

Government of Guam
Department of Land Management Office of the Recorder

File for Record is Instrument No. 795437

On the Year 09 Month 9 Day 3 Time 2:25 PM

Recording Fee Do - 00000 Receipt No. _____

Deputy Recorder [Signature]

(Space above for Recordation)

**AMENDED
SPLIT ZONE CHANGE**

Pursuant to Public Law 25-131

(To change **Yigo to Tamuning** under Municipality and **F3-67S436 to F3-67S36** under Zoning Map No. on page 2 of 2 of Zone Change Map) (Ref: Document No. 794895)

Pursuant to Public Law 25-131, "An Act To Add Section 61214 to Article 2, Chapter 61 of Title 21 of the Guam Code Annotated, relative to resolving Split Zone Situations" I, Michael C. James, Acting Director of Land Management, do hereby approved the request of Thomas E.B. Borja - Applicant for Lot No. 2114-10 located in the Municipality of Tamuning, Guam, from a Split Zone of "R-2" (Multiple Dwelling) and "C" (Commercial), to a Full Zone of:

"C" (Commercial)

30-09-1116
Office of the Speaker
Juridic T. Woon, P.S., E.A.D.
Date 9/14/09
Time _____
Received by _____

Said property is more specifically described as:

Lot No. 2114-10 situated in the Municipality of Tamuning, Guam containing an area of 843± Square Meters.

The above lot is shown and described on the Parcelling of Basic Lots 2114-4 & 2114-R6 Survey Plat, prepared by Juan T. Untalan, RLS No.6, approved by the Chief of Planning on February 19, 1965. A copy of said map is recorded in the Department of Land Management under Document No. 62968

Approval of this new zone designation to the entire property (the lot) shall be final effective on the date of recordation of this document. Any future rezoning of the said lot shall not be subjected under this same process but must follow the procedures for Zone Change pursuant to Section 61630 of Chapter 61 (Zoning Law), Title 21, Guam Code Annotated.

APPROVED:

[Signature]
Michael C. James
Acting Director, Department of Land Management

9-2-09
Date

2009 SEP 15 AM 10:31
[Signature]

ATTACHMENTS:

- 1. Amendment Map No: A78
- 2. Application Package

Office of the Legislative Secretary
Senator: Tina Rosa Rufa Darnes
Date 9/14/09
Time 1:50 pm
Received by [Signature]



**SPLIT ZONE CHANGE
APPLICATION NO. 2009-92
LOT 2114-10
MUNICIPALITY OF TAMUNING
EXISTING SPLIT ZONE**



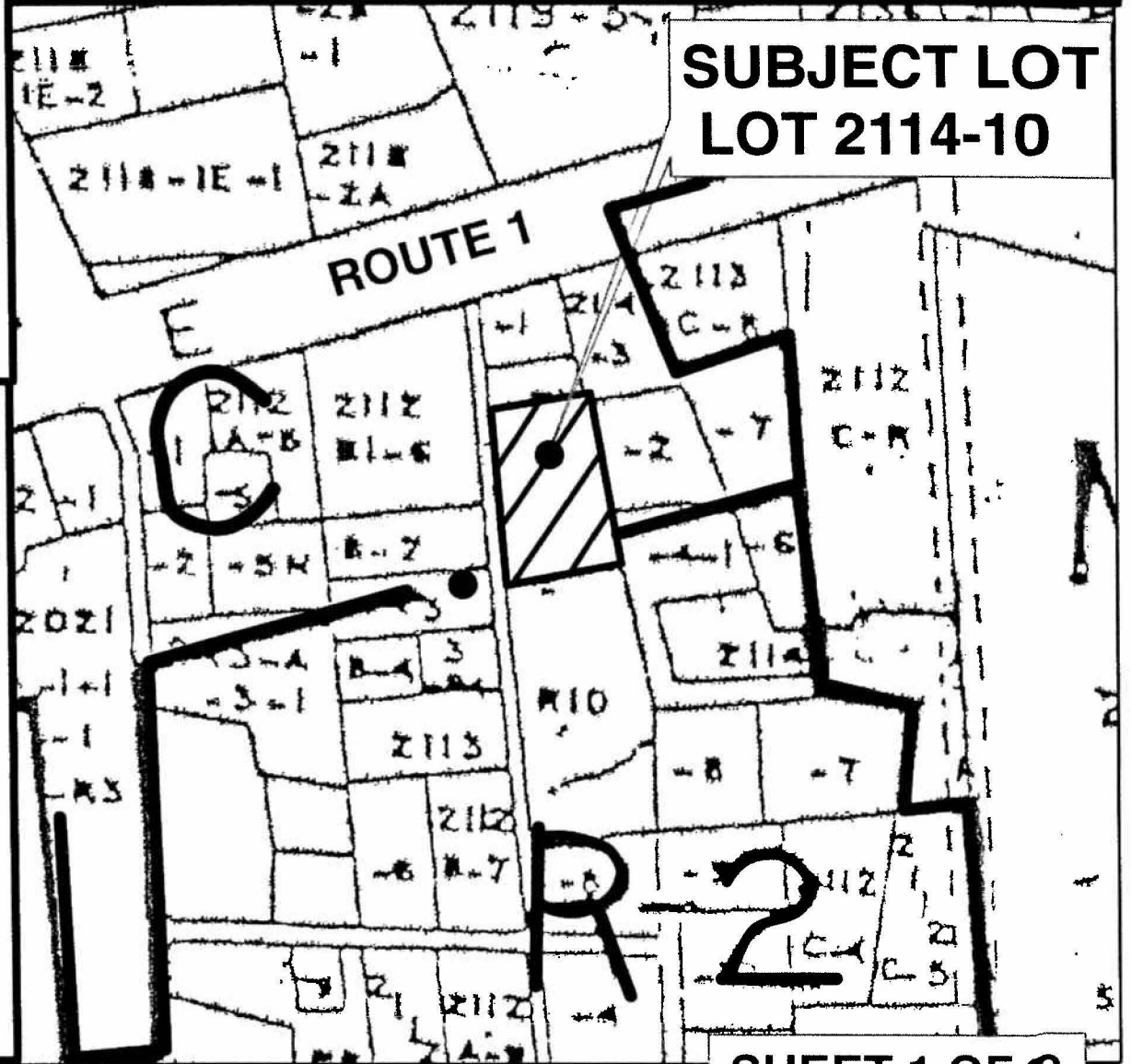
SPACE FOR RECORDATION

**SUBJECT LOT
LOT 2114-10**

SPLIT ZONE CHANGE
APPLICATION NO. 2009-92
THOMAS E.B. BORJA
AMENDMENT PREPARED ON AUGUST 31, 2009

THIS SHEET SHOWS THE EXISTING
SPLIT ZONING OF
"C" COMMERCIAL
AND "R-2" SINGLE-FAMILY DWELLING

THIS SPACE IS LEFT
INTENTIONALLY BLANK





**SPLIT ZONE CHANGE
APPLICATION NO. 2009-92
LOT 2114-10
MUNICIPALITY OF TAMUNING
NEW ZONE**



(SPACE FOR RECORDATION)

SPLIT ZONE CHANGE
APPLICATION NO. 2009-92
THOMAS E.B. BORJA
AMENDMENT PREPARED ON AUG. 31, 2009

EXISTING ZONING: "C" AND "R-2"

TO: "C" COMMERCIAL (FULL ZONE)

LOT NO: 2114-10

BLOCK NO. N/A

TRACT: N/A

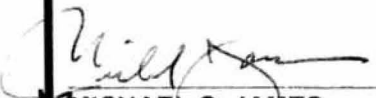
AS READS: MUNICIPALITY: YIGO
AMENDED TO READ: MUNICIPALITY OF TAMUNING

SCALE: N/A

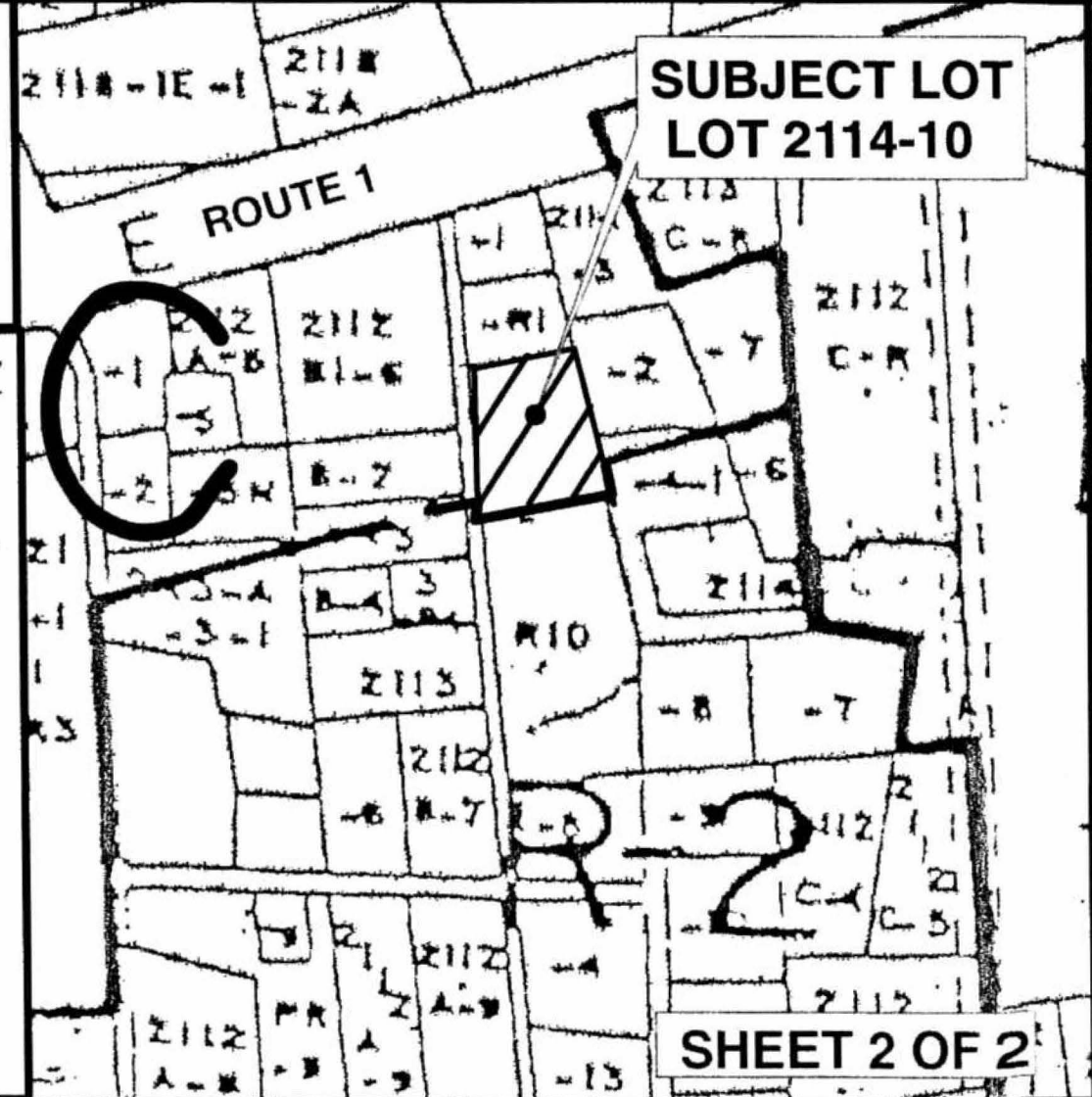
AMENDMENT NO: A78

AS READS: ZONING MAP NO: F3-67S436
AMENDED TO READ: F3 67S 36

APPROVED PURSUANT TO PL 25-131,
SUBJECT LOT IS REZONED TO A FULL
"C" COMMERCIAL ZONE


MICHAEL C. JAMES
Acting Director,
Department of Land Management

9-2-09
DATE





DIPATTAMENTON MINANEHAN TANO'
 (Department of Land Management)
GUBETNAMENTON GUAHAN
 (Government of Guam)



FELIX P. CAMACHO
 Governor of Guam

CHRISTOPHER M. DUENAS
 Acting Director

MICHAEL W. CRUZ, M.D.
 Lieutenant Governor of Guam

MICHAEL C. JAMES
 Deputy Director

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

Mailing Address:
 P.O. Box 2950
 Hagåtña, GU 96932

Website:
<http://dlm.guam.gov>

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

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

August 20, 2009

Memorandum

To: Director (Acting)

From: Chief Planner

Subject: Split Zone Application No. 2009-92

Re: Lot No. 2114-10, Municipality of Tamuning

✓

3:15 mg

Submitted for your consideration and action is a Split Zone Application for Lot No. 2114-10 located in the Municipality of Tamuning. The applicant, Thomas E.B. Borja, is requesting for a zone change of the subject property, presently zoned "R-2" (Multiple Dwelling Zone) and "C" (Commercial) to a new full zone of "C" (Commercial) pursuant to Public Law 25-131, " An Act to add Section 61214 to Article 2, Chapter 61 (Zoning Law), Title 21, Guam Code Annotated, relative to resolving Split-Zoned properties.

This application was officially accepted on August 12, 2009 and reviewed by Land Planning Staff. Pursuant to the Official Zoning Map of the Municipal District of Tamuning (F3-67S36), portion of Lot No. 2114-10 is zoned "C" (Commercial) and the remaining portion is zoned "R-2" (Multiple Dwelling).


 Carlos R. Untalan

Attachment: Split Zone Application 2009-92



Thomas E. B. Borja
23 Kristina Lane
Yoña, Guam 96915-4538

August 6, 2009

Department of Land Management

To Whom It May Concern:

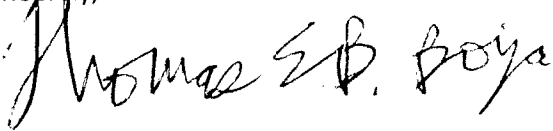
I am the owner of Lot 2114-10, Tamuning, whose physical address is 122 Tun Jose Toves Way, Tamuning. This property is currently zoned as split zoned, R-2, Multi-Family Residential and C – Commercial.

Under Guam Public Law 25-131, a property owner has a right to select one of the two zones and have it apply to the entire lot.

I am requesting that this lot, 2114-10 Tamuning, have a Zone Consolidation to C – Commercial only.

Thank you for your time and prompt attention to this request.

Sincerely,

A handwritten signature in black ink that reads "Thomas E. B. Borja". The signature is written in a cursive style with a large initial 'T'.

Thomas E. B. Borja

SPLIT ZONE CHANGE

(Pursuant to Public Law 25-131)

8.6.09
RECEIVED

To: Director, Department of Land Management, Government of Guam
P.O. Box 2950, Hagatna, Guam 96932

The undersigned owner(s)/Lessee(s) hereby request approval for a full zone change of the following described property. Incomplete application will be returned without action.

1. INFORMATION ON APPLICANT(S):

Name of Applicant(s): THOMAS E. B. BORJA

Mailing Address: 23 KRISTINA LANE YONA GU 96915

Telephone No. Business: 482-8322 Home: 477-3234

2. LOCATION, DESCRIPTION AND OWNERSHIP:

(Please attach a copy of the most current recorded property map.)

Subdivision Name (if applicable): _____

Lot(s): 2114-10 Block: _____ Tract: _____

Lot Area: Square Feet: _____ Square Meters: 843 Acres: _____

Village: TAMUNING Municipality: _____

(Provide copies of the most current document(s) shown with an * Asterisk.)

Registered Owner(s): THOMAS E. B. BORJA AND TERESA A. DAMIAN

*Certificate of Title No.: _____ Document No.: _____

Other types of document (Deed of Gift, Warranty Deed, etc.)

Warranty Deed Document No.: 775378
Quit Claim Deed Document No.: _____

3(a). **CURRENT ZONING** (as reflected in the Official Zoning Map or Property Map)

3(b). **PROPOSED UNIFORM ZONING DESIGNATION:**

LOT IS CURRENTLY ZONED:

- "A" [] Agricultural (Rural)
- "R-1" [] Single-Family Dwelling
- "R-2" Multi-Family Dwelling
- "C" Commercial
- "M-1" [] Light Industrial
- "M-2" [] Heavy Industrial
- "H" [] Hotel-Resort

"C" - COMMERCIAL
(Indicate the new uniform zoning.)

4. **Required Signatures:** All Legal Owner(s)/Lessee(s), Attorney-in-Fact, etc., of the designated parcel(s) of property shall sign the form with name(s) typed or legibly handwritten, signed and dated.

"I hereby certify that all information contained in this application request and its supplements, if any, is/are true and correct. I also understand that any misrepresentation shall render this application request null and void."

THOMAS E. B. BORJA

(Owner(s)/Lessee(s) - Print & Sign)

Thomas E. B. Borja

8/6/2009

Date

(Representative, etc. - Print & Sign)

Date

FOR OFFICIAL USE ONLY

5. Filing Fee: Twenty-Five Dollars (\$25.00) filing fee for the first five pages, and \$.25 for any additional page, as per the passage of Bill 74, signed and approved by the Governor of Guam on May 18, 2007, under Public Law 29-02, Chapter V, Part III (Fees and Charges Assessed by the Department of Land Management).

Date Receipt In Planning Division: Aug 7, 2009
Date Assigned to Planner: Aug 11, 2009
Date Accepted: Aug 12, 2009
Assigned Planner: FRANK TAITANO

ZONE VERIFICATION SECTION

(Note: Research shall be completed within five (5) working days from date of assignment.)

INSTRUCTIONS:

1. Verify the status of the property's current zone as indicated by the applicant in 3(a).
Property is currently zoned: "C" and "R-2"
2. Identify the document at which the zone was verified, e.g., Official Zoning Map, GLUC Notice of Action, Legislative Zone Change, or Summary Zone Change (attached the source documents).

Official Zoning Map: F3-67536

GLUC Approval: N/A

Verified by: Frank Taitano Position/Title: Planner

Date Verified: Aug 12, 2009

CHIEF PLANNER'S CERTIFICATION

"I hereby certify the accuracy of the findings as shown in the Zone verification block above and recommend **APPROVAL** of the Split Zone Change as indicated in Block 3(b)"

Carlos R. Untalan
CARLOS R. UNTALAN
Guam Chief Planner

08-20-09
Date

SPACE LEFT BLANK

Island of Guam, Government of Guam
 Department of Land Management Office of the Recorder
 File for Record is Instrument No. 775378
 On the Year 08 Month 06 Day 24 Time 3:51
 Recording Fee 117.50 Receipt No. _____
 Deputy Recorder Joel Antenor Cruz
 JOEL D. ANTENOR CRUZ

SECURITY
 FILE, INC.

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

I, **MICHAEL TOVES FEJARAN**, whose mailing address is 3708 Grand Point Lane, Elk Grove CA 95758, hereinafter referred to as "**GRANTOR**", for TEN DOLLARS (\$10.00) and other good and valuable consideration paid by **TERESA A. DAMIAN AND THOMAS E.B. BORJA**, whose mailing address is 23 Kristina Lane, Yona GU 96915-4538, hereinafter referred to as "**GRANTEE**", do hereby grant, bargain, sell and convey unto GRANTEE, and GRANTEE'S heirs, administrators, executors, successors and assigns, in fee simple, as joint tenants with right of survivorship, the following described real property in the MUNICIPALITY OF TAMUNING:

Lot Number 2114-10, Tamuning (formerly Dededo), Guam, Estate Number 13080, Suburban, as said Lot is described in that Record survey Plat Parcelling of Basic Lots 2114-4 & 2114-R6, as shown on Drawing Number T64D, recorded on 14 September 65 under Instrument No. 62380 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 843± square meters.

Last Certificate of Title Number: 99619 – Justo Babauta Fejaran.

TOGETHER with all and singular the tenements, privileges, hereditaments, and appurtenances, whatsoever belonging or in anywise appertaining, and the reversion or reversions, remainder or remainders, rents, issue and profits thereof, and all the estate, rights, title interest, property, claim and demand whatsoever of the said GRANTOR, at law or in equity, in and to the same.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments, and appurtenances hereunto belonging and in anywise appertaining unto the said GRANTEE, its heirs, and executors administrators and assigns, forever.

AND GRANTOR DOES HEREBY for itself and its assigns, covenant with said GRANTEE, its heirs, and executors, administrators and assigns; that GRANTOR is lawfully seized in fee of the granted premises; that it is free from all encumbrances other than those disclosed in the **STEWART TITLE INSURANCE COMMITMENT for Title Insurance issued by SECURITY TITLE, INC. under File ST-730202**; That to sell the same as aforesaid; that GRANTOR shall warrant and defend the same to the said GRANTEE, its heirs, and assigns, forever against the lawful claims and demands of all persons.

AND GRANTEES, for themselves and their successors and assigns do hereby acknowledge and confirm that water and power are immediately available on the property or within 100 feet of the property described above.

IN WITNESS WHEREOF, this instrument has been executed this 2nd day of June 2008.

GRANTOR:

Michael Toves Fejaran
MICHAEL TOVES FEJARAN

Sacramento City, U.S.A.
CITY OF Elk Grove) SS

On this 2nd day of June 2008, before me, a Notary Public in and for Sacramento City, U.S.A., personally appeared **MICHAEL TOVES FEJARAN**, and he acknowledged to me that he executed the foregoing **WARRANTY DEED**, as his voluntary act and deed for the purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mary Cabranes
NOTARY PUBLIC
My commission expires:
4.12.2010




GRANTEE:


TERESA A. DAMIAN

GUAM, U.S.A
CITY OF TAMUNING } SS

On this 23rd day of June 2008, before me, a Notary Public in and for GUAM, U.S.A., personally appeared TERESA A. DAMIAN, and she acknowledged to me that she executed the foregoing **WARRANTY DEED**, as her voluntary act and deed for the purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.


NOTARY PUBLIC
My commission expires:

LIA JOSHUA DUNGCA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **June 02, 2012**
P.O. Box 933 Hagatna, Guam 96932

GRANTEE:

Thomas E.B. Borja
THOMAS E.B. BORJA

GUAM, U.S.A }
CITY OF ~~TAMKONENE~~ HAGATNA } SS

On this 23rd day of June 2008, before me, a Notary Public in and for GUAM, U.S.A., personally appeared **THOMAS E.B. BORJA**, and he acknowledged to me that he executed the foregoing **WARRANTY DEED**, as his voluntary act and deed for the purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Lia Joshua Dungca
NOTARY PUBLIC
My commission expires:

LIA JOSHUA DUNGCA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **June 02, 2012**
P.O. Box 933 Hagatna, Guam 96932

SPOUSAL CONSENT and RELEASE

I, **AMELIA MARY FEJARAN**, spouse of **MICHAEL TOVES FEJARAN**, do hereby relinquish any interest I may have, on the following described property to.

Lot Number 2114-10, Tamuning (formerly Dededo), Guam, Estate Number 13080, Suburban, as said Lot is described in that Record survey Plat Parcelling of Basic Lots 2114-4 & 2114-R6, as shown on Drawing Number T64D, recorded on 14 September 65 under Instrument No. 62380 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 843± square meters.

Last Certificate of Title Number: 99619 – Justo Babauta Fejaran.

WITNESS WHEREOF, I have hereunto set my hand this 2nd day of June 2008.

Amelia Mary Fejaran
AMELIA MARY FEJARAN

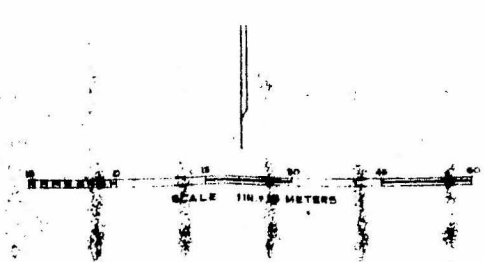
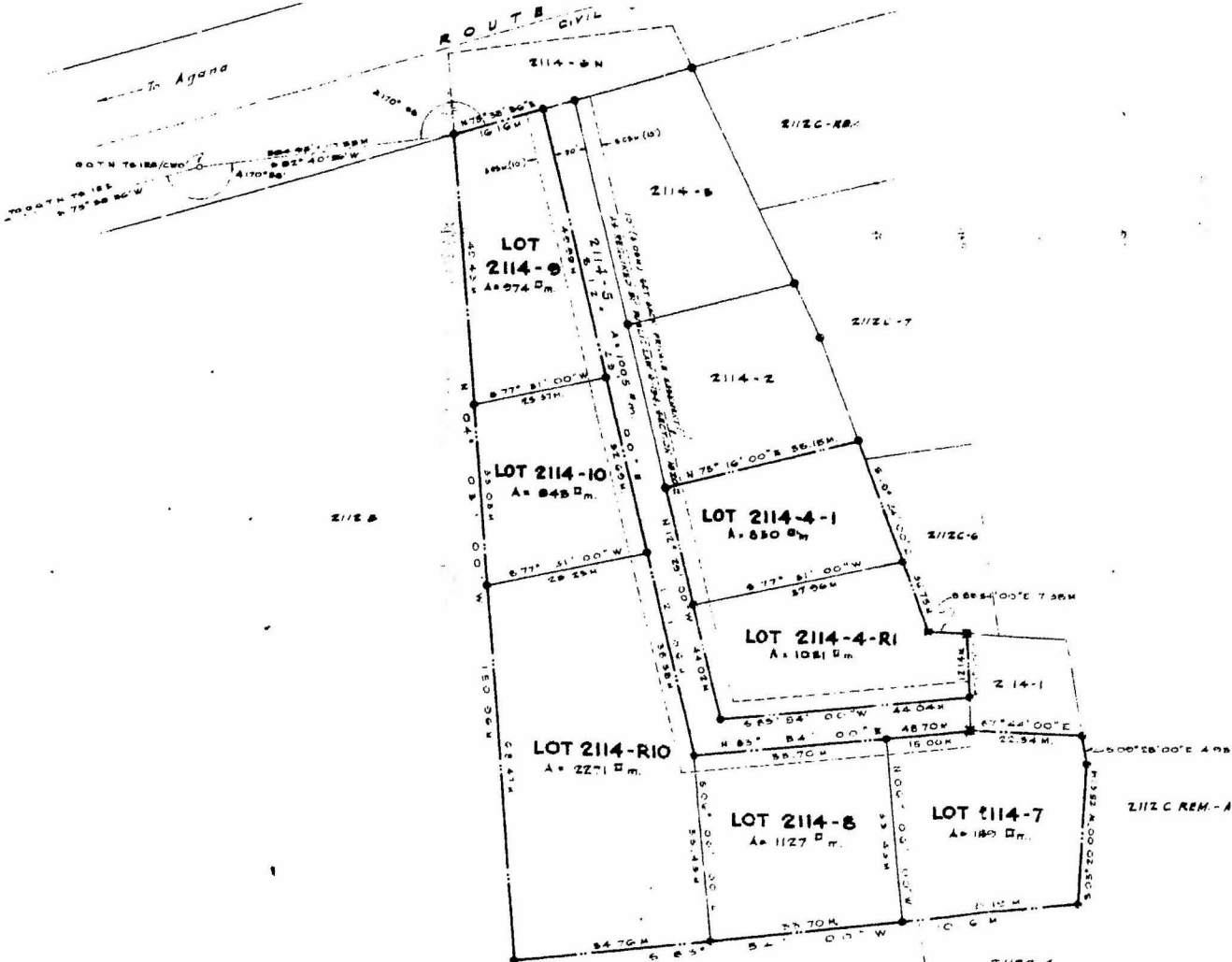
Subscribed and sworn before me this 2nd day of June 2008, by **AMELIA MARY FEJARAN**.

Mary Cabranes



NOTARY PUBLIC
My Commission Expires:

4.12.2010



- SYMBOLS:**
- 4" CONC MON FOUND
 - SQUARE HEAD BOLT FOUND
 - 1/2" WATER PIPE FOUND
 - GALV SPIKE FOUND
 - GALV SPIKE NEW SET

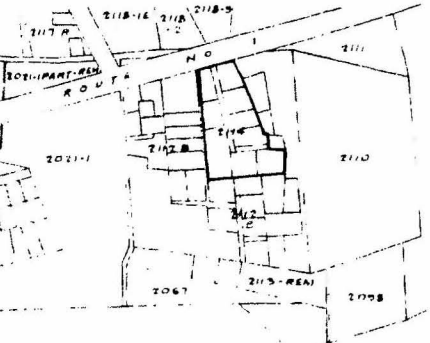
- NOTES:**
- (1) SURVEY WAS BASED FROM CORNERS FOUND REFER TO SYMBOLS
 - (2) BARRIS FOUND ON LOT 2114-2 AND 2114-R10 WILL BE RECTIFIED BY THIS PLAT
 - (3) DIST. OF BARRIS FOUND (1100) NOT LINE AS SHOWN IN A DIST. OF 1000 M.P.F. (11)
 - (4) NONE OF THE ORIGINAL MONUMENTS WERE FOUND IN REGARDS TO PERIMETER ENCROACHMENT SURVEY ON BASIC LOT 2114 AND IN MY JUDGMENT THIS BEST REPRESENTS THE ORIGINAL SURVEY

CERTIFICATION:

I HEREBY CERTIFY THAT ON Jan 19 64 I MADE A SURVEY OF THE LOTS HEREON DESCRIBED, THAT THIS PLAT IS PREPARED IN ACCORDANCE WITH THE FIELD NOTES OF SAID SURVEY.

ALL CORNERS ARE MONUMENTED AS SHOWN ON SYMBOLS, AND THAT THERE ARE NO PHYSICAL EVIDENCE OF ENCROACHMENTS.

Jose T. Yuste
 JUAN T. YUSTE, L.L.B. 1964



INDEX MAP
NOT TO SCALE

APPROVED FOR LOT PARCELLING 2114-4 & 2114-R6 1964

Jose T. Yuste
 CHIEF OF PLANNING

SURVEY DATA DATE		RECORD SURVEY PLAT	
FIELD	RM	PARCELLING OF BASIC LOTS	
BOOK NO	214	2114-4 & 2114-R6	
COMPUTED	JTE	SITUATED IN TAMUNING	
DRAWN	JTE	MUNICIPAL JURISDICTION OF DEDEDO	
TRACED	JTE	LAND SEC. 19, SECTION 4	
CHECKED	JTE	BASIC LOT NO. <u>2114-4 & 2114-R6</u>	
APPROVED	JTE	REGISTERED ON	<u>OCT 15, 1964</u>
LAND MANAGEMENT DATA		CERTIFICATE NO	<u>7709</u>
CHECKED	JTE	IN NAME OF	<u>JOSE S TOVE</u>
PRESENTATION	RECORDED ON	SHEET 1 OF 1	DRAWING NO.
BOOK OF		SCALE 1:500	1640
NO.			REV 12/20/66
PAGE			

62968