jr.:** Yeah, understood. I'm just, okay, so can you clarify the reassessment, though, the tax reassessment? What is the purpose and the intent of the tax reassessment? Is it to pony or make right so we know what the taxes to be paid by Mr. Bass is or is it to?
**Land Agent I L. Taleu**: Right. So, he shouldn't be paying taxes on the 6000 square meters. The taxes he should be assessed for is for the half acre lot.
**Chairman J. Reyes, Jr.:** Okay. Alright and what is our process for this tax reassessment?
**Land Agent I L. Taleu**: I believe that is between Joey Cruz and Department of Revenue and Taxation. They have to work that out.
**Chairman J. Reyes, Jr.:** Okay, so they can work that up, okay. Mr. Cruz, if you're available, from a funding perspective for the covering this cost for the recorded survey map; do we have a funding source? I just want to make sure we cover all our basis of this at this point.
**Program Coordinator III J. Cruz**: For FY 2021, can we defer to Mr. Hattig first, he's raising hand.
**Chairman J. Reyes, Jr.:** Oh yes, I'm sorry.
**Administrative Director J. Hattig, III:** Thank you, Mr. Chairman, so, what I would recommend instead of covering the cost is, I would recommend requesting Department of Land Management to, since it's the CLTC's responsibility because of the relocation; to seek the survey map through the Department of Land Management rather than to expend funds for a private surveyor at this point.

**Chairman J. Reyes, Jr.:** Understood. So, I thought I was, I thought we were going to go that route anyway, through the government survey. That was kind of my understanding, to do a government survey, however, is that going to be a resource share or is that going to be a cost to the agency? You know what I mean?

**Administrative Director J. Hattig, III:** Right, and we would determine that I could meet with the Department of Land Management and we are in because of we have an understanding because of shared resources, we normally just talk through it, the Director and I; and if we're able to put it through and the director has the opportunity, he usually just you know covers it for us but again, I'll speak to him about it.

**Chairman J. Reyes, Jr.:** Okay, I'll leave that to you guys. I just wanted to make sure that from an allocation standpoint either we cover it but my mind was already that it would be coming from a government survey to be able to fulfill this. Okay, so that's fine. We just got to action these things now, commissioners. Commissioners, just as a time check, it's now 4:38 p.m., I know, Commissioner Duenas has to leave us at 4:45p.m. Saina Bordallo, are you still good to be with us to finish our constituents on the agenda? Saina Bordallo, you're on mute, Saina.

**Land Agent I L. Taleu:** She's still on mute.

**Commissioner A. Bordallo:** Okay, I'm here.

**Chairman J. Reyes, Jr.:** Yes.

**Commissioner A. Bordallo:** Now the report that Ms. Taleu had made, it was a little bit confusing for me because it had two leases and you know, for clarification, I think the report can be done in two, break it down to two reports so that we know exactly what was paid also and what lot he wants to be approved.

**Chairman J. Reyes, Jr.:** Okay, so Saina Bordallo before we pass it off to Ms. Taleu to answer; I just wanted to confirm if you're still okay to proceed because Commissioner Duenas has to drop off in a few minutes.

**Commissioner A. Bordallo:** We're meeting on Thursday again?

**Chairman J. Reyes, Jr.:** We're meeting on Thursday again, so but I do still want for us to break out into executive session, but I'm just making sure that you're still okay on time because I know it's getting late there.

**Commissioner A. Bordallo:** Okay. I'm okay provided we go into executive session.

**Chairman J. Reyes, Jr.:** Okay. Okay, so Ms. Taleu in light of Commissioner Bordallo's question, you know there are a lot of lots here in play and it's I mean I think we can verbalize it and we can kind of understand but I kind of want to also make sure that we to her point right, is on the taxes, what has been paid and we are meeting next week; so Mr. Bass, we do have a path forward here, if we could allow Ms. Taleu to just organize this a little bit more for the commissioners so can kind of understand and break it up and we don't miss anything and of course making sure that you know we are doing this for your best interest and that we're just going to table this and not action anything right and move to pick this back up in our next meeting, we're meeting next Thursday.

**Mr. J. Bass:** Yeah, that's fine with me. I mean you know; take the time you need to just make sure we do it correctly. Like I said, there is a lot of lots that are in play here. I do have question as far as how is the taxes going to be determined and which lot number

because as based on what I'm hearing and the information that I got, I don't which, what property am I going to be assessed taxes on.

**Chairman J. Reyes, Jr.:** Yeah.

**Mr. J. Bass:** I mean, is it fair to tax me on anything at this point?

**Chairman J. Reyes, Jr.:** Right. So that's where I want us to be very deliberate in going through the tax assessment standpoint.

**Mr. J. Bass:** Yeah.

**Chairman J. Reyes, Jr.:** And kind of have a timeline that Ms. Taleu separates out maybe two paths of properties just so that we can really go through this and do what what's right to Mr. Bass's point. So, Mr. Bass, if you don't disagree, we're going to table this and give Ms. Taleu some more time. Ms. Taleu, if you're not able to get this through next week, we can be in touch. You can email me and we can kind of see what you have so far and we can push it to the next meeting and we do plan on meeting twice again next month. So, let's table this if there's no objections from our Commissioners just so that we can have a better connection of what we have to assess here.

**Land Agent I L. Taleu**: Okay, so what I'll do a staff report, two different ones based on the two leases that were done putting my recommendations or considerations of what we need to do in moving forward with the two leases.

**Chairman J. Reyes, Jr.:** Yeah.

**Mr. J. Bass:** Okay.

**Chairman J. Reyes, Jr.:** Just so we have two paths to really look through and understand because it's a little bit dizzy right now and again, we can say it out, we can give you those lot numbers but I think it's just easier for us to review it like that.

**Land Agent I L. Taleu**: Okay, no problem.

**Mr. J. Bass:** Yeah, and if I could just bring up one more thing and it was one of the more pressing issues in the short term, like I said, I had totally 100% agree with tabling it now and taking your time to make sure that everything is done correctly but, I had a conversation with Mr. Joey and I don't know if you remember that we had spoken and one of the issues that I have is that it's tax season and at this point somebody's telling me that I owe taxes and I'm expecting tax returns and things like that so I'm just wondering if there's an avenue where we can communicate with real property to say that there's maybe a red flag, Mr. Bass is contesting this bill so that there isn't issues of tax returns and things of that nature, in the short term.

**Chairman J. Reyes, Jr.:** Yeah, Mr. Cruz.

**Program Coordinator III J. Cruz:** Yesterday there is a possibility. I'm drafting the letter for Mr. Hattig to review to be sent to Rev & Tax just informing them of the situation of Mr. Bass, I don't see why they wouldn't honor the request to hold-off any type of assessment.

**Chairman J. Reyes, Jr.:** Okay.

**Mr. J. Bass:** And if I could just make a point, like I said, this happened last year and we were able to sort of get over that so I was completely surprised that I was reassessed this bill again and if we could do whatever we did last year to take care of that situation, whatever it was, if we could just clarify that with them again.

**Chairman J. Reyes, Jr.:** Yes, for sure Mr. Bass. My goal this time around is to solve everything for you so we don't have to keep going in circles. So, you have our commitment to that, sir.
**Mr. J. Bass:** Okay. Thank you, sir, for your time.
**Chairman J. Reyes, Jr.:** Okay, alright, sound good. Let's do a time check here folks. Mr. Duenas it is 4:45 I know you have to leave; do you have any questions for us thus far?
**Commissioner A. Duenas**: No, not this time.
**Chairman J. Reyes, Jr.:** Okay. Alright, thank you for your time, sir. We still have quorum so we *inaudible* Okay, can I ask the question to Ms. Eileen? One second. We have tabled, let me just make sure I have notes here. We have one, two, three, four more to go. Ms. Eileen, in your gauge, do we have all the constituents on this or is there ones that may need additional work prior to being put forth to the Commission? Is there one that we can address is ready for action? I'll take your lead on that.
**Land Agent II E. Chargualaf:** Okay, I believe Jhoana will be presenting all four and I believe there's two of them that can take action.
**Chairman J. Reyes, Jr.:** Okay.
**Land Agent II E. Chargualaf:** There's two I believe that's returning back the property back to CHamoru Land Trust so maybe we can tackle those two and then the other two come forth and we should be done probably in less than half an hour.
**Chairman J. Reyes, Jr.:** Okay, Ms. Joanna, I'll take your lead on that on things that we can action. There's one that I didn't want complex that may again, based on the conversations we've had today in these that we've had the table, I'll take your lead on if there's anything that is further needing to be clarified but please proceed Ms. Jhoana.

*Alfred Lizama Goque Ceraos*
**Land Agent II J. Casem**: Okay, we'll go ahead and proceed with Mr. Alfred Ceraos. With Mr. Alfred's case he is requesting for an application change from his agricultural to a residential as well as a relocation of property. Mr. Ceraos was leased a property that is unregistered that is within lot 7153 and upon him going back and forth to the property over the years he started to see individuals on the property and they have not wanting to vacate the area but in general, because the area is unregistered, Mr. Ceraos would like to move forward to build a property for himself and his family. So, he did come in and he did get qualified through Guam Housing and he is willing to relocate to our Sagan Linayan area given the approval of the Commission.
**Chairman J. Reyes, Jr.:** Okay. Thank you for that Commissioners, you guys have any questions.
**Commissioner A. Bordallo**: Where is the next lot?
**Land Agent II J. Casem**: I'm sorry, come again.
**Commissioner A. Bordallo**: Yeah, what would that be?
**Land Agent II J. Casem**: He is wanting to go the Sagan Linayan area. In terms of the lot itself it has been yet to be determined because we haven't done a showing with Mr. Ceraos but he is aware of the availability in the area.
**Commissioner A. Bordallo**: Okay, so it's just to change from.
**Chairman J. Reyes, Jr.:** Okay.

**Commissioner A. Bordallo** Change from an agriculture lease to a residential?
**Land Agent II J. Casem**: Yes, that's one of them.
**Commissioner A. Bordallo**: So yeah.
**Commissioner A. Santos**: Where's that?
**Chairman J. Reyes, Jr.**: Director Hattig?
**Administrative Director J. Hattig, III:** Thank you, Mr. Chairman, I just want to provide some context for the Sagan Linayan area. We signed a memorandum in the past I can't recall what year with Guam Housing Corporation for ten lots in the area of Sagan Linayan is in the Astumbo area in Dededo so those ten lots were identified and Guam Housing was going to find contractors that were going to build homes on those lots since they're very close to power and water and access in that neighborhood and then we were going to find eligible recipients that would be able to go into those particular lots so they would qualify under Guam Housing and then we would also assist them in transferring them since they have a lease. The idea is just to transfer them the property location from where they're at to the Sagan Linayan area so I just wanted to provide some context for commissioners on that but only if they're able to qualify through the Guam Housing Corporation will they be able to choose those lots.
**Chairman J. Reyes, Jr.**: Okay? And based on Ms. Jhoana's report that is the case for Mr. Ceraos? Yes?
**Land Agent II J. Casem**: Correction the area that Guam housing has. They have allocated 10 Lots, but that's a different project that's within their preview. We have other areas within Sagan Linayan that the constituents are able to, as long as they're able to get a qualification to build, you know, we're able to put them within one of those available lots. The other lots that Mr. Hattig is talking about, that's within Guam Housing, so they are the ones to construct the home and then eventually find a lessee but those houses have not been put up, Mr. Ceraos is going from ground up. So, he is doing this on his own, not going by what Guam Housing would provide, you know, by them building it. He is doing his own qualifications. So, he would, you know, go through the process of putting together a building plan and so forth.
**Administrative Director J. Hattig, III:** Thank you, Mr. Joanna.
**Chairman J. Reyes, Jr.**: Okay. Alright. So, it could have gone both ways but he's taking he's going his route. Okay understood okay. May I ask our employees of CLTC to make sure they are on mute just so that we don't have any of the feedback. Just making sure I got feedback for a second there. Okay Sagan Linayan and Guam Housing any other questions commissioners? Sorry.
**Commissioner A. Santos**: None for me Mr. Chair.
**Chairman J. Reyes, Jr.**: Okay. I'm sorry guys, give me one second. The kids just popped in. Okay, alright, I'm back. Sorry. Okay, so the first action here, is to basically ensure that we can convert or change the application type from agricultural to residential correct, Ms. Joanna?
**Land Agent II J. Casem**: Yes, sir.
**Chairman J. Reyes, Jr.**: Okay and then we would need to move into relocating Mr. Ceraos, however, we don't have the exact lot yet, correct?
**Commissioner A. Bordallo**: Right.
**Land Agent II J. Casem**: Correct.

**Chairman J. Reyes, Jr.:** Okay, so if anything, that's let's go ahead and proceed with the first one. And Ms. Jhoana, when would you be able to get that exact lot?
**Land Agent II J. Casem:** I have a lot here tentatively he did advise that whatever advised me that whatever is available would be good for him. So, within this area I do have a lot but of course, you would want to show him first so that, you know it's good to go.
**Chairman J. Reyes, Jr.:** Yeah, I agree, let's give him the courtesy to at least take a look at it before we...
**Land Agent II J. Casem:** Okay.
**Chairman J. Reyes, Jr.:** Move them but I think we can be definitely taking action to convert or to change the application, right? And then we'll get that process...
**Land Agent II J. Casem:** Yes, sir.
**Chairman J. Reyes, Jr.:** Complete and then you if you're ready next week, Thursday, we can we can action the actual relocation the property, if not, we can, you know, I'll take care of these but let's make sure Mr. Ceraos is able to see the property.
**Land Agent II J. Casem:** Okay.
**Chairman J. Reyes, Jr.:** Okay. Commissioners are there any other questions?
**Commissioner A. Bordallo:** I have none.
**Chairman J. Reyes, Jr.:** Okay and so Commissioners, may I...
**Commissioner A. Bordallo:** I'll make the motion. Okay, I make a motion that Alfred Lizama Gogue Ceraos his application will be changed from agriculture to residential and just on that.
**Chairman J. Reyes, Jr.:** Yes. Thank you, Saina Bordallo, may I get a second?
**Commissioner A. Santos:** I second that.
**Chairman J. Reyes, Jr.:** Thank you, Commissioner Santos. Alright, motion any objections?
**Commissioner A. Bordallo:** None.
**Chairman J. Reyes, Jr.:** Hearing no objections the motion passes, the request to change application type from agriculture to residential for Mr. Alfred Lizama Gogue Ceraos. Okay. Thank you, commissioners. That's go ahead and take the next item on the agenda, Ms. Eileen, please.

*Rosario P. McGravey (dec.)*

**Land Agent II J. Casem:** Um, okay, um we're going to go ahead and do Mr. Rosario P. McGravey. He's requested to do a termination of his agricultural lease agreement. He is the sole successor to his mother's I'm sorry, Mr. Rosario McGravey is the lessee, her son. Raymond Francis McGravey who is the sole successor is wanting to return back 9.1 and six acres to the Trust inventory and his letter was also attached to the report.
**Chairman J. Reyes, Jr.:** Thank you commissioners any questions? Sorry, I had to quickly get the kids out.
**Commissioner A. Santos:** None.
**Commissioner A. Bordallo:** So, just to terminate.
**Commissioner A. Santos:** Not from me.
**Commissioner A. Bordallo:** To terminate the lease?
**Land Agent II J. Casem:** Yes, ma'am.

**Commissioner A. Bordallo**: Okay, I make a motion to terminate the lease on lot or tract 1021, block 4, lot 3, Dededo of Rosario P. McGravey and that it was the request of the beneficiary, the son, Raymond Francis McGravey's request.
**Chairman J. Reyes, Jr.:** Thank you, Saina Bordallo. May get a second, please.
**Commissioner A. Santos**: A second that motion. Do we need to add in the lot size?
**Chairman J. Reyes, Jr.:** No need it's in the lease.
**Commissioner A. Santos**: Okay.
**Chairman J. Reyes, Jr.:** Yeah.
**Commissioner A. Santos**: Okay. Alright.
**Chairman J. Reyes, Jr.:** Thank you, Commissioner Santos for that second any objections?
**Commissioner A. Santos**: None.
**Commissioner A. Bordallo**: None.
**Chairman J. Reyes, Jr.:** Okay, hearing none motion passes to terminate the agricultural lease on Tract 1021, Block 4, Lot 3, Dededo for Mr. Rosario P. McGravey. Thank you, commissioners.
**Land Agent II J. Casem**: Yes, thank you.
**Commissioner A. Bordallo**: I have one question.
**Chairman J. Reyes, Jr.:** Yes, ma'am.
**Land Agent II J. Casem**: Yes, ma'am.
**Commissioner A. Bordallo:** Is the property good to go?
**Land Agent II J. Casem**: This area unfortunately is unregistered and hopefully we get it registered and once it does get registered, then we're able to put more individuals on this big lot.
**Chairman J. Reyes, Jr.:** Awesome. Good to hear.
**Commissioner A. Bordallo**: Yeah.
**Land Agent II J. Casem**: Okay, sorry.
**Chairman J. Reyes, Jr.:** No go ahead.

*Rufo Joseph Lujan*

**Land Agent II J. Casem**: Yes, moving forward we have Mr. Rufo Joseph Lujan, he too is also requesting for a decrease of acreage do solely to him being on an unregistered property with Mr. Lujan's case, he was issued an agricultural lease in 2003. It has not been surveyed and in 2020, we he did come in, advising us on the tax assessment and we did find that the area that the master plan placed him on was actually not the area of his occupants. So here he actually is only occupying two acres within the area. So here he utilizing lot for 22-6 and a portion of lot 422-4 based on the master plan. So, he is requesting to return 18 acres, back to the Trust.
**Chairman J. Reyes, Jr.:** Okay. Is it in the portion that he will still utilize? Um, is that registered or unregistered?
**Land Agent II J. Casem:** This area is unregistered.
**Chairman J. Reyes, Jr.:** The entire piece?
**Land Agent II J. Casem:** Yes, the entire 422 is unregistered, but he there is a placement within where he is at so that's where the 422-6 and the portion of 422-4 come in. Unfortunately, until the area does get registered then we can pursue with a

survey and he does understand that so you know, he said that he is going to wait until that time does happen.

**Chairman J. Reyes, Jr.:** Okay, let me, maybe for clarification further, for legal counsel here. It is unregistered property, can we proceed, can we move forward in this, Attorney Toft?

**Legal Counsel N. Toft:** Yeah, because we already issued the lease on it so...

**Chairman J. Reyes, Jr.:** So, because there was a lease already issued, okay?

**Legal Counsel N. Toft:** Right.

**Chairman J. Reyes, Jr.:** Alright, just wanted to...

**Legal Counsel N. Toft:** And that's we were just beginning the process of starting to hit a lot of these unregistered properties. We have a lot of LRs lined up for this year, so we should be able to start getting these under control.

**Chairman J. Reyes, Jr.:** Yeah. Okay, awesome. Yes, I am aware that that's great news, Mr. Melvin are you kind of giving us the property in question here?

**Engineering Technician II M. Javier:** Just showing the area of the property.

**Chairman J. Reyes, Jr.:** Okay, thank you, sir. And it's the one in green, correct?

**Land Agent II J. Casem:** Yes, that that is the area that he is actually occupying on we did do a site inspection. Ms. Eileen and I did do it last year, I believe 2020. So, he did show us where he's been utilizing the area, the larger portion right there, the bigger portion is where they were assessing taxes to him but that is not him.

**Chairman J. Reyes, Jr.:** Okay. Alright, Director, it looks like you wanted to say something?

**Administrative Director J. Hattig, III:** No sir. I too have actually have gone out to the property and there's several constituents that have already either been issued leases or are occupying and I agree with Attorney Toft that we're going to be actioning many LR cases this year.

**Chairman J. Reyes, Jr.:** Yeah, I'm excited for that. That's great news. Thanks guys, okay. Alright, so any other questions from our commissioners?

**Commissioner A. Santos:** None for me.

**Chairman J. Reyes, Jr.:** Okay, and Attorney Toft just to clarify the decrease of acreage it is, we are good to go with that, with the commission, correct?

**Legal Counsel N. Toft:** Yeah, because it's not the issuance of a new lease. It's the amendment of an existing one.

**Chairman J. Reyes, Jr.:** Okay, so Ms. Jhoana, with this one it's basically just to action the decreasing of the acreage and the addendum pending issuance for the two acres; what does that mean then subject to survey, can you *inaudible*?

**Land Agent II J. Casem:** Because the area is a unregistered, he's unable to pursue with a survey. So even if we were to him a survey authorization and he went and hired a surveyor, the map will not be approved by Land Management therefore we're not going to issue an authorization until such time.

**Chairman J. Reyes, Jr.:** Okay. So, what is, I'm sorry, can you help us make sure that we get this motion right of what we need to action?

**Land Agent II J. Casem:** It's a recommendation to approve of a decrease of acreage from 20 to two acres.

**Chairman J. Reyes, Jr.:** Okay, 20 to two and we don't have to put any conditions there in regards to the survey because it is still unregistered?
**Land Agent II J. Casem:** Yes, sir.
**Chairman J. Reyes, Jr.:** Okay. Alright, so commissioners, I mean, in front of us, are the action to decrease Mr. Rufo Lujan's acreage from 20 to 2; any questions or concerns there?
**Commissioner A. Bordallo:** No.
**Chairman J. Reyes, Jr.:** Okay.
**Commissioner A. Santos:** None.
**Chairman J. Reyes, Jr.:** And, and sorry, one more, one more thing Ms. Jhoana, when we decrease it to two, what portion of the lots would be the two?
**Land Agent II J. Casem:** So he's utilizing a lot, 422-6 and a portion of lot 422-4 so, this area we would have to actually reconfigure and because I only foresee that when these lots do get registered, we're going to have to come in and scheme the area to allocate more lots for individuals to come in and use.
**Chairman J. Reyes, Jr.:** Okay, alright. And we're scaling it down to two so we should have a section that's already for Mr. Lujan when we go into these...
**Land Agent II J. Casem:** Yes, sir.
**Chairman J. Reyes, Jr.:** Alright just need to be clear alright. You need to be clear. Alright, commissioners, any, any other questions? Sorry, I'm no one asking all the questions. Okay. Alright, so if you like to take action, let's proceed.
**Commissioner A. Santos** I'll make a motion to decrease the acreage of Mr. Rufo Joseph Lujan's agriculture lease which is going from 20 acres down to two acres on lot 422-6 and a portion of lot 422-4.
**Chairman J. Reyes, Jr.:** Okay, thank you so much Commissioner Santos. May I get a second?
**Commissioner A. Bordallo:** I second.
**Chairman J. Reyes, Jr.:** Alright, thank you, Commissioner Bordallo. Any objections? Alright, hearing none motion passes on the decrease of acreage for Mr. Rufo Lujan from 20 to two. Thank you so much commissioners. Okay, and Ms. Jhoana, great job in getting us through this I appreciate it.

*Michael Frank Duenas*

**Land Agent II J. Casem:** Okay. And last we have Mr. Michael Frank Duenas; he is requesting for a relocation due to the fact that the area that he was originally given does not have allocated infrastructure and easement issues. So, he's requesting to go from his Tract 15213, Block 5, Lot 27, Mangilao lot to Lot 7151-48 in Yigo.
**Commissioner A. Bordallo:** The lot description on facts is Tract 15213, Block 5, Lot 27?
**Land Agent II J. Casem:** That is his original lot.
**Commissioner A. Santos:** That he has now.
**Chairman J. Reyes, Jr.:** That's the existing lease, correct?
**Land Agent II J. Casem:** Existing lease. Yes, sir.
**Commissioner A. Bordallo:** And he wants to go to 7151-48, right?
**Land Agent II J. Casem:** Yes, ma'am.
**Commissioner A. Bordallo:** And what's the first one? I mean the 10125, Block 12?

**Land Agent II J. Casem**: Oh, I believe that's an error.
**Commissioner A. Bordallo:** Oh okay. So, we should strike that out, right?
**Land Agent II J. Casem:** Yes, so it's on the fact side on the lot description that is his actual lot based on his lease; so, that would be the Mangilao to the Yigo.
**Chairman J. Reyes, Jr.:** Okay, so Mangilao to Yigo.
**Commissioner A. Bordallo**: And not Dededo?
**Chairman J. Reyes, Jr.:** And not Dededo?
**Land Agent II J. Casem**: Not Dededo. I'm sorry for that.
**Chairman J. Reyes, Jr.:** No worries no worries. There's been a lot of lot numbers here Jhoana so we want to keep it straight.
**Commissioner A. Bordallo**: Okay, I make a motion to...
**Chairman J. Reyes, Jr.:** Saina, just one second, any other questions Commissioner Santos?
**Commissioner A. Santos**: None, none for me.
**Chairman J. Reyes, Jr.:** Okay, alright, Saina sorry.
**Commissioner A. Bordallo**: I recommend, I mean I would like to make a motion to approve the relocation of Michael Frank Duenas from lot or Tract 15213, Block 5, Lot 27 Mangilao to Lot 7151-48 Yigo for a half-acre under a conditional lease terms and the conditions are that the Agriculture Cohort Program with UOG and or Dept. of Agriculture. Number two, survey completion of Lot 715- I think that's an error on the typing?
**Land Agent II J. Casem:** 7151.
**Commissioner A. Bordallo**: Yeah, so there's a five there that shouldn't be there and...
**Chairman J. Reyes, Jr.:** Correct.
**Commissioner A. Bordallo**: And that the lease fee payment of $99 within one year of signing the lease that's my motion.
**Chairman J. Reyes, Jr.:** Thank you, Saina Bordallo. Tina, that's good? Okay, may I get a second?
**Land Agent I T. Tainatongo:** Yes.
**Commissioner A. Santos**: I second that motion.
**Chairman J. Reyes, Jr.:** Alright, thank you, Commissioner Santos. Any objections?
**Commissioner A. Bordallo:** None.
**Chairman J. Reyes, Jr.:** Okay hearing none, the motion passes on the relocation request of Mr. Michael Frank Duenas from Mangilao, Tract 15213, Block 5, Lot 27 to Yigo, 7151-48. Thank you so much, commissioners.
**Land Agent II J. Casem**: Thank you.
**Chairman J. Reyes, Jr.:** Thank you, Ms. Jhoana
**Commissioner A. Bordallo**: And you're welcome.
**Chairman J. Reyes, Jr.:** Okay.
**Commissioner A. Santos**: Thanks
**Chairman J. Reyes, Jr.:** So, at this juncture in the in the agenda we will table the Financial Report and the Director's Report to next week Thursday's Board Meeting, we do have another board meeting.
**Commissioner A. Bordallo**: Is that a continuation or a Board a different meeting?
**Chairman J. Reyes, Jr.:** It'll be yes, it'll be continuation.

**Commissioner A. Bordallo**: Okay.
**Chairman J. Reyes, Jr.:** Yes, continuation. Yes. So, we're going to table these two items for next week and that's March 25th and then this point we are going to recess from the general session general meeting and move into executive session, pursuant to 5GCA section 8111 (a) Director Hattig?
**Administrative Director J. Hattig, III:** Yes, I'm sorry I just want to defer also to legal counsel if that needed a motion, Mr. Legal Counsel, to go into executive session?
**Legal Counsel N. Toft:** Yes, we do. It would be best if we do a motion for that.
**Administrative Director J. Hattig, III:** Right. Just I just want to make sure we're all covered by that.
**Chairman J. Reyes, Jr.:** Yes, no worries. So, that's our next item on the agenda is to move into executive session, but may I ask our commissioners...
**Commissioner A. Santos**: Sorry Mr. Chairman. I know, Director Hattig, are we still using the same Zoom I mean Google meet link?
**Chairman J. Reyes, Jr.:** No.
**Commissioner A. Santos**: Okay, alright.
**Chairman J. Reyes, Jr.:** It'll be in another Google link, yes.
**Commissioner A. Santos**: So, will we be adjourning this or recessing this?
**Chairman J. Reyes, Jr.:** This particular one, we're just recess until we come back from executive session, yes.
**Commissioner A. Santos**: Okay. So, I'm...
**Administrative Director J. Hattig, III:** Yeah, we're going to stay on. The staff were instructed to stay on right now. The commissioners are going to sign off and then sign on to the executive session link that was sent to you and then when you're done, you can sign back on to this meeting so that we can do the motion to recess.
**Commissioner A. Santos**: Okay.
**Chairman J. Reyes, Jr.:** Yes. Now, at this juncture, we let me just make sure we can get Saina Bordallo back on the line because we need to motion...
**Commissioner A. Santos**: Yeah.
**Chairman J. Reyes, Jr.:** We need a motion to move into executive session.
**Commissioner A. Santos**: Okay.
**Chairman J. Reyes, Jr.:** As we're waiting for Saina Bordallo I just wanted to thank the team for these staff reports today and I think there is still a little bit of work that we can work on so I'll be working on that with Ms. Eileen and but the clarity is there and I appreciate the consistency in the formatting but a little bit more work but I appreciate the effort in kind of getting all that in order and I appreciate your guys' time on that. So, Ms. Eileen, we'll get together and work on that for our next set of Constituent Matters.
**Commissioner A. Santos** Mr. Chair, may I also ask a question too?
**Chairman J. Reyes, Jr.:** Yes.
**Commissioner A. Santos:** Is there a possibility to like a 5- or 10-minute break.
**Chairman J. Reyes, Jr.:** Yes, let's just get to Saina Bordallo *inaudible* back on.
**Commissioner A. Santos**: Yes. Yes, thank you.
**Chairman J. Reyes, Jr.:** Yes.
**Commissioner A. Bordallo:** Hello.

**Chairman J. Reyes, Jr.:** Hafa Adai, Commissioner Bordallo.
**Commissioner A. Bordallo**: Yeah, it went out again on my phone now. *inaudible*.
**Chairman J. Reyes, Jr.:** Okay. Yes. So Saina we need a motion to recess from our regular meeting, our general meeting to go into executive session and then we'll make sure that we're going to take before we convene in executive session, we're going to take a five-minute break.
**Administrative Director J. Hattig, III:** Mr. Chairman, I'm sorry that we don't confuse could we just maybe rephrase that and it would be a motion to go into executive session and not to recess yet.
**Commissioner A. Bordallo**: Now.
**Administrative Director J. Hattig, III:** Because the recess will come after we come back. Yeah.
**Chairman J. Reyes, Jr.:** I'm sorry, okay, understood just so that we don't use it.
**Administrative Director J. Hattig, III:** Thank you. Yeah.
**Chairman J. Reyes, Jr.:** Commissioners let's get a motion please to move into executive session.
**Commissioner A. Bordallo**: I make a motion to go into Executive Session but before we do, Mr. Hattig, I, you know, you have to what do you call that, to go into executive session it's a different...
**Administrative Director J. Hattig, III:** Yes, ma'am. I sent you both links. So, the second link is the one for executive session. It's labeled.
**Commissioner A. Bordallo**: Yeah, do you mind sending it to me because I'm now on my tablet and my cell phone is out of juice.
**Administrative Director J. Hattig, III:** Yes, ma'am. I'll send it to you on email.
**Commissioner A. Bordallo**: Yes, my email. Thank you.
**Administrative Director J. Hattig, III:** Welcome.
**Chairman J. Reyes, Jr.:** Saina Bordallo, can you just make that motion again before we move?
**Commissioner A. Bordallo**: I make a motion to go on recess for executive session; is that correct?
**Chairman J. Reyes, Jr.:** No Saina, just a motion to move into executive session.
**Commissioner A. Bordallo**: I would like to make a motion to go into executive session.
**Chairman J. Reyes, Jr.:** Okay, thank you so much. May I get a second? You're muted.
**Commissioner A. Bordallo**: Me?
**Chairman J. Reyes, Jr.:** No, no, Commissioner Santos.
**Commissioner A. Santos**: Dispensa yu, I second that motion.
**Chairman J. Reyes, Jr.:** Alright, thank you, Commissioner Santos. Any objections?
**Commissioner A. Bordallo:** None.
**Chairman J. Reyes, Jr.:** Alright, here no objections; we'll move into Executive Session. We'll be right back. Thank you, guys.
**Commissioner A. Bordallo**: Thank you.
**Chairman J. Reyes, Jr.:** I call the time.
**Legal Counsel N. Toft:** I think you can just proceed and just say that word reconvening, the regular meeting...
**Chairman J. Reyes, Jr.:** Okay, alright. Thanks.

**Administrative Director J. Hattig, III:** Let me just message Saina Bordallo real quick.
**Chairman J. Reyes, Jr.:** Okay. Yeah, just in case because I know to switch over to the other Zoom. Okay, thanks again everyone for your patience, we'll reconvene shortly and we just need to make sure we get Saina Bordallo back online.
**Commissioner A. Santos:** Can you hear me, Mr. Chair?
**Administrative Director J. Hattig, III:** Okay, Mr. Chairman, we have Saina Bordallo back on.

**EXECUTIVE SESSION [3:34]**

**Chairman J. Reyes, Jr.:** Thank you, everybody again. Thank you for your patience. Alright so let's go ahead and we're going reconvene into our general session, our meeting the time is 6:53. Alright so with that said, thank you again everybody on for your patience and time this afternoon into this evening. In you know wrapping up our constituent items, I'm going to wrap up with our Commissioners Comments, the next item on the agenda; commissioners, anything to add?
**Commissioner A. Santos:** I do want to add that you all are doing a spectacular job with just your assistance with our constituents, the beneficiaries; you are very much appreciated and keep up the hard work please. You guys are very vital to the movement forward of this program and the restoration of trust. Sen agredesi yan saina Ma'åse'.
**Chairman J. Reyes, Jr.:** Thank you, thank you, Commissioner Santos. Saina Bordallo?
**Commissioner A. Bordallo:** Well, all I can say is we move forward and make sure that everything goes well with the staff and the Director and ourselves, the Commission.
**Chairman J. Reyes, Jr.:** Awesome, thank you so much. Okay, and now I'll end our Commissioners Comments before we recess. Alright, so we all know, right that we are here, each and every one of us in the Commission and we have to remind ourselves that our tasks and our mission to this Commission and Trust is to protect and to serve. The intent and the mission of the Trust is to rectify the *inaudible* taking of CHamoru Homelands and we must not be deviated. We have to ensure that our people, the beneficiaries of the Trust, our constituents will have the ability to cultivate and utilize these lands for generations to come and it is our responsibility to uphold and progress this mission with the utmost integrity. The Commission has met with the Director and definitely have addressed these issues at hand. We've discussed this with him and the clarity, cooperation, and transparency are needed and needs to be realized so I appreciate your guys' time I appreciate your guys' efforts each and every day to work with our constituents and we will now recess the time. I'm sorry before I do that, I need to get a motion to recess but we are now going to recess until next Thursday, March 25th at 2021 at 1PM. So, commissioners, may I get a motion for recess, please.
**Commissioner A. Bordallo:** I make a motion to go on recess and continue our meeting on March 25th at 1pm.
**Chairman J. Reyes, Jr.:** Thank you, Saina Bordallo. May I get a second?
**Commissioner A. Santos:** I second that motion.
**Chairman J. Reyes, Jr.:** Awesome, si Yu'os Ma'åse'. Alright, our meeting is now on recess, the time is 6:56 p.m. Thank you, everybody for your time this evening since this

afternoon, I really appreciate it and we'll see you guys soon. Take care. Be safe everybody.

**Recessed:** 6:56 p.m.

Transcribed by: Tina Rose Tainatongo, Land Agent I

Approved by motion in meeting of: May 20, 2021

Chairman John F. Reyes, Jr.: _____ Date: 5/25/21