

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
349-32 (COR)	FRANK B. AGUON, JR.	AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURE ZONE (A) TO MULTI-FAMILY DWELLING ZONE (R-2).	6/9/14 3:07 p.m.	06/09/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

June 9, 2014

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson of the Committee on Rules

Subject: Referral of Bill No. 349-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 349-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 349-32 (COR)

Introduced by:

FRANK B. AGUON, JR. 

**AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY
OF BARRIGADA, FROM AGRICULTURE ZONE (A) TO
MULTI-FAMILY DWELLING ZONE (R-2).**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahån* finds that the late Victorino and Fina Mercado, property owners of Lot No. 5221-1-4-R1, in the Municipality of Barrigada, self-constructed a two story duplex on the existing property and converted it into a four-plex building. The intention of Victorino and Fina Mercado, was to accommodate their children and finance their education through the rental of the additional units. As children and heirs of the late Victorino and Fina Mercado, Elmer C. Mercado and Lulu T. Mercado (husband and wife) and Therese M. Bugayong and Danilo B. Bugayong (husband and wife), ½ undivided interest, as community property owners of Lot No. 5221-1-4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an area of 1,858 ± square meters, as shown on Drawing No. EBM 79-39, L.M. No. 098 FY80, prepared by Emil B. Meregillano, RLS No. 51, dated January 22, 1980;- LM098FY80 Map Pac #310027, located in the Municipality of Barrigada, Guam would like to continue to utilize the existing property as additional income and access the accumulated equity in their property. (*Attachment A*)

Furthermore, *I Liheslaturan Guahån* finds that the present property is zoned Agricultural (A), and prior to construction, all building and occupancy permits were approved, certifying compliance with all applicable rules, regulations and

2014 JUN -9 PM 3:07 

1 laws by the proper government agencies. This places the four-plex in an approved
2 and legal structure but the non-conforming status restricts the current property
3 owners access to the accumulated equity in their property.

4 Therefore, it is the intent of *I Liheslaturan Guahân* to resolve this problem
5 through the rezoning of Lot No. 5221-1-4-R1, in the Municipality of Barrigada,
6 from Agricultural (A) to Multi-Family Dwelling Zone (R-2).

7 **Section 2. Lot Rezoning.** Notwithstanding any other provisions of law,
8 Lot No. 5221-1-4-R1, in the Municipality of Barrigada and owned by Elmer C.
9 Mercado and Lulu T. Mercado (husband and wife) and Therese M. Bugayong and
10 Danilo B. Bugayong (husband and wife) is hereby rezoned to Multi-Family
11 Dwelling Zone (R-2).


12 **Section 3. Effective Date.** This provision contained herein shall take
13 effect immediately upon enactment of the Act.

14 **Section 4. Severability.** *If* any provision of this Act or its application to any
15 person or circumstance is found to be invalid or contrary to law, such invalidity
16 *shall not* affect other provisions or applications of this Act which can be given
17 effect without the invalid provisions application, and to this end the provisions of
18 this Act are severable.



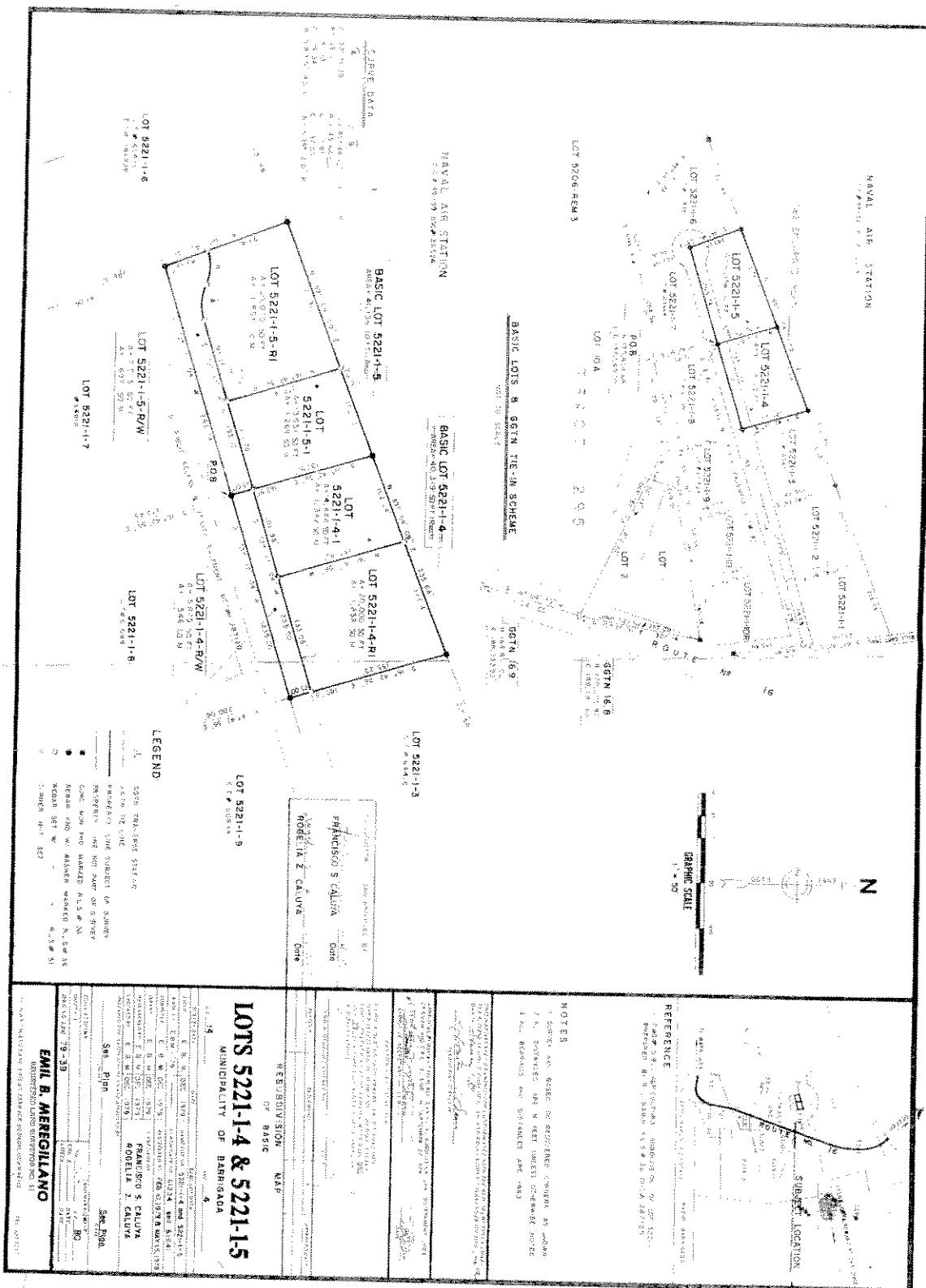
This is to certify that Therese M. Bugayong and Danilo B. Bugayong, Husband and Wife,
Elmer C. Mercado and Lulu T. Mercado, Husband and Wife, 1/2 undivided interest,
as Community Property.

Said owner is of the age of 23 years. Civil status single
and is/are under no disability.


ANDREW D. SANTOS
Deputy Registrar of Titles
In And For The Territory of Guam

[illegible]

Attachment A of



Island of Guam, Government of Guam
Department of Land Management Officer of the Recorder

File for Record is Instrument No.

855838

On the Year 13 Month 08 Day 29 Time 2:48

Recording Fee 25

Receipt No. 38812

Deputy Recorder

Susa D. Mangar

DEED OF GIFT

KNOW ALL MEN BY THESE PRESENTS:

That we, Jaime C. Mercado (dob: 07/11/70), mailing address 2 148th PL SW, Lynnwood, WA 98087 and Joseph Homer C. Mercado (dob: 05/09/73), mailing address is 2 148th PL SW, Lynnwood, WA 98087 in consideration of love and affection, as Grantors do now give, grant, convey and confirm to our brother and his wife, Elmer C. Mercado (dob: 11/17/75) and Lulu T. Mercado (dob: 09/23/83), as husband and wife, mailing address PO BOX 217782, Barrigada, GU 96921 and our sister and her husband, Therese M. Bugayong (dob: 05/02/69) and Danilo B. Bugayong (dob: 07/26/64), as husband and wife, mailing address 8608 11th PL SE, Lake Stevens, WA 98258 our undivided interest in the following described real property:

Lot No. 5221-1-4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an area of 1,858± square meters, as shown on map Drawing No. EBM 79-39, prepared by Emil Meregillano, RLS No. 51, dated January 22, 1980;- LM098FY80 Map Pac #310027

Together with all and singular the tenements, hereditaments and appurtenances thereon belonging, or in anywise appertaining and all existing improvements and/or structures unto said Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of June, 2013.

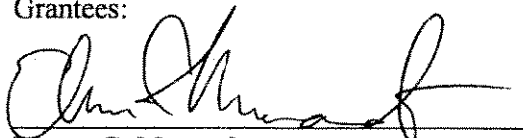
Grantors:

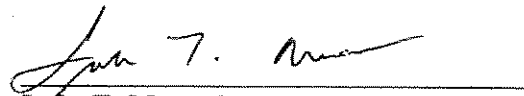
Jaime C. Mercado
Jaime C. Mercado

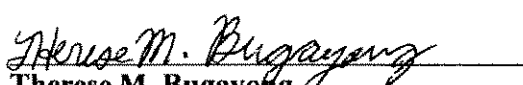
Joseph Homer C. Mercado
Joseph Homer C. Mercado

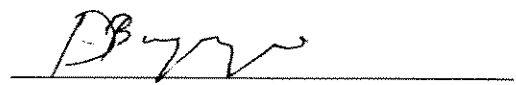
Attachment A of

Grantees:


Elmer C. Mercado


Lulu T. Mercado

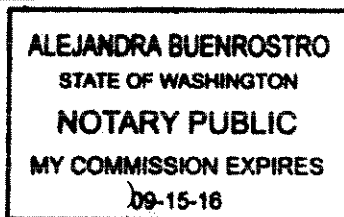

Therese M. Bugayong


Danilo B. Bugayong

City/County of)
Snohomish)
WASHINGTON)

BEFORE ME, the undersigned authority, on this day personally appeared **Jaime C. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.

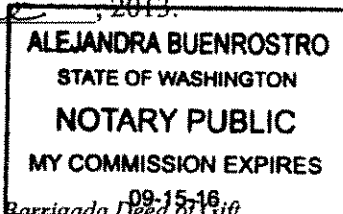



Notary Public

City/County of)
Snohomish)
WASHINGTON)

BEFORE ME, the undersigned authority, on this day personally appeared **Joseph Homer C. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.

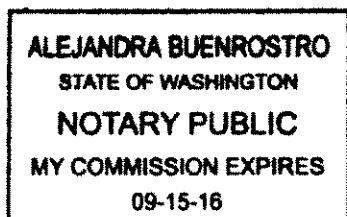




Notary Public

City/County of Snohomish
WASHINGTON)

BEFORE ME, the undersigned authority, on this day personally appeared **Therese M. Bugayong**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.

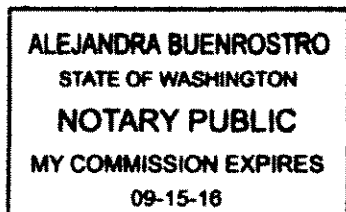



Notary Public

City/County of Snohomish
WASHINGTON)

BEFORE ME, the undersigned authority, on this day personally appeared **Danilo B. Bugayong**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.

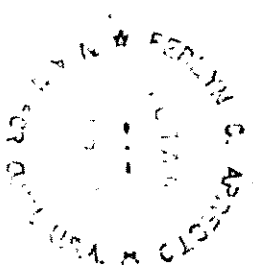



Notary Public

GUAM

BEFORE ME, the undersigned authority, on this day personally appeared **Elmer C. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8th day of August, 2013.



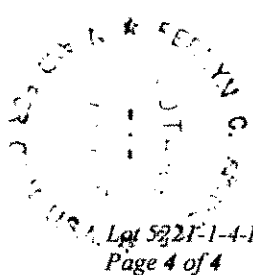
FERLYN C. APRESTO
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: April 02, 2016
P.O. Box 23149 Barrigada, Guam 96921

Ferlyn C. Apresto
Notary Public

GUAM

BEFORE ME, the undersigned authority, on this day personally appeared **Lulu T. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8th day of August, 2013.



FERLYN C. APRESTO
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: April 02, 2016
P.O. Box 23149 Barrigada, Guam 96921

Ferlyn C. Apresto
Notary Public