### I Mina'Trentai Dos Na Liheslaturan Guahan Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
169-32 (LS)		AN ACT TO REZONE LOT NO. 5168-4, LOCATED IN THE MUNICIPALITY OF TAMUNING, FROM SINGLE-FAMILY DWELLING ZONE (R1) TO LIGHT INDUSTRIAL ZONE (M1).	8/16/13 1:34 p.m.	08/16/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			Fiscal Note Request Received 08/21/13

# 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

August 21, 2013

VIA E-MAIL

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.O. San Nicolas

Member

Senator

V. Anthony Ada

Member

MINORITY LEADER

Senator

Aline Yamashita Member

John A. Rios

Director

Bureau of Budget & Management Research

P.O. Box 2950

Hagåtña, Guam 96910

john.rios@bbmr.guam.gov

RE: Request for Fiscal Notes-Bill Nos. 166 through 171-32 (LS)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of I Mina'trentai Dos na Liheslaturan Guåhan's most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio

Chairperson, Committee on Rules

1 Com J. Respicio

Attachments (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
166-32 (LS)	Judith T. Won Pat, Ed.D., Aline A. Yamashita, Ph.D., B.J.F. Cruz	AN ACT TO TRANSFER TITLE OF LOT NO. 5397 MUNICIPALITY OF BARRIGADA, GUAM TO THE UNIVERSITY OF GUAM.
167-32 (LS)	R.J. Respicio	AN ACT TO REPEAL § 23113 OF CHAPTER 23, TITLE 22 OF THE GUAM CODE ANNOTATED TO REMOVE THE CURRENT TAX EXEMPTION ON PREMIUMS COLLECTED BY INSURANCE COMPANIES AS PARTOF THE QC PROGRAM.
168-32 (LS)	T.R. MUÑA Barnes	AN ACT TO REZONE LOT NOS. 22 AND 23, BLOCK NO. 4, TRACT NO. 170, WEST ACRESSUBDIVISION, DEDEDO, GUAM FROM SINGLE- FAMILY DWELLING ZONE (R-1) TO MULTIPLE- FAMILY DWELLING ZONE (R-2)
169-32 (LS)	T.R. MUÑA Barnes	AN ACT TO REZONE LOT NO. 5168-4, LOCATED IN THE MUNICIPALITY OF TAMUNING, FROM SINGLE-FAMILY DWELLING ZONE (R1) TO LIGHT INDUSTRIAL ZONE (M1).
170-32 (LS)	Vicente (ben) C. Pangelinan	AN ACT TO ADD A NEW SUBSECTION (w) TO §8104, TO AMEND §8139.1, TO AMEND SUBSECTION 8143(j), TO AMEND §8144, §8145, §8146, §8149, §8150, §8151, §8152, §8153, §8154, §8156, §8157, §8158, and §8158.1 ALL OF ARTICLE 1, CHAPTER 8, TITLE 4 OF THE GUAM CODE ANNOTATED RELATIVE THE DEFINED BENEFITS PLAN OF THE GOVERNMENT OF GUAM RETIREMENT FUND.
171-32 (LS)	V. Anthony Ada, B. J.F. Cruz	AN ACT TO AMEND §§ 3114 OF 16GCA, 57103 OF 10GCA, 4121 OF 4GCA AND 1107 OF 17GCA RELATIVE TO GOVERNMENT OF GUAM ID CARDS ISSUEDTOPERSONS UNDER 21 YEARSOF AGE.

*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 MAIORITY LEADER

August 16, 2013

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

Majority Leader & Rules Chair

Subject: Referral of Bill No. 169-32(LS)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 169-32(LS)**.

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

### I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN 2013 (FIRST) Regular Session

1

Introduced By:

T.R. MUÑA BARNES

AN ACT TO REZONE LOT NO. 5168-4, LOCATED IN THE MUNICIPALITY OF TAMUNING, FROM SINGLE-FAMILY DWELLING ZONE (R1) TO LIGHT INDUSTRIAL ZONE (M1).

#### BE IT ENACTED BY THE PEOPLE OF GUAM:

**Section 1.** Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that it is the desire of the owners of Lot No. 5168-4 to maximize the use of their property located in the Municipality of Tamuning to its highest potential. *I Liheslaturan Guåhan* further finds that in order to achieve the maximum and best use of their property, the owners have requested the assistance of *I Liheslaturan Guåhan* to rezone Lot No. 5168-4 from its current Single-Family Dwelling Zone (R1) to Light Industrial Zone (M1).

I Liheslaturan Guåhan further finds that the owners of Lot No. 5168-4 acquired this property through a land exchange with the Government of Guam authorized by Public Law 31-253. After months of waiting for the completion of the implementation of Public Law 31-253, the approval process for the Deed of Exchange was completed and the owners received their copy of the official Deed of Exchange. (See document attached as Exhibit "A"). Furthermore, the owners conducted research on the zoning status of the property and their findings determined that the property had a zoning designation of R1. (See document attached as Exhibit "B").

I Liheslaturan Guåhan further finds that based on the findings of the R1 designation, the property owners not only want to achieve the maximum and best use of their property, but want the zoning of their property to be consistent with the surrounding properties that are either zoned Light Industrial or Commercial. (See reduced Zoning Map attached as Exhibit "C").

It is therefore the intent of *I Liheslaturan Guåhan* to authorize the rezoning of the lot described herein for the purposes of assisting the owners in maximizing the highest and best use of their property, as well as rezoning the property to maintain consistency with the surrounding properties.

**Section 2.** Lot Rezoning. Notwithstanding any other provisions of law, Lot No. 5168-4, containing an area of 3,976+/- square meters, located in the Municipality of Tamuning, is hereby rezoned from Single-Family Dwelling Zone (R1) to Light Industrial Zone (M1). The real property rezoned herein is officially described as:

Lot No. 5168-4, Parceling Survey Map of Lot 5168, Municipality of Tamuning, containing an area of 3,976+/- square meters as shown on map prepared by Government of Guam, Department of Land Management, L.M. Check No. 201FY89, Land Management I4-89T330, recorded under Document No. 417648, Certificate of Title GC#3114. Water and Power (electricity) and Sewer are available or within a distance of 100 feet from the property. (*Parceling Survey Map of Lot 5168 attached as Exhibit "D"*).

**Section 3. Effective Date.** This provisions contained herein shall take effect immediately upon enactment of this Act.

# EXHIBIT "A"

Department of Land Management Officer of the Recorder

File for Record is Instrument No. 853894

On the Year 202 Month D7 Day II Time II'lle

Recording Fee 25 Receipt No. 38195

Deputy Recorder 4 202 Cury

**DEED OF EXCHANGE** 

(Space above this line for recorder's use only)

This DEED, made and entered into this day of day of

WHEREAS, the *PARTY OF THE FIRST PART* is the owner of certain real property in Tamuning described as follows:

BRYKAT F.

Lot No. 5168-4, Parceling Survey Map of Lot 5168, Municipality of Tamuning, containing an area of 3,976± square meters as shown as shown on map prepared by Government of Guam, Department of Land Management, L.M. Check No. 201FY89, Land Management I4-89T330, recorded under Document No. 417648, Certificate of Title GC#3114. Water and Power (electricity) and Sewer are available or within a distance of 100 feet from the property.

WHEREAS, the *PARTIES OF THE SECOND PART* are the owners of certain real property described as follows:

Lot No. 5024-1-R1NEW-2, Re-Subdivision Survey Map of Lot 5024-1-R1NEW, Municipality of Tamuning, containing an area of 1,545± square meters as shown on map prepared by Duenas & Swavely, Incorporated, L.M. Check No. 015FY2011, recorded under Document No. 825429. Water and power (electricity) and sewer are available or within a distance of 100 feet from the property.

WHEREAS, both parties agree to exchange their respective properties which are the subject of this Deed of Exchange based on the Final Judgment entered on June 2, 2010 in *Judy R. Untalan, et al. vs. Government of Guam*, Superior Court of Guam Civil Case No. CV1894-93, and in accordance with Public Law 31-253.

NOW, THEREFORE, in consideration of the foregoing premises:

KNOW ALL MEN BY THESE PRESENTS:

THAT, PARTY OF THE FIRST PART, for and in consideration of the conveyance of property below listed, does hereby grant, transfer, convey, exchange, set over and deliver unto PARTIES OF THE SECOND PART, the following described parcel:

Deed of Exchange - Judy R. Untalan, Patricia T. Rosario, Dolores R. Boardman and Lorenzo C. Rosario, Jr Page 3 of 8

Lot No. 5168-4, Parcelling Survey Map of Lot 5168, Municipality of Tamuning, containing an area of 3,976± square meters as shown as shown on map prepared by Government of Guam, Department of Land Management, L.M. Check No. 201FY89, Land Management I4-89T330, recorded under Document No. 417648, Certificate of Title GC#3114. Water and Power (electricity) and Sewer are available or within a distance of 100 feet from the property.

THAT, PARTIES OF THE SECOND PART, for and in consideration of the conveyance of property below listed, does hereby grant, transfer, convey, exchange, set over and deliver unto the PARTY OF THE FIRST PART, the following described parcel:

Lot No. 5024-1-R1NEW-2, Re-Subdivision Survey Map of Lot 5024-1-R1NEW, Municipality of Tamuning, containing an area of 1,545± square meters as shown on map prepared by Duenas & Swavely, Incorporated, L.M. Check No. 015FY2011, recorded under Document No. 825429. Water and power (electricity) and sewer are available or within a distance of 100 feet from the property.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remained or remainders, rents, issues and profits thereof, and also all the right, estate title and interest, possession, claim and demand whatsoever, both at law and equity of the Government of Guam, in and into the above granted premises, and every part and parcel thereof with appurtenances thereto.

To have and to hold the said properties, the one to the other, their heirs, and assigns forever, free from any liens, mortgages, or encumbrances.

Deed of Exchange - Judy R. Untalan, Patricia T. Rosario, Dolores R. Boardman and Lorenzo C. Rosario, Jr Page 4 of 8

PARTY OF THE FIRST PART GOVERNMENT OF GUAM: MONTE MAFNAS, Director Department of Land Management

#### **ACKNOWLEDGMENT**

CITY OF TAMUNING

SS

On this <u>26<sup>th</sup></u> day of <u>JUNE</u>, 2013, before me, the undersigned notary, personally appeared Monte Mafnas, Director, Department of Land Management, known to me to be the person whose name is signed on the attached or preceding document and acknowledged to me that he signed it voluntarily for its stated purpose.

IN WITNESS WHEREOF, I have hereunto affixed my name and official seal in Tamuning, Guam, the day and year first above written.



MOTARY PUBLIS
Brand for Gues, MS.A

My Constitution Empired December 100, 2000

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Deed of Exchange - Judy R. Untalan, Patricia T. Rosario, Dolores R. Boardman and Lorenzo C. Rosario, Jr Page 5 of 8

PARTIES OF THE SECOND PART:
JUDY PHUTALAD
JUDY R. UNTALAN
LORENZO C. ROSARIO, JR.
Attorney-In-Fact - Document No. 822140
Date:
ACKNOWLEDGMENT
CITY OF TAMUNING ) ss
On this \( \frac{18^{h}}{2} \) day of \( \frac{5}{200} \), 2013, before me the undersigned notary, personally appeared LORENZO C. ROSARIO, JR., known to me to be the person whose name is subscribed to the within instrument as the Attorney-In-Fact for JUDY R. UNTALAN, and acknowledged to me the he subscribed the name of JUDY R. UNTALAN, thereto as principal, and his own name as Attorney-In-Fact, for its stated purpose on the attached or preceding document and acknowledged to me that he signed it voluntarily for its stated purpose.
IN WITNESS WHEREOF, I have hereunto affixed my name and official seal in

Tamuning, Guam, the day and year first above written.

RAYMOND SAN NICOLAS SAYAS

NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Mar. 07, 2015
P.O. Box 1972 Hagatna, Guam 96932

Deed of Exchange - Judy R. Untalan, Patricia T. Rosario, Dolores R. Boardman and Lorenzo C. Rosario, Jr Page 6 of 8

PARTIES OF THE SECOND PART:
PATRICIAT. ROSARIO
Date:
ACKNOWLEDGMENT
CITY OF TAMUNING ) ss
On this 18th day of 500, 2013, before me, the undersigned notary, personally appeared PATRICIA T. ROSARIO, known to me to be the person whose name is signed on the attached or preceding document and acknowledged to me that she signed it voluntarily for its stated purpose.
IN WITNESS WHEREOF, I have hereunto affixed my name and official seal in Tamuning, Guam, the day and year first above written.
Royal Sayas
Raymond SN Sayas
PARTIES OF TRESECOND PART:  MICKNEY IN FACT.  RAYMOND SAN NICOLAS SAYAS  NOTARY PUBLIC In and for Guam, U.S.A. My Commission Expires: Mar. 07, 2015 P.O. Box 1972 Hagatna, Guam 96932
Daazes R. Boardman  Dolores Rosario Boardman  Lorenzo C. Rosario, Jr.  Attorney-In-Fact - Document No. 822139
Date: <u>U/18/13</u>

Deed of Exchange - Judy R. Untalan, Patricia T. Rosario, Dolores R. Boardman and Lorenzo C. Rosario, Jr Page 7 of 8

ACKN	OWLEDGMENT
CITY OF TAMUNING ) ss	
undersigned notary, personally appear to be the person whose name is subscribed Fact for <b>DOLORES ROSARIO BO</b> subscribed the name of <b>DOLORES RO</b> his own name as Attorney-In-Fact, for	, 2013, before me the red LORENZO C. ROSARIO, JR., known to me cribed to the within instrument as the Attorney-In-ARDMAN, and acknowledged to me the he OSARIO BOARDMAN, thereto as principal, and its stated purpose on the attached or preceding at he signed it voluntarily for its stated purpose.
IN WITNESS WHEREOF, I hav Tamuning, Guam, the day and year firs	re hereunto affixed my name and official seal in tabove written.
	Rayson Sayas Raymond S. N. Sayas
	Raymond S. N. Sayas
	RAYMOND SAN NICOLAS SAYAS  NOTARY PUBLIC In and for Guam, U.S.A.
PARTIES OF THE SECOND PART:	In and for Guam, U.S.A. My Commission Expires: Mar. 07, 2015 P.O. Box 1972 Hagatna, Guam 96932
LORENZO C. ROSARIO, JR.	
Date:	A The state of the

13-0336 R

Deed of Exchange - Judy R. Untalan, Patricia T. Rosario, Dolores R. Boardman and Lorenzo C. Rosario, Jr Page 8 of 8

#### **ACKNOWLEDGMENT**

ACKINOVAL	EDGWEN
CITY OF TAMUNING ) ss	
undersigned notary, personally appeared L	ORENZO C. ROSARIO, JR., known to me n the attached or preceding document and arily for its stated purpose.
IN WITNESS WHEREOF, I have he Tamuning, Guam, the day and year first about	reunto affixed my name and official seal in ve written.
	Rose CN Sauce
	Raymont SN Sayas
APPROVED AS TO LEGALITY AND FORM:	RAYMOND SAN NICOLAS SAYAS  NOTARY PUBLIC  In and for Guam, U.S.A.  My Commission Expires: Mar. 07, 2015  P.O. Box 1972 Hagatna, Guam 96932
M/1	
LEONARDO M. RAPADAS Attorney General of Gyam	
Date: 7/5// 3	
D-M 13-0336	
	GOVERNMENT OF GUAM
	EDWARD J.B. CALVO
	Governor of Guam
	Date: JUL 1 0 2913

# EXHIBIT "



DIPÅTTAMENTON MINANEHAN TÄNO' (Department of Land Management) GUBETNAMENTON GUÂHAN (Government of Guåhan)



MONTE MAFNAS Director

DAVID V. CAMACHO Deputy Director

Street Address: 590 S. Marine Corps Drive ITC Building, Tamuning, GU 96913

Mailing Address:

P.O. Box 2950 Hagatña, GU 96932

RAY TENORIO Lieutenant Governor

Date: July 15, 2013

To:

Chief Planner. Land Planning Division

From:

Franklin Jimenez, Associeat Broker, Titan Realty

Mailing

121 Takano Lane, Suite 205

Address:

Tamuning, Guam 96913

Re:

Request for DLM Certification of Designated Zone

\*Property Description: Let 5168-4, consisting of approx. 3,976.00±- square meters

(A recorded Survey Map should accompany this Request Form)

Website: http://dlm.guam.gov

E-mail Address: dlm@mail.gov.gu

Telephone: 671-649-LAND (5263)

> Facsimile: 671-649-5383

Municipality of Dedegó, Guana Franklin Jimenez Requestor (Print namě)

Project/Application Name: Franklin Jimenez

Contact Number(s): Work: 479,4663

Beeper: Cellular 727-2891

Home:

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SIGNATURE (Research Verified By: Land Agent Supervisor)

### Cartification of Zone (above)

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[X] Approved	A Company of the Comp	] Disapproved	
Mul	LAL -	and the second	-/6-13
Guam Chief Planner	7		Date
ten request for the above information	n. Filling Fee: Ten l	Dollars (\$10.00) filing	fee as per Pub

dic Law 29-02. \*This is a writt Chapter V, Part III (Fees and Charges Assessed by the Department of Land Management): available approximately four (4) working days as per P.L. 25-06, Section 1(d), Sunshine Reform Law, except for zone verifications

Completion Date: Total No. of Pages: Documents Received by:

Amount Due:

Payment Received by: \_

(DLM Staff

DLM Form 05 - Zoning Certification - September 2011

Page 1 of 2



## **VERIFICATION OF ZONING**

FOR OFFICIAL USE ONLY

RESOURCES	FINDINGS / FACTS
Legislative Zone Change	no findings
Land Use Application	
(1987 to Present)	no findings
Amendment Zone Changes	no findings
Summary Zone Change	
(P. L. 21-82 as amended by P.L. 21-144, Section 8)	no findings
Split Zone Change	, va (mon.)
(Pursuant to P.L. 25-131)	nó findings
HPR Master Listing	no findings
Litigation Files	no findings
Official Zoning Map	as per official roning map subject lot
F3-67S34 [ ] F3-67S43 [ ]	is zoned "R-1" (Residential). F3-67538
F3-67S35 [ ] F3-67S44 [ ]	
F3-67S36 [ ] F3-67S45 [ ]	
F3-67S37 [ ] F3-67S46 [ ]	
F3-67S38 [ ] F3-67S47 [ ]	
F3-67S39 [ ] F3-67S48 [ ]	·
F3-67S40 [ ] F3-67S49 [ ]	
F3-67S41 [ ] F3-67S50 [ ]	
F3-67S42 [ ] F3-67S51 [ ]	
F3-67S52 [ ]	
Other:	
<u> </u>	

Stephanie Duenas
Researched Completed By



