

ACKNOWLEDGEMENT OF RECEIPT SUMMARY ZONE CHANGE PACKET

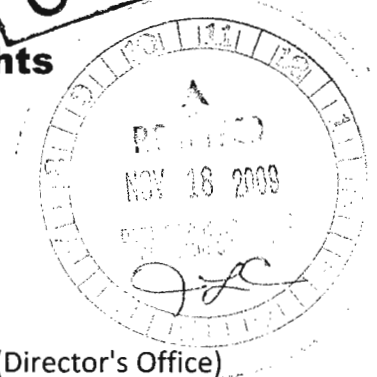
FOR

Lot 3061-11-3, Municipality of Agana Heights

Melvin T.I. Cruz

SZC 2009-87

COPY



MMW
2009 NOV 09 PM 3:13

Legislative Secretary
30th Guam Legislature

Signature: [Signature]
Name [Print]: Velma Korriyama
Date: 11/19/09
Time: 2:46 pm

Building Official (Director's Office)
Department of Public Works

Signature: [Signature]
Name [Print]: Juanita Campbell
Date: NOV-18-09
Time: 2:47p

FOR RECORDATION ONLY
Deputy Civil Registrar

Department of Public Works
Bldg. Permit/Bldg. Official

Name [Print]: J. WINEY, Sr.
Signature: [Signature]
Date: 11/18/09

**THIS SECTION IS NOT APPLICABLE
SEE NOTICE OF ACTION**

30-09-1377

[Signature] 11/19/09
[Signature]

Applicant's Name(s)

Melvin T.I. Cruz

Signature of Applicant Date

Signature of Applicant Date



DIPĀTTAMENTON MINANEHAN TĀNO'
 (Department of Land Management)
GUBETNAMENTON GUĀHAN
 (Government of Guam)



FELIX P. CAMACHO
 Governor of Guam

Christopher M. Duenas
 Director

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

MICHAEL C. JAMES
 Deputy Director

Street Address:
 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96913

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

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

E-mail Address:
dlmdir@guam.gov

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

November 9, 2009

Honorable Senator Tina Rose Muna-Barnes
 Legislative Secretary, 30th Guam Legislature
 155 Hessler Place
 Hagåtña, Guam 96932


Re: Summary Zone Change Application No. SZC 2009-87
 Lot No. 3061-11-3, Municipality of Agana Heights,
 For Melvin T. I. Cruz

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single-Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), the Department of Land Management is herewith submitting to the Legislature, a Zone Change application for Lot No. 3061-11-3, Municipality of Agana Heights, from "R-1" (Single - Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to convert an existing 2-storey structure into a duplex.

As such, the Department of Land Management **Approved** the Zone Change with conditions as specified on **November 9, 2009**.

Your attention to this matter is greatly appreciated.

Sincerely,


 Christopher M. Duenas
 Director

PCG
 Attachment(s):

1. Zone Change Map F3-67S 34, Amendment No. 61
2. Staff Report and Notice of Action
3. Certifications of Utility Agencies
4. Zone Change Application

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

File for Record by Instrument No. **798580**

On the Year 07 (Month) 11 (Day) 3 Time 237

Recording Fee **De - Oficio** Receipt No. _____

Deputy Recorder *[Signature]*

(Space above for Recordation)

DEPARTMENT OF LAND MANAGEMENT
Government of Guam
Hagåtña, Guam 96910

COPY

NOTICE OF ACTION

Application No. SZC 2009-87

November 9, 2009
Date

To: **Melvin T. I. Cruz**
#203B Tutujan Drive
Agana Heights, Guam 96910

The Department of Land Management, pursuant to Title 21 GCA, Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedures for Agricultural and Single-Family Residential rezoning), and Executive Order No. 92-08:

- APPROVED
- DISAPPROVED
- APPROVED WITH CONDITIONS**

your request on **Lot No. 3061-11-3, Municipality of Agana Heights, for a Zone Change:**

- from "A" (Rural) to "R-1" (Single-Family Dwelling)
- from "A" (Rural) to "R-2" (Multi-Family Dwelling)
- from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling)**

Please submit this form with necessary plans to the appropriate agency. If request was tabled, approved with conditions or involved clarification, see the conditions below for further details.

NOTATION: Zone Change on Lot No. 3061-11-3, Municipality of Agana Heights, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to convert an existing 2-storey residential structure into a duplex.

CONDITIONS: The Department of Land Management **Approved** the application based on the following conditions:

1. That the applicant comply with all permitting agency conditions and requirements;
2. That the building construction site development plan provide detail of structure location, parking layout, landscaping plan, disposal of sewage and access; and that the site development plan be approved by the Guam Chief Planner prior to issuance of a building construction permit;
3. That any future increase in dwelling units or use intensity from the approved site plan shall require the owner/developer to resubmit a revised site development plan to the Guam Chief Planner for re-evaluation to determine physical and social impacts prior to requesting for a building permit;
4. That said zone change under this process shall not include the following uses or conversions: Horizontal Property Regimes ((21 GCA, Chapters 45) (Horizontal Property Act) and 47 (Time Share Ownership)), hotels/motels, and residential commercial activities such as laundry room, gift shop, and the like; and temporary workers housing facilities;
5. That the development be hooked up to public sewer and comply with GEPA's waste-water disposal system requirements and conditions and other permitting requirements;
6. That the applicant provide green areas and use local flora for landscaping, as well as provide a trash bin location near the curb side;
7. That the applicant provide 2:1 parking for each dwelling unit.



Carlos R. Untalan
Guam Chief Planner

Date: November 9, 2009



Christopher M. Duenas
Director of Land Management

Date: November 9, 2009

✂ Case Planner: Penmer C. Gulac, Planner III
Attachments: Certification of Utility Agencies
Position Statements (GPA)

cc: Building Permit Section, DPW

.....
CERTIFICATION OF UNDERSTANDING

I, **Melvin T. I. Cruz**, understand and accept the conditions above as a part of the Notice of Action, and further agree to adhere to the conditions made a part of and attached to this Notice of Action as mandated by the approval of this zone change by the Department of Land Management.

Melvin T.I. Cruz:

 Nov. 13, '09
Signature of Applicant Date

=====
NOTICE: This Notice of Action must be presented by the applicant and/or their representative (engineer, contractor, etc.) to all permitting agencies in securing permits for construction.

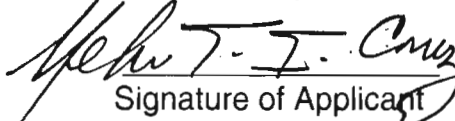
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AGREEMENT

Summary Zone Change

Application No. 2009-87

I, **Melvin T. I. Cruz**, the undersigned, acknowledge that approval of the Zone Change request does not constitute automatic approval or guarantee the issuance of the "Building Permit" for the construction of any dwelling. We, further understand that the issuance of the necessary "Building Permit" will be dictated by the availability and/or adequacy of infrastructure in the area. This will be determined by the infrastructural agencies, i.e., Guam Environmental Protection Agency, Guam Power Authority, Guam Waterworks Authority and the Department of Public Works.

Melvin T. I. Cruz:

 Nov. 13, '09
Signature of Applicant Date

**SUMMARY ZONE CHANGE
 APPLICATION NO. 2009-87
 LOT 3061-11-3
 MUNICIPALITY OF AGANA HEIGHTS (PAASAN)**



SPACE FOR RECORDATION

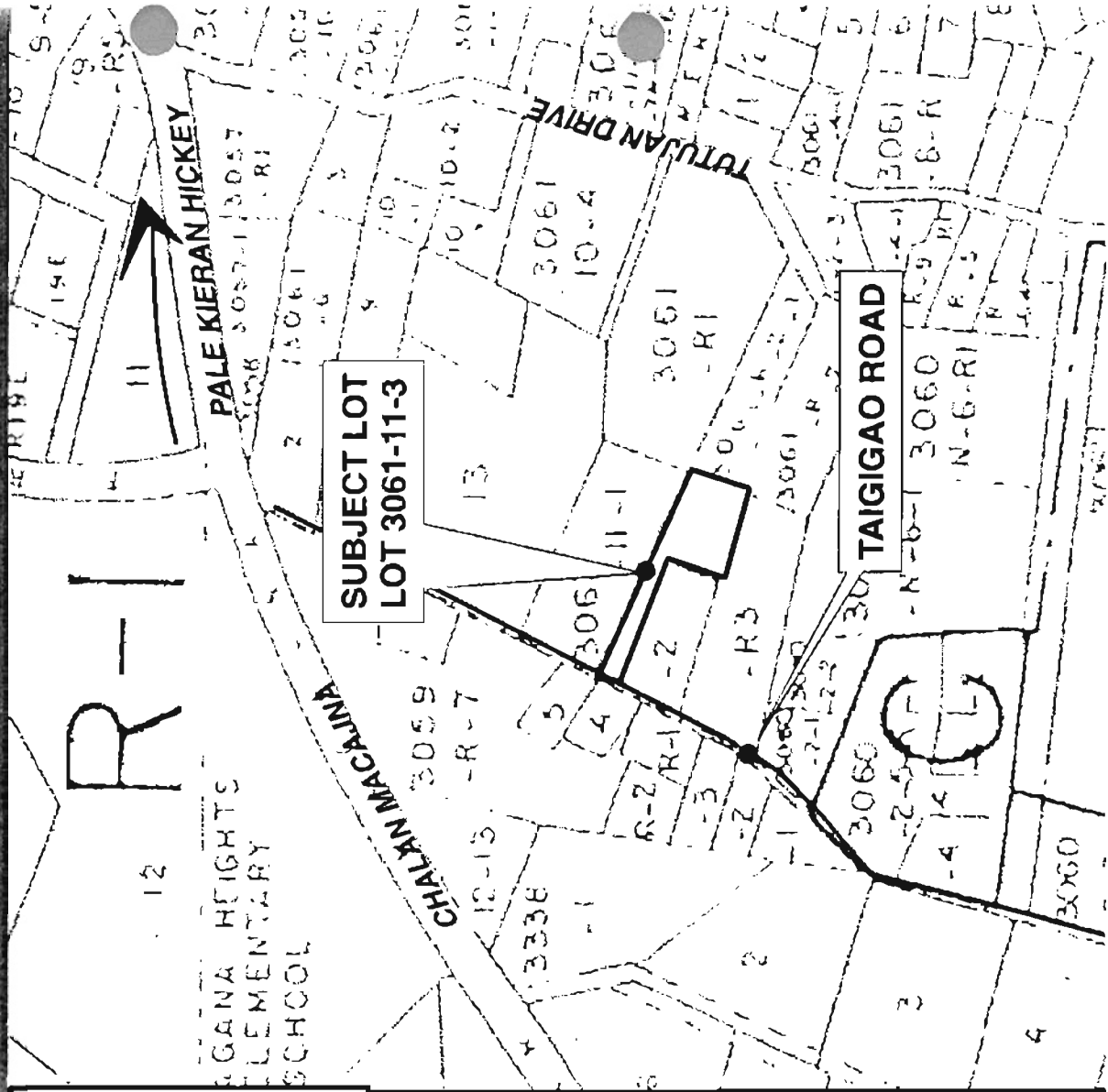
SUMMARY ZONE CHANGE
 APPLICATION NO. 2009-87
 MELVIN T. CRUZ
 PREPARED ON OCTOBER 23, 2009

FROM: "R-1" SINGLE-FAMILY DWELLING
 TO: "R-2" MULTI-FAMILY DWELLING
 LOT NO: 3061-11-3
 BLOCK NO. N/A
 TRACT: N/A
 MUNICIPALITY: AGANA HEIGHTS (PAASAN)

PLACE NAME: PAASAN
 SCALE: N/A
 AMENDMENT NO: 61
 ZONING MAP NO: F3-67 S 34

APPROVED WITH CONDITIONS
 (AS NOTED ON NOTICE OF ACTION AND
 PURSUANT TO TITLE 21, GCA, CHAPTER 61,
 SECTION 61639 AND EXECUTIVE ORDER 92-08)

SK CHRISTOPHER M. DUENAS DATE *11/12/09*
 DIRECTOR
 DEPARTMENT OF LAND MANAGEMENT

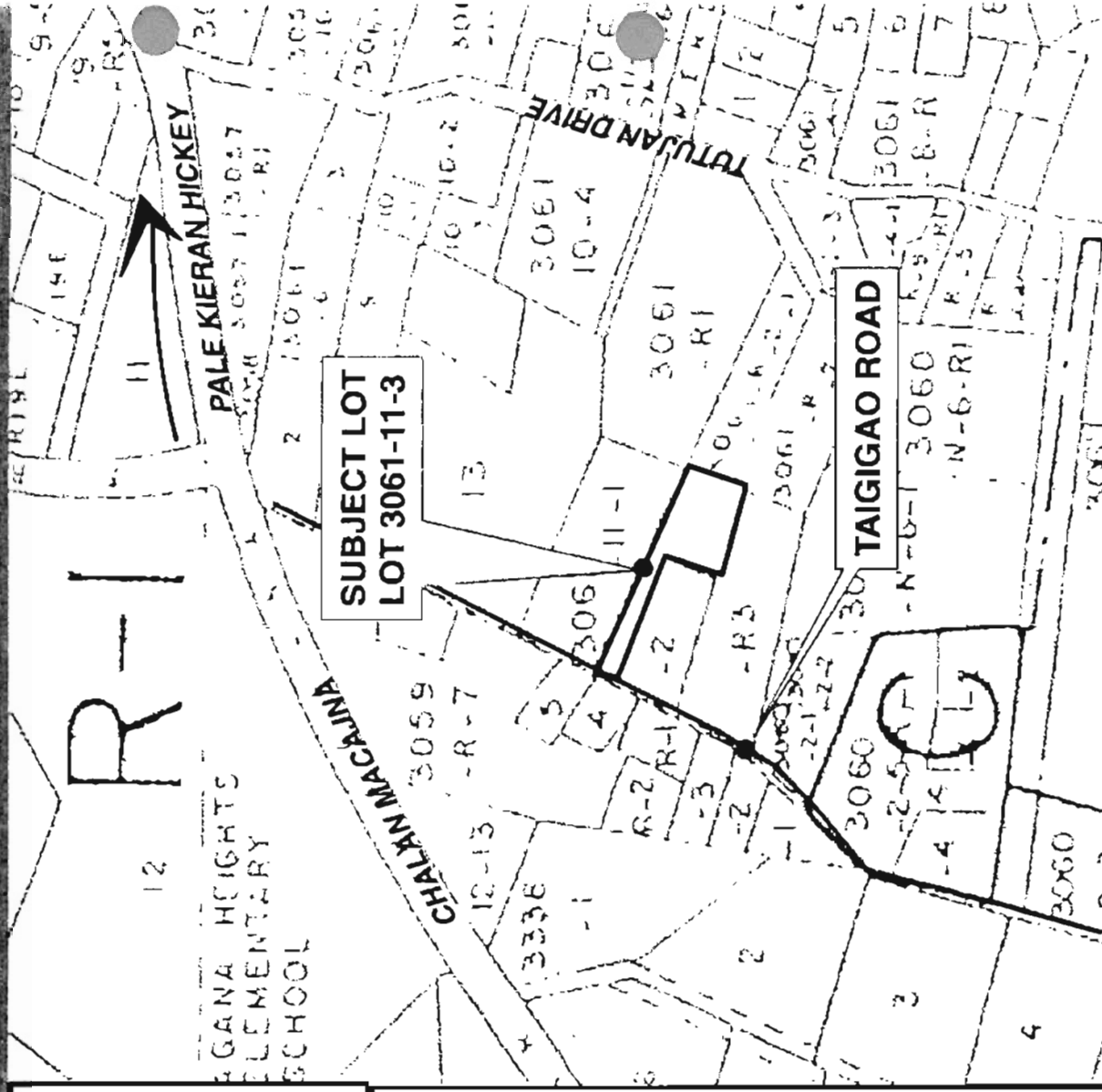




**SUMMARY ZONE CHANGE
APPLICATION NO. 2009-87
LOT 3061-11-3
MUNICIPALITY OF AGANA HEIGHTS (PAASAN)**



SPACE FOR RECORDATION



SUMMARY ZONE CHANGE
APPLICATION NO. 2009-87
MELVIN T. CRUZ
PREPARED ON OCTOBER 23, 2009

FROM: "R-1" SINGLE-FAMILY DWELLING
TO: "R-2" MULTI-FAMILY DWELLING
LOT NO: 3061-11-3
BLOCK NO. N/A
TRACT: N/A
MUNICIPALITY: AGANA HEIGHTS (PAASAN)
PLACE NAME: PAASAN
SCALE: N/A
AMENDMENT NO: 61
ZONING MAP NO: F3-67 S 34

APPROVED WITH CONDITIONS
[AS NOTED ON NOTICE OF ACTION AND
PURSUANT TO TITLE 21, GCA, CHAPTER 61,
SECTION 61639 AND EXECUTIVE ORDER 92-08]

SP CHRISTOPHER M. DUENAS DATE 11/12/09
DIRECTOR
DEPARTMENT OF LAND MANAGEMENT

November 9, 2009

To: Director, Department of Land Management

From: Guam Chief Planner

Subject: Staff Report - **Case No. SZC 2009- 87**

**Re: Summary Zone Change - Lot No. 3061-11-3,
Municipality of Agana Heights;
For Melvin T. C. Cruz**

1. PURPOSE

a. Application Summary. The applicant, Melvin T. I. Cruz, is requesting for a zone change on Lot No. 3061-11-3, Municipality of Agana Heights, from "R-1" (Single-Family) to "R-2" (Multi - Family Dwelling) Zone in order to convert an existing 2-storey residential structure into a Duplex.

b. Legal Authority. 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones, Section 61639 (Summary Procedure for Agricultural and Single Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), Public Law 21-82:4 as amended by P.L. 21-144:8.

2. FACTS:

a. Location. The subject lot is a flag lot and accessible from Chalan Macajna near the Agana Heights Multi-Purpose gym and through Taigigao Road. It is also approximately 700-800 feet east of the Mayor's office and Multi-Purpose gym (see attached vicinity map).

b. Field Description. There is an existing 2-storey structure on the lot. The topography is flat and gradually slopes at the rear of the lot. All public utilities such as sewer, water, power, telephone service connections are within 100 feet fronting the right-of- way.

c. Lot Area. 1,260 square meters or 13,565 square feet

d. Present Zoning. "R-1" (Single-Family Dwelling) Zone

e. 1967 Master Plan. Residential

f. Community Design Plan. Residential ; Medium Density

g. Surrounding Area. The surrounding area consists of single-family dwellings and a few duplexes to the north and east within 100 - 750 feet as well as a few duplexes and a tri-plex to east within Tract 203 (zoned R-2). There is a retail store (mom and pop) to the south approximately 300-400 feet that is within a commercial zone. The proposed development is conducive to the existing land use trends comprising of mix uses of single-family, multi-family and commercial activities within 500 - 750 feet radius. The proposed development is not expected to have a major impact to existing infrastructure or to immediate surroundings.

2. APPLICATION CHRONOLOGICAL FACTS.

- a. Date Application Accepted: September 10, 2009
- b. Certifications:

DPW: No Official Certification have been received from DPW as of Staff Report Date. Per Planning Staff inspection, the property is accessible from Taigigao Road and from near the Agana Heights gym. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

GWA: No Official Certification have been received from GWA as of Staff Report Date. The applicant is advised that he must apply for a building permit and comply with all GWA's requirements for any proposed construction on the subject lot. Based on a site inspection, the existing structure is connected to public sewer and have existing utility accounts with GWA.

GEPA: No Official Certification have been received from GEPA as of Staff Report Date. The applicant is advised that he must apply for a building permit and coordinate permitting requirements with all government agencies before any improvements are made on the property. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

GPA: The Authority has submitted their official certification. GPA has no objections, however, the customer is required to comply with all requirements pursuant to the National Electric Safety code and GPA's Service Rules and Regulations as noted in their official certification (attached).

(Note): Pursuant to Section 61639 (a)((1), failure to provide the Department of Land Management, from any infrastructure agency as to the availability and/or adequacy of infrastructure (water, power, sewer), within ten (10) working days from receipt of this request, shall constitute an assumption by DLM that the agency not answering the request has no objection to the rezoning.

- c. Municipal Public Hearing: Pursuant to P.L. 21-144:3, the public hearing on this zone change application has been waived and any hearing is deferred to the Mayor and the Municipal Planning Council of Agana Heights. An MPC hearing was conducted September 21, 2009, see attached MPC Resolution No. 2009-01.
- d. Municipal Planning Council (MPC) Resolution and MPC Approval: The Mayor of Agana Heights received a copy of the application for the proposed development. An MPC Resolution No. 2009-01, from the Agana Heights MPC dated September 21, 2009, approving the zone change was received by DLM on October 9, 2009.

4. **STAFF RECOMMENDATION:** Planning Staff recommends **Approval** of the Summary Zone Change request with the following conditions:
1. That the applicant comply with all permitting agency conditions and requirements;
 2. That the building construction site development plan provide detail of structure location, parking layout, landscaping plan, disposal of sewage and access; and that the site development plan be approved by the Guam Chief Planner prior to issuance of a building construction permit;
 3. That any future increase in dwelling units or use intensity from the approved site development plan shall require the owner/developer to resubmit a revised site development plan to the Guam Chief Planner, Department of Land Management for re-evaluation and re-assessment to determine physical, as well as, social impacts prior to requesting for a building permit;
 4. That said zone change under this process shall not include the following uses or conversions: Horizontal Property Regimes (Title 21, GCA Chapters 45 (Horizontal Property Act) and 47 (Time Share Ownership), hotels/motels, and residential commercial activities such as laundry room, gift shop, and the likes; and temporary workers housing facilities;
 5. That the development be hooked up to public sewer and comply with GEPA's waste-water disposal system requirements and conditions and other building permit requirements;
 6. That the applicant provide green areas using local flora for landscaping, as well as provide a trash bin location near the curb side;
 7. That the applicant provide 2:1 parking for each dwelling unit.



Carlos R. Untalan
Guam Chief Planner

November 9, 2009
Date

PCG
Attachments



MUNICIPALITY OF AGANA HEIGHTS
Mayor's Council of Guam

Konsehelon Mahot Guahan

Paul M. McDonald
Mayor

RESOLUTION NO. 2009-01

RELATIVE TO APPROVING THE REZONING OF MR. MELVIN THOMAS I. CRUZ'S PROPERTY ON LOT 3061-11-3, MUNICIPALITY OF AGANA HEIGHTS, FOR A ZONE CHANGE FROM "R-1" (SINGLE-FAMILY DWELLING) TO "R-2" (MULTI-FAMILY DWELLING) IN ORDER TO CONVERT AN EXISTING 2-STOREY STRUCTURE INTO A DUPLEX.

RECEIVED

10/9/09
Planning Div

WHEREAS, Mr. Melvin Thomas I. Cruz is a resident of the District of Agana Heights and have, over the years, contributed to the improvement and maintenance of Agana Heights as a family community; and

WHEREAS, he has appeared before the Municipal Planning Council with the desire to convert their lots into a multi-family dwelling; and

WHEREAS, the Municipal Planning Council has no objections to the rezoning of Mr. Melvin Thomas I. Cruz's property, specifically Lot 3061-11-3 "R1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) in order to convert an existing 2-storey structure into a duplex.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Planning Council of Agana Heights hereby approves of the rezoning of Lot 3061-11-3-R1, Municipality of Agana Heights, pursuant to the provisions of Public Law 21-28 and Public Law 21-144, Section 3, and hereby memorializes and recommends that the Director of Land Management and the Division of Planning, Department of Land Management, approve, as expeditiously as possible, said rezoning.

DULY ADOPTED ON THIS 21TH DAY OF SEPTEMBER, 2009, IN THE DISTRICT OF AGANA HEIGHTS.



PAUL M. MCDONALD
Chairman



JUNE O. PANGELINAN
Secretary




Ancient Latte Stones

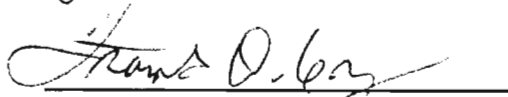
OFFICE OF THE MAYOR

P.O. Box 786, Hagåtña, Guam 96932 • Office: (671) 472-8285 / 6 / 6393 • Fax: (671) 472-6124
Email: mayormcdonald@hotmail.com

AGANA HEIGHTS MUNICIPAL PLANNING COUNCIL MEMBERS



JOSEPH B. AQUINO



FRANK D. CRUZ



FRANCISCO S. DELGADO



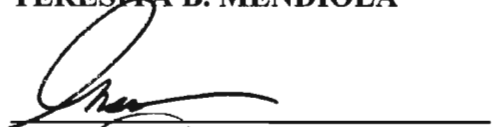
JOSEPH C. GARCIA



ANGELICA M. MENDIOLA



TERESITA B. MENDIOLA



LYSA MESA



JOAQUIN B. SANTOS



RAMON T. TOPASNA

PATERNO A. VELEZ



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

September 10, 2009

Honorable Paul M. Mc Donald
 Mayor of Agana Heights
 c/o Agana Heights Municipal Planning Council

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

Buenas Yan Hafa Adai Mayor Mc Donald:

An application has been filed with the Department of Land Management, Division of planning by:

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

Melvin Thomas I. Cruz, owner of Lot No. 3061-11-3, Municipality of Agana Heights, under Application No. SZC 2009-87, for a Zone Change from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to convert an existing residential structure into a Duplex .

E-mail Address:
d1m@mail.gov.gu

Pursuant to Public Law 21-144, Section 3 (Waiver of Formal Public Hearing), the Department of Land Management hereby waives the requirement of a formal public hearing and defers any hearing on the application to your Municipal Planning Council (the MPC).

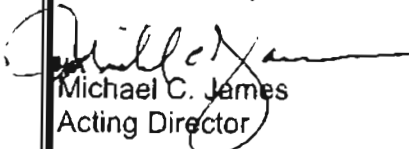
Telephone:
 671-649-LAND (5263)

Although the Department has waived the requirements of a formal public hearing, a mandatory MPC Resolution is required prior to any final action on the application. To ensure that our recommendation is consistent with the desire of your community, we request that your MPC submit a Resolution stating its position (i.e., support, objections, concerns, conditions, etc.) on the zone change. The Resolution should be transmitted within fourteen (14) days from the date of DLM filing with your office. Should you need an extension for the resolution, please give our office a call. The Resolution can be faxed to the Department at 649-5383 to the attention of Summary Zone Change Section, Land Planning.

Facsimile:
 671-649-5383

Thank you for your attention to this matter

Senseramente,


 Michael C. James
 Acting Director

PCG
 Attachment(s): Application Packet

Received By
9/10/09
12:16



DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(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

September 10, 2009

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

Honorable Paul M. Mc Donald
Mayor of Agana Heights
c/o Agana Heights Municipal Planning Council

Buenas Yan Hafa Adai Mayor Mc Donald:

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

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E-mail Address:
d1m@mail.gov.gu

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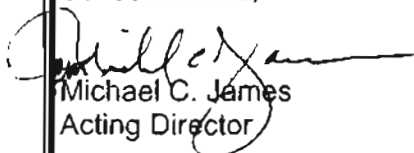
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Facsimile:
671-649-5383

Thank you for your attention to this matter

Senseramente,


Michael C. James
Acting Director

 PCG
Attachment(s): Application Packet



DIPĀTTAMENTON MINANEHAN TĀNO'
 (Department of Land Management)
GUBETNAMENTON GUĀHAN
 (Government of Guam)



FELIX P. CAMACHO
 Governor of Guam

CHRISTOPHER M. DUENAS
 Acting, Director

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

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 P.O. Box 2950
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Website:
<http://dlm.guam.gov>

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

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

September 10, 2009

To: Certification Agencies /Application Review Committee (ARC)
 From: Guam Chief Planner
 Subject: Request for Certification

Attached for your review and action is an application under Public Law 21-82, Section 4; Summary Zone Change Program.

Applicant(s): **Melvin Thomas I. Cruz**
 Application No. **SZC 2009-87**
 Project Description: To rezone the property from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to convert an existing structure into a Duplex. (Lot 3061-11-3, Municipality of Agana Heights)
 Date Received: August 3, 2009
 Date Accepted: September 10, 2009

**** Due Date for Certification: September 25, 2009**
 (Public Law 21-144, Section 8(b)(A)(1))

Certification must be directed to Director, Department of Land Management, Division of Planning. If you have any questions, please call 649-5385 ext 352 or 649-390, and ask for Penmer C. Gulac, the assigned case planner.

Thank You.



Carlos R. Untalan
 Guam Chief Planner

PCG
 Attachment: as noted

SUMMARY ZONE CHANGE

(P. L. 21-82:4 Short Form as Amended by P.L. 21-144:8)

TO: Director, Department of Land Management
c/o Division of Land Planning
Government of Guam
P.O. Box 2950, Hagatna, Guam 96932

RECEIVED

8-30-09

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a Zone Change.

1. Information on Applicant:

Name of Applicant: Melvin Thomas Ignacio Cruz U.S. Citizen: [X] Yes [] No

Mailing Address: 203B Tutujan Dr. Agana Heights, GU. 96910

Telephone No.: Business: 687-5707 Home: 477-6733

2. Location, Description and Ownership: (NOTE: The maximum lot cannot exceed two (2) acres or 8,093.743 square meters or 87,120 square feet, gross area.)

Subdivision Name:

Lot(s): 3061-11-3 Block: N/A Tract: N/A

Lot Area: Acres: 0.311355 Square Meters: 1,260 Square Feet: 13,562.64

Village: Agana Heights Municipality: Sinajana

Registered Owner(s): Melvin Thomas Ignacio Cruz and Herminia Ignacio Cruz

Certificate of Title No.: 84171 Recorded Document No.: 287965

Deed (Gift, Warranty, etc.): Deed Deed Document No.: 772909

3. Current and Proposed Land Use:

Current Use: Existing five (5) bedrooms Current Zoned: R1

Proposed Use: Duplex two (2) bathrooms. Proposed Zone: R2

4. Justification Letter: Attach a typed, brief and concise justification (letter format if possible) explaining your intentions and purpose of the Zone Change. Your letter should be addressed to the Director of Land Management.

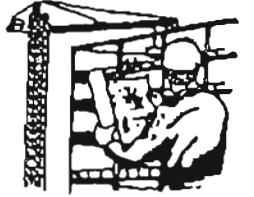
5. Support Information. The following information shall be attached to this application:

b. A map, drawn to scale, showing existing zoning within 1000 feet radius and all parcels and their uses within 750 feet radius from the subject lot boundaries. The map shall contain:

- (6) Lot number for every parcel(s);
(7) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
(8) All adjacent easements and roads leading to, and serving property, their widths, and condition of surfaces;
(9) The nearest location of all public utilities to the subject lot; and
(10) Show any/all features of property such as flat/hilly terrain, flood hazard, etc.



BUILDING SAFETY IS NO ACCIDENT



OFFICE OF BUILDING PERMITS & INSPECTION

TERRITORY OF GUAM

BUILDING PERMIT

DATE JUNE 8, 2009 PERMIT NO. 1109-00006

APPLICANT RGT CONSTRUCTION ADDRESS 218' VSA BELMONT ST. Dededo, GU 96929 CONTR'S LIC. 7857

PERMIT TO ADD NO. () STORY PROPOSED USE RESIDENTIAL NO. UNITS 2

LOCATION AGANA HEIGHTS ZONING DISTRICT _____

BETWEEN _____ AND _____

TRACT _____ LOT 3061-11-3 BLOCK _____

BUILDING IS TO BE USED 12.66 FT. WIDE BY 24 FT. LONG BY 8 FT. HEIGHT

TYPE II USE GROUP R3 BASEMENT WALLS OR FOUNDATION CONCRETE

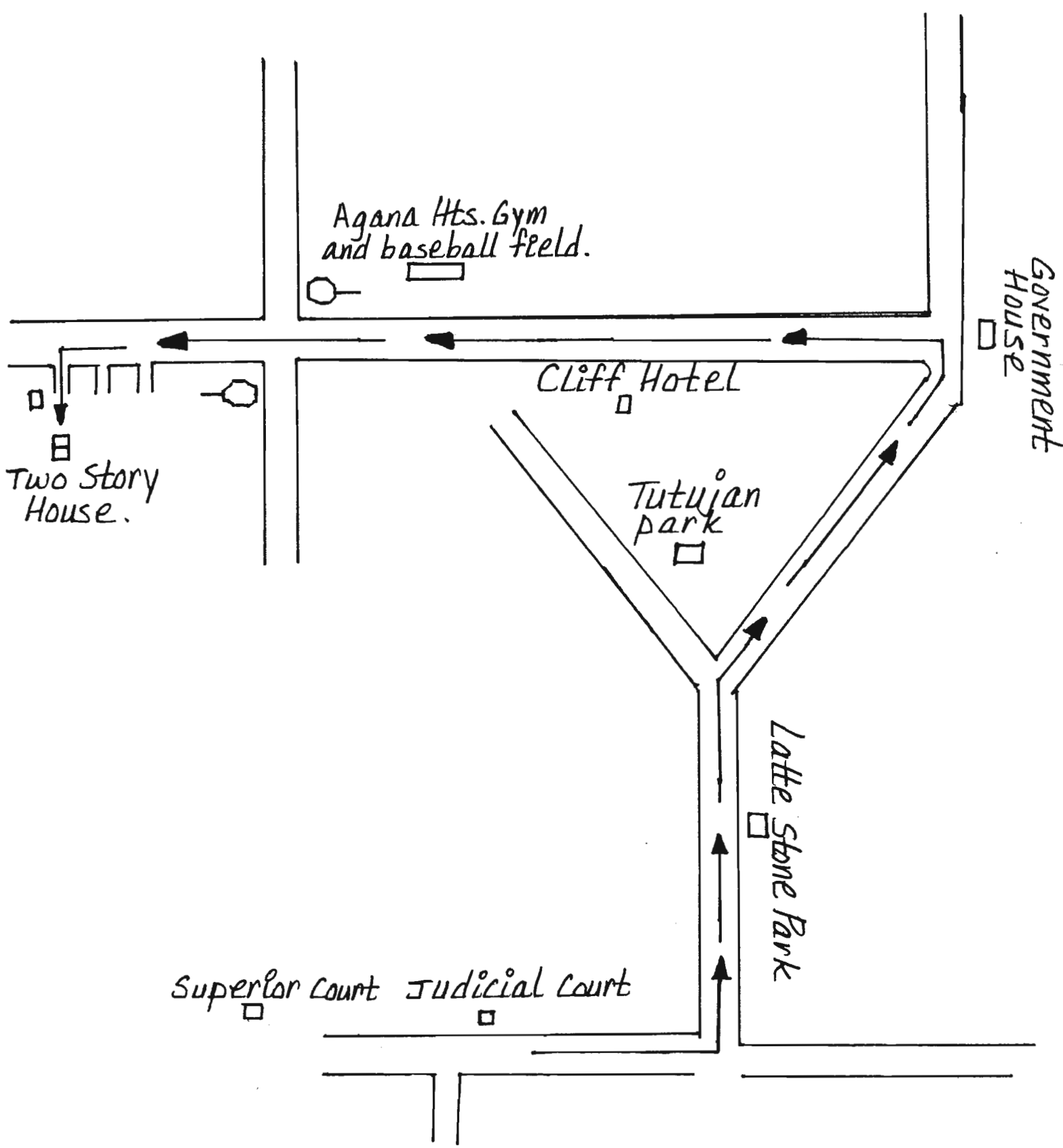
REMARKS TWO BEDROOM ADDITION

AREA OR VOLUME 303.84 SF COST \$ 23,600.00 PERMIT FEE \$ 253.50

OWNER MELVIN CRUZ BUILDING OFFICIAL _____

ADDRESS 203 TUTUJAN DRIVE
AGANA HEIGHTS
GU 96910
(JESUS Q. NINETE, SR.)

BUILDING PERMIT SHALL EXPIRE IF THE WORK AUTHORIZED IS NOT COMMENCED WITHIN THREE(3) MONTHS OR IS SUSPENDED OR ABANDONED FOR A PERIOD OF THREE (3) MONTHS AFTER WORK HAS BEEN COMMENCED.



RECORDER'S)
)
 OFFICE)
)
 DEPARTMENT) **Island of Guam, Government of Guam**
) **Department of Land Management Office of the Recorder**
)
 OF) **File for Record is Instrument No. 772909**
)
 LAND) **On the Year 08 Month 5 Day 7 Time 10:23**
)
 MANAGEMENT) **Recording Fee 25 Receipt No. _____**
)
 GOVERNMENT) **Deputy Recorder Victoria C. Torres**
) **VICTORIA C. TORRES**
 OF)
)
 GUAM)

DEED OF GIFT WITH RESERVATION OF LIFE ESTATE

This Deed of Gift, made and entered this 16th day of ~~September~~ ^{October}, 2007, between PEDRO C. CRUZ (SSN: XXX-XX-3978), whose mailing address is 160 Calle J.L. Blas Ct., Dededo, Guam, 96929 hereinafter referred to as "Grantor", and HERMINIA I. CRUZ (SSN: XXX-XX-8903), whose mailing address is 160 Taigigao Road, Agana Heights, Guam, 96910, and MELVIN I. CRUZ (XXX-XX-0594), whose mailing address is 203 Tutujan Drive, Agana Heights, Guam, 96910, hereinafter referred to as "Grantees".

WITNESSETH, that the Grantor, on consideration of love and affection for the Grantees, does hereby remise, release, and quitclaim into the Grantees, the heirs, successors and assigns of the Grantees forever, subject to reservation of a Life Estate in Pedro C. Cruz, Grantor.

Whatever interest Grantor may have, if any, in all that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being:

PARCEL II: LOT NO. 3061-11-3, AGANA HEIGHTS, GUAM, ESTATE NO. 64524, SUBURBAN, as said lot is marked and designated on Map Drawing No. RRV76-70 (LM #219FY77), recorded under Instrument No. 287965, in the Department of Land Management, Government of Guam.

The following is shown for information purposes only: Said map shows the area to be: 1,260 + or - square meters; Certificate of Title No. 84171 issued to Pedro C. Cruz.

DEED OF GIFT WITH RESERVATION OF LIFE ESTATE

Page 2

Grantor shall have and hold the fee interest in the described property, together with the tenements, hereditaments, and appurtenances belonging to the property, and its rents, issues, and profits, for the natural life of Grantor.

Grantee is owner of the remainder interest in the property.

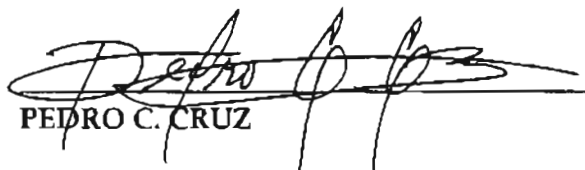
TOGETHER with all right, title, and interest, if any of the Grantor in and to any streets and roads abutting the above described premises to the center line thereof, together with the appurtenances and all the estate and rights of the Grantor in and to said premises. Water, power, and sewer are available on the premises.

TO HAVE AND TO HOLD the premises herein granted unto the Grantees the heir or successor and assigns of the Grantees forever, subject to the above conditions.

IN WITNESS WHEREOF, GRANTOR has duly executed this deed the day and year first written above.

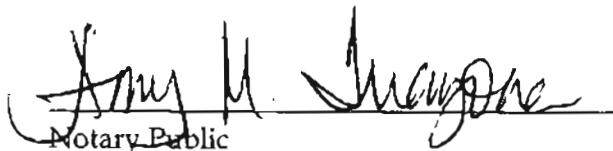


GRANTOR:


PEDRO C. CRUZ

GUAM, U.S.A.) ss:

On this 16th day of February 2007, before me, the undersigned notary personally appeared, Pedro C. Cruz, the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.


Notary Public

DEED OF GIFT WITH RESERVATION OF LIFE ESTATE

Page 3

GRANTEE:

Herminia I. Cruz
HERMINIA I. CRUZ

GUAM, U.S.A.) ss:

On this 25th day of Oct., 2007, before me, the undersigned notary personally appeared, Herminia I. Cruz, the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Anjanette S.N. Gibbons
Notary Public

ANJANETTE S.N. GIBBONS
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: June 24, 2009
111 Chalan Santo Papa
Hagatna, Guam 96910

GRANTEE:

Melvin I. Cruz
MELVIN I. CRUZ

GUAM, U.S.A.) ss:

On this 25th day of Oct., 2007, before me, the undersigned notary personally appeared, Melvin I. Cruz, the person whose name is signed on the preceding or attached document, and acknowledged to me that he she signed it voluntarily for its stated purpose.

Anjanette S.N. Gibbons
Notary Public

ANJANETTE S.N. GIBBONS
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: June 24, 2009
111 Chalan Santo Papa
Hagatna, Guam 96910

RECORDER'S)
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OFFICE)
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DEPARTMENT)
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OF)
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LAND)
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MANAGEMENT)
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GOVERNMENT)
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OF)
)
GUAM)

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

772911

File for Record is Instrument No. _____

On the Year 08 Month 5 Day 7 Time 10:33

Recording Fee 25 Receipt No. 08933318

Deputy Recorder Victoria C. Torres

VICTORIA C. TORRES

AFFIDAVIT OF TRANSFEREE

I, MELVIN I. CRUZ, depose and state:

1. I am a married man, whose mailing address is 203 Tutujan Drive, Agana, Heights, Guam, 96910.

I am the transferee of the real property described as:

PARCEL 1: Lot No. 3061-11-3, AGANA HEIGHTS, GUAM, ESTATE NO. 64524, SUBURBAN, as said lot is marked and designated on Map Drawing No. RRV76-70 (LM# 219FY77), recorded under Instrument No. 287965, in the Department of Land Management, Government of Guam.

The following is shown for information purposes only: Said map shows the area to be: 1,260 + or - square meters; Certificate of Title No. 84171 issued to Pedro C. Cruz.

- 2. I am married to AURORA M. CRUZ.
- 3. I am taking the above-described property as my separate property.

////

AFFIDAVIT OF TRANSFEREE

Page 2

////

4. I make this affidavit pursuant to Title 21, Guam Code Annotated.
5. The above-described property was transferred to me by way of Deed of Gift by PEDRO C. CRUZ, as my sole and separate property.

Dated: Oct. 25, 2007

Melvin I. Cruz
MELVIN I. CRUZ

GUAM U.S.A.) ss:

On this 25th day of October, 2007, before me, the undersigned notary personally appeared, Melvin I. Cruz, the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Anjanette S.N. Gibbons
Notary Public

ANJANETTE S.N. GIBBONS
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: June 24, 2009
111 Chalan Santo Papa
Hagatna, Guam 96910

RECORDER'S)
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OFFICE)
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DEPARTMENT)
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OF)
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LAND)
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MANAGEMENT)
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GOVERNMENT)
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OF)
)
GUAM)

Island of Guam, Government of Guam
Department of Land Management Office of the Recorder
File for Record is instrument No. 772910
On the Year 08 Month 5 Day 7 Time 10:30
Recording Fee 25- Receipt No. _____
Deputy Recorder Victoria C. Torres
VICTORIA C. TORRES

AFFIDAVIT OF TRANSFEREE

I, HERMINIA I. CRUZ, depose and state:

1. I am a married woman, whose mailing address is 160 Taigigao Road, Agana, Heights, Guam, 96910.

I am the transferee of the real property described as:

PARCEL 1: Lot No. 3061-11-3, AGANA HEIGHTS, GUAM, ESTATE NO. 64524, SUBURBAN, as said lot is marked and designated on Map Drawing No. RRV76-70 (LM# 219FY77), recorded under Instrument No. 287965, in the Department of Land Management, Government of Guam.

The following is shown for information purposes only: Said map shows the area to be: 1,260 + or - square meters; Certificate of Title No. 84171 issued to Pedro C. Cruz.

- 2. I am married to PEDRO C. CRUZ.
- 3. I am taking the above-described property as my separate property.

////

AFFIDAVIT OF TRANSFEREE

Page 2

////

4. I make this affidavit pursuant to Title 21, Guam Code Annotated.
5. The above-described property was transferred to me by way of Deed of Gift by PEDRO C. CRUZ, as my sole and separate property.

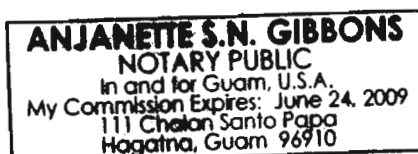
Dated: Oct. 25, 2007

Herminia I. Cruz
HERMINIA I. CRUZ

GUAM U.S.A.) ss:

On this 25th day of October, 2007, before me, the undersigned notary personally appeared, *Herminia I. Cruz*, the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Anjanette S.N. Gibbons
Notary Public



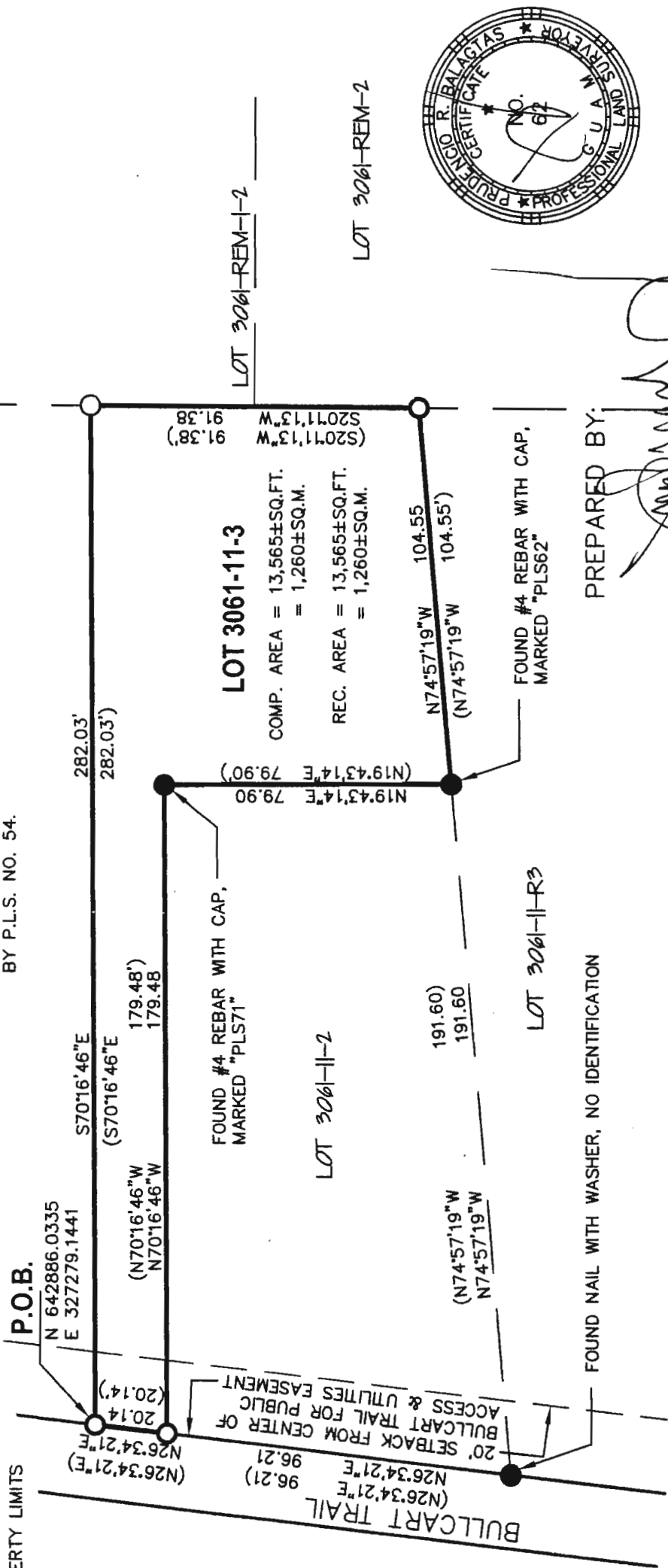
LEGEND

- ▲ FOUND 1993 GGN REFERENCE MONUMENT
- FOUND MONUMENT AS NOTED
- SET #4 REBAR WITH CAP MARKED "PLS62"
- SUBJECT PROPERTY LIMITS
- PROPERTY LINE
- RIGHT OF WAY



NOTES

1. HORIZONTAL CONTROL WAS BASED ON FOUND PROPERTY CORNERS AND 1993 GUAM GEODETIC NETWORK.
2. ALL DISTANCES ARE IN FEET & DECIMALS THEREOF.
3. FIELD WORK WAS DONE IN JULY, 2009.
4. REFERENCE NO. 1: DOC. NO. 287965, L.M. NO. 219-FY77, BY P.L.S. NO. 54.

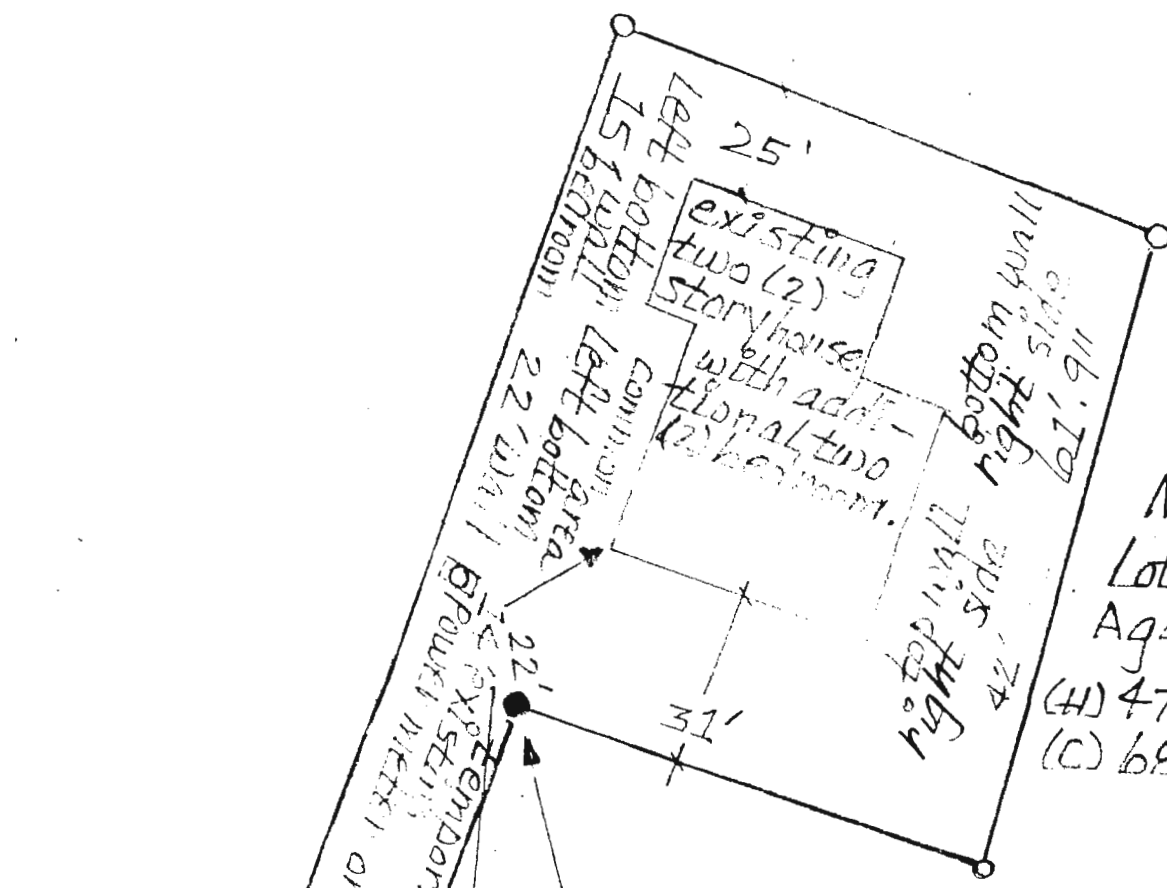


PREPARED BY: *[Signature]*
 PRUDENCIO R. BALAGTAS DATE
 PROFESSIONAL LAND SURVEYOR # 62

**BOUNDARY SURVEY OF
 LOT 3061-11-3,
 MUNICIPALITY OF SINAJANA, GUAM**

PRUDENCIO R. BALAGTAS & ASSOC., INC.
 PRUDENCIO R. BALAGTAS, P.L.S. #62
 LAND SURVEYING-TOPOGRAPHIC-GPS-ALTA/ACSM
 P.O. BOX 6216, TAMUNING, GU 96931
 637-2042 (VOICE) 637-2041 (FAX)
 surveyor@kuentos.guam.net

DWG.# : 2009112-01RELO.DWG
 PROJ.#: PRB 2009-112

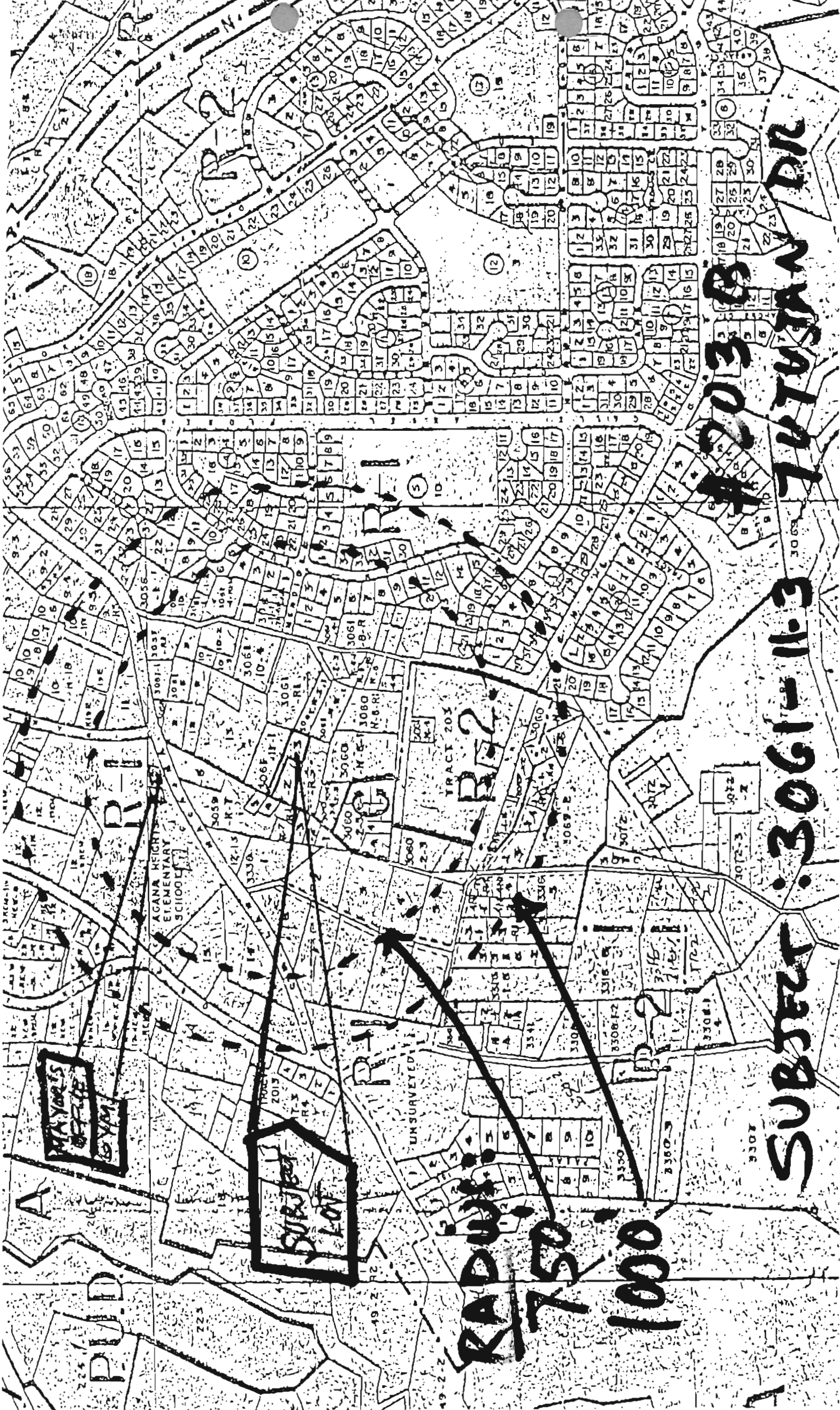


Melvin T. Cruz
 Lot 3061.11.3
 Agana Heights
 (H) 477-6733
 (C) 687-5707

Legend

- #4 rebar with cap marked "PLS 71" to power meter is 22'
- From power meter to bullcart trail (setback) is 182'
- Power meter is attached to a 40' container as a temporary hook up due to typhoon.

Bullcart Trail
 Tamago Re. Trail



747 TUGGAN DR

#2038

3061-163

SUBJECT

SUBJECT

750

1000

MAYOR'S OFFICE

**AGANA HEIGHTS
ELEMENTARY
SCHOOL**

TRACT 203

UNSURVEYED

3066

3360-3

3350

3308-12

3308

3541

3316-2

3316-1

3308-11

3308-10

3308-9

3308-8

3308-7

3308-6

3308-5

3308-4

3308-3

3308-2

3308-1

3308

3307

3306

3305

3304

3303

3302

3301

3300

3299

3298

3297

3296

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3293

3292

3291

3290

3289



SUBJECT: 3061-163

#2038 TAYLOR DR

MAYOR'S OFFICE & GYM

ACANA HEIGHTS ELEMENTARY SCHOOL

SUBJECT LOT

UNSURVEYED

GIRLS

BOYS



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

October 21, 2009

MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager, Guam Power Authority

Subject: Lot 3061-11-3, Municipality of Agana Heights, (Melvin Thomas I. Cruz);
Summary Zone Change Application to convert an existing structure into a
Duplex. **Application No. SZC 2009-87**

RECEIVED
NOV 11 2009

Department of Land Management
Time 9:55 AM

P-11/04/09
RMLH
PAGES TO
CASE PLAN

Guam Power Authority has reviewed the application described above and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

- GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements
 - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection
 - Provide scheduling and magnitude of project power demand requirements for new loads
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials
- Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
- A "fair share" assessment for power generation, transmission and/or substation facilities may be required.

B. General Comments

GPA has no objection to the request subject to the conditions cited above.


JOAQUIN C. FLORES, P.E.

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: Melvin Thomas I. Cruz

Location: Lot 3061-11-3, Agana Heights

Type of Application: Summary Zone Change

GLUC/GSPC Application No. SZC 2009- 87

Brief Project Description:

Summary Zone Change to convert an existing structure into a Duplex.

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:

Yes No


2. If the answer to #1 above is YES, then:
I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:

Yes No

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

Services, Facilities and Infrastructure Needed	Cost of Upgrades	Funds Available	Date Available	Funds Identified
Please see comments below				

I hereby certify that the foregoing is true and correct to the best of my knowledge.

JRC

 JOAQUIN C. FLORES, P.E.
 General Manager

10/22/09
 Date

Comments:

Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. GPA will be responsible for performing the work. The applicant will be responsible for the minimum cost of upgrading the line (less projected revenue) if submitted plans indicate additional capacity is required.

2917

2917

APPROVED BY AND SATISFACTORY TO:

REGINA FLORES CRUZ DATE

VICENTE FLORES CRUZ DATE

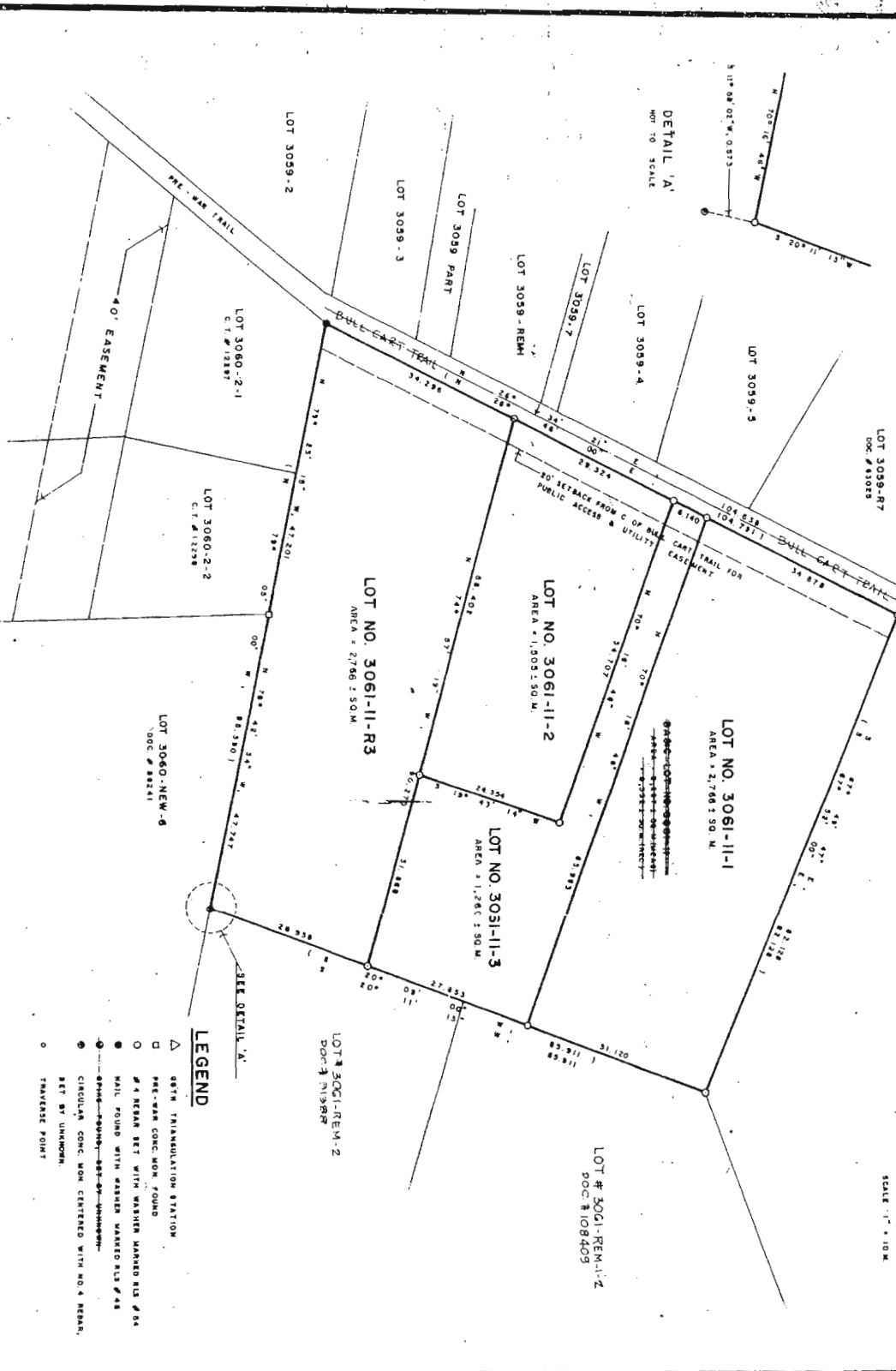
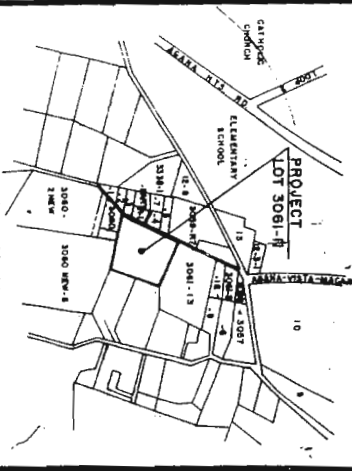
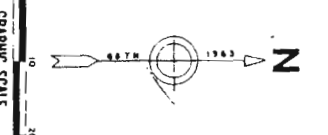
MOSARDO CRUZ BLAS DATE

DATE

DATE

GGTN AH 4
N 43.150 3.07
E 49.324 0.44
POB
N 48.923.701
E 49.672.705
DOC. # 43.023
LOT 3059-87
DOC. # 43.023

RECORDED IN BOOK 281965
REGISTRATION NUMBER 192
AS RECORDED IN BOOK 93235
RECORDING REG. # 10688 S. 93235



- LEGEND
- Δ GDTM TRIANGULATION STATION
 - ◻ PRE-WAR CONC. MON. FOUND
 - 4/4 REBAR SET WITH WAGON MARKED 104 & 68
 - NAIL FOUND WITH WAGON MARKED 104 & 68
 - SHUTE-POINTS
 - CIRCULAR CONC. MON. CENTERED WITH NO. 6 REBAR, SET BY UNKNOWN
 - TRAVERSE POINT

NOTES

1. SURVEY WAS MADE ON FOUND CORNERS AS SHOWN
2. ALL DISTANCES ARE IN METERS, USM
3. BEARINGS AND DISTANCES IN PARENTHESES ARE RECORD, ALL OTHERS ARE MEASURED (1:823 VALUES)

REFERENCES

1. SEE MAP 098 NO. 152 (A.889.441), PREPARED BY A.L.S. P.8
2. MAP 068 NO. 15781, PREPARED BY A.L.S. P.2, DOC. # 43461
3. MAP 068 NO. 15781, P.L.M. # 074.2774 995 & 225862

DECLARATION OF THE SURVEYOR

I, ROBERTO R. VENTURA, A REGISTERED LAND SURVEYOR IN THE MUNICIPALITY OF SINALUA, AGUASCALIENTES, STATE OF COAHUILA DE ZARAGOZA, MEXICO, DO HEREBY CERTIFY THAT I HAVE PERSONALLY CONDUCTED THE SURVEY, AND THAT THE DATA AND INFORMATION CONTAINED IN THIS PLAN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNED AND SWORN TO before me this 14th day of February, 2019.

ROBERTO R. VENTURA
REGISTERED LAND SURVEYOR NO. 219

PARCELLING SURVEY
OF
LOT NO. 3061-11
AGANA HEIGHTS, MUNICIPALITY OF SINALUA

AREA	NO.	DATE	REMARKS
3061-11	11	2019-02-14	PARCELLING SURVEY

AGANA HEIGHTS, MUNICIPALITY OF SINALUA

SEE PLAN

219

RVV76-70

ROBERTO R. VENTURA
REGISTERED LAND SURVEYOR NO. 219

219-FV77

2917