

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

OCT 16 2014

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

32-14-2146
Office of the Speaker
Judith T. Won Pat, Ed.D

2014 OCT 17 PM 4:54
Hanson

Date: 10-17-14
Time: 4:16pm
Received By:

Dear Madame Speaker:

Transmitted herewith is Bill No. 349-32 (COR) "AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL ZONE (A) TO MULTIPLE DWELLING ZONE (R2)," which I signed into law on October 13, 2014 as **Public Law 32-198**.

Senseramente

EDDIE BAZA CALVO

2146

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

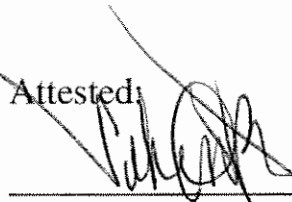
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 349-32 (COR), "AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL ZONE (A) TO MULTIPLE DWELLING ZONE (R2),"** was on the 3rd day of October, 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 6 day of Oct,
2014, at 6:32 o'clock P.M.



**Assistant Staff Officer
*Maga'lahi's Office***

APPROVED:



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

Date:

OCT 13 2014

Public Law No. 32-198

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

Bill No. 349-32 (COR)

Introduced by:

FRANK B. AGUON, JR.

T. C. Ada

V. Anthony Ada

B. J.F. Cruz

Chris M. Dueñas

Michael T. Lintiacó

Brant T. McCreadie

Tommy Morrison

T. R. Muña Barnes

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. 5221-1-4-R1,
MUNICIPALITY OF BARRIGADA, FROM
AGRICULTURAL ZONE (A) TO MULTIPLE
DWELLING ZONE (R2).**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahån* finds

that the late Victorino and Fina Mercado, property owners of Lot No. 5221-1-4-R1 in the municipality of *Barrigada*, self-constructed a two story duplex on the existing property and converted it into a four-plex building. The intention of Victorino and Fina Mercado was to accommodate their children and finance their education through the rental of the additional units. As the children and heirs of the late Victorino and Fina Mercado, Elmer C. Mercado and Lulu T. Mercado (husband and wife) and Therese M. Bugayong and Danilo B. Bugayong (husband and wife), one half (½) undivided interest, as community property owners of Lot No. 5221-1-4-R1, *Barrigada*, Guam, Estate No. 61159, Suburban, containing an

1 area of ± 1,858 square meters, as shown on Drawing No. EBM 79-39, L.M. No.
2 098 FY80, prepared by Emil B. Meregillano, RLS No. 51, dated January 22,
3 1980;- LM098FY80 Map Pac #310027, located in the municipality of *Barrigada*,
4 Guam, would like to continue to utilize the existing property as additional income
5 and access the accumulated equity in their property. (Attachment A)

6 Furthermore, *I Liheslaturan Guahån* finds that the present property is zoned
7 as an Agricultural Zone (A), and prior to construction, all building and occupancy
8 permits were approved, certifying compliance with all applicable rules, regulations
9 and laws by the proper government agencies. This places the four-plex in an
10 approved and legal structure, but the non-conforming status restricts the current
11 property owners access to the accumulated equity in their property.

12 Therefore, it is the intent of *I Liheslaturan Guahån* to resolve this problem
13 through the rezoning of Lot No. 5221-1-4-R1, in the municipality of *Barrigada*,
14 from Agricultural Zone (A) to Multiple Dwelling Zone (R2).

15 **Section 2. Lot Rezoning.** Notwithstanding any other provisions of law,
16 Lot No. 5221-1-4-R1, in the municipality of *Barrigada* and owned by Elmer C.
17 Mercado and Lulu T. Mercado (husband and wife) and Therese M. Bugayong and
18 Danilo B. Bugayong (husband and wife), is hereby rezoned from Agricultural Zone
19 (A) to Multiple Dwelling Zone (R2).

20 **Section 3. Effective Date.** The provision contained herein *shall* take
21 effect upon the enactment of this Act.

22 **Section 4. Severability.** *If* any provision of this Act or its application to
23 any person or circumstance is found to be invalid or contrary to law, such
24 invalidity *shall not* affect other provisions or applications of this Act which can be
25 given effect without the invalid provisions application, and to this end the
26 provisions of this Act are severable.

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