

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 82-21

TO PROMULGATE THE "MALOJLOJ
AND UMATAC SUBDIVISIONS RULES
AND REGULATIONS".

WHEREAS, Public Laws 15-131 and 16-97 provide for the conveyance of public land in Malojloj and Umatac; and

WHEREAS, the intent of these laws is to provide residential lots at low cost to those persons who qualify; and

WHEREAS, it is in the best interests of the Territory to provide the largest possible number of residents opportunities for home ownership; and

WHEREAS, it is the desire of this Government to dispose of appropriate public land in a timely and efficient manner; and

WHEREAS, these Public Laws authorize the promulgation of rules and regulations by Executive Order;

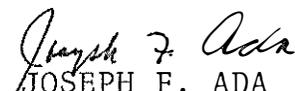
NOW, THEREFORE, I, PAUL M. CALVO, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam, do hereby direct the "Malojloj and Umatac Subdivisions Rules and Regulations", as attached hereto, be made applicable to the disposition of lots in the Umatac and Malojloj Subdivisions.

Promulgated at Agana, Guam this 15th day of October, 1982.



PAUL M. CALVO
Governor of Guam

Countersigned by:


JOSEPH F. ADA
Lieutenant Governor

MALOJLOJ AND UMATAC

SUBDIVISIONS RULES AND REGULATIONS

Section 1. Title.

These Rules and Regulations shall be known as the "Malojloj and Umatac Subdivisions Rules and Regulations".

Section 2. Authority.

These rules and regulations are promulgated pursuant to the provisions of Public Laws 15-131 and 16-97.

Section 3. Definitions.

As used in these rules and regulations:

- a. "Department" means the Department of Land Management
- b. "Director" means the Director of the Department of Land Management
- c. "Rules" means Malojloj and Umatac Subdivisions Rules and Regulations

Section 4. Qualifications.

All applicants must meet all of the following qualifications:

- a. Be a bona-fide resident of Guam, of legal age, and a U.S. Citizen.
- b. Applicant and spouse must be without fee simple title to a parcel of land larger than 6,000 square feet suitable for residential purposes. This subsection shall not apply to land exchanges authorized by Public Laws 15-131 and 16-97.
- c. Applicant and spouse have not acquired interest in other government land under similar programs.

Section 5. Applications.

- a. Form - The Department shall have available and distribute appropriate application forms.
- b. Period - The Director shall designate the period during which applications shall be accepted. The period designated shall be no less than ten (10) consecutive days. Notice of the application period shall be published in a local newspaper of general circulation at least three (3) times prior to the end of the designated period.
- c. Place - Applications shall be received at the Department during any working day, unless another designated place for receipt of applications is announced by the Director. All applications shall be made on the form provided by the Department and submitted to the Department during work hours.
- d. Fee - An application filing fee of Ten Dollars (\$10.00) is charged for all applications. This filing fee is not refundable.

Section 6. Malojloj Subdivision.

Lots within the Malojloj subdivision shall be awarded in the following order of preference:

- a. Applicants who reside in Tract 212 in the Municipality of Inarajan and who are without fee title to any real property of their own upon which safe, sanitary, and decent housing could be erected.

- b. Applicants who are residents of the Municipality of Talofofo and Merizo and are without fee title to any real property of their own upon which safe, sanitary, and decent housing could be erected.
- c. Applicants who, at the time of application, are leasing, or who have land use permits to, government land in Tract 212 or adjacent to Tract 212, and who are without fee title to any real property of their own upon which safe, sanitary, and decent housing could be erected.
- d. Applicants who are residents of Guam and who are without fee title to any real property of their own, and who are not at the time of application entitled to receive any real property, upon which safe, sanitary, and decent housing could be erected.

All applicants falling within a level of preference shall be given an equal opportunity to purchase lots available. If, within a level of preference, there are more applicants than available lots, the Director shall conduct a lottery, open to the public, to determine which applicants within that level of preference will be awarded lots.

Section 7. Umatac Subdivision.

Lots within the Umatac subdivision can be sold only to persons who own no land in the territory of Guam, and who are tenants of any part or portion of government real property situated within the Municipality of Umatac.

An exchange of property for government property of equal value is permitted if a person owns property in Umatac which is not developable as a residential site.

If there are more applicants than available lots, the Director shall conduct a lottery, open to the public, to determine which applicants will be awarded lots.

Section 8. Awards.

All awards shall be made by the Director within fifteen (15) days after the close of the application period.

The Director shall notify those applicants who are awarded lots in writing within fifteen (15) days after awards are made.

Section 9. Selection of Lots.

Those successful applicants who are tenants on lots which are sold pursuant to these rules shall be awarded that lot on which they are a tenant. All other successful applicants shall be awarded lots pursuant to a lottery, open to the public, conducted by the Director.

Section 10. Payment.

All lots shall be sold at less than fair market value, in an amount to be determined by the Director, but not to exceed \$2,500.00.

Ten percent of the total price is due immediately after selection of lots. The balance is payable in five years at six percent interest. The purchaser shall execute a contract, in a form approved by the Attorney General, within thirty (30) days of the date of selection of lots. Upon payment in full, the Department shall issue a deed.

The Department shall provide all appropriate contracts, deeds, and other necessary documents. The purchaser is responsible for having all documents recorded and payment of recording fees.

In the event of default by the purchaser, the lot shall be made available to the next qualified applicant.