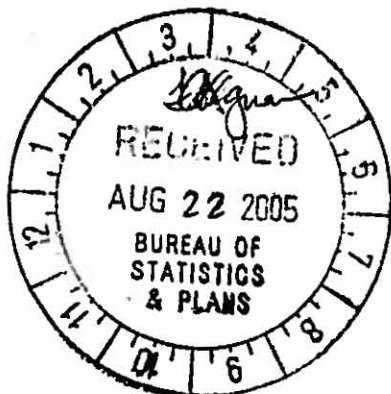


LAND USE MASTER PLAN
for the
DOS AMANTES PLANNING AREA

19 July 2005

TRANSMITTAL LETTERS



Daniel D. Swavely
Consulting Services
Villa Kanton Tasi, #1201
301 Frank H. Cushing Way
Tumon, Guam 96913



Honorable Felix P. Camacho
Ufisinan Maga'lahi
P.O. Box 2950
Hagatna, Guam 96932

August 12, 2005

Subject: Land Use Master Plan for the Dos Amantes Planning Area

Hafa Adai Governor Camacho:

In February 2003 I wrote to you about the impending problems associated with the return of lands to original landowners wherever zoning and viable access are absent. In particular, I highlighted the Harmon Cliffline/Dos Amantes area, where nearly 3,000 acres are in the process of being returned, yet only one property is officially zoned and many are landlocked, without easements for either access or utilities. At that time I offered to undertake, pro bono, preliminary land use master planning that would rectify those pre-development problems at Dos Amantes and establish a process that could also serve as a template for other returned-land areas on Guam which suffer similar constraints. Shortly thereafter, I learned about your acceptance of my offer through your Staff Assistant, Mr. Carlos Camacho.

I am pleased to enclose the results of my work.

During the course of this project, which obviously took much longer than I anticipated, I learned how entrenched many of these land use development problems have become. For example, the basis of any land use master planning lies in the availability of accurate cadastral maps which depict the metes and bounds of properties and easements. Throughout the Dos Amantes area, however, such cadastre is non-existent, except for perimeter boundaries of the land blocks returned by the military. Fortunately, my master planning work attracted the attention of several claimants with large land holdings in the Dos Amantes area, and they concurrently undertook a tabletop, digitized cadastre of the entire area. Together, we were able to produce a tentative subdivision map of the entire area, complete with an efficient network of access and utilities as well as a land use master plan and zones which support the highest and best use of the properties.

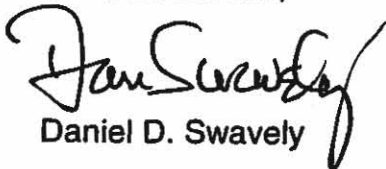
A few weeks ago I presented this report to the Land Bank Subcommittee of the Guam Ancestral Lands Commission. As the largest single landowner within the planning area, I thought it prudent to solicit their review and comment

before making any submittal to you. I am pleased to report that the Committee favorably received my work and asked for a few changes, which I have incorporated into this submittal.

Inasmuch as the Department of Revenue and Taxation has begun real property tax assessments of Ancestral Land lots, there is increased urgency for the establishment of a formal and adopted land use plan. Therefore, I invite your close attention to these work products and look forward to an opportunity for making a short presentation to you.

Of course, this is only the beginning. The final section of the master plan document presents a going-forward strategy of subsequent steps necessary for implementing the land use plan, zoning, and infrastructure development through the formation of an Improvement District, as authorized under P.L. 14-76. I would welcome the opportunity to discuss those steps, as well.

Si Yu'os Ma'ase,

A handwritten signature in black ink, appearing to read "Dan Swavely", with a stylized flourish at the end.

Daniel D. Swavely

Enclosure as stated

cc w/ enclosure: Mr. Ed Benavente, Executive Director, Guam Ancestral Lands Commission

Daniel D. Swavely
Consulting Services
Villa Kanton Tasi, #1201
301 Frank H. Cushing Way
Tumon, Guam 96913

August 12, 2005

Honorable Ed Benavente, Executive Director
Guam Ancestral Lands Commission
Hagatna, Guam USA

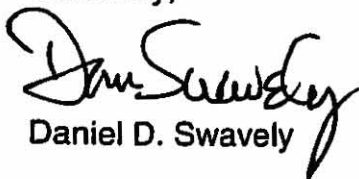
Subject: Final Land Use Master Plan for "Harmon Cliffline – Dos Amantes" Area

Hafa Adai Mr. Benavente:

As you know, on July 19, 2005 I presented the Preliminary Land Use Master Plan for the Dos Amantes Planning Area to the Commission's "Land Bank" Subcommittee. The Subcommittee then asked me to revise land uses for a portion of the planning area and to re-submit the Master Land Use Plan and the Base Cadastral Map with property coordinates. I have made those revisions, and they are enclosed for the Commission's formal adoption.

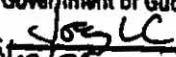
This concludes my work, and I appreciate the opportunity to have worked with you and your staff on such an important matter. I am confident that the Guam Ancestral Lands Commission will make good use of this Master Plan.

Sincerely,



Daniel D. Swavely

Enclosures as stated

GUAM ANCESTRAL LANDS COMMISSION
Kumision I Tano' Saino-to
Government of Guam
Received by: 
Date: 8/12/05 Time: 11:15 am

Tel: 649-2227
Fax: 649-6218
Email: dds@kuentos.guam.net

**LAND USE MASTER PLAN
for the
DOS AMANTES PLANNING AREA**

19 July 2005

LAND USE MASTER PLAN for the DOS AMANTES PLANNING AREA

19 July 2005

BACKGROUND

The Ancestral Lands Commission and the Chamorro Land Trust currently administer thousands of acres of land, which have existed outside of the island's civilian economy for several decades. A recent inventory indicates that approximately 6,900 acres of former federal excess lands are in the process of being returned to original landowners. Other portions of these lands are being programmed for public uses. The recipients of properties returned through the Ancestral Lands Commission ("ALC") process will receive title to their properties, then initiate probate, survey, mapping and land registration. However, these returned properties cannot be developed in accordance with their highest and best use and contribute to Guam's property tax base until they are zoned¹ and served by viable access and utilities.

Further, the procedure for returning properties to original landowners is non-sequential, thereby creating a gap as long as several years between the release of adjacent properties. All this invites a chaotic development pattern, similar to the blight and dysfunction of Harmon Industrial Park. Without a system of land use control, a circulation plan for traffic, municipal services such as parks, viable and legal access to every parcel, infrastructure, and master planning to promote sound development as well as resource protection, many constraints exist which prevent realization of the full economic advantage of these properties.

These properties occur throughout central and, particularly, north western Guam and offer an opportunity for the Government to facilitate a planning solution which capitalizes on the potential for economic development. Master planning for the entire inventory of ALC and Chamorro Land Trust properties would be highly beneficial to the Island's economy; and a pilot project for the ALC properties surrounding the Dos Amantes area could serve as a template for all other areas. The Dos Amantes area is well suited as a pilot project, because its overall size at 1,175 hectares² (approximately 2,937.5 acres) offers an unsurpassed opportunity to properly master plan a region of public and private properties in advance of Guam's economic development in the 21st century. Theoretically, this land use planning exercise, which addresses approximately 42% of all ALC lands, can serve as a pilot for other areas throughout Guam being returned and/or retained by ALC.

¹ One parcel, Lot 5049-2-R1, located southwest of the Routes 1 and 16 intersection, was zoned in 2005 by the Guam Legislature as partial Commercial and partial Light Industrial. A second parcel, located adjacent to the Calvo compound in Maite, was zoned to accommodate family gravesites.

² Note: a hectare equals 10,000 square meters, approximately 2.5 acres.

PURPOSE

Currently, the government of Guam does not have the financial capacity to undertake land use planning for Ancestral Lands. Therefore, in February 2003 Governor Felix Camacho was offered pro bono services to undertake a land use master planning project for the Dos Amantes area properties, in conjunction with the individual landowners (including the Ancestral Lands Commission) and the Department of Land Management.³ That offer was subsequently accepted by the Governor's Office.

This report summarizes that work and presents a preliminary master plan, based upon a cadastral base map, which encompasses options for land uses, access and utility easements, and public uses as well as the necessary subsequent steps for implementation.

THE DOS AMANTES PLANNING AREA

For purposes of this plan, the Dos Amantes area includes those properties lying generally westerly of Routes 1 and 3, between the Gun Beach/Harmon Cliffline on the south and the NCTAMS Finegayan area to the north. These areas are generally referred to as (starting from north to south):

Former FAA Housing (Naval Radio Finegayan - 1) at 276 acres

South Finegayan at 162 hectares (+/-) (boundaries of returned land yet to be surveyed). This parcel was surplus to GSA in 2000 pursuant to U.S. Public Law 103-399 but is yet to be returned, pending action of the Government of Guam regarding a Hilaan Protection Agreement. Assuming the Government of Guam will take the necessary actions in the near future to assure a timely return to the ALC and the heirs of the original landowners, this parcel has been incorporated into this plan.

Andersen Communication Annex No. 1 (AJKD) at 353 hectares

Andersen Family Housing Annex No. 4 (AJKP) at 160 hectares

Andersen VOR Annex (AJKZ) at 125 hectares

Andersen Petroleum Storage Annex No. 2 (AJKV) at 14 hectares

Harmon Air Force Base "A-1" and "A-2" at 8 hectares

NCS Beach at 6 hectares

³ See Enclosure A. letter to Governor Felix P. Camacho from Daniel D. Swavely, dated February 17, 2003.

Abutting public and private properties at 71 hectares, of which the public areas include the Tanguisson Power Plant, Dos Amantes Park, and the Northern District Sewage Treatment Plan.

The total area amounts to 1,175 hectares (all sizes are approximate).

Enclosure B presents the parcels, which comprise the Dos Amantes planning area and the current zoning.

LAND USE MASTER PLANNING PROCESS

Land use master planning must rely on several building blocks, including:

- reliable cadastral data regarding property surveys and a traffic circulation plan which provides adequate easements for access and infrastructure;

- current economic development master plans; and

- current land use master plans.

Property Surveys

Almost half of the returned lands included in the planning area had never been surveyed by either the landowners or the U.S. Government at the time of condemnation. Records indicate that 529 hectares (48%) have never been surveyed; and 576 hectares (52%) had been surveyed at the time of condemnation, but are yet to be re-surveyed following land return.

Some claimants who have already had land returned are now undertaking property surveys in order to set the metes and bounds of their parcels. Unfortunately, those surveys have not been coordinated with respect to common reference points and datum; so apparent gaps and encroachments are already surfacing.

Some of the of the larger claimants, such as the Shimizu and the San Nicolas families, have commissioned a digitized base map for the overall planning area in order to reconcile individual parcel boundaries within each of the larger areas of returned lands. That Base Cadastral Map will serve as a master cadastral to coordinate the individual lot surveys and thereby avoid unnecessary expense and disagreement resulting from conflicting field surveys and is, therefore, essential to implementing the Dos Amantes Land Use Master Plan (see Appendix A). The Base Cadastral Map should be used by the Department of Land Management for checking future individual survey maps with respect to boundary, size and location. The Base Cadastral Map is also accompanied by tables showing each

property's area and corner coordinates, greatly facilitating the preparation and recordation of property surveys by original landowners and heirs.

Traffic Circulation Plan

A maze of access and utility easements already exists throughout the planning area, consisting of documented access and utility easements, bull cart trails, and paved roadways not within documented easements. However, the existing circulation pattern neither serves the entire planning area efficiently nor does it offer viable access to every property. See Enclosure C for existing accesses within the planning area, including a highlight of those lots without viable access at this time.

Legal and viable access to every parcel as well as an efficient, overall transportation network are essential to any land use master planning. In the case of the Dos Amantes planning area, such a traffic circulation plan is also necessary to achieve the goal of attaining the best and highest use of the returned lands.

The land return maps include utility and access easements. However, those easements do not serve every returned parcel. Therefore, unless the Government of Guam takes steps to correct this situation, several parcels will remain landlocked.

Access easements retained by the Federal government within the planning area are permanent and cannot be vacated without the permission of the U.S. government. Those easements include:

- Useable paved roads;

- Easements that were never paved or were previously paved but are now unusable due to vegetation overgrowth; and

- Utility easements that are too narrow (usually only 15 to 20 feet) to function as viable access roadways.

Enclosure D, Land Use Plan, presents a traffic circulation plan for the Dos Amantes planning area. This transportation network includes:

- Retention of useable paved roads;

- Retention of easements that were never paved and easements that were previously paved but are now unusable due to vegetation overgrowth;

Utility easements that could be widened to provide viable access to parcels, which would otherwise be landlocked;

Bull cart trails that could be widened to provide legal and viable access to parcels which would otherwise be landlocked; Those bull cart trails no longer necessary can be vacated and consolidated into abutting lots; and

New access easements which are necessary to assure a balanced network of circulation and utilities both to and within the planning area and/or to provide easements to parcels which would otherwise be landlocked. All easements should be set to minimum widths of 50 feet or 100 feet, as necessary to provide the level of service for which they are intended.

These new access easements are described below.

Link between Tumon and Dos Amantes

This corridor connects San Vitores Boulevard, in the vicinity of Okura Hotel, with the Dos Amantes Park Road intersection. Some of this alignment follows an existing bulcart trail. This link will provide for direct commerce and transportation between the Tumon resort district and the Dos Amantes planning area without the use of Marine Corps Drive.

Connector between the Tanguisson Beach Road / NDSS STP intersection and Route 3

This connector provides for a more direct access to Route 3 from the Tanguisson Beach area and generally improves the overall circulation pattern in the central portion of the planning area. Note that additional accesses from the planning area to Route 3 are possible; however, the development of those additional connectors should be postponed until warranted by traffic volume, thereby avoiding unnecessary Route 3 intersections at this time.

Corridor between the Central Portion and the Northern Portion of the Planning Area

This corridor connects the existing circulation pattern in the central portion of the planning area with the northern area, including a northern connector to Route 3, already in place as the access road to the former FAA Housing area. This alignment is predicated on two facts. First, it is a direct line connection between the existing NDSS STP roadway easement and the existing FAA Housing

roadway, which ties into Route 3. Second, this alignment was established as early as 1922 and reflected on a Historic Precedence Map printed in 1922 by the Corps of Engineers (Enclosure E) and again in March 1947 by the U.S. Naval Gov't of Guam, M.I., Land Claims Commission (Enclosure F).

Public Parks Planning

Guam Public Law 22-145 specifically returns Tanguisson Beach Park to the original landowner or heirs. The preliminary Dos Amantes land use master plan envisions this park and an expanded adjacent area becoming the property of the Government of Guam for public use. However, such park planning will require land condemnation, unless the original landowners or heirs are willing to accept the Base Cadastral Map, which relinquishes the park area to GovGuam in return for land elsewhere in the Dos Amantes planning area.

Current Economic Development Planning

The government of Guam does not have a current, comprehensive economic development plan. Nonetheless, policies and budget commitments by both the government of Guam as well as the U.S. federal government indicate the likelihood of increased tourism and Department of Defense investments. Secondly, the telecommunications, financial services and transshipment industries are being pursued. With respect to land use planning, these general objectives for economic development portend future requirements within the Dos Amantes area, which has several large tracts of land, for hotel/resort, commercial and residential development.

Current Land Use Master Planning

Guam has neither a current land use plan for the Island nor any plan whatsoever for the Dos Amantes area; and the current zoning code is somewhat restrictive for land use planning purposes. However, the former I Tano'-ta Zoning Code proposed a series of multi-use "intensity districts," each embodying a series complementary land uses organized around an overall theme of development. Two of those I Tano'-ta intensity districts, #6 and #7, reflect residential, commercial and resort development, the general land uses that match both the natural resources and the location of the Dos Amantes area as well as Guam's overall economic development objectives. Further, recent legislative zoning of Lot 5049-2-R1, located within the planning area, for commercial and light industrial development indicates the Legislature's concurrence with this proposed general scheme of land use. See Enclosure D, Land Use Plan

LAND USES

I Tano'-Ta Intensity District 6 – Urban Center

This District is characterized by high intensity residential, commercial and other central business district functions that provide a full range of commercial activities and urban services.

General Permitted Uses

Dwellings (Multi-family only)
Hotels and Guesthouses (Hotels, Bed & Breakfast, Guesthouses)
Retail Trade (Those providing finished products. No auto services)
Personal Services (Banks, Day Care, Veterinarians, Laundromats, etc.)
Business Services (Office Buildings)
Professional Services (Legal, Accounting, Professional Consultants)
Recreation Facilities (Public and Commercial, including Night Clubs)
Limited Public Facilities (Police/Fire Substations, Libraries, Post Office, Mass Transit)

I Tano'-Ta Intensity District 7 – Hotel And Resort

This District is intended to encompass Guam's primary tourism areas including typical support retail and recreation services and facilities associated with tourism.

General Permitted Uses

Dwellings (Multi-family only)
Hotels and Guesthouses (Resorts, Hotels, Guesthouses)
Retail Trade (Those providing finished products, especially for tourists. No auto services)
Personal Services (Barber Shops/Beauty Salons, Laundromats, Day Care)
Business Services (Advertising, Legal, Finance, Tour Wholesale and Travel)
Recreational Facilities (Public and Commercial, including Night Clubs)
Limited Public Facilities (Police/Fire Substations, Infrastructure Support)

LAND USE MASTER PLAN

Enclosure D, Land Use Plan, presents the preliminary land use plan, utilizing the Intensity Districts 6 and 7 as well as the proposed circulation system and permitted land uses. The rationale behind these land use recommendations follows.

Intensity District 6 - Urban Center

This area is well served by both Route 1 and Route 3 and lies between the major residential districts of Dededo/Yigo and central Guam. As such, it is particularly suitable as an urban area, which includes both multi-family residential as well as intensive development of most commercial services, including offices and shopping.

Intensity District 7 - Hotel and Resort

The coastline and adjacent plateau of the Dos Amantes planning area is a geographic extension of Tumon. As Tumon's development becomes saturated, particularly along the coastline, new venues for hotel and resort development will be needed, particularly lots large enough to provide sufficient land base for resorts. The area designated as Intensity District 7 is designed to accommodate that genre of future growth. Further, this District includes a portion of the ALC land, allowing for ALC to include resort and hotel development within its future inventory of assets. Inasmuch as this is a large area which already encompasses several public facilities (Tanguisson Power Plant, Tanguisson Beach, etc.), the possibility of designating additional public benefit uses for parks and public facilities is likely, as the master planning effort evolves into Public Facilities Master Planning to accommodate future development.

While these two Intensity Districts from the former I Tano'-ta Land Use Plan are well suited for the Dos Amantes planning area, collateral recommendations such as I Tano'-ta's Dimensional and Density Requirements, Performance Standards, Off-street Parking Requirements and similar supporting guidelines are neither conducive to sound development policy nor efficient to administer and, therefore, not recommended for adoption.

Further, those properties within the planning area that have been zoned by the Guam Legislature in advance of the adoption of this Land Use Master Plan should be exempt from the land use designations imposed by this Plan.

Additionally, land owners within the Dos Amantes Planning Area should be allowed to substitute a current Guam land use zone (e.g., R-1 Single Family Residential; R-2 Multi-

family Residential; PDD Planned Development District; etc.) for the Intensity District designated on the Dos Amantes Land Use Master Plan so long as the land owner's proposed zone's permitted or conditional uses generally conform to the land uses allowed for the same property within the Intensity District designated by this Plan.

IMPLEMENTATION

The following steps are required to implement this Dos Amantes Land Use Master Plan.

1. The ALC should review and amend, if necessary, this preliminary Land Use Master Plan and accompanying Base Cadastral Map and then formally adopt both by Resolution.
2. The Department of Land Management should adopt the ALC's Land Use Master Plan and accompanying Base Cadastral Map as the basis for subsequent zoning and property surveys within the Dos Amantes planning area.
3. The Government of Guam should enact enabling legislation regarding the economic improvement and development of GALC lands in general and the Dos Amantes planning area in particular.

*** *** ***

List of Enclosures and Appendix

Preliminary Land Use Master Plan for the Dos Amantes Planning Area July 2005

Enclosure A – Letter to Governor Felix P. Camacho from Daniel D. Swavely, dated February 17, 2003.

Enclosure B – Current Zoning

Enclosure C – Existing Access

Enclosure D – Land Use Plan

Enclosure E – Historic Precedence Map, Corps of Engineers, 1922

Enclosure F – U.S. Naval Gov't of Guam, M.I., Land Claims Commission, March 1947

Appendix A

A1- Cadastral Base Map

A2 - Mapping Project Proposal Letter (May 5, 2005)

A3 - Mapping Project Acceptance Letter (May 28, 2005)

A4 - Mapping Project Transmittal letter (July 12 2005)

ENCLOSURE A

Villa Kanton Tasi, #1201
301 Frank H. Cushing Way
Tumon, GU 96913

February 17, 2003

Honorable Felix G. Camacho, Governor of Guam
Government of Guam
PO Box 2950
Hagatna, Guam 96910

Hafa adai Governor Camacho,

I would like to address a land use planning issue which now faces the recipients of properties returned through both the Ancestral Lands Commission and the BRACC process. Although these original land owners and heirs will receive titles to their properties, there remains much to accomplish before the land can be put to its best and highest use. In this letter I will explain the problem as I see it, argue that the Government of Guam has an obligation to facilitate a solution as well which capitalize on an opportunity for promoting economic development, and offer a strategy to master plan at least one area, at no cost, as a pilot project.

The Problem

Inasmuch as 2,413 acres of ALC properties and 4,484 acres BRACC properties have existed outside of the Island's economy for several decades, they are no longer suited for development according to their best and highest use. For example, these properties are not zoned, many lack viable access (some are landlocked) and others are bisected by paved roads. Further, the docket procedure for returning properties is non-sequential, thereby creating a gap as long as several years between the release of adjacent properties. All this portends a chaotic development pattern. Without zoning, a circulation plan for traffic and infrastructure, and master planning to promote sound development as well as resource protection, I foresee many constraints to realizing the full economic advantage of these properties. Eventually, the recipients will come to the same conclusion.

The Government of Guam's Obligation

I believe that the Government of Guam has a duty, both legal and moral, to facilitate the return of these ALC and BRACC properties so as to achieve their best and highest use. Authority for land use master planning, resource protection, traffic circulation and infrastructure planning is well established within the Executive Branch. In fact, I could argue with merit the obligation to extend such land use master planning to other categories of land on Guam with similar shortcomings, such as Chamorro Land Trust properties and

privately-held "in-fill" properties not presently covered by Guam's zoning plan.

A Pilot Project Solution

Admittedly, all this is a large undertaking, and the government does not have financial resources to launch a planning process that comprehensively addresses the issues I've raised. Nonetheless, I believe that we can make meaningful progress by convening a task force of planners, architects and engineers from both GovGuam as well as local private industry to tackle at least one category of properties as a pilot project. If that exercise is successful, and I have no reason to believe otherwise, the process can be repeated. Towards that end, I recommend that Mr. Felix Dungca, former Chief Planner and currently the Director-designate of Land Management, be appointed to Chair this task force. Further, I recommend that we choose the ALC lots in the Harmon Cliffline area for the pilot project, because they are relatively large in size and constitute an alternative tourist destination that is associated with the Island's most visited attraction, Puntan Dos Amantes.

Summary

If you agree with the problem, obligation by the Government of Guam and the proposed solution, I will gladly canvass local A/E firms and others in private industry to assist with this task force effort, allowing final member selection at your discretion. If you wish, I can then work with Mr. Dungca to convene the task force, establish its scope, and proceed with the work at hand.

I do believe that it is wise to be pro-active about establishing zoning for these properties before the owners discover this shortcoming and seek your assistance on a lot-by-lot basis for resolution.

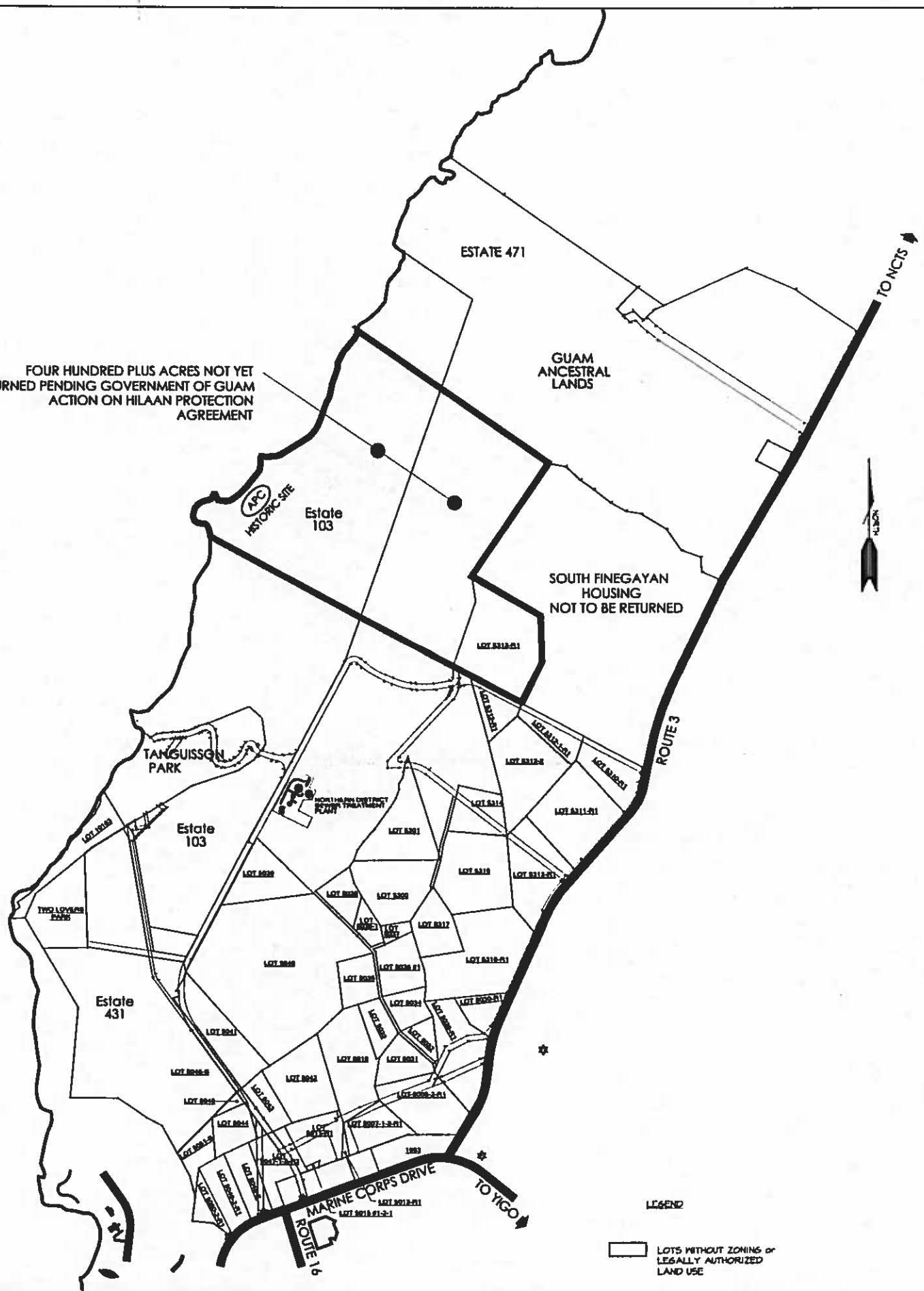
Thank you for your consideration of this proposal. I look forward to working with your Administration.

Sincerely,

Daniel D. Swavely

ENCLOSURE B

FOUR HUNDRED PLUS ACRES NOT YET
RETURNED PENDING GOVERNMENT OF GUAM
ACTION ON HILAAN PROTECTION
AGREEMENT



LEGEND

LOT 5301 ← LOT NUMBER

PROPERTY LINE

LOTS WITHOUT ZONING or LEGALLY AUTHORIZED LAND USE

DOS AMANTES PLANNING AREA
CURRENT ZONING JULY 19 2005

200m 0 200m 400m

TOTAL PLANNING AREA 1,175 HECTARES
ORIGINAL DRAWING SIZE IS 30 x 42
IF DRAWING IS REDUCED USE GRAPHIC SCALE

ENCLOSURE C

[illegible]

Worksheet 3 LOT 82									
YARD GRAD VALUE \$									
FINDER CODE 1									
EASTING		NORTHING		EASTING		NORTHING		EASTING	
Sta	Dist	Sta	Dist	Sta	Dist	Sta	Dist	Sta	Dist
1	0.00	1	0.00	1	0.00	1	0.00	1	0.00
2	10.00	2	10.00	2	10.00	2	10.00	2	10.00
3	20.00	3	20.00	3	20.00	3	20.00	3	20.00
4	30.00	4	30.00	4	30.00	4	30.00	4	30.00
5	40.00	5	40.00	5	40.00	5	40.00	5	40.00
6	50.00	6	50.00	6	50.00	6	50.00	6	50.00
7	60.00	7	60.00	7	60.00	7	60.00	7	60.00
8	70.00	8	70.00	8	70.00	8	70.00	8	70.00
9	80.00	9	80.00	9	80.00	9	80.00	9	80.00
10	90.00	10	90.00	10	90.00	10	90.00	10	90.00
11	100.00	11	100.00	11	100.00	11	100.00	11	100.00
12	110.00	12	110.00	12	110.00	12	110.00	12	110.00
13	120.00	13	120.00	13	120.00	13	120.00	13	120.00
14	130.00	14	130.00	14	130.00	14	130.00	14	130.00
15	140.00	15	140.00	15	140.00	15	140.00	15	140.00
16	150.00	16	150.00	16	150.00	16	150.00	16	150.00
17	160.00	17	160.00	17	160.00	17	160.00	17	160.00
18	170.00	18	170.00	18	170.00	18	170.00	18	170.00
19	180.00	19	180.00	19	180.00	19	180.00	19	180.00
20	190.00	20	190.00	20	190.00	20	190.00	20	190.00
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22	210.00	22	210.00	22	210.00	22	210.00	22	210.00
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28	270.00	28	270.00	28	270.00	28	270.00	28	270.00
29	280.00	29	280.00	29	280.00	29	280.00	29	280.00
30	290.00	30	290.00	30	290.00	30	290.00	30	290.00
31	300.00	31	300.00	31	300.00	31	300.00	31	300.00
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33	320.00	33	320.00	33	320.00	33	320.00	33	320.00
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35	340.00	35	340.00	35	340.00	35	340.00	35	340.00
36	350.00	36	350.00	36	350.00	36	350.00	36	350.00
37	360.00	37	360.00	37	360.00	37	360.00	37	360.00
38	370.00	38	370.00	38	370.00	38	370.00	38	370.00
39	380.00	39	380.00	39	380.00	39	380.00	39	380.00
40	390.00	40	390.00	40	390.00	40	390.00	40	390.00
41	400.00	41	400.00	41	400.00	41	400.00	41	400.00
42	410.00	42	410.00	42	410.00	42	410.00	42	410.00

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Easement & LOT B4									
1975 (LMS) VALUE 7									
Parcel B400 1-1									
OWNER		SHEETS		TAXES		APPROVALS		EASEMENTS	
NO	DATE	NO	DATE	NO	DATE	NO	DATE	NO	DATE
1	10/1/75	1	10/1/75	1	10/1/75	1	10/1/75	1	10/1/75
2	11/1/75	2	11/1/75	2	11/1/75	2	11/1/75	2	11/1/75
3	12/1/75	3	12/1/75	3	12/1/75	3	12/1/75	3	12/1/75
4	1/1/76	4	1/1/76	4	1/1/76	4	1/1/76	4	1/1/76
5	2/1/76	5	2/1/76	5	2/1/76	5	2/1/76	5	2/1/76
6	3/1/76	6	3/1/76	6	3/1/76	6	3/1/76	6	3/1/76
7	4/1/76	7	4/1/76	7	4/1/76	7	4/1/76	7	4/1/76
8	5/1/76	8	5/1/76	8	5/1/76	8	5/1/76	8	5/1/76
9	6/1/76	9	6/1/76	9	6/1/76	9	6/1/76	9	6/1/76
10	7/1/76	10	7/1/76	10	7/1/76	10	7/1/76	10	7/1/76
11	8/1/76	11	8/1/76	11	8/1/76	11	8/1/76	11	8/1/76
12	9/1/76	12	9/1/76	12	9/1/76	12	9/1/76	12	9/1/76
13	10/1/76	13	10/1/76	13	10/1/76	13	10/1/76	13	10/1/76
14	11/1/76	14	11/1/76	14	11/1/76	14	11/1/76	14	11/1/76
15	12/1/76	15	12/1/76	15	12/1/76	15	12/1/76	15	12/1/76
16	1/1/77	16	1/1/77	16	1/1/77	16	1/1/77	16	1/1/77
17	2/1/77	17	2/1/77	17	2/1/77	17	2/1/77	17	2/1/77
18	3/1/77	18	3/1/77	18	3/1/77	18	3/1/77	18	3/1/77
19	4/1/77	19	4/1/77	19	4/1/77	19	4/1/77	19	4/1/77
20	5/1/77	20	5/1/77	20	5/1/77	20	5/1/77	20	5/1/77
21	6/1/77	21	6/1/77	21	6/1/77	21	6/1/77	21	6/1/77
22	7/1/77	22	7/1/77	22	7/1/77	22	7/1/77	22	7/1/77
23	8/1/77	23	8/1/77	23	8/1/77	23	8/1/77	23	8/1/77
24	9/1/77	24	9/1/77	24	9/1/77	24	9/1/77	24	9/1/77
25	10/1/77	25	10/1/77	25	10/1/77	25	10/1/77	25	10/1/77
26	11/1/77	26	11/1/77	26	11/1/77	26	11/1/77	26	11/1/77
27	12/1/77	27	12/1/77	27	12/1/77	27	12/1/77	27	12/1/77
28	1/1/78	28	1/1/78	28	1/1/78	28	1/1/78	28	1/1/78
29	2/1/78	29	2/1/78	29	2/1/78	29	2/1/78	29	2/1/78
30	3/1/78	30	3/1/78	30	3/1/78	30	3/1/78	30	3/1/78
31	4/1/78	31	4/1/78	31	4/1/78	31	4/1/78	31	4/1/78
32	5/1/78	32	5/1/78	32	5/1/78	32	5/1/78	32	5/1/78
33	6/1/78	33	6/1/78	33	6/1/78	33	6/1/78	33	6/1/78
34	7/1/78	34	7/1/78	34	7/1/78	34	7/1/78	34	7/1/78
35	8/1/78	35	8/1/78	35	8/1/78	35	8/1/78	35	8/1/78
36	9/1/78	36	9/1/78	36	9/1/78	36	9/1/78	36	9/1/78

LOT AREA COMPUTATION = 68 FT x 120 FEET

68 FEET x 120 FEET

SATISFACTORY TO APPROVED BY

DATE

RANDOM 5 LOT ES									
MID 3 CARPET W/ 12									
CARRIAGE		FRONT WHEEL 3				REARWHEEL		SAFTWHEEL	
		Wheel	Size	Wheel	Size	Wheel	Size	Wheel	Size
Lot 1	W	10	12	10	12	10	12	10	12
Lot 2	W	10	12	10	12	10	12	10	12
Lot 3	W	10	12	10	12	10	12	10	12
Lot 4	W	10	12	10	12	10	12	10	12
Lot 5	W	10	12	10	12	10	12	10	12
Lot 6	W	10	12	10	12	10	12	10	12
Lot 7	W	10	12	10	12	10	12	10	12
Lot 8	W	10	12	10	12	10	12	10	12
Lot 9	W	10	12	10	12	10	12	10	12
Lot 10	W	10	12	10	12	10	12	10	12
Lot 11	W	10	12	10	12	10	12	10	12
Lot 12	W	10	12	10	12	10	12	10	12
Lot 13	W	10	12	10	12	10	12	10	12
Lot 14	W	10	12	10	12	10	12	10	12
Lot 15	W	10	12	10	12	10	12	10	12
Lot 16	W	10	12	10	12	10	12	10	12
Lot 17	W	10	12	10	12	10	12	10	12
Lot 18	W	10	12	10	12	10	12	10	12
Lot 19	W	10	12	10	12	10	12	10	12
Lot 20	W	10	12	10	12	10	12	10	12
Lot 21	W	10	12	10	12	10	12	10	12
Lot 22	W	10	12	10	12	10	12	10	12
Lot 23	W	10	12	10	12	10	12	10	12
Lot 24	W	10	12	10	12	10	12	10	12
Lot 25	W	10	12	10	12	10	12	10	12
Lot 26	W	10	12	10	12	10	12	10	12
Lot 27	W	10	12	10	12	10	12	10	12
Lot 28	W	10	12	10	12	10	12	10	12
Lot 29	W	10	12	10	12	10	12	10	12
Lot 30	W	10	12	10	12	10	12	10	12
Lot 31	W	10	12	10	12	10	12	10	12
Lot 32	W	10	12	10	12	10	12	10	12
Lot 33	W	10	12	10	12	10	12	10	12
Lot 34	W	10	12	10	12	10	12	10	12
Lot 35	W	10	12	10	12	10	12	10	12
Lot 36	W	10	12	10	12	10	12	10	12
Lot 37	W	10	12	10	12	10	12	10	12
Lot 38	W	10	12	10	12	10	12	10	12
Lot 39	W	10	12	10	12	10	12	10	12
Lot 40	W	10	12	10	12	10	12	10	12
Lot 41	W	10	12	10	12	10	12	10	12
Lot 42	W	10	12	10	12	10	12	10	12
Lot 43	W	10	12	10	12	10	12	10	12
Lot 44	W	10	12	10	12	10	12	10	12
Lot 45	W	10	12	10	12	10	12	10	12

LOT 46 IS COMPLETED ON

LOT 47 ON 07/05

LOT 48 ON 1/02

SATURDAY 17th OF APRIL 1911

END 15

[illegible][illegible][illegible]

E-shape 431

7163 QRD VALUES

FIBRE DATA 1

FIBRE DATA 2

FIBRE DATA 3

Line No.	Qty	Unit	Item	Unit	Price	Qty	Unit	Qty	Unit	Qty	Unit
1	1	1	1	1	1.00	1	1	1	1	1	1
2	1	1	1	1	1.00	1	1	1	1	1	1
3	1	1	1	1	1.00	1	1	1	1	1	1
4	1	1	1	1	1.00	1	1	1	1	1	1
5	1	1	1	1	1.00	1	1	1	1	1	1
6	1	1	1	1	1.00	1	1	1	1	1	1
7	1	1	1	1	1.00	1	1	1	1	1	1
8	1	1	1	1	1.00	1	1	1	1	1	1
9	1	1	1	1	1.00	1	1	1	1	1	1
10	1	1	1	1	1.00	1	1	1	1	1	1
11	1	1	1	1	1.00	1	1	1	1	1	1
12	1	1	1	1	1.00	1	1	1	1	1	1
13	1	1	1	1	1.00	1	1	1	1	1	1
14	1	1	1	1	1.00	1	1	1	1	1	1
15	1	1	1	1	1.00	1	1	1	1	1	1
16	1	1	1	1	1.00	1	1	1	1	1	1
17	1	1	1	1	1.00	1	1	1	1	1	1
18	1	1	1	1	1.00	1	1	1	1	1	1
19	1	1	1	1	1.00	1	1	1	1	1	1
20	1	1	1	1	1.00	1	1	1	1	1	1
21	1	1	1	1	1.00	1	1	1	1	1	1
22	1	1	1	1	1.00	1	1	1	1	1	1
23	1	1	1	1	1.00	1	1	1	1	1	1
24	1	1	1	1	1.00	1	1	1	1	1	1
25	1	1	1	1	1.00	1	1	1	1	1	1
26	1	1	1	1	1.00	1	1	1	1	1	1
27	1	1	1	1	1.00	1	1	1	1	1	1
28	1	1	1	1	1.00	1	1	1	1	1	1
29	1	1	1	1	1.00	1	1	1	1	1	1
30	1	1	1	1	1.00	1	1	1	1	1	1
31	1	1	1	1	1.00	1	1	1	1	1	1
32	1	1	1	1	1.00	1	1	1	1	1	1
33	1	1	1	1	1.00	1	1	1	1	1	1
34	1	1	1	1	1.00	1	1	1	1	1	1
35	1	1	1	1	1.00	1	1	1	1	1	1
36	1	1	1	1	1.00	1	1	1	1	1	1
37	1	1	1	1	1.00	1	1	1	1	1	1
38	1	1	1	1	1.00	1	1	1	1	1	1
39	1	1	1	1	1.00	1	1	1	1	1	1
40	1	1	1	1	1.00	1	1	1	1	1	1
41	1	1	1	1	1.00	1	1	1	1	1	1
42	1	1	1	1	1.00	1	1	1	1	1	1
43	1	1	1	1	1.00	1	1	1	1	1	1

LEFT AND RIGHT VALUES

100.00

4.100 6.00

100.00 100.00

TOTAL

100.00

4.100 6.00

100.00 100.00

TOTAL

100.00

4.100 6.00

100.00 100.00

TOTAL

100.00

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4.100 6.00

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TOTAL

100.00

4.100 6.00

100.00 100.00

[illegible][illegible][illegible]

TOTAL PLANNING AREA 1,175 HECTARES
ORIGINAL DRAWING SIZE IS 30 x 42
IF DRAWING IS REDUCED USE GRAPHIC SCALE

SHEET
2 OF 4

ENCLOSURE D

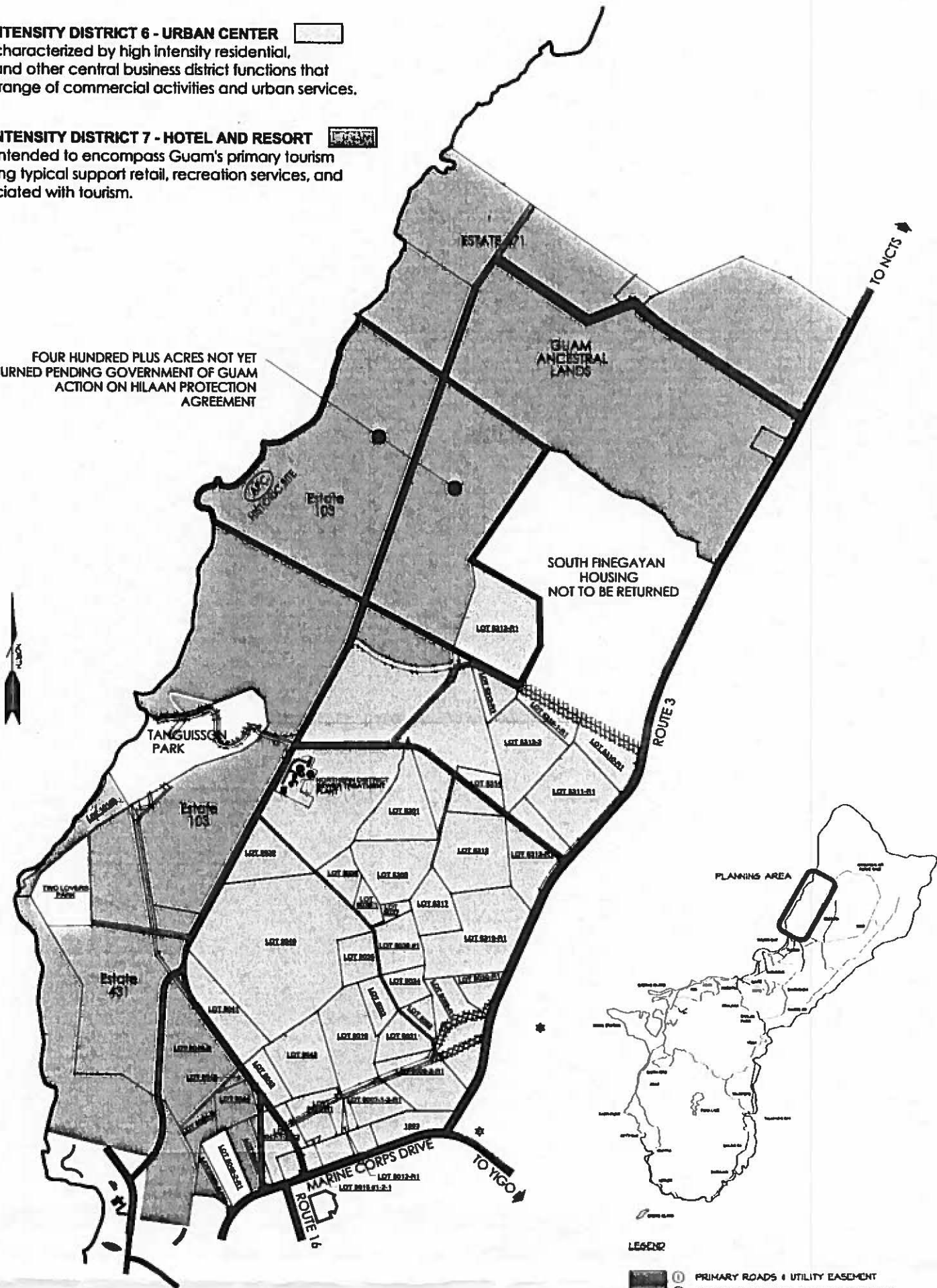
I TANO'-TA INTENSITY DISTRICT 6 - URBAN CENTER

This District is characterized by high intensity residential, commercial and other central business district functions that provide a full range of commercial activities and urban services.

TANO'-TA INTENSITY DISTRICT 7 - HOTEL AND RESORT

This District is intended to encompass Guam's primary tourism areas, including typical support retail, recreation services, and facilities associated with tourism.

FOUR HUNDRED PLUS ACRES NOT YET RETURNED PENDING GOVERNMENT OF GUAM ACTION ON HILAAN PROTECTION AGREEMENT



DOS AMANTES PLANNING AREA
LAND USE PLAN JULY 19th 2005

200m 0 200m 400m

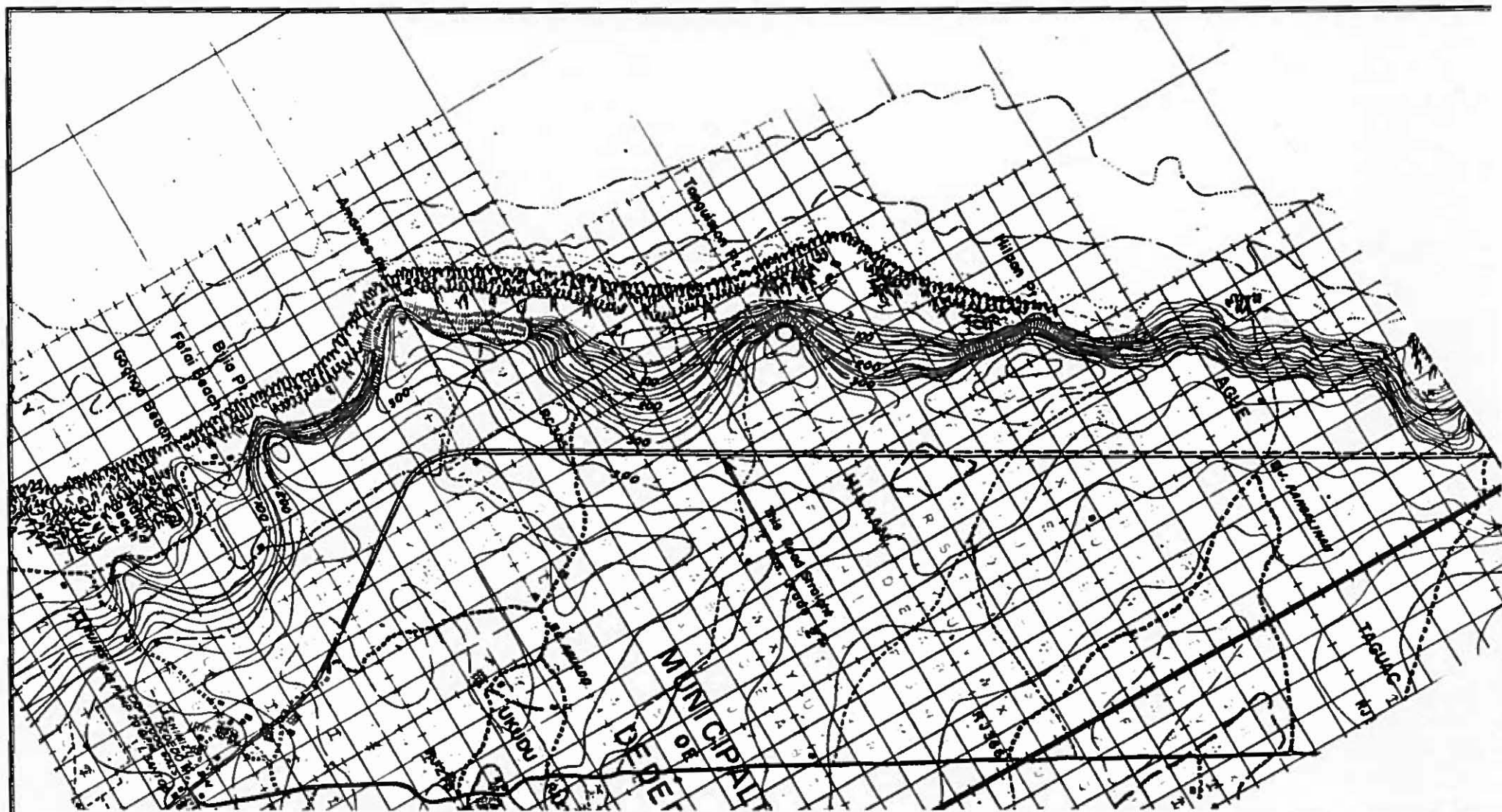
TOTAL PLANNING AREA 1,175 HECTARES
ORIGINAL DRAWING SIZE IS 30 x 42
IF DRAWING IS REDUCED USE GRAPHIC SCALE

LEGEND

- ① PRIMARY ROADS & UTILITY EASEMENT
- ② SECONDARY ROADS & UTILITY EASEMENT
- EXISTING EASEMENTS THAT COULD BE VACATED
- PROPERTY LINE

LOT 5301 LOT NUMBER

ENCLOSURE E

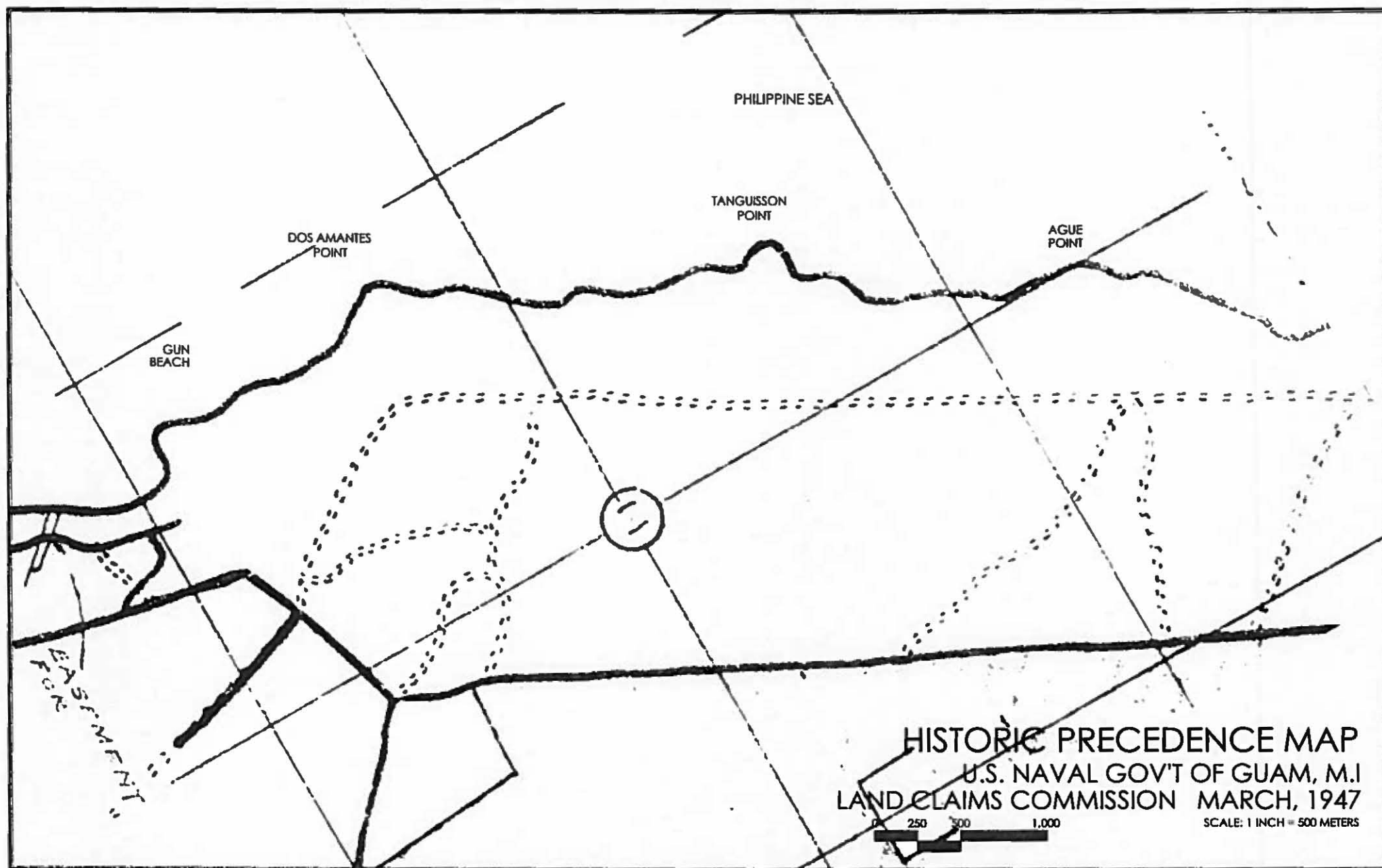


HISTORIC PRECEDENCE MAP
Corps of Engineers, Tactical Map printed 1922

0 250 500 1,000

SCALE: 1 INCH = 500 METERS

ENCLOSURE F



APPENDIX A

A-1 – CADASTRAL BASE MAP

A-2 – MAPPING PROJECT PROPOSAL LETTER

John D. Gilliam

May 5, 2005

Mr. G. Ricardo Salas
P.O. Box 3148
Hagatna, Guam 96932

Subject: Harmon Return Lands

Dear Mr. Salas.

This letter is a follow up to our recent discussion regarding survey problems associated with the lands returned under the Federal Excess Lands Act and BRAC.

Although I am not a surveyor, my understanding is that property surveys are typically based on previous surveys and/or land descriptions. Physical monuments for the parcel in question and/or for abutting/adjacent lots may already exist in the field. The surveyor recovers (finds) such monuments and uses the monuments as a basis for the survey. The Harmon Cliffline return lands apparently have unique problems/disabilities/histories. With respect to the land to be deeded to claimant(s), existing monuments for the parcel in question and/or for abutting/adjacent parcels are unlikely to exist. In addition some of the return parcels had not been surveyed (either by the landowner or by the U.S. Government), at the time of condemnation. Thus, the precise boundaries of these unsurveyed parcels have yet to be determined.

Chaos may ensue if the individual claimants hire individual surveyors to establish the boundaries of individual lots.

- a) Each surveyor must establish controls (GGTN) and tie the individual parcel to the Gov-Guam controls. The results could well be overlapping of parcels due to surveyor error/interpretation, especially in view of an apparent glitch in the Gov-Guam control system that can produce different results by different survey routes for establishing controls.
- b) Some of the claimants may endeavor to enhance their holdings at the expense of their neighbors.
- c) One survey may be approved by DLM, only to be followed by a subsequent survey of abutting land that disputes the boundaries set by the first surveyor.
- d) Some land parcels may be left landlocked. (I understand that some planning work has commenced that makes recommendations for a viable traffic circulation master plan for the Harmon Cliffline area, and that also provides legal and viable access to land parcels that could otherwise be land locked).

As required by U.S. Public Law 103-339, the land parcels returned by the Federal Government have been surveyed, with physical monuments set in the field, and the return deeds (from the GSA to the Government of Guam) are accompanied by certified maps and complete legal descriptions of the land being returned. The Federal Government maps and legal descriptions do not address the individual land parcels that existed at the time of condemnation.

John D. Gilliam
P.O. Box 3637 Hagatna, Guam USA 96932
Tel. (671) 482-8050 * E-Mail: ggi@kuentos.guam.net

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I understand the Director of Land Management has prepared a map identifying (by metes and bounds and areas) individual land parcels that had been surveyed at the time of condemnation**.

In view of the above discussion, it appears to me that a viable program that would expedite individual lot surveys and subsequent land registration is to first prepare a table top survey that collates existing survey data as follows:

1. Prepare a Base Map by plotting the boundaries of the land parcels returned to the Government of Guam by the Federal Government using the certified surveys and legal descriptions prepared by local surveyors under contract to the Federal Government (the Federal Government maps do not address the individual lots that were condemned and that comprise the return parcels).
2. Superimpose on the Base Map the boundaries (determined by DLM) of the individual lots that had been surveyed at the time of condemnation.
3. Superimpose on the Base Map the access easements retained by the Federal Government, and add access easements where necessary to ensure a viable traffic circulation master plan and to ensure all land parcels have legal and viable access easements.
4. Based on records and consultation with the claimants of those parcels that were unsurveyed at the time of condemnation, select boundary lines of the land parcels that were unsurveyed at the time of condemnation, considering the requirements for the traffic circulation master plan, legal and viable access easements to all individual land parcels, providing maximum road frontage where feasible and providing for public use areas (Tanguissan Beach Park e.g.).

By using CAD to plot the above data, the precise coordinates of individual land parcels can be determined without the benefit of field surveys, much as the coordinates of individual lots within a sub-division map can be determined without the benefit of field surveys. If accepted by the Director of Land Management as a subdivision map or tentative subdivision map, physical monuments can then be set in the field by using GPS (if acceptable to the Director of Land Management).

Even if the approach discussed above may not be a commonly used approach, it makes a lot of sense as:

- a) I will ensure the coordinates of all land parcels are coordinated and based on a common coordinate system.
- b) It will minimize the chaos that is likely to ensue if each landowner is left to his/her own devices, (creating a nightmare for the DLM in the process).
- c) Will ensure all land parcels have legal and viable access and utility easements.

** The Land Management maps do not address the boundaries of those land parcels that were unsurveyed by either the owners or the U.S. at the time of condemnation. The Land Management maps also contain glaring and inexplicable errors with respect to ownership of the unsurveyed parcels, however the Land Management maps appear to accurately depict location and area of those land parcels that had been surveyed at the time of condemnation.

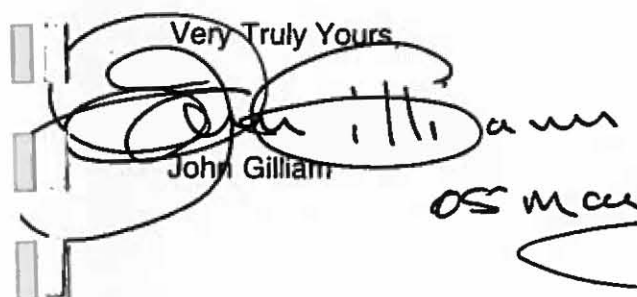
May 5, 2005

The end result would be an overall cadastral map that precisely defines:

- a) Boundaries of the land parcels deeded by the U.S. to the Government of Guam.
- b) Boundaries of the land parcels already deeded or to be deeded by the ALC to the claimants. (GALC Deeds do not contain precise legal descriptions of lots. This program will provide precise legal descriptions for all affected land parcels).
- c) Boundaries of land parcels to be retained by the Government of Guam for public use.
- d) Boundaries of the land parcel(s) to be deeded by the ALC to its "Land Bank".
- e) Boundaries of the access easements required to ensure each land parcel is afforded legal and viable access and to ensure a viable traffic circulation master plan for the entire area.
- f) The coordinates of all property corners (including the access easements discussed above). Basing the property corner coordinates on the GGTN coordinates and boundary coordinates included in the certified survey maps accompanying the return deeds from the U.S. to the Government of Guam should greatly facilitate individual land parcel surveys, especially if the Director of Land Management will accept the proposed cadastral map and the use of GPS for land surveys.

If this approach appears attractive to you, perhaps the land claimants in the Harmon Cliffline Area would be willing to fund the table top survey. If said table top survey is accepted by the Director of Land Management, the individual land claimants can then fund the cost of setting the property corner monuments for their individual lots. To iterate, this approach would ensure all of the individual land parcels have legal and viable access, may facilitate the surveying and land registration of the individual lots, and in the process, may save the Director of Land Management a world of headaches.

Very Truly Yours,


John Gilliam

05 May '05

May 28, 2005

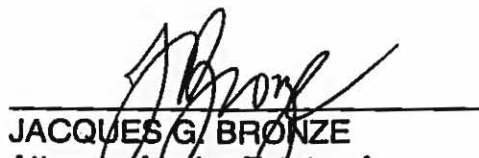
Dear Mr. Gilliam,

You are hereby authorized to proceed with the tabletop survey as outlined in your letter of May 5, 2005 to Mr. G. Ricardo Salas. I understand this is a major undertaking. Please advise me of the approximate cost of the project.

Very Truly Yours,



G. RICARDO SALAS
Attorney-in-fact for the Estate of
Vicente Flores San Nicolas



JACQUES G. BRONZE
Attorney for the Estate of
Vicente Flores San Nicolas and
Guillermo Flores San Nicolas

A-4 – MAPPING PROJECT TRANSMITTAL LETTER

John D. Gilliam

July 12, 2005

Mr. G. Ricardo Salas
P.O. Box 3148
Hagatna, Guam 96932

Subject. Harmon Return Lands

Dear Mr. Salas,

On May 5, 2005, I sent you a letter suggesting the possibility of preparing a table top survey to address survey problems associated with the lands returned under the Federal Excess Lands Act and BRAC. On May 28, 2005, you authorized me to proceed with the project. Attached are the results, labeled Cadastral Base Map, and the following is an explanation of the procedure used in development of the Cadastral Base Map.

GOALS

Mr. Dan Swavely, Professional Land Planner, prepared a Land Use Master Plan that addresses land disabilities that, if not immediately addressed, would constitute serious impediments to the landowners quest (and duty) to use the returned lands to promote economic development and public benefit, and to achieve the highest and best public benefit use of their land as quickly as possible (as referred by P.L. 22-145). Therefore, the attached Cadastral Base Map is in harmony with, and is considered an essential and integral part of, the Land Use Master Plan developed by Mr. Swavely. Areas addressed in Mr. Swavely's Land Use Master Plan include:

- Ensuring that all return lots are afforded legal and viable access.
- A viable traffic circulation plan.
- Ensuring that amenities such as public parks are made available to the public as a whole.

Since the Land Use Master Plan authored by Mr. Swavely cannot be implemented without a viable cadastral map that matches the Land Use Master Plan, a primary focus in the preparation of the Cadastral Base Map has been to:

- Ensure that legal and viable access is extended to all return lots (i.e. to ensure that no return parcels are landlocked).
- Ensure that easements are available to implement the traffic circulation plan envisioned in the Land Use Master Plan.
- Arrange the boundaries of previously unsurveyed land in a manner to facilitate Tanguisson Park (which Guam P.L. 22-145 explicitly returned to the original landowners or heirs), becoming public property for enjoyment by all of the people of Guam as envisioned by the Land Use Master Plan (Caveat. This action will require obtaining the approval of the heirs of Estate 103 since Guam P.L. 22-145 explicitly returned this land to the heirs of Estate 103).

John D. Gilliam
P.O. Box 3637 Hagatna, Guam USA 96932
Tel. (671) 482-8050 * E-Mail: ggl@kuentos.guam.net

PROCEDURE

The basic procedure employed in the preparation of the Cadastral Base Map is the retrieval and compilation of existing survey data. Existing survey data available include:

1. As required by U.S. Public Law 103-339, the land parcels returned by the Federal Government have been surveyed, with physical monuments set in the field, and the return deeds (from the GSA to the Government of Guam) are accompanied by certified maps and complete legal descriptions of the land being returned. However, the Federal Government maps and legal descriptions do not address the individual land parcels that existed at the time of condemnation; they address only the boundaries of the composite return parcels.
2. The Director of Land Management prepared a series of maps that provide precise descriptions (in the form of metes and bounds) of the majority of the land parcels that had been previously surveyed** at the time of condemnation, and said descriptions are based on the certified maps accompanying the return deeds from the Federal Government to the Government of Guam.

Existing survey data was compiled as follows:

CAD was used to:

1. Plot the boundaries of the land parcels returned to the Government of Guam by the Federal Government in accordance with the certified surveys and legal descriptions prepared by local surveyors under contract to the Federal Government (the Federal Government maps do not address the individual lots that were condemned and that comprise the return parcels).
2. Superimpose on the Base Map the boundaries (determined by DLM) of the individual lots that had been surveyed at the time of condemnation.
3. Plot the easements necessary to ensure legal and viable access to all land parcels and to implement the traffic circulation master plan incorporated into the Land Use Master Plan. These easements include:
 - a. Those access easements retained by the Federal Government that are essential to the traffic circulation plan envisioned by the Land Use Master Plan (access easements retained by the Federal Government not considered to be essential to the traffic circulation plan envisioned by the Land Use Master Plan are not included. The Gov-Guam may seek to vacate these easements).
 - b. The addition of access easements necessary to implement the traffic circulation plan (as envisioned by the Land Use Master Plan).
 - c. The addition of access easements necessary to ensure all land parcels have legal and viable access and utility easements (again, as envisioned by the Land Use Master Plan)**.

** The Land Management maps do not address the boundaries of those land parcels that were unsurveyed by either the owners or the U.S. at the time of condemnation.

The Land Management maps also contain glaring and inexplicable errors with respect to ownership of the previously unsurveyed parcels, however the Land Management maps appear to accurately depict location and area of those land parcels that had been surveyed at the time of condemnation.

The enclosed Cadastral Base Map envisions combining and relocating approximately 12,000 feet of old bull cart trails (which are no longer needed) into wider access and utility easements to serve those lots that would otherwise be landlocked.

- d. The Land Management maps also do not address landlocked parcels, whereas the attached Cadastral Base Map, in harmony with the Land Use Master Plan, provides legal and viable access to all individual land parcels.
4. Based on records (land records and deeds granted by the GALC e.g.), and consultation with the claimants of those parcels that were unsurveyed at the time of condemnation, boundary lines of these particular land parcels were set to match the intent of the Land Use Master Plan, i.e:
 - a. Incorporating the traffic circulation master plan land requirements.
 - b. Incorporating land requirements necessary to ensure legal and viable access easements to all individual land parcels.
 - c. Provide maximum road frontage where feasible.
 - d. Providing for public use areas (Tanguisson Beach Park e.g.).

By using CAD to plot the above data, the precise coordinates of individual land parcels were determined without the benefit of costly and time consuming field surveys, much as the coordinates of individual lots within a sub-division map can be determined without the benefit of field surveys. If accepted by the Director of Land Management as a subdivision map or tentative subdivision map, physical monuments can be set in the field by using GPS (if the use of GPS is acceptable to the Director of Land Management).

In summary, the Cadastral Base Map precisely defines:

- a) Boundaries of the land parcels deeded by the Federal Government to the Government of Guam**
- b) Boundaries of the land parcels already deeded, or to be deeded, by the GALC to the claimants.
- c) Boundaries of land parcels to be retained by the Government of Guam for public use (as envisioned by the Land Use Master Plan).
- d) Boundaries of the land parcel(s) to be administered by GALC's LandBank Trust.
- e) Boundaries of the access/utility easements required to ensure each land parcel is afforded legal and viable access and to allow implementation of the traffic circulation master plan envisioned by the Land Use Master Plan.
- f) The coordinates of all property corners (including the access easements discussed above). Basing the property corner coordinates on the GGTN coordinates and boundary coordinates referenced in the certified survey maps accompanying the return deeds from the Federal Government to the Government of Guam could greatly facilitate individual land parcel surveys, especially if the Director of Land Management will accept the Cadastral Base Map and the use of GPS for land surveys.

The Cadastral Base Map may also be acceptable as a plan plat to describe property subject to land registration proceedings.

**** CAVEAT!**

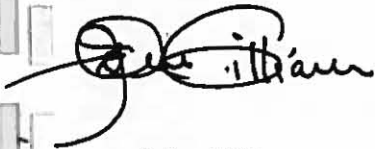
As noted on the Land Use Master Plan, the return of a land parcel exceeding 400 acres in area, has yet to be finalized, pending action on the part of Gov-Guam. Survey maps of this land parcel are not presently available and the boundaries used in preparation of the attached Cadastral Base Map are assumed. When survey maps of this particular land parcel are made available, some adjustments to the Cadastral Base Map may be necessary.

July 12, 2005

As discussed and/or implied in my letter of May 5, 2005, utter chaos may ensue if a Cadastral Base Map is not adopted for use by land surveyors. If the individual land claimants hire individual surveyors to establish the boundaries of individual lots without the benefit of a Cadastral Base Map.

- a) Each surveyor must establish controls (GGTN) and tie the individual parcel to the Gov-Guam controls. The results could well be overlapping of parcels due to surveyor error/interpretation, especially in view of an apparent glitch in the Gov-Guam control system that can produce different results by different survey routes for establishing controls.
- b) Some of the claimants may endeavor to enhance their holdings at the expense of their neighbors.
- c) One survey may be approved by DLM, only to be followed by a subsequent survey of abutting land that disputes the boundaries set by the first surveyor.
- d) Some land parcels may be left landlocked.
- e) The traffic circulation for the Dos Amantes would leave much to be desired.
- f) Haggling between competing surveyors and land claimants could produce a nightmare for the landowners, for the courts and for the DLM.

Very Truly Yours

A handwritten signature in black ink, appearing to read "John Gilliam", with a stylized flourish extending from the end of the signature.

John Gilliam