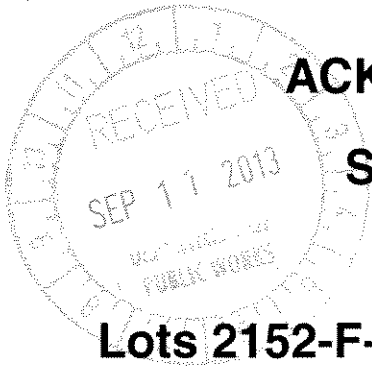


32-13-773



ACKNOWLEDGEMENT OF RECEIPT

Summary Zone Change Packet

for

Lots 2152-F-RNEW-2NEW-2 & 2152-F-RNEW-2NEW-3
Municipality of Tamuning

Legislature 2

Hayden Corporation Inc. & Hang Chieng Tan

Application No. 2011-56

2013 SEP 12 AM 8:33 AM

Legislative Secretary
32nd Guam Legislature

Signature: *Elaine McDonald*
Name (Print): Elaine McDonald
Date: 9-11-13
Time: 3:43 pm

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

Signature: *[Signature]*
Name (Print): Polyn Aguirre
Date: 9/11/13
Time: 2:10pm

FOR RECORDATION ONLY:
Deputy Civil Registrar

[]

Building Permit/Building Official
Department of Public Works

Signature: *[Signature]*
Name (Print): Joseph D. Guerrero
Date: 9-11-13

Note: See Zone Change Amendment Map Recorded No. 2011-56

THIS SECTION IS NOT APPLICABLE
SEE NOTICE OF ACTION (NOA)

Received by: [Signature]
Date: 9/11/13
Time: 3:52pm

Applicant's Name(s)

Hayden Corp. Inc. & Hang Chieng Tan

Signature of Application or Authorize Representative



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



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

EDDIE BAZA CALVO
 Governor

MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor

DAVID V. CAMACHO
 Deputy Director

July 8, 2013

Honorable Senator Tina Rose Muna-Barnes
 Legislative Secretary, 32th Guam Legislature
 155 Hessler Place
 Hagåtña, Guam 96932

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

Re: **Summary Zone Change Application No. SZC 2011-56**
Lots 2152-F-RNEW-2NEW-2 & 2152-F-RNEW-2NEW-3,
Municipality of Tamuning;
for Hayden Corporation, Inc., & Hang Chieng Tan

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

Buenas Yan Hafa Adai, Honorable Senator Tina Muna-Barnes:

E-mail Address:
dlmdir@dlm.guam.gov

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 **Lots 2152-F-RNEW-2NEW-2 & 2152-F-RNEW-2NEW-3, Municipality Tamuning from "R-1" (Single - Family Dwelling) to "R-2" (Multi - Family Dwelling) Zone** in order to allow construction of a residential Duplex on each lot for affordable housing rentals for the community.

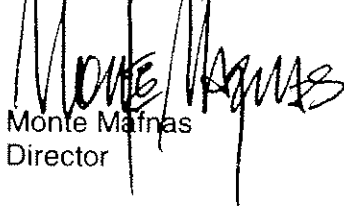
Telephone:
 671-649-LAND (5263)

As such, I have **APPROVED WITH CONDITIONS** the Zone Change.

Your expeditious response on this action is greatly appreciated.

Facsimile:
 671-649-5383

Senseramente,


 Monte Mafnas
 Director

PCG
 w/Attachment(s):

1. Staff Report and Notice of Action
2. Certifications of Utility Agencies/Application Review Committee (ARC)
3. Zone Change Application with supporting documents
4. Amendment Map No. 82 ; Zoning Map No. F3 67 S36





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



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

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MONTE MAFNAS
Director

DAVID V. CAMACHO
Deputy Director

July 5, 2013

MEMORANDUM

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

TO: Director
FROM: Guam Chief Planner (Acting)

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

SUBJECT: **SZC Application No. 2011-56;** Hayden Corporation, Inc.,
& Hang Chieng Tan

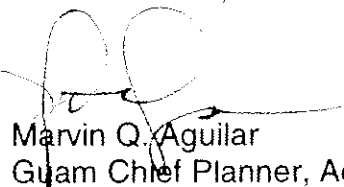
Buenas Yan Hafa Adai:

Submitted is the SZC Packet for your review and action.

I have reviewed the Application and concur with the recommendations of the Case Planner and the Panel of Senior Planners for approval with conditions.

I am available should you have additional questions or need further clarification.

Senseramente,

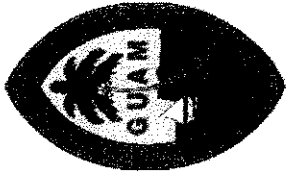

Marvin Q. Aguilar
Guam Chief Planner, Acting

Cc: SZC Mastefile
pcg

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

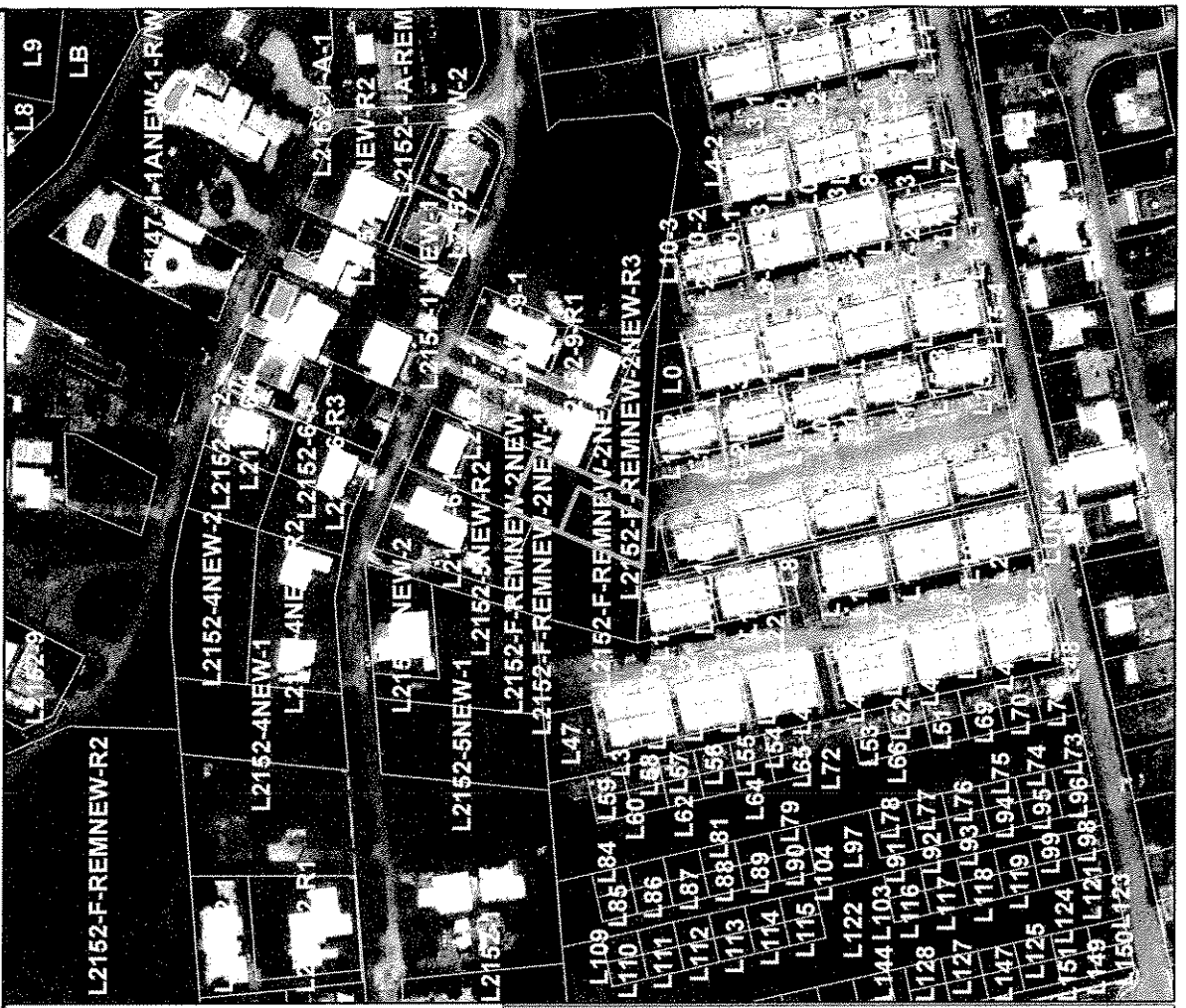




**SUMMARY ZONE CHANGE
APPLICATION NO: 2011-56
LOT 2152-F-RNEW-2NEW-2 and 2152-F-RNEW-2NEW-3
MUNICIPALITY OF TAMUNING**

Legs later 2

COPY



Space for Recordation
Land of Guam, Government of Guam
Department of Land Management Office of the Recorder

for Record is Instrument No. 853699
in the Year 12 Month 07 Day 08 Time 12:34

Recording Fee DE-OFFICIO Receipt No. _____
Deputy Recorder [Signature]

Approved with Conditions
(As noted on Notice of Action
and Prusuant to Title 21, GCA,
Chapter 61 Section 61639 and
Executive Order 92-08)

[Signature] Date _____
MONTE MAFNAS
Director
Department of Land Management

SUMMARY ZONE CHANGE
APPLICATION NO.: 2011-56
APPLICANT: HAYDEN CORPORATION,
INC. and HANG CHIENG TAN
PREPARED ON JUNE 25, 2013
FROM: "R-1" (SINGLE FAMILY DWELLING
TO: "R-2" (MULTI-FAMILY DWELLING)
LOT: 2152-F-RNEW-2NEW-2
and 2152-F-RNEW-2NEW-3
BLOCK: N/A
TRACT: N/A
MUNICIPALITY: TAMUNING
PLACE NAME: N/A
SCALE: N/A
AMENDMENT NO.: A-82
ZONING MAP NO.: F3-67S36

(Space above for Recordation)

SUMMARY ZONE CHANGE

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

NOTICE OF ACTION

June 24, 2013
Preparation Date

To: Hayden Corporation, Inc., & Hang Chieng Tan
Represented by Harry D. Gutierrez,
Consultant
#119 Gutierrez Way
Agana Heights, Guam 96910

Application No. 2011-56

The Director of Land Management Pursuant to 21 Guam Code Annotated, Chapter 61, (Zoning Law), Part 3 (Changes of Zone), §61639 (Summary Procedures for Agricultural and Residential rezoning), and Executive Order No. 92-08:

DEPARTMENT ACTION

N/A / APPROVED

XX / APPROVED WITH
CONDITIONS

N/A / Disapproved

ZONE CHANGE REQUEST

NA / From "A" (RURAL/AGRICULTURAL) TO
"R-1" SINGLE-FAMILY

N/A / FROM "A" (RURAL/AGRICULTURAL) TO
"R-2" MULTI-FAMILY DWELLING

XX / FROM "R-1" (SINGLE-FAMILY DWELLING) TO
"R-2" MULTI-FAMILY DWELLING IN ORDER TO
ALLOW CONSTRUCTION OF A DUPLEX ON
EACH LOT FOR AFFORDABLE HOUSING
RENTALS.

[Lots 2152-F-RNEW-2NEW-2 & 2152-F-NEW-
2NEW-3, Municipality of Tamuning]

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

APPLICATION NO. 2011-56

**Hayden Corporation, Inc., & Hang Chieng Tan
Represented by Harry D. Gutierrez, Consultant
Lots 2152-F-RNEW—2NEW-2 &, 2152-F-RNEW-2NEW-3,
Municipality of Tamuning
Date of Preparation of NOA: June 24, 2013
Page 2 of 6**

1. APPLICATION SUMMARY: Hayden Corporation, Inc., & Hang Chieng Tan the owner, request approval for rezoning of Lots Lots 2152-F-RNEW—2NEW-2 &, 2152-F-RNEW-2NEW-3, Municipality of Tamuning, from “R-1” (Single-Family Dwelling) to “R-2” (Multi-Family Dwelling) Zone in order to allow construction of a residential duplex on each lot for affordable housing rentals.

2. JUSTIFICATION: The criteria of PUBLIC NECESSITY, CONVENIENCE and GENERAL WELFARE AND SAFETY must be justified.

PUBLIC NECESSITY and CONVENIENCE

The requested zone change is from “R-1 to “R-2” for the purpose of construction of allow construction of a residential duplex on each lot for affordable housing rentals for for the community. In this regard, applicants have cited primary purpose for residential uses for the community. One primary purpose of this program (Summary Zone Change) is to allow the property owners to rezone their properties in order to utilize their property in a manner that enhances their livability or livelihood and also to provide residential rentals/housing for area residents and the community.

We find that the rezoning is required in order for the Applicants to realize future project development and improvements of the subject lots for increase in density for rentals to the general public.

GENERAL WELFARE AND SAFETY

We have concluded our site inspection and did physically find that water, power, sewer, roadways and other utilities are existing and available near the project site. Guam Waterworks and Authority, Guam Power Authority with no objections, and Bureau of Plans & Statistics (objection with recommendations). While we have not received certifications from Guam EPA and Department of Public Works, we note that water, sewer and power connections are available and located very near the property. It will be obvious that during the permitting phase, that requirements for water and sewer connections will be required for the propose development and applicants/owners are to ensure a safe environment for the applicants and the adjacent neighbors.

Relative to the rezoning action, we found of no objections from the neighbors and or immediate lotowners to construct and provide affordable housing rentals for the community of Guam

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

APPLICATION NO. 2011-56

**Hayden Corporation, Inc., & Hang Chieng Tan
Represented by Harry D. Gutierrez, Consultant
Lots 2152-F-RNEW—2NEW-2 & 2152-F-RNEW-2NEW-3,
Municipality of Tamuning
Date of Preparation of NOA: June 24, 2013
Page 3 of 6**

Therefore, it is our conclusion that the criteria as cited above has been satisfied.

CONDITIONS OF APPROVAL: Applicant(s) shall:

- 1. Comply with all permitting Agency Conditions and requirements; and**
- 2. That Building construction Site Development Plan shall show details of structure location, parking layout, landscaping plan, sewage disposal type and connection; and further, that a copy of the floor plans shall be submitted to the Guam Chief Planner; and**
- 3. That any future increase in dwelling units or on the "intensity of use" from the approved revised plans shall require the Applicant to resubmit a new request and the proposed new Site Development Plan to the Chief Planner, Land Management for his reevaluation; and**
- 4. That such reevaluation may include another review by the appropriate Application Review Committee Agency and/or by the Municipal Planning Council to determine the physical, social and environmental impacts of the revised changes; and**
- 5. That under this Zone Change process, it shall not include conversions to: HORIZONTAL PROPERTY REGIMES (under 21 GCA, Chapters 45); TIME SHARE OWNERSHIP (under 21 GCA, Chapter 47); HOTELS/MOTELS; and RESIDENTIAL COMMERCIAL ACTIVITIES SUCH AS LAUNDRY ROOMS, GIFT SHOPS, AND THE LIKE; and TEMPORARY WORKFORCE HOUSING FACILITIES; and**
- 6. That the development be hooked up to public sewer and comply with GEPA's wastewater disposal system requirements and conditions; and**
- 7. That the Development shall be serviced with a Government approved Trash Receptacle; and**
- 8. That each dwelling unit constructed shall be provided 2-parking.**

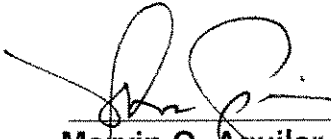
**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

APPLICATION NO. 2011-56

**Hayden Corporation, Inc., & Hang Chieng Tan
Represented by Harry D. Gutierrez, Consultant
Lots 2152-F-RNEW—2NEW-2 & 2152-F-RNEW-2NEW-3,
Municipality of Tamuning**

Date of Preparation of NOA: June 24, 2013

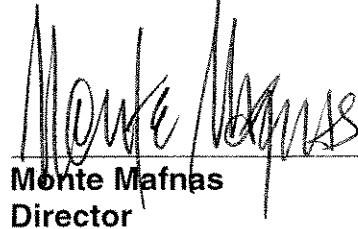
Page 4 of 6



Marvin Q. Aguilar
Guam Chief Planner, Acting

July 5, 2013

Date



Monte Mafnas
Director

7-8-13

Date

ATTACHMENTS

Cc: Building Permits Section, DPW (Attn: Bldg Official)
Real Property Tax Division, Department of Revenue and Taxation

f Case Planner/Project : Penmer C. Gulac

NOTICE OF ACTION
SUMMARY ZONE CHANGE

APPLICATION NO. 2011-56

Hayden Corporation, Inc., & Hang Chieng Tan
Represented by Harry D. Gutierrez, Consultant
Lots 2152-F-RNEW—2NEW-2 &, 2152-F-RNEW-2NEW-3,
Municipality of Tamuning
Date of Preparation of NOA: June 24, 2013
Page 5 of 6

CERTIFICATION OF UNDERSTANDING AND AGREEMENT

I/We _____,
(Applicant [Please print name])

HARRY GUTIERREZ
(Representative [Please print name])

I/We _____
(Applicant [Please print name])

Understand and accept the Conditions cited above; and further agree to adhere to all of said Conditions made a part of and/or attached to this Notice of Action as approved by the Director of the Department of Land Management. I/We, acknowledged receipt of this Notice of Action.

I/WE, acknowledged that this Zone Change Approval does not constitute automatic approval or guarantee the issuance of any "**PERMITS**" for the construction of the proposed Development or issuance of any "**LICENSE**" for rentals or leases. I/We further understand that the issuance of any required "**PERMITS**" or "**LICENSE**" shall be contingent on the availability and/or adequacy of infrastructure in the area. Such infrastructure availability and/or adequacy shall be as determined by the appropriate and responsible mandated permitting Agency/Department (i.e., DPW, GEPA, GWA, GPA, PH&SS and GFD, etc).

Signature of Applicant

[Signature]
Signature of Representative

Date: _____

Date: 7-5-13

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

Applicant

Date

[Signature]
Representative

7-8-13
Date



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



Street Address:
 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96931

EDDIE BAZA CALVO
 Governor

RAY TENORIO
 Lieutenant Governor

MONTE MAFNAS
 Director

DAVID V. CAMACHO
 Deputy Director

June 20, 2013

To: Director, Department of Land Management

From: Planner III

Subject: Staff Report - Case No. SZC 2011-56

Re: Zone Change – Lots 2152-F-RNEW-2NEW-2 and 2152-F-RNEW-2NEW-3, Municipality of Tamuning; Hayden Corporation, Inc. & Hang Chieng Tan, Represented by Harry D. Gutierrez

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

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

PURPOSE:

a. Application Summary. The Applicants, Hayden Corporation, Inc. & Hang Chieng Tan requesting a zone change on Lots 2152-F-RNEW-2NEW-2 and 2152-F-RNEW-2NEW-3, in the Municipality of Tamuning, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone for proposed construction of Residential Duplex on each lot for affordable housing rentals for the community.

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.

FACTS:

a. Location. The subject lots are abutting Royal Gardens (a Planned Unit Development with townhouses) on the west and is fronting a 40-foot right of way thru Royal Gardens and is approximately 400 feet south of Ypao Road and approximately 1/2 mile west off Marine Corps Drive (Route No. 1) in Tamuning (see attached vicinity map).

b. Field Description. The two lots are vacant. The topography is fairly flat. Per Staff inspection, all public utilities such as sewer, water, power, telephone service connections are within 100 feet fronting the right-of-way .

c. Lot Areas: A. Lot 2152-F-RNEW-2NEW-2 is 525 sm or 5,657 sf;

B. Lot 2152-F-2RNEW-2NEW-3 is 622 sm or 6,697 sf



Facsimile:
 671-649-5383

- d. Present Zoning. "R-1" (Single-Family Dwelling) Zone
- e. 1967 Master Plan. Residential- Medium to High Density
- f. Community Design Plan. Residential ; Urban
- g. Surrounding Area. The surrounding area consists of single-family, multi-family dwellings, condominiums (R2 zones) and a planned unit development with townhouses within 200, 500 and 1,000 feet. There are retail stores in commercial and light industrial zones along Ypao Road. The proposed development is conducive to the existing land use trend comprising of mix uses of single-family, multi-family and commercial activities within 300 – 2,000 feet radius. The proposed development is not expected to have a major impact to existing infrastructure or immediate surroundings.

3. APPLICATION CHRONOLOGICAL FACTS.

- a. Date Application Accepted: September 1, 2011
- 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 a 40-foot right-of-way through Royal Gardens, via east on F-Street which is fronting the subject lots. Planning staff advises the applicant to obtain the required permits before any construction or improvements on said lot. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

GWA: An Official Certification have been received from GWA and verified that there's existing public sewer and water lines within Royal Gardens near the subject lots. GWA advises the applicant to coordinate GWA Engineering and with Royal Gardens Homeowners Association for future service connections. Per DLM staff inspection the it was verified that sewer and water connections are near the right of way which is fronting the subject lots. DLM advises the applicants to obtain the required permits before any construction on said lots.

Director of Land Management
Staff Report- Case No. SZC 2011-56
Lots 2152-F-RNEW-2NEW-2 and 2152-F-RNEW-2NEW-3,
Municipality of Tamuning; Hayden Corporation, Inc. & Hang Chieng Tan, (Owner)
Represented by Harry D. Gutierrez
Page 3

BoPS: Per Bureau of Plans and Statistics they are recommending disapproval and a public hearing be conducted to determine the sentiments of the neighbors. The Bureau also recommends measures to ensure that the property is landscaped in such a way to provide a buffer between the subject lot and the other residential dwellings. This will help reduce storm water runoff into the bay as well as improve the area to be aesthetically pleasing.

GEPA: No Official Certification has been received from Guam EPA as of Staff Report Date. Planning staff advises the applicants to obtain the required permits before any clearing, or construction of units on said lots. 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 Guam Power Authority has submitted their official certification. GPA has no objections, however, the customer/applicants are 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**).

DPR/HPO: No Official Certification has been received from the agency.

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 Results:** Pursuant to P.L. 21-144:3, the public hearing on this zone change application has been waived by Director of Land Management and any hearing is deferred to the Mayor and the Municipal Planning Council of Tamuning.

d. **Municipal Planning Council Resolution (MPC):** The Mayor of Tamuning, received a copy of the application for the rezoning and proposed development.

Director of Land Management
Staff Report- Case No. SZC 2011-56
Lots 2152-F-RNEW-2NEW-2 and 2152-F-RNEW-2NEW-3,
Municipality of Tamuning; Hayden Corporation, Inc. & Hang Chieng Tan, (Owner)
Represented by Harry D. Gutierrez
Page 4

4. **DISCUSSION AND ANALYSIS:** The criteria of **PUBLIC NECESSITY, CONVENIENCE and GENERAL WELFARE AND SAFETY** must be justified.
We provide the following:

PUBLIC NECESSITY and CONVENIENCE

The requested zone change is from "R-1 to "R-2" for the purpose of constructing a residential duplex on each lot for additional housing/rentals. In this regard, applicant have cited primary purpose for residential uses. One primary purpose of this program (Summary Zone Change) is to allow the property owners to rezone their properties in order to utilize their property in a manner that enhances their livability or livelihood and provide residential rentals, unlike those major zone changes that result in major developments.

We find that the rezoning is required for zoning conformance in order for the Applicants to realize future development and improvement of the subject lots and for increase in density for rentals to the general public.

GENERAL WELFARE AND SAFETY

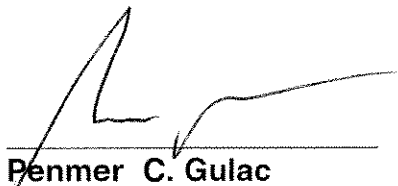
We have concluded our site inspection and did physically find that water, power, Sewer, roadways and other utilities are existing and available fronting the property. Guam Waterworks Authority, Guam Power Authority with no objections, and Bureau of Plans and Statistics objects to the rezoning recommendations. The proposed duplexes will be connected to public sewer to ensure a safe environment for the applicants and the adjacent neighbors. While we have not received certification from Guam EPA and DPW, we note that access to the property is available. That water and sewer connections are fronting the property. It will be obvious that during the permitting phase, that requirements for water and sewer connections will be required for the propose development.

Therefore, it is our conclusion that the criteria as cited above has been satisfied.

5. **STAFF RECOMMENDATION:** Planning Staff recommends **Approval** of the Summary Zone Change request with the following conditions:
- a. Comply with all permitting Agency Conditions and requirements; and
 - b. That any revised Building construction Site Development Plan shall show details of structure location, parking layout, landscaping plan, sewage disposal type and connection; and further, that a copy of the floor plans shall be submitted to the Guam Chief Planner; and
 - c. That any future increase in dwelling units or on the "intensity of use" from the approved revised plans shall require the Applicant to resubmit a new request and the proposed new Site Development Plan to the Chief Planner, Land Management for his reevaluation; and
 - d. That such re-evaluation may include another review by the required Application Review Committee Agency and/or by the Municipal Planning Council to determine the physical, social and environmental impacts of the revised changes; and
 - e. That under this Zone Change process, it shall not include conversions to: HORIZONTAL PROPERTY REGIMES (under 21 GCA, Chapters 45); TIME SHARE OWNERSHIP (under 21 GCA, Chapter 47); HOTELS/MOTELS; and RESIDENTIAL COMMERCIAL ACTIVITIES SUCH AS LAUNDRY ROOMS, GIFT SHOPS, AND THE LIKE; and TEMPORARY WORKFORCE HOUSING FACILITIES; and
 - f. That the development be hooked up to public sewer and comply with Guam EPA's waste water disposal system requirements and conditions;

Director of Land Management
Staff Report- Case No. SZC 2011-56
Lots 2152-F-RNEW-2NEW-2 and 2152-F-RNEW-2NEW-3,
Municipality of Tamuning; Hayden Corporation, Inc. & Hang Chieng Tan, (Owner)
Represented by Harry D. Gutierrez
Page 6

- g. That the Development shall be serviced with a Government approved Trash Receptacle; and
- h. That each dwelling unit shall be provided for 2 parking stalls per unit.



A handwritten signature in black ink, appearing to read 'Penmer C. Gulac', is written over a horizontal line.

June 21, 2013

Penmer C. Gulac Date
Planner III, Case Planner/Project Planner

PCG

Attachments: Application packet, and Position Statements from GWA, GPA & BOPS



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



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

EDDIE BAZA CALVO
 Governor

MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor

DAVID V. CAMACHO
 Deputy Director

June 19, 2013

MEMORANDUM

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

TO: Frank P. Taitano, Planner IV
 Marvin Q. Aguilar, Planner III
 Celine Cruz-Aguilar, Planner III

FROM: Director

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

SUBJECT: Appointment as Panel Members ref: SZC Program

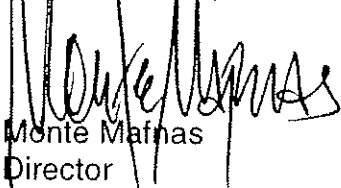
Buenas Yan Hafa Adai:

Pursuant to SZC Guidelines, Paragraph 17, effective June 19, 2013,
 I hereby appoint you as panel members to review and provide recommendations
 relative to **SZC Application No. 2011-56 (Hayden Corporation, Inc.)**

Coordinate with Mr. Penmer Gulac who oversees the SZC Program on the
 matter.

Your appointment as panel members shall expire upon your submittal of your
 recommendations to the Guam Chief Planner.


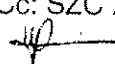
Senseramente,


 Monte Mafnas
 Director

E-mail Address:
dldir@dlm.guam.gov

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

 Cc: SZC Application Masterfile




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



EDDIE BAZA CALVO
 Governor

RAY TENORIO
 Lieutenant Governor

[Signature] MAY 20 2013
 CHRISTINA J. CRUZ
 Municipal Clerk

MONTE MAFNAS
 Director

DAVID V. CAMACHO
 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@dlm.guam.gov

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

May 17, 2013

Honorable Louise C. Rivera
 Mayor of Tamuning c/o Municipal Planning Council

Ref: SZC 2011-56 (Amended) Public Hearing Waiver

Hafa Adai Mayor Rivera:

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

Hayden Corporation and Hang Chieng Tan, c/o Harry D. Gutierrez, owner of Lot 2152-F-RNEW-2NEW-2, Block 3, and Lot 2152-F-RNEW-2NEW-3, Block 3, Carmen Memorial Subdivision, Municipality of Tamuning, under Application No. SZC 2011-56, (Amended) for a Zone Change from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone for proposed construction of duplexes on each lot for additional housing units and housing rentals. The purpose and lot area size of each lot is as follows:

1. **On Lot 2152-F-RNEW-2NEW-2** – proposed "duplex" with lot area size of 5,657 square feet.
2. **On Lot 2152-F-RNEW-2NEW-3** – proposed "duplex" with lot area size of 6,697 square feet

We have reviewed the site plan and analyzed the density of each of the property. The density as it corresponds to the above cited lots divided by 1,250 square feet as follows: **For 5,657 sf = 4.5 or 5-units; and For 6,697 sf = 5.3 or 5-units. See Attachment.**

The proposed development will be connected to public sewer and will have legal access through a public right of way.

We believe that the proposed development will not negatively impact the adjacent and surrounding residences nor the neighborhood in general. The primary objective for the rezoning and purpose of the development is for "additional housing units" a key initiative of the Governor for our community.



Page 2: Ref: Public Hearing Waiver; SZC 2011-56,
Lots 2152-F-RNEW-2NEW-2 & 2152-F-RNEW-2NEW-3,
Municipality of Tamuning;
For Hayden Corp. Inc., by Hang Chieng Tan

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).

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. The Resolution can be faxed to the Department at 649-5383 to the attention of Summary Zone Change Section, Land Planning.


Point of contact on this action, is Mr. Penmer C. Gulac, Planner III, and he can be reached at 649-5263, extension 352 or the Guam Chief Planner at extension 311.

Thank you for your attention to this matter.

Senseramente,


David V. Camacho
Acting Director

Attachments: as noted

 Project Planner: Penmer C. Gulac



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



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

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MONTE MAFNAS
Director

DAVID V. CAMACHO
Deputy Director

June 19, 2013

MEMORANDUM

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

TO: Frank P. Taitano, Planner IV
Marvin Q. Aguilar, Planner III
Celine Cruz-Aguilar, Planner III

FROM: Director

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

SUBJECT: Appointment as Panel Members ref: SZC Program

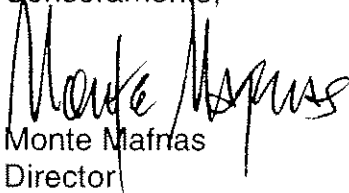
Buenas Yan Hafa Adai:

Pursuant to SZC Guidelines, Paragraph 17, effective June 19, 2013,
I hereby appoint you as panel members to review and provide recommendations
relative to **SZC Application No. 2011-56 (Hayden Corporation, Inc.)**

Coordinate with Mr. Penmer Gulac who oversees the SZC Program on the
matter.

Your appointment as panel members shall expire upon your submittal of your
recommendations to the Guam Chief Planner.

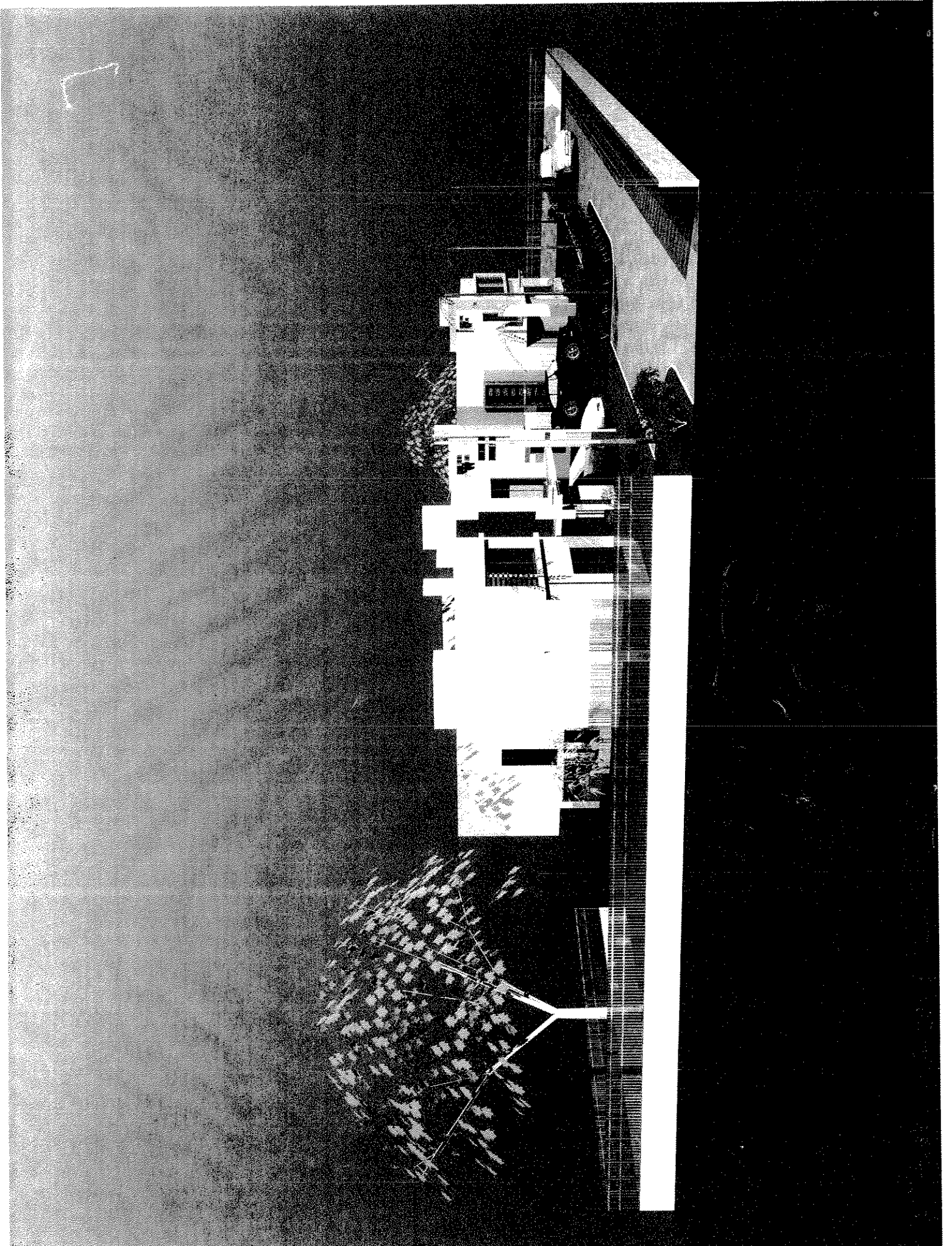
Senseramente,


Monte Mafnas
Director

Cc: SZC Application Masterfile

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383





P.O. BOX 504357, SAIPAN, MP 96950 USA
Tel: (670)235-7200, Fax: (670) 235-0908

May 15, 2013

Harry Gutierrez
119 Gutierrez Way
Agana Height, Guam 96910

P. Gutierrez 5/16/13
RECEIVED
Harry DW

**Subject: Proposed Rezoning - Lots 2152-F-RNEW-2NEW-2 & 2152-F-RNEW-2NEW-3
(through Royal Garden)**

Dear Harry:

We propose to build 4 to 6 units of executive homes on the subject lots, at an estimated total development cost of \$1.4 million. This includes site improvement costs such as fencing, paved driveway, landscaping, sewer/water/power connections.

As you are aware, the legal access to these 2 lots is via F Street, through Royal Garden Townhouses. Meaning, residents must drive through Royal Garden - a PUD townhome development. When we acquired these 2 lots, our original plan was to develop 2 executive single family homes on those lots. After discussing the matter with some real estate people, we concluded that this may not be the best idea. Residents of executive single family homes may have reservations about driving through a townhomes complex, in order to get to their property.

It was this fact finding exercise that lead us to believe that since the entire Royal Garden neighborhood is comprised of Four-Plex townhomes, developing executive townhomes on our lots will be in better harmony with Royal Garden. The selling and rental prices of our units will be comparable to Royal Garden's, or even higher since these will be newly constructed.

Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Chieng Tan', written over a horizontal line.

H. Chieng Tan
President

Subject: FW: Royal Garden - lots at end of F-Street
From: Chieng Tan (chiengt@gppcinc.com)
To: harry.gutierrez@yahoo.com;
Date: Wednesday, May 15, 2013 6:12 PM

Harry,

Perhaps we should take a different approach on our justification with DLM. The fact that we have to drive past RG (and surrounding area which are all R-2 density), make single homes difficult to market on our 2 lots. What we are trying to do is conform to surrounding neighborhood. By rezoning RG into PUD, they have essentially "forced" us into rezoning to R-2.

From: Roger Edson [mailto:rogeredson@yahoo.com]
Sent: Wednesday, May 15, 2013 5:52 PM
To: Chieng Tan
Cc: harry.gutierrez@yahoo.com; Tom Godwin; Anthony Fruge; Anthony Godwin; Rose Felix
Subject: Re: Royal Garden - lots at end of F-Street

Hi Mr. Tan,

Yes, I forwarded your request to our Board for discussion in our June Board meeting.

I know the Board will be more agreeable if you could guarantee (or show a design for) some kind of nice entry way into your property from F-street that you would provide.

As for admission into our HOA or use of our facilities, we will have to check with our ByLaws on how to do this...and this might require a vote of the HOA, at large...66%approval for an amendment. Our Board has other items we would like to change, as well, but getting 66% to vote, let along to 'agree' is another matter all together.

Once you get approval from the Public Works (we wish you luck), then we will have to discuss the next phase.

Sincerely,

Roger

Roger Edson
President, Royal Gardens HOA
rogeredson@yahoo.com
roger.edson@noaa.gov

--- On Wed, 5/15/13, **Chieng Tan** <chiengt@gppcinc.com> wrote:

From: Chieng Tan <chiengt@gppcinc.com>
Subject: Royal Garden - lots at end of F-Street
To: "Roger Edson" <rogeredson@yahoo.com>
Cc: harry.gutierrez@yahoo.com
Date: Wednesday, May 15, 2013, 5:24 PM

Hi Roger,

We communicated about this over year ago now. We are interested in pursuing the rezone, and look forward to your support. Please see attached letter.

Thanks,

Chieng

<<...>>

Once you get approval from the Public Works (we wish you luck), then we will have to discuss the next phase.

Sincerely,

Roger

Roger Edson
President, Royal Gardens HOA
rogeredson@yahoo.com
roger.edson@noaa.gov

--- On Wed, 5/15/13, Chieng Tan <chiengt@gppcinc.com> wrote:

From: Chieng Tan <chiengt@gppcinc.com>
Subject: Royal Garden - lots at end of F-Street
To: "Roger Edson" <rogeredson@yahoo.com>
Cc: harry.gutierrez@yahoo.com
Date: Wednesday, May 15, 2013, 5:24 PM

Hi Roger,

We communicated about this over year ago now. We are interested in pursuing the rezone, and look forward to your support. Please see attached letter.

Thanks,

Chieng

<<...>>

GUAM WATERWORKS AUTHORITY

578 North Marine Corps Drive | Tamuning | Guam 96913

RECEIVED 10-7-11
OCT 10 2011
RECEIVED

Department of Land Management
Time: 1:50 Int: [Signature]

TO CASE FLENNER
Max 10/11/11

POSTED

October 3, 2011

MEMORANDUM

TO: Director, Department of Land Management
FROM: General Manager
VIA: Chief Engineer, Acting
SUBJECT: Request for Certification
APPLICATION NO.: SZC 2011-56 (Amended)
APPLICANT: Hayden Corporation and Hang Chieng Tan

The Guam Waterworks Authority (GWA) has reviewed the Amendment to Summary Zone Change Application No. 2011-56 to rezone from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) two lots instead of three lots. The two lots are Lot Nos. 2152-F-RNEW-2NEW-2 and 2152-F-RNEW-2NEW-3, Block 3, for proposed construction of a residential duplex on each lot for affordable housing rentals, Carmen Memorial Subdivision, in the Municipality of Tamuning.

GWA has conducted a site investigation and has determined that the water and sewer lines available for connection are located within the Royal Garden Townhouses Subdivision. Given the information provided in the application and the existing conditions observed in the field, the following are GWA's position on the summary zone change:

- 1.) The applicant will have to coordinate the water and sewer lines connection from the Royal Garden Townhouses Home Owners Association. The water and sewer lines within the Royal Garden Townhomes property were constructed by Royal Garden Townhouses Subdivision.
- 2.) GWA approval is based on Royal Garden Townhouses Subdivision approving the water and sewer lines connections.



GUAM WATERWORKS AUTHORITY

578 North Marine Corps Drive | Tamuning | Guam 96913

Page 2

Summary Zone Change Application No. 2011-56 Amended

Applicant: Hayden Corporation and Hang Chieng Tan

- 3.) GWA approval is based on proposed duplexes on the subject lots as stated by the applicant. Any future expansion to multi-family units will require GWA review and approval.

This GWA certification shall remain valid for 365 calendar days from the date of this response. For additional information please contact Mr. Menglou Wang, Senior Engineer Supervisor, at 647-0492.

Martin L. Roush, P.E.
General Manager

Thomas A. Cruz, P.E.
Chief Engineer, Acting

Eddie Baza Calvo
Governor of Guam

 **BUREAU OF
STATISTICS & PLANS**
SAGAN PLANU SIHA YAN EMFOTMASION

Government of Guam

P.O.Box 2950 Hagatna, Guam 96932

Tel : (671) 472-4201/3

Fax : (671) 477-1812

Ray Tenorio
Lieutenant Governor

Thomas A. Morrison
Director

RECEIVED



MEMORANDUM

OCT 18 2011

RECEIVED

To: Chairperson, Guam Land Use Commission
Via: Executive Secretary, Department of Land Management
From: Director, Bureau of Statistics and Plans

OCT 24 2011
Department of Land Management
Time: 1:55 Init: [initials]

Subject: Position Statement on **Application No. SZC 2011-56**; Lot Nos. 2152-F-RNEW-2NEW-2, Block 3 and 2152-F-RNEW-2NEW-3, Block 3, Tamuning; Hayden Corporation and Hang Chieng Tan; Summary Zone Change; Proposed Use: Multi-family residential.
AMENDED

To case placed
FUSED

Pursuant to Public Law 21-82, Section 4, as amended by Public Law 21-144, Section 8, the applicants, Hayden Corporation and Hang Chieng Tan, represented by Mr. Harry D. Gutierrez, are requesting a summary zone change of Lots 2152-F-RNEW-2NEW-2, Block 3 and 2152-F-RNEW-2NEW-3, Block 3 in the municipality of Tamuning from an "R-1" Single-Family dwelling zone to "R-2" Multi-Family dwelling. The lots are located in the vicinity of Paseo De Oro in upper Tumon. Upon rezoning of the subject lots, the applicants intend to construct a duplex/town house on each lot. The subject lots are served by the basic infrastructure of power, water, sewer, telephone, and cable. The surrounding land uses consist predominantly of single family residences, a planned unit development to the south of the lots and apartments nearby.

According to the representative, the island is preparing for the incoming military forces and must provide additional housing to support that effort as well as provide additional rental units for the public. Furthermore, this project is compatible to the ongoing developments in the immediate area and nearby that supports the housing needs of the general public. Based on our review of the subject application as submitted, the Bureau provides the following comments and/or concerns.

1. According to the law's legislative intent section, the summary zone change process was created to assist "small land owners" who do not have the financial means to go through the Guam Land Use Commission (GLUC) process to change a zone designation. Furthermore, it was designed to assist the "small land owners" in developing their property to its highest and best use.
2. The Bureau believes that Hayden Corporation, Inc. should not be considered a small landowner. The corporation owns several lots in that one area, and perhaps has many more throughout the island. Therefore, it is the Bureau's opinion that the Summary Zone Change process is not the appropriate avenue for large corporation applicants.

In light of the above comments/concerns, and the lack of justification for the summary zone change, the Bureau recommends disapproval. However, should the Commission act favorably on the request, the Bureau hopes the following recommendations be taken into consideration.

1. The Bureau recommends that there are measures to ensure that the property will be landscaped in such a way to provide a buffer between the subject lot and the other residential dwellings. This will help reduce storm water runoff into the bay as well as to improve the area in order to be aesthetically pleasing.
2. The Bureau is concerned about the rights of the adjacent land owners. Therefore, a public hearing is recommended to determine the will and the sentiment of the surrounding neighborhood.



THOMAS A. MORRISON

cc: GEPA
DPR
DPW
GWA



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



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

EDDIE BAZA CALVO
 Governor

MONTE MAFNAS
 Acting Director

RAY TENORIO
 Lieutenant Governor

September 1, 2011

To: Certifying Agencies/Departments
 Application Review Committee (ARC)

From: Guam Chief Planner

Subject: **Request for Certification (Amendment)**

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

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

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

Applicant(s): **Hayden Corporation, Inc., and Hang Chieng Tan, Represented by Harry D. Gutierrez**

Application No. **SZC 2011- 56 (Amended)**

E-mail Address:
dlmdir@dlm.guam.gov

Project Description: To rezone the properties from "R-1" (Single-Family) to "R-2" (Multi-Family Dwelling) Zone in for proposed construction of Residential Duplexes on Lots 2152-6-1, 2152-F-RNEW-2 NEW-2 and 2152-F-RNEW-2NEW-3, and retain the existing residential structure on Lot 2152-6-1 for affordable housing rentals;

Telephone:
 671-649-LAND (5263)

Is AMENDED to read: To rezone only two lots; Lot 2152-F-RNEW-2NEW-2 and Lot 2152-F-RNEW-2NEW-3 for proposed construction of a residential duplex on each lot for affordable housing rentals, Municipality of Tamuning

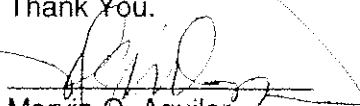
Facsimile:
 671-649-5383

Date Received: September 1, 2011
 Date Accepted: September 1, 2011

**** Due Date for Certification: September 15, 2011**
 (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 or 5390, and ask for Penmer C. Gulac, the assigned case planner.

Thank You.


 Marvin Q. Aguilar
 Acting Guam Chief Planner

PCG: Attachment: SZC Application No. 2011-56 Amendment Letter and supporting documents

HARRY D. GUTIERREZ
Consultant
#119 Gutierrez Way
Agana Heights, Guam 96910
482-5315 / 477-7880
Email: harry.gutierrez@yahoo.com

August 26, 2011

To: Mr. Monte Mafnas, Acting Director,
Department of Land Management
Attention: Land Planning Division
P.O. Box 2950, Hagatna, Guam 96932

P. Gutierrez 9/30/11
RECEIVED
Dear Mafnas

Subject: **Amendment to Summary Zone Change Application No. 2011-56 to rezone Two Lots instead of Three lots ; Two lots are known as Lots 2152-F-RNEW-2NEW-2 and 2152-F-RNEW-2NEW, Block 3, Carmen Memorial Subdivision, Tamuning, Guam;**

**Ref: Rezoning from "R-1" (Single-Family) Dwelling to "R-2" (Multi-Family) Dwelling) for proposed duplexes on each lot and a single family dwelling to Remain
For Hayden Corporation, Inc. and Hang Chieng Tan, Authorized Representative**

Hafa Adai Mr. Mafnas:

Pursuant to Public Law 21-82, (as amended by P.L. 21-144, Section 8,) I am submitting an application for Summary Zone Change for my clients on the above properties. The following information are required and are provided to you as follows:

- a. What is the current zone on the property ? The 2 lots are currently " R-1" (Single-Family) dwelling zone.
- b. Who currently owns the property ? Hayden Corporation, Inc. (see attached deeds)
- c. How did you acquire the property ? Purchased thru a Warranty Deeds; Doc No. 816570 (Jan 14, 2011) & Doc No. 812899 (Oct 19, 2010) see attached with property map.
- d. Whom who did you acquire the property? Carmen Leon Guerrero Alig and Vicente J. Leon Guerrero (see Warranty Deeds attached).
- e. What is currently on the property?
Lot 2152-F-RNEW-2NEW-2 and Lot 2152-F-RNEW-2NEW, Blk 3 are vacant lots.
- f. Are you hooked up to public sewer ? The proposed structures will be hooked up to existing public sewer. A public sewer main within 200 feet on a public the right of way.

**Page 2 ; Summary Zone Change Application (Hayden Corporation, Inc.)
c/o Harry D. Gutierrez ; (Amendment)**

g. What are your intentions or plans? (Plans attached)

To construct a duplex/town house on each lot with 4 parking stalls.

Note: All setbacks for proposed and existing structures will be conforming to the zoning code and all permitting requirements and conditions by the agencies will be complied with.

h. Surrounding land uses: There are single family, multi-family, townhouses and medical, commercial land uses and activities within 200 – 2,000 feet to the north, northeast southwest, south, southeast along YPao Road. There are townhouses, duplexes, and apartment on the PUD and other new apartments, a upscale (Talo Verde Subdivision) in an R2 zone(on the west) along Ypao Road.

i. Topography: Fairly flat.

j. Access: Lots 2152-F-RNEW-2NEW-2 and Lot 2152-F-RNEW-2NEW-3 is accessible from a 44 –foot public access/utility easement that connects through PUD (Ypao Gardens) that abuts on the south of the two lots. (see vicinity and property maps).

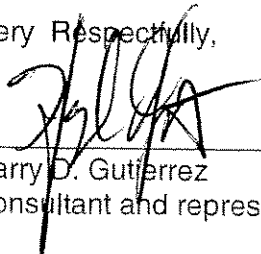
k. Soil composition: Dark clay and rocky soil with gravel (base course) subgrade.

All others: Today we see more residential developments and in this area as there are trends of continued growth of single/multi-family residential and commercial developments. There is on-going construction of apartments to the east approximately 1,500 to 1,800 feet to the east. The island is preparing to engage the incoming military forces build up and we must provide additional housing and support activities for our community. More schools are also being built and infra-structure for sewer and water is being upgraded (ongoing) by our government . Our proposed rezoning and plans will not have a significant impact to existing infrastructure. This project will provide additional rental units to the public as well contribute to our economic tax base. Therefore, this project is compatible to the ongoing developments in the immediate area and others nearby that will support the affordable housing needs of the general public.

Mr. Mafnas and Staff, Thank You for your time to review the proposed rezoning. We humbly ask for your favorable consideration so that this project can move forward. My clients are aware that all building permit requirements and conditions will be adhered to as required by law.

Should you need more information on this application, please feel free to contact me at 482-5315.

Very Respectfully,



Harry D. Gutierrez
Consultant and representative

Attachments: Application & Supporting Documents

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 Guåhan
P.O. Box 2950, Hagatna, Guåhan 96932

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: Hayden Corporaton, Inc, and Hang Chieng Tan; Auth Representative U.S. Citizen: Yes No
c/o Harry D. Guttierrez, Consultant

Mailing Address: #119 Gutierrez Way, Agana Hts Guam 96932

Telephone No.: Business: 482-5315 Home: _____

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: Carmen Memorial Subdivision, Tamuning

Lot(s): 2152-F-RNEW-2NEW-2 & 2152-F-RNEW-2NEW-3 Block: 3 Tract: N/A

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

Lot: 2152-F-RNEW-2NEW-2/ 525 SM / 5,657 SF; Lot 2152-F-RNEW-2NEW-3/622SM/6,697SF

Village: _____ Municipality: Tamuning

Registered Owner(s): Hayden Corporation, Inc.

Certificate of Title No.: _____ Recorded Document No.: 816570 & 812899

Deed (Gift, Warranty, etc.): Deeds Deed Document No.: 816570 & 812899
(See attached)

3. Current and Proposed Land Use:

Current Use: Vacant Lots Current Zoned: "R-1"
(Single-Family) Dwelling

Proposed Use: Proposed construction of a duplex on each lot for affordable housing rentals w/4 parking stalls on each lot. Proposed Zone: "R-2"
(Multi-Family) Dwelling

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.

SUMMARY ZONE CHANGE

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

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.
- e. The most recent survey map certified and recorded at the Department of Land Management, of the subject property.
- f. For "R-1" Zone Change request: A proposed property map showing how many lots are to be subdivided.
- g. For "R-2" Zone Change request: Preliminary sketch plan shall be drawn to scale and show the following items:
 - (1) Density: Number of units and type. (i.e. Eight (8) units, three (3) bedroom, two baths, etc.)
All setback or distances from proposed building to property boundary line.
 - (2) Parking Stalls must be numbered. Also, show one parking for persons with disabilities for every sixty (60) regular stalls (minimum).
 - (4) Recreational area or playground must be provided for children of tenants.
 - (5) Show nearest location of sewer, water, power connection or hook-up.
 - (6) Entrance and Exit of project area.
 - ⋮ Etc...Any other information you feel is necessary or pertinent to your request.
 - (10) In addition the following information is required by the Agencies as follows:

GUÅHAN POWER AUTHORITY

- 2. Include Ownership and Encumbrance Title Report.
- 2. Provide Proposed Power Demand in Kilovolt Amps (KVA).

GUÅHAN ENVIRONMENTAL PROTECTION AGENCY

- 3. Copy of Site Layout showing the existing building structures and the outline of the septic tank and leaching field system, if not connected to public sewer.
- 4. Copy of building Permits for any extensions (additional structures) to the existing dwelling unit.

6. Filing Fee: Twenty-Five Dollars (\$25.00) filing fee, signed and approved by the Governor of Guåhan on May 18, 2007, under Public Law 29-02, Chapter V, Part III (*Fees and Charges Assessed by the Department of Land Management*).

SUMMARY ZONE CHANGE

Lot(s):
2152-F-RNEW-2NEW-2
& 2152-F-RNEW-2NEW-3

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

Tamuning, Guam

7. **Required Signatures:** All legal owners/lessees of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

I/We hereby certify that all information contained in this application and its supplements are true and correct. I/We also understand that any misrepresentation in this application shall void the entire submission.

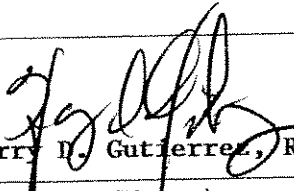
Hayden Corporation, Inc.
and Hang Chieng Tan (Auth Rep)

Owner (Print/Sign)

Owner (Print/Sign)

Date

Date

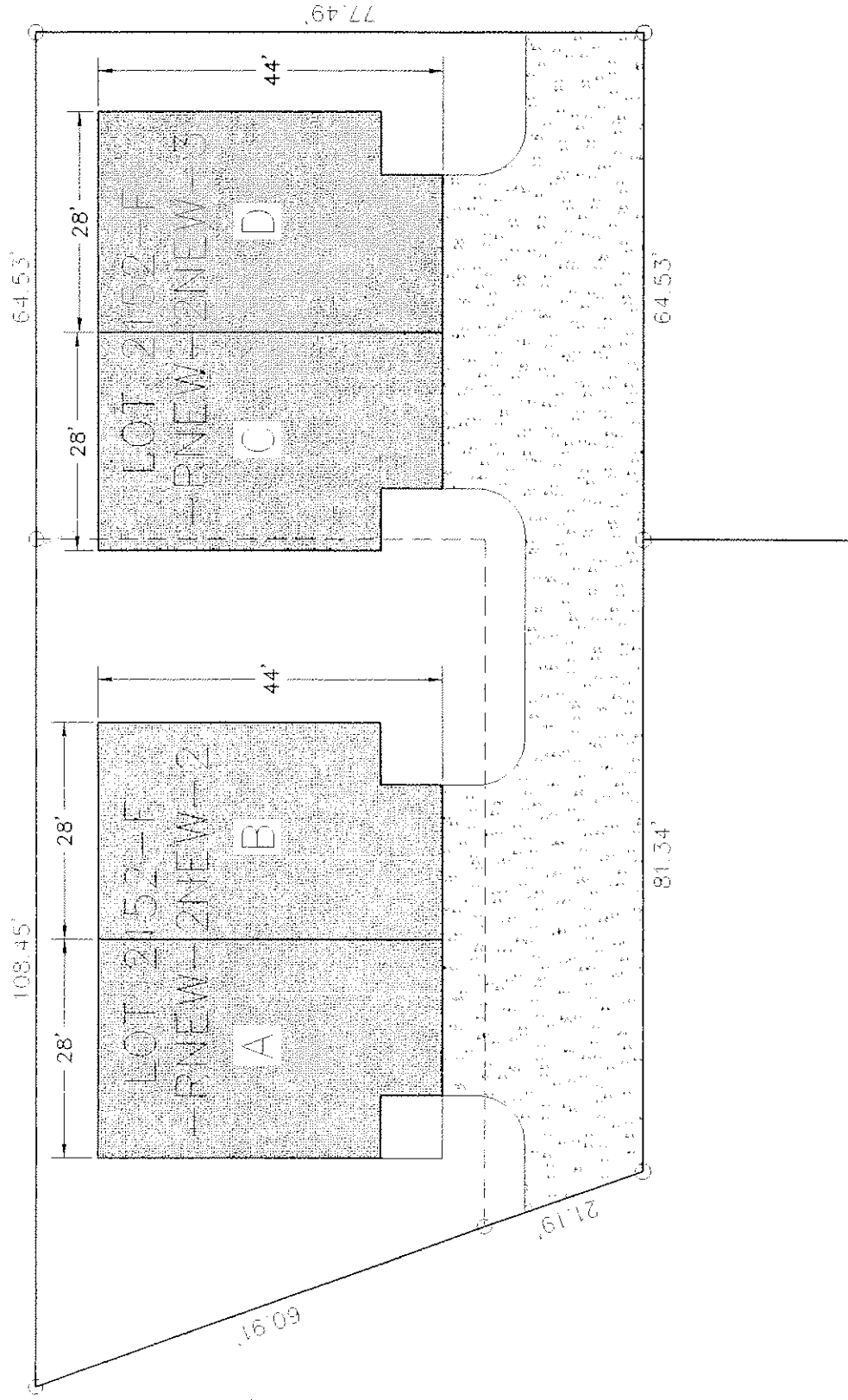
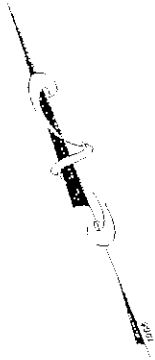
For:  Harry D. Gutierrez, Representative

August 26, 2011

Representative (If any)
(Affidavit Attached)

Date

THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.



PROPOSED DUPLEXES
APPROX. 2,000 SF PER UNIT

1 -

SCALE:

1" = 20'

Island of Guam, Government of Guam
Department of Land Management Office of the Recorder
File for Record is Instrument No. 816570
On the Year 11, Month 01, Day 14, Time 11:40
Recording Fee 690 Receipt No. _____
Deputy Recorder [Signature]



WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

I, **CARMEN LEON GUERRERO ALIG**, whose mailing address is P.O. Box 1204 Tamuning, G.M. 96931, hereinafter referred to as "**GRANTOR(S)**", for TEN DOLLARS (\$10.00) and other good and valuable consideration paid by **HAYDEN CORPORATION, INC.**, whose mailing address is P.O. Box 50437 SAIPAN MP 96950, hereinafter referred to as "**GRANTEE(S)**", do hereby grant, bargain, sell and convey unto GRANTEE, and GRANTEE'S heirs, administrators, executors, successors and assigns, in fee simple, the following described real property in the MUNICIPALITY OF TAMUNING:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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-736042A**; 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 /ARE NOT immediately available on the property or within 100 feet of the property described above.

IN WITNESS WHEREOF, this instrument has been executed the 12th day of 2010.

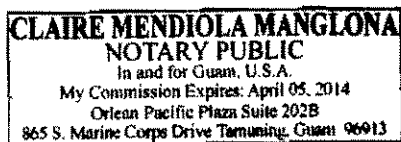
GRANTOR:

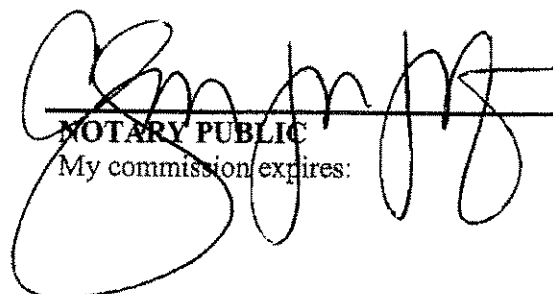

CARMEN LEON GUERRERO ALIG

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

On this 12th day of Jan 2010, before me, a Notary Public in and for GUAM, U.S.A., personally appeared **CARMEN LEON GUERRERO ALIG**, 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:

**GRANTEE:
HAYDEN CORPORATION, INC.**

By: [Signature]
HANG CHIENG TAN
Authorized Representative

SAIPAN, CNMI } SS
CITY OF _____

On this 12th day of JAN. 2011, before me, a Notary Public in and for _____, personally appeared **HANG CHIENG TAN, Authorized Representative for and on behalf of HAYDEN CORPORATION, INC.,** and he acknowledged to me that he executed the foregoing **WARRANTY DEED**, on the behalf said corporation as its 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.



[Signature]
NOTARY PUBLIC
My commission expires: JAN. 7, 2012

EXHIBIT "A"

PARCEL ONE:

Lot Number 2152-F-RNEW-2NEW-2, Block 3, Tamuning (formerly Dededo), Guam, Suburban, as said Lot is described in that Parcel Survey Map of Lot 2152-6 & 2162, Block 3, Carmen Memorial Subdivision and Consolidation of Lots # 2152-6-R1, 2152-7-R1 & 2152-F-9NEW-2 into Lot 2152-F-RNEW-2NEW then Parcelling of Lot 2152-F-RNEW-2NEW, as shown on Drawing Number ZIM-89-07-A, as L.M. Check Number 489 FY 89, dated 03 April 90 and recorded on 06 August 90 under Instrument No. 439487 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 525± square meters or 5,657± square feet.

Last Certificate of Title Number: 86848 – Adrian L. Cristobal, Concepcion F. Cristobal, Gorge E.U. Cristobal, Beatrice C. Cristobal, Fe C. Lamorena, E.C. Leon Guerrero, Juan B. Leon Guerrero (as to Basic Lot 2152-F-RNEW-2NEW; Estate No. 65471)

PARCEL TWO:

Lot Number 2152-F-RNEW-2NEW-3, Block 3, Tamuning (formerly Dededo), Guam, Suburban, as said Lot is described in that Parcel Survey Map of Lot 2152-6 & 2162, Block 3, Carmen Memorial Subdivision and Consolidation of Lots # 2152-6-R1, 2152-7-R1 & 2152-F-9NEW-2 into Lot 2152-F-RNEW-2NEW then Parcelling of Lot 2152-F-RNEW-2NEW, as shown on Drawing Number ZIM-89-07-A, as L.M. Check Number 489 FY 89, dated 03 April 90 and recorded on 06 August 90 under Instrument No. 439487 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 622± square meters or 6,697± square feet.

Last Certificate of Title Number: 86848 – Adrian L. Cristobal, Concepcion F. Cristobal, Gorge E.U. Cristobal, Beatrice C. Cristobal, Fe C. Lamorena, E.C. Leon Guerrero, Juan B. Leon Guerrero (as to Basic Lot 2152-F-RNEW-2NEW; Estate Number 65471).

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

File for Record is Instrument No. 812899

On the Year 10, Month 10, Day 19, Time 10:44

Recording Fee 1370 Receipt No. _____

Deputy Recorder _____



WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

I, **VICENTE J. LEON GUERRERO**, whose mailing address is 10256 Derby Rd. Apple Valley, CA. 92308, hereinafter referred to as "**GRANTOR**", for TEN DOLLARS (\$10.00) and other good and valuable consideration paid by **HAYDEN CORPORATION, INC.**, whose mailing address is PMB 898, P.O. Box 10001, Saipan, MP 96950, 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, the following described real property in the MUNICIPALITY OF TAMUNING:

* Lot 2152-6-1, Block 3, Tamuning (formerly of Dededo), Guam, Estate Number 65466, Suburban, as said Lot is described in that Parcel Survey Map of Lot #'s 2152-6 & 2152-7, Block 3 Carmen Memorial Subdivision and Consolidation of Lot # 2152-6-R1, 2152-7-R1 & 2152-F-RNEW-2 into Lot 2152-F-RNEW-2NEW then Parcelling of Lot 2152-F-RNEW-2NEW, as shown on Drawing Number ZIM-89-07-A, as L.M. Check Number 489 FY 89, dated 03 April 89 and recorded on 06 August 90 under Instrument No. 439487 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 1,500 ± square meters or 16,150 ± square feet. Last Certificate of Title Number: 86844 – Eduviges Cristobal Leon Guerrero, married to Juan B. Leon Guerrero.

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:


1. *Real property taxes for the year 2010 not yet due and payable.*
2. *Existing tin roof bldg., concrete bldg, shed and storage as disclosed by that Parcel Survey Map of Lot #'s 2152-6 & 2152-7, Block 3 Carmen Memorial Subdivision and Consolidation of Lot # 2152-6-R1, 2152-7-R1 & 2152-F-RNEW-2 into Lot 2152-F-RNEW-2NEW then Parcelling of Lot 2152-F-RNEW-2NEW, as shown on Drawing Number ZIM-89-07-A, as L.M. Check Number 489 FY 89, dated 03 April 89 and recorded on 06 August 90 under Instrument No. 439487 at Land Management.*

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 GRANTEE, for itself and its successors and assigns do hereby acknowledge and confirm that water and power are GP are not _____ immediately available on the property or within 100 feet of the property described above.

IN WITNESS WHEREOF, this instrument has been executed this 19 day of October 2010.

GRANTOR:



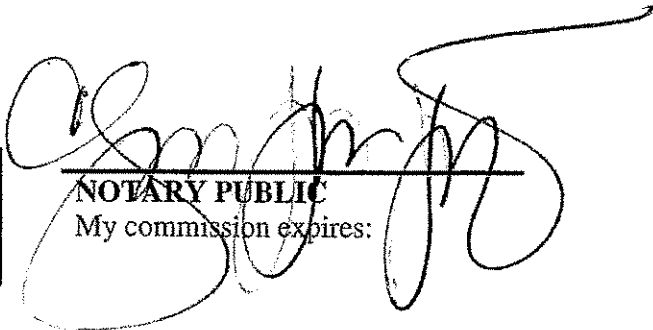
VICENTE J. LEON GUERRERO

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

On this 19th day of October 2010, before me, a Notary Public in and for GUAM, U.S.A., personally appeared **VICENTE J. LEON GUERRERO**, and he/she/they acknowledged to me that he/she/they executed the foregoing **WARRANTY DEED**, as his/her/their 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.

CLAIRE MENDIOLA MANGLONA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: April 05, 2014
Orlean Pacific Plaza Suite 202B
865 S. Marine Corps Drive Tamuning, Guam 96913



NOTARY PUBLIC
My commission expires:

GRANTEE:
HAYDEN CORPORATION, INC.



By: _____
HANG CHIENG TAN
AUTHORIZED REPRESENTATIVE

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

On this 18th day of October 2010, before me, a Notary Public in and for GUAM, U.S.A., personally appeared **HANG CHIENG TAN, AUTHORIZED REPRESENTATIVE FOR AND ON BEHALF OF HAYDEN CORPORATION, INC.**, and he/she/they acknowledged to me that he/she/they executed the foregoing **WARRANTY DEED**, on the behalf said corporation as its 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.

ANGEL-MARKAY C. MAFNAS
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: August 30, 2011
865 S. Marine Corps Dr. Ste 202B
Tamuning, Guam 96913



NOTARY PUBLIC
My commission expires:

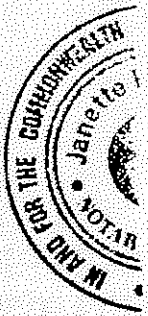


PMB 898, Box 10001, Saipan MP 96950
Tel#: (670) 234-7900 Fax#: (670) 235-0908


AUTHORIZATION

We, **Hayden Corporation Inc.**, owner of Lot No. 2152-6-1 Block 3, Municipality of Tamuning, of legal age and with power bestowed as the owner of the subject property, through this instrument hereby do grant and authorize the following:

1. That **HARRY D. GUTIERREZ** is hereby authorized to represent us in obtaining a **Summary Zone Change** with the Department of Land Management.
2. That as our authorized representative/consultant to conduct himself accordingly, to arbitrate, negotiate, commit represent, mitigate and abate the proposed project through all reviewing instrumentalities involved along the process.



I hereunto affix my signatures to this affidavit:



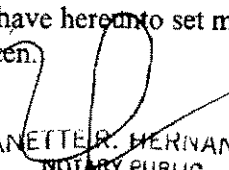
H. Chieng Tan
Authorized Representative
Hayden Corporation, Inc.

ACKNOWLEDGEMENTS

Commonwealth of the)
Northern Mariana Islands) SS
Saipan)

On this 22nd day of March, before me, a Notary Public in and for the Commonwealth of the Northern Mariana Islands, personally appeared H. CHIENG TAN, known to me to be the person whose name is subscribed to the foregoing AUTHORIZATION and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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


JANETTE R. MERIVANDO
NOTARY PUBLIC

NOTARY PUBLIC
Commonwealth of the Northern Mariana Islands

My Commission expires: 07/09/2011

PMB 40 P.O. Box 1000
110 0095

