



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.

EXECUTIVE ORDER NO. 98-13

**RELATIVE TO ESTABLISHING GUIDELINES FOR THE
DEPARTMENT OF LAND MANAGEMENT TO ISSUE
LIMITED LAND USE PERMITS FOR THE INTERIM USE
OF LOT NO. 10120-17, DEDEDO, RESERVED BY PUBLIC
LAW NO. 22-18 AS A CULTURAL CENTER.**

WHEREAS, the Department of Land Management (the "Department") reserved Twenty (20) acres of Lot No. 10120-R16, Dededo, and Twenty (20) acres of Lot No. 480, Agat, for use as cultural centers pursuant to Public Law No. 22-18 by which land otherwise not reserved was turned over to the jurisdiction of the Chamorro Land Trust Commission as Chamorro homelands; and

WHEREAS, the Department testified before the legislative committee responsible for hearing the bill which became Public Law No. 22-18 that one of the reasons for the reservation was to relocate those legitimate non-profit organizations occupying the Harmon cliffline area whose occupancy would be terminated due to the imminent return of such area as excess federal lands to the government of Guam; and

WHEREAS, the Department parceled Twenty (20) acres out of Lot No. 10120-R16, Dededo, calling it Lot No. 10120-17, and then devised a plan which divides a portion of Lot No. 10120-17 into Twenty-five (25) areas of approximately 20,000 square feet each suitable for leasing; and

WHEREAS, the Department is drafting proposed Rules and Regulations for the leasing of Government Land Reserved as a Cultural Center, but the rules, which are undergoing the rule-making procedure of the Guam Administrative Adjudication Law, are not yet official; and

WHEREAS, some of the organizations that formerly occupied the Harmon cliffline area are in dire need of a place from which to conduct some, if not all, of their regular activities while awaiting the rules to become official; and

WHEREAS, Section 3(a) of Public Law No. 22-18 authorizes the Department of Land Management to allow the temporary use of reserved government land so long as that temporary use does not impede, delay, or in any way interfere with the eventual leasing of the reserved land under the proposed rules and regulations; and

WHEREAS, the best interest of the community is served if the non-profit organizations which intend to apply for a lease under the proposed rules and regulations are allowed to use one 20,000± square foot area of Lot No. 10120-17 while they await the rules and regulations for leasing to become official and their applications under them processed; and

NOW, THEREFORE, I, CARL T. C. GUTIERREZ, 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 order:

1. Authorization. The Director of Land Management may issue limited land use permits for a portion of Lot No. 10120-17, Dededo, to any



- legitimate non-profit organization which intends to apply for a lease under the proposed rules and regulations for leasing Lot No. 10120-17.
2. Description of Land. The land use permits given under this Executive Order shall be for an area of land approximately 20,000± square feet as the areas are marked and delineated on DLM Drawing No. 14-97T632; shall be for a term not to exceed Two (2) years; and shall be for the nominal charge of Fifty Dollars (\$50) for the two-year term, or any portion thereof, which charge shall be non-refundable and payable in advance to the Department.
 3. Permitted Uses. In no event shall any construction or development which is permanent in nature, or any agricultural activity, be permitted. The uses permitted shall be limited only to those which are temporary in nature and which can be conducted without interfering with the future proposed leases. Upon termination of the permit, the land shall be returned to the government of Guam in the same condition it was in prior to the permission given to use the land, except as may be otherwise decided by the Department.
 4. Termination. If, during the permit's term, the rules and regulations for leasing become official, then, notwithstanding the term provided for by the permit, the permit shall expire Ninety (90) days after the date the rules and regulations for leasing become official unless the permittee-organization has submitted a completed application for a lease during the ninety-day period. If the permittee-organization submits a completed application to lease within the ninety-day period, then, notwithstanding the term provided for in the permit, the permit shall expire One (1) year from the date the application to lease is signed by the permittee-organization's authorized representative. If the permittee-organization enters into any reservation agreement in accordance with the proposed rules and regulations for leasing, then the permittee-organization's land use permit shall terminate automatically upon the reservation agreement taking effect.
 5. Preparation for Proposed Lease. Along with the application for a limited land use permit, the Director shall provide a list of documents the Department anticipates the non-profit organizations will need in order for them to qualify for a lease under the proposed rules and regulations so that the organizations may begin assembling in advance the documentation which will be required by the lease application in accordance with the proposed rules and regulations.
 6. Additional Terms. The Department may add terms to any land use permit authorized under this Executive Order which are not in contravention to any of the terms enumerated in this Executive Order.

SIGNED AND PROMULGATED at Agaña, Guam this 8th day of April, 1998.

A handwritten signature in black ink, appearing to read "Carl T. C. Gutierrez".

CARL T. C. GUTIERREZ
Governor of Guam

COUNTERSIGNED:

A handwritten signature in black ink, appearing to read "Madeleine Z. Bordallo".

MADELEINE Z. BORDALLO
Lieutenant Governor of Guam