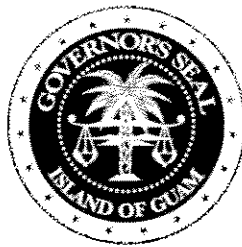


EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

32-14-1293

FEB 13 2014

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina' trentai Dos Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date: 2/13/14  
Time: 2:54 pm  
Received by: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 169-32 (LS) "AN ACT TO REZONE LOT NO. 5168-4, LOCATED IN THE MUNICIPALITY OF TAMUNING FROM ONE-FAMILY DWELLING ZONE (R1) TO LIGHT INDUSTRIAL ZONE (M1)" which I signed into law on February 10, 2014 as Public Law 32-112.

*Senseramente,*

  
EDDIE BAZA CALVO

2014 FEB 14 PM 4:48

1293

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN*  
2014 (SECOND) Regular Session

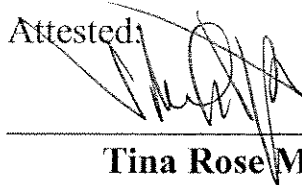
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÁHAN**

This is to certify that **Bill No. 169-32 (LS)**, "AN ACT TO REZONE LOT NO. 5168-4, LOCATED IN THE MUNICIPALITY OF *TAMUNING*, FROM ONE-FAMILY DWELLING ZONE (R1) TO LIGHT INDUSTRIAL ZONE (M1)," was on the 1<sup>st</sup> day of February, 2014, duly and regularly passed.



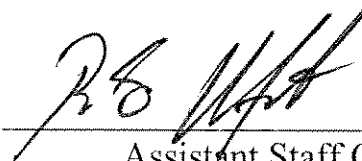
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahen Guáhan* this 1<sup>st</sup> day of FEB,  
2014, at  
10:50 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



EDWARD J.B. CALVO  
*I Maga'lahen Guáhan*

Date: FEB 10 2014

Public Law No. 32-112

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

Bill No. 169-32 (LS)

Introduced by:

T. R. Muña Barnes  
T. C. Ada  
V. Anthony Ada  
Frank B. Aguon, Jr.  
B. J.F. Cruz  
Chris M. Dueñas  
Michael T. Lintiacó  
Brant T. McCreadie  
Tommy Morrison  
Vicente (ben) C. Pangelinan  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Michael F. Q. San Nicolas  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

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

1        **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that it is the desire of the owners of Lot No. 5168-4 to maximize the use of their  
4 property, located in the municipality of *Tamuning*, to its highest potential. *I*  
5 *Liheslaturan Guåhan* further finds that in order to achieve the maximum and best  
6 use of their property, the owners have requested the assistance of *I Liheslaturan*

1 *Guåhan* to rezone Lot No. 5168-4 from its current One-Family Dwelling Zone  
2 (R1) to Light Industrial Zone (M1).

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

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

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

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

26 Lot No. 5168-4, Parceling Survey Map of Lot 5168, municipality of  
27 *Tamuning*, containing an area of 3,976+/- square meters as shown on

1 map prepared by Government of Guam, Department of Land  
2 Management, L.M. Check No. 201FY89, Land Management I4-  
3 89T330, recorded under Document No. 417648, Certificate of Title  
4 GC#3114. Water and Power (electricity) and Sewer are available or  
5 within a distance of 100 feet from the property (*Parceling Survey Map*  
6 *of Lot 5168 attached as Exhibit "D"*).

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

# EXHIBIT "A"

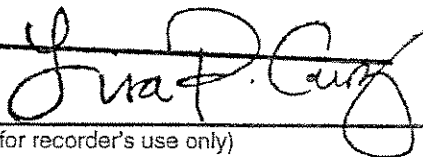
Island of Guam, Government of Guam  
Department of Land Management Officer of the Recorder

File for Record is Instrument No. 853894

On the Year 2013 Month 07 Day 11 Time 11:16

Recording Fee 25 Receipt No. 38195

Deputy Recorder



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

13-0336f

## DEED OF EXCHANGE

This DEED, made and entered into this 10th day of July, 2013, by and between the **DEPARTMENT OF LAND MANAGEMENT, GOVERNMENT OF GUAM**, whose address is P.O. Box 2950, Hagatna, Guam 96932, herein called the *PARTY OF THE FIRST PART*, and **JUDY R. UNTALAN, PATRICIA T. ROSARIO, DOLORES R. BOARDMAN and LORENZO C. ROSARIO, JR.**, all of legal age U.S citizens, hereinafter referred to as *PARTIES OF THE SECOND PART*, who shall share and share alike in accordance with the Final Distribution entered on September 11, 2009 in the *Estate of Lorenzo Camacho Rosario, Deceased*, Superior Court of Guam, Probate Case No. PR0054-97 and which is recorded in the Office of the Recorder, Department of Land Management as Instrument Number 796626 on September 29, 2009, do declare that they did, and do by these present make an exchange of Real Property as authorized by Public Law 31-253.

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

BRYANT F.

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

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

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

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

NOW, THEREFORE, in consideration of the foregoing premises:

KNOW ALL MEN BY THESE PRESENTS:

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

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

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

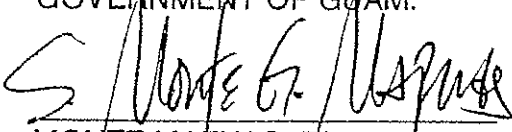
Lot No. 5024-1-R1NEW-2, Re-Subdivision Survey Map of Lot 5024-1-R1NEW, Municipality of Tamuning, containing an area of 1,545± square meters as shown on map prepared by Duenas & Swavely, Incorporated, L.M. Check No. 015FY2011, recorded under Document No. 825429. Water and power (electricity) and sewer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

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

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



PARTY OF THE FIRST PART  
GOVERNMENT OF GUAM:

  
MONTE MAFNAS, Director  
Department of Land Management

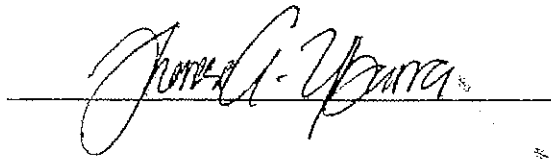
Date: 6-26-13

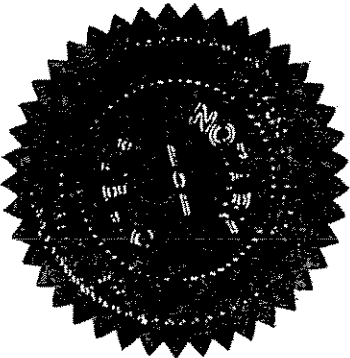
ACKNOWLEDGMENT

CITY OF TAMUNING ) ss

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

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





**TERESITA A. YBARRA**  
**NOTARY PUBLIC**  
In and for Guam, U.S.A.  
My Commission Expires December 31, 2014  
ITC Bldg. Suite 800  
800 South Marine Corps Dr.  
Tamuning, GU 96913

PARTIES OF THE SECOND PART:

*JRU* ATTORNEY IN FACT,

JUDY R. UNTALAN

JUDY R. UNTALAN  
LORENZO C. ROSARIO, JR.  
Attorney-In-Fact - Document No. 822140

Date: 6/18/13

ACKNOWLEDGMENT

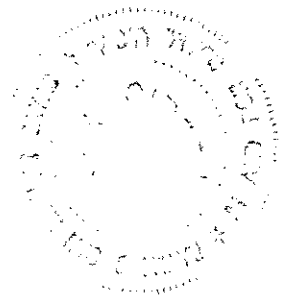
CITY OF TAMUNING ) ss

On this 18<sup>th</sup> day of June, 2013, before me the undersigned notary, personally appeared **LORENZO C. ROSARIO, JR.**, known to me to be the person whose name is subscribed to the within instrument as the Attorney-In-Fact for **JUDY R. UNTALAN**, and acknowledged to me the he subscribed the name of **JUDY R. UNTALAN**, thereto as principal, and his own name as Attorney-In-Fact, for its stated purpose on the attached or preceding document and acknowledged to me that he signed it voluntarily for its stated purpose.

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

Raymond S. N. Sayas  
Raymond S. N. Sayas

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



PARTIES OF THE SECOND PART:

  
\_\_\_\_\_  
PATRICIA T. ROSARIO

Date: 6/18/13

ACKNOWLEDGMENT


CITY OF TAMUNING ) ss

On this 18<sup>th</sup> day of June, 2013, before me, the undersigned notary, personally appeared **PATRICIA T. ROSARIO**, known to me to be the person whose name is signed on the attached or preceding document and acknowledged to me that she signed it voluntarily for its stated purpose.

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

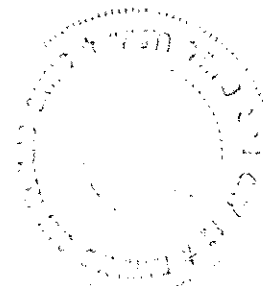
Raymond SN Sayas  
Raymond SN Sayas

PARTIES OF THE SECOND PART:

 ATTORNEY IN FACT.  
Dolores R. Boardman  
DOLORES ROSARIO BOARDMAN  
LORENZO C. ROSARIO, JR.  
Attorney-In-Fact - Document No. 822139

Date: 6/18/13

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



ACKNOWLEDGMENT

CITY OF TAMUNING ) ss

On this 18<sup>th</sup> day of June, 2013, before me the undersigned notary, personally appeared **LORENZO C. ROSARIO, JR.**, known to me to be the person whose name is subscribed to the within instrument as the Attorney-In-Fact for **DOLORES ROSARIO BOARDMAN**, and acknowledged to me that he subscribed the name of **DOLORES ROSARIO BOARDMAN**, thereto as principal, and his own name as Attorney-In-Fact, for its stated purpose on the attached or preceding document and acknowledged to me that he signed it voluntarily for its stated purpose.

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

Raymond Sayas  
Raymond S. N. Sayas

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

PARTIES OF THE SECOND PART:

[Signature]  
LORENZO C. ROSARIO, JR.

Date: 6/18/13



13-0336

ACKNOWLEDGMENT

CITY OF TAMUNING ) ss

On this 18<sup>th</sup> day of June, 2013, before me, the undersigned notary, personally appeared **LORENZO C. ROSARIO, JR.**, known to me to be the person whose name is signed on the attached or preceding document and acknowledged to me that he signed it voluntarily for its stated purpose.

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

Raymond SN Sayas  
Raymond SN Sayas

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

APPROVED AS TO LEGALITY  
AND FORM:

[Signature]

LEONARDO M. RAPADAS  
Attorney General of Guam

Date: 7/5/13

DLM 13-0336



GOVERNMENT OF GUAM

[Signature]

EDWARD J.B. CALVO  
Governor of Guam

Date: JUL 10 2013

# EXHIBIT "B"



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



EDDIE BAZA CALVO  
Governor

MONTE MAFNAS  
Director

RAY TENORIO  
Lieutenant Governor

DAVID V. CAMACHO  
Deputy Director

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

Date: July 15, 2013

7-16-13  
**RECEIVED**

To: Chief Planner, Land Planning Division

From: Franklin Jimenez, Associate Broker, Titan Realty  
Mailing Address: 121 Takano Lane, Suite 205  
Address: Tamuning, Guam 96913

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

Re: Request for DLM Certification of Designated Zone  
(A recorded Survey Map should accompany this Request Form)

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

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

Municipality of Dedeco, Guam Project/Application Name: Franklin Jimenez

Franklin Jimenez Requestor (Print name)  Contact Number(s):  
Work: 479.4663 Beeper: \_\_\_\_\_  
Cellular 727-2891 Home: \_\_\_\_\_

E-mail Address:  
[djm@mail.gov.gu](mailto:djm@mail.gov.gu)

FOR OFFICIAL USE ONLY

### Verification of Designated Zone

ZONING DISTRICT:  IA  MR-1  IR-2  IC  IM-1  IM-2  IPD  IH  IS-1  PF

REMARKS Subject lot is zoned "R1"

As per Official Zoning Map


PROPERTY STATUS F367S38

Telephone:  
671-649-LAND (5263)

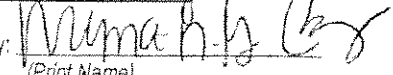

 7/17/13  
SIGNATURE (Research Verified By: Land Agent Supervisor)

Facsimile:  
671-649-5383

### Certification of Zone (above)

Approved  Disapproved  
 7-18-13  
Date  
M. Guam Chief Planner

\*This is a written request for the above information. Filing Fee: Ten Dollars (\$10.00) filing fee as per Public Law 29-02, Chapter V, Part III (Fees and Charges Assessed by the Department of Land Management); available approximately four (4) working days as per P.L. 25-06, Section 1(d), Sunshine Reform Law, except for zone verifications.

Completion Date: 7/18/13 Documents Received by:   
Total No. of Pages: 2 (Print Name)  
Amount Due: \$ 10 Payment Received by:  (DLM Staff)

**VERIFICATION OF ZONING**  
FOR OFFICIAL USE ONLY

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

*Stephanie Duenas*

\_\_\_\_\_  
Researched Completed By





