

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

FEB 13 2014

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

32-14-1304
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 2/14/14
Time 4:05 PM
Received by:

Dear Madame Speaker:

Transmitted herewith is Bill No. 232-32 (COR) "AN ACT TO REZONE LOT NO. 23, BLOCK NO. 4, TRACT NO. 170, WEST ACRES SUBDIVISION, MUNICIPALITY OF DEDEDO, FROM ONE-FAMILY DWELLING ZONE (R1) TO MULTIPLE DWELLING ZONE (R2)" which I signed into law on February 10, 2014 as Public Law 32-123.

Senseramente,

EDDIE BAZA CALVO

2014 FEB 14 PM 4:49

1304

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

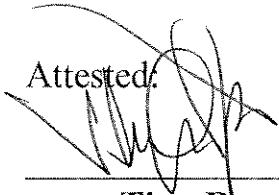
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 232-32 (COR)**, "AN ACT TO REZONE LOT NO. 23, BLOCK NO. 4, TRACT NO. 170, WEST ACRES SUBDIVISION, MUNICIPALITY OF *DEDEDO*, FROM ONE-FAMILY DWELLING ZONE (R1) TO MULTIPLE DWELLING ZONE (R2)," was on the 1st day of February, 2014, duly and regularly passed.



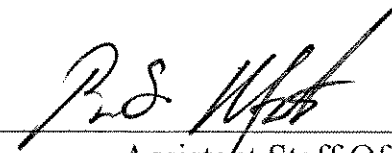
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1st 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 Guåhan

Date: FEB 10 2014

Public Law No. 32-123

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

Bill No. 232-32 (COR)

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. Limtiaco
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. 23, BLOCK NO. 4,
TRACT NO. 170, WEST ACRES SUBDIVISION,
MUNICIPALITY OF DEDEDO, FROM ONE-FAMILY
DWELLING ZONE (R1) TO MULTIPLE DWELLING
ZONE (R2).**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Pedro T. and Teresita B. Aguon are the property owners of Lot Nos. 22 and
4 23, Block No. 4, Tract No. 170, West Acres Subdivision, located in the
5 municipality of *Dededo*. *I Liheslaturan Guåhan* further finds that the Aguons
6 acquired Lot No. 22 through a Deed of Conveyance (*attached as Exhibit "A"*) with
7 the government of Guam, in January 1976; and Lot No. 23 through a Quitclaim

1 Deed (*attached as Exhibit "B"*), in April 2004. At the present time, the Aguons
2 have homes on both properties with the main family home in an attached single-
3 family dwelling on Lot No. 22, and a single-family dwelling on Lot No. 23.

4 *I Liheslaturan Guåhan* further finds that because the main family home with
5 the attached 3-bedroom dwelling on Lot No. 22 are separately metered, this places
6 said lot as non-conforming with respect to the zoning status. This, in essence,
7 prevents Mr. and Mrs. Aguon from accessing the equity on their property.
8 Furthermore, the Aguons would like to maximize the highest and best use of Lot
9 No. 23, and are requesting the assistance of *I Liheslaturan Guåhan* to rezone this
10 property, as well, from One-Family Dwelling Zone (R1) to Multiple Dwelling
11 Zone (R2).

12 In an effort to ensure that Mr. and Mrs. Aguon's home conforms to the
13 proper zoning status, as well as to assist the Aguons in maximizing the highest and
14 best use of their properties, it is the intent of *I Liheslaturan Guåhan* to rezone these
15 properties from R1 to R2.

16 **Section 2. Lot Rezoned.** Notwithstanding any other provision of law, Lot
17 No. 23, Block No. 4, Tract No. 170, West Acres Subdivision, municipality of
18 *Dededo*, containing an area of 1,373.14 +/- square meters, Estate No. 17759,
19 Suburban, as said lot is marked and designated on Map Drawing No. D4-70T225,
20 C.T. No. 86960, recorded under Instrument No. 97091, in the Department of Land
21 Management, government of Guam, is hereby rezoned from One-Family Dwelling
22 Zone (R1) to Multiple Dwelling Zone (R2). (*partial Map attached as Exhibit*
23 *"C"*)

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

EXHIBIT "A"

DEED OF CONVEYANCE

THIS INDENTURE, made and entered into in the Municipality of Agaña, Territory of Guam, this 16th day of January, 1976, by and between the GOVERNMENT OF GUAM, herein called the GRANTOR, and PEDRO T. and TERESITA B. AGUON, Husband and Wife, residents of Barrigada, Municipality of Barrigada, Guam, hereinafter known as the GRANTEES.

WITNESSETH, that the GRANTOR, in consideration of the sum of ***** SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$6,500.00) *****, United States Currency, paid by the GRANTEES, the receipt whereof is hereby acknowledged, does hereby grant, sell and convey to the GRANTEES, their heirs and assigns, forever, that tract or parcel of land, described as follows, to wit:

Lot No. 22, Block No. 4, Tract 170, West Acres Subdivision, Municipality of Dededo, containing an area of 1,189.04 square meters, as shown on Land Management Drawing No. D4-70T225, covered under C.T. No. 26204.

Together with all singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining and the reversion or reversions, remainder and remainders, rents, issues and profits thereof.

To have and to hold the same together with all the hereditaments and appurtenances thereto belonging or anywise appertaining to the GRANTEES, their heirs and assigns, forever.

All rights, title and interest in and to adjoining streets and alleyways are excepted and excluded from this grant and conveyance and are hereby specifically reserved to the GRANTOR.

The GRANTOR further specifically reserves easements and right-of-way, in perpetuity, for, under, through, over and across said above-described parcel of land, for the purpose, at any time, of constructing, placing, main-

to make such changes and alterations in connection with the locations, sizes or types of said sewage, drainage, or utility lines as the GRANTOR may from time to time, in its sole discretion deem appropriate, including water and mineral rights in the real property so conveyed.

The property herein described was approved by the Land Transfer Board at its meeting held on the 23rd day of October 1973, and also by the Governor of Guam on the 28th day of December 1973.

Pursuant to Public Law 12-61, the property herein described was transmitted to the Twelfth Guam Legislature on the 9th day of January 1974, and after twenty (20) legislative days without action, the property was automatically approved on the 14th day of March, 1974.

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

GOVERNMENT OF GUAM

By /s/ RICARDO J. BORDALLO
RICARDO J. BORDALLO
Governor of Guam

Date: FEB 02 1976

APPROVED AS TO FORM:

/s/ Charles H. Troutman

Attorney General

Date: JAN 19 1976

COUL/REG/SGAD:

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT
OFFICE OF THE RECORDER

INSTRUMENT NUMBER 266599

This instrument was filed for record on 8
day of March, 1976, at 9:31 A.M.

and duly recorded in Book _____ at Page _____
Recording Fee \$ 2.00 Register No. 112

Deputy Recorder

EXHIBIT "B"

Quitclaim Deed

Grantor(s): *Herbert Q. Aguon and Catalina M.B. Aguon.*

Grantee(s): *Pedro T. Aguon and Teresita B. Aguon.*

Legal Description(s): *Lot No. 23, Block No. 4, Tract No. 170, Dededo, Guam.*

GUAM, U.S.A.)
) SS.:
CITY OF MAITE)

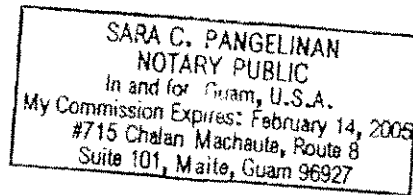
On this 9 day of April, 2004, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **PEDRO T. AGUON**, known to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he executed the within instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan

Notary Public



GUAM, U.S.A.)
) SS.:
CITY OF MAITE)

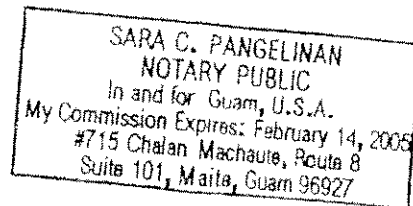
On this 9 day of April, 2004, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **TERESITA B. AGUON**, known to me to be the person whose name is subscribed to the within instrument and she acknowledged to me that she executed the within instrument as her free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan

Notary Public



AFFIDAVIT OF CONSIDERATION

TO: DIRECTOR OF LAND MANAGEMENT

I/We, the undersigned having been first duly sworn do hereby depose and say as follows:

I/We, have duly acquired the following described real property: LOT NO. 7-1, BLOCK NO. 6, TRACT NO. 271, YIGO, GUAM, U.S.A., by the terms of a Deed executed on the 9 day of APRIL, 2004, bearing Instrument No. 890990, incorporated hereby reference.

That the true consideration of value given for said realty is: NONE. That the said value is based on payment of NONE, U.S. Currency, and the remaining balance covered by NONE.

That to my/our knowledge (initial where applicable):

[Signature]
Grantor(s)

[Signature]
Grantee(s)

A real estate commission or other real estate fee in connection with the subject conveyance of NONE is to be paid to NONE.

That this Affidavit is executed to satisfy the requirements of Section 21012 of Title 11GCA and for official use by the Government of Guam.

It is further understood that this document is submitted on for such official use by the Government and is not to be made available for inspection by the general public.

IN WITNESS WHEREOF, I/We, hereby affix my/our signature(s) this 9 day of APRIL, 2004.

[Signature]
Grantor:
PEDRO T. AGUON

[Signature]
Grantee:
HERBERT Q. AGUON

[Signature]
Grantor:
TERESITA B. AGUON

[Signature]
Grantee:
CATALINA M.B. AGUON

SUBSCRIBED and SWORN to before me this 9 day of APRIL, 2004, by **PEDRO T. AGUON** and **TERESITA B. AGUON**.

) SEAL (

[Signature]
Notary Public.

SARA C. PANGELINAN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: February 14, 2005
#715 Chalan Mochauts, Route 8
Suite 101, Maite, Guam 96927

SUBSCRIBED and SWORN to before me this 9 day of APRIL, 2004, by **HERBERT Q. AGUON** and **CATALINA M.B. AGUON**.

) SEAL (

[Signature]
Notary Public.

SARA C. PANGELINAN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: February 14, 2005
#715 Chalan Mochauts, Route 8
Suite 101, Maite, Guam 96927

Field Receipt No.: _____
Recording Fee: _____
Document Tax: _____
Total: _____

Quitclaim Deed

Grantor(s): *Pedro T. Aguon and Teresita B. Aguon.*

Grantee(s): *Herbert Q. Aguon and Catalina M.B. Aguon.*

Legal Description(s): *Lot No. 7-1, Block No. 6, Tract No. 271, Yigo, Guam.*

Subject to any and all easements, liens and encumbrances, together with all rights and interests that Grantors have or may have without recourse thereto or warranty in any way whatsoever, of any representations or of the quality or existence of Grantor's title as quitclaimed herein.

WATER AND POWER

GRANTORS FURTHER STATE that water and power (electricity) are available on the property or within 100 feet of the property and that the Grantees are aware that the Government of Guam is not required to pay for water or power (electricity) hookups and extensions.

IN WITNESS WHEREOF, Grantors and Grantees have hereunto set their hand this 9 day of **April, 2004**.

GRANTORS:

Date: 04-09-04

Pedro T. Aguon

PEDRO T. AGUON

Date: 4-9-04

Teresita B. Aguon

TERESITA B. AGUON

GRANTEES:

Date: 4-9-04

Herbert Q. Aguon

HERBERT Q. AGUON

Date: 4-9-04

Catalina M.B. Aguon

CATALINA M.B. AGUON

Quitclaim Deed

Grantor(s): Pedro T. Aguon and Teresita B. Aguon.

Grantee(s): Herbert Q. Aguon and Catalina M.B. Aguon.

Legal Description(s): Lot No. 7-1, Block No. 6, Tract No. 271, Yigo, Guam.

GUAM, U.S.A.)
) SS.:
CITY OF MAITE)

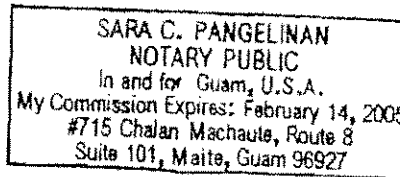
On this 9 day of April, 2004, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **PEDRO T. AGUON**, known to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he executed the within instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan

Notary Public



GUAM, U.S.A.)
) SS.:
CITY OF MAITE)

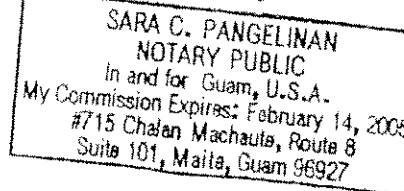
On this 9 day of April, 2004, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **TERESITA B. AGUON**, known to me to be the person whose name is subscribed to the within instrument and she acknowledged to me that she executed the within instrument as her free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan

Notary Public



Quitclaim Deed

Grantor(s): Pedro T. Aguon and Teresita B. Aguon.

Grantee(s): Herbert Q. Aguon and Catalina M.B. Aguon.

Legal Description(s): Lot No. 7-1, Block No. 6, Tract No. 271, Yigo, Guam.

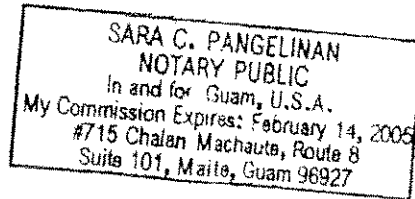
GUAM, U.S.A.)
) SS.:
CITY OF MAITE)

On this 9 day of April, 2004, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **HERBERT Q. AGUON**, known to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he executed the within instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan
Notary Public



GUAM, U.S.A.)
) SS.:
CITY OF MAITE)

On this 9 day of April, 2004, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **CATALINA M.B. AGUON**, known to me to be the person whose name is subscribed to the within instrument and she acknowledged to me that she executed the within instrument as her free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan
Notary Public

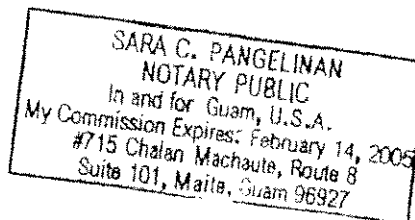


EXHIBIT "C"

B L O C K 30

