

## PUBLIC HEARING

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which Bill No. 836 was referred, scheduled, publicly announced pursuant to Legislative Standing Rules, and conducted a public hearing on said measure on July 2, 1992, at 7:00 pm, in the Mangilao Community Center.

Members of the Committee present at the public hearing were:

Sen. Francisco R. Santos, Chairman

Sen. Pilar C. Lujan

Sen. Elizabeth P. Arriola

Sen. Herminia D. Dierking

Sen. Anthony C. Blaz

Speaker Joe T. San Agustin

Appearing before the Committee to testify on Bill No. 836 were

Mr. Angel U. Flores, property owner

Mr. Frank L.G. Castro, Director, Department of Land  
Management

Submitting written testimony on the measure were:

Mr. Peter Leon Guerrero, Director, Bureau of Planning

Notation is here made that Mayor Raymond S. Laguana, Mayor of Barrigada, had earlier stated his position on Bill 836 to the Chairman of the Committee. Mayor Laguana stated that neither he, nor the Municipal Planning Council of Barrigada, had any objections to Bill No. 836.

Appearing at the public hearing on other measures were:

Mr. Steven Unpingco, against Bill 903

Mr. Joseph T. Duenas, in support of Bill 903

Mr. Victor Lujan, in support of Bill 903  
Mr. Victor Perez, in support of Bill 903  
Mr. Francisco B. Crisostomo, in support of Bill 903  
Mr. Joaquin B. Perez, in support of Bill 903  
Mr. Vicente Pangelinan, in support of Bill 903  
Mrs. Josephine McDonald, in support of Bill 903  
Mr. Lee Carter, in support of Bill 903

## SUMMARY OF TESTIMONY

### **Mr. Angel U. Flores, property owner**

Mr. Flores stated that he was requesting the rezoning of his property in order for him to utilize the property to build a commercial building. He noted that the property was situated on Route 16 which is a heavily travelled thoroughfare from Barrigada to Dededo. He also noted that many of the lots fronting Route 16, specifically, those properties immediately across Barrigada Hts., have already been rezoned and were being utilized for commercial outlets. Because of the apparent success of these businesses, Mr. Flores feels that the highest and best use of the property would be for commercial purposes.

Mr. Flores also noted that his property was contiguous to and abutting another parcel of property which belonged to his brother. That parcel of property has already been rezoned as a Commercial lot by the Territorial Land Use Commission. However, Mr. Flores noted that it took over two years, and a great deal of money used to higher

consultants, for the rezoning of his brother's property Mr. Flores noted that he approached the Legislature because he could not afford to hire consultants required to assist him with the TLUC and that because his brother's lot was contiguous, what was permissible for his brother should be permissible for him.

**Mr. Frank L.G. Castro, Director of Land Management**

Mr. Castro noted that he was in support of the rezoning in Bill 836 because of the existence of the necessary infrastructure in the area, the commercialization of other lots along Route 16 and the commercial rezoning of Mr. Flores' brothers lot which is adjacent to the lot covered by Bill 836.

**Mr. Peter Leon Guerrero, Director, Bureau of Planning**

Mr. Leon Guerrero noted that the **Bureau of Planning had no objections to the rezoning of the property** covered in Bill 836 because it was contiguous to a parcel already zoned Commercial. However, he noted that the Bureau does not support rezoning efforts by the Legislature because Legislative rezonings are not processed through procedures already established and as the impact of these rezonings are not reviewed by the Development Review Committee which was charged by Executive Order to be the clearinghouse for such matters. Mr. Leon Guerrero noted that the Bureau of Planning does have objections to other rezoning measures noting that the requests for rezoning had not been considered by the TLUC and the residents of the area were not informed of such requests. It is noted that the public hearing was announced 10 days prior to the date of the hearing. This can be ascertained by the response of the Bureau of Planning and the Department of Land

Management to the notification. The notion that notification of residents within 500 feet should be required is tempered against the fact that in a great majority of instances, where residents have complained of TLUC action to the Legislature, residents polled have indicated that they did not receive the individual notification. The Committee notes that in all objections filed by the Bureau of Planning on rezoning measures, the major emphasis, in some cases, such as Bill 836, the only objection is the fact that the application did not travel the route or process of the TLUC.

*It is noted that even the fast track method, as envisioned in PL 21-82 has not been made as effective as intended by the Legislature because of the lack of response or the slowness to respond of the major agencies involved. Mr. Frank Castro, Director of Land Management has submitted suggest amendments to the PL 21-82 which would resolve this problem. Those suggestions are incorporated into Bill 836.*

**Mr. Steven Unpingco, Resident of Pago Bay.**

Mr. Unpingco testified against Bill No. 903 noting that he personally feels that the rezoning would set a dangerous precedent by which contiguous lots would be rezoned until the rezoning eventually reached his parcel of property on which he built a very expensive residence. Mr. Unpingco notes that just because the TLUC rezoned a large tract of property to R2 does not justify the rezoning, by anybody, of any additional tracts even if such parcels were contiguous to the TLUC zoned property. Mr. Unpingco noted that he is

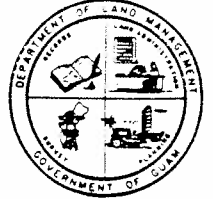
renting a detached residential unit in Pago Bay and that the development of apartment units in the area would depress the rental he is receiving for that unit. Thus, Mr. Unpingco would deny, to Mr. and Mrs. Joseph Duenas, Mrs. Mariana L.G. Lujan, Mrs. Lillian Leon Anderson, and others, the full economic potential of their properties in order to maintain the pricing structure and level of existing rental units in the area.



DEPARTMENT OF LAND MANAGEMENT  
(DIPATTAMENTON MANMANEHAN TANO')  
GOVERNMENT OF GUAM  
P.O. BOX 2950  
AGANA, GUAM 96910

TEL: (671) 475-LAND/FAX: (671) 477-0883

10:34  
6-8-92



JOSEPH F. ADA  
Governor

F. L.G. CASTRO  
Director

FRANK F. BLAS  
Lieutenant Governor

June 4, 1992

JOAQUIN A. ACFALLE  
Deputy Director

The Honorable Frank R. Santos  
Chairman, Committee on Housing  
Community Development, Federal  
and Foreign Affairs  
Twenty-First Guam Legislature  
Agana, Guam 96910

Subject: Public Law No. 21-82

Dear Mr. Chairman:

Because of the problems which we have been facing in attempting to accommodate the intent of Public Law No. 21-82 and our consistent desire into assisting the general public, I am respectfully submitting a recommendation for an amendment of the said statute. My recommended amendment proposals are as follows:

1. "The Division of Planning, Department of Land Management provides a written attestation that there is or there is not an adequate infrastructure to accommodate the zone change. The Public Utility Agency of Guam, the Guam Power Authority, the Guam Environmental Protection Agency and the Department of Public Works are herein mandated to provide the necessary information without delay as the Department of Land Management may require to complete the written attestation. Any request to the said nature must be provided to Land Management at the earliest possible time but not later than ten (10) working days from date request is made."

If the above becomes a part of the mandate we will no longer have to depend on the certifications from other Agencies and Land Management can proceed in acting upon the application. The Public Utility Agency of Guam, the Guam Power Authority, the Environmental Protection Agency of Guam, Public Works and all other Agency members for the Development Review Committee can address their concerns when they submit their position statement within the 45 days as required under the said Law.



The Honorable Frank R. Santos  
RE: Public Law 21-82  
June 4, 1992  
Page 2 of 2 pages

Our problem in attempting to entertain applications lies in the area where it has been extremely difficult to secure the four (4) required Certifications from the four Agencies (PUAG, GPA, GEPA and DPW). While in most cases we have been able to secure the Certifications from three of the four Agencies involved, one appears to be holding us back and unless the Law is changed, we will continue to be faced with the same problem.

The record reflects as of right now that of the 23 applications received, only one application could be entertained because only one is accompanied by all four required certifications. All others lack certification from one major Agency.

2. The applicant meet all the other requirements established by the Department. This shall include the providing of a rough sketch of the type of development which the applicant intents to undertake upon the land involved. The submission of a comprehensive development plan shall not be necessary until the Developer comes forth for the clearing of other permits.

If a meeting on this matter is necessary, please let me know.

Sincerely yours,



F. L. G. CASTRO  
Director, Department of  
Land Management

Attachment: Public Law 21-82



*Territory of Guam  
Territorio de Guam*

OFFICE OF THE GOVERNOR  
P.O. BOX 10000  
AGANA, GUAM 96910

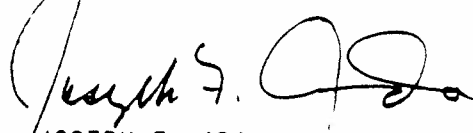
JAN 25 1992

The Honorable Joe T. San Agustin  
Speaker, Twenty-First Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 621, which I have signed into  
law this date as Public Law No. 21-82.

Sincerely,

  
JOSEPH F. ADA  
Governor

Attachment

118  
119  
26 JAN 1992

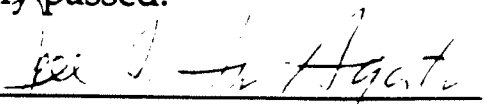




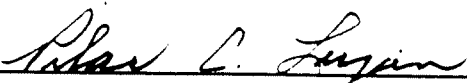
TWENTY-FIRST GUAM LEGISLATURE  
1992 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

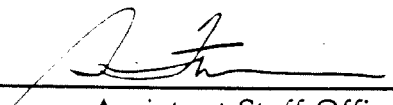
This is to certify that Substitute Bill No. 621 (COR), "AN ACT TO REZONE TRACTS 230, 243, AND 10413, YIGO, FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL, AND TO ADD §61639 TO CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, TO FACILITATE THE REZONING OF AGRICULTURAL AND SINGLE FAMILY RESIDENTIAL AREAS," was on the 10th day of January, 1992, duly and regularly passed.

  
\_\_\_\_\_  
JOE T. SAN AGUSTIN  
Speaker

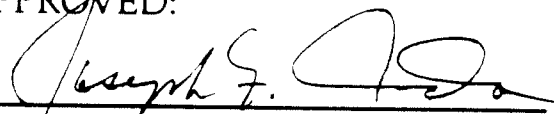
Attested:

  
\_\_\_\_\_  
PILAR C. LUJAN  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 15<sup>th</sup> day of January, 1992, at  
5:05 o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
\_\_\_\_\_  
JOSEPH F. ADA  
Governor of Guam

Date: JAN 25 1992

Public Law No. 21-82

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Bill No. 621 (COR)

As substituted on the floor.

Introduced by:

H. D. Dierking  
F. R. Santos  
C. T. C. Gutierrez  
J. T. San Agustin  
J. P. Aguon  
E. P. Arriola  
J. G. Bamba  
A. C. Blaz  
M. Z. Bordallo  
D. F. Brooks  
E. R. Dueñas  
E. M. Espaldon  
P. C. Lujan  
G. Mailloux  
M. D. A. Manibusan  
D. Parkinson  
M. J. Reidy  
M. C. Ruth  
D. L. G. Shimizu  
T. V. C. Tanaka

AN ACT TO REZONE TRACTS 230, 243, AND 10413, YIGO,  
FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL,  
AND TO ADD §61639 TO CHAPTER 61, TITLE 21, GUAM  
CODE ANNOTATED, TO FACILITATE THE REZONING OF  
AGRICULTURAL AND SINGLE FAMILY RESIDENTIAL  
AREAS.

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

2           **Section 1. Legislative findings.** The Legislature has been petitioned by  
3 certain owners of land in Tracts 230 and 243, **Salas I and Salas II**  
4 **Subdivisions**, and Tract 10413, all in the Municipality of Yigo, to have their  
5 property rezoned from Agricultural ("A") to Single Family Residential ("R-1").  
6 The Legislature finds that when the parcels within these tracts were sold in  
7 the late 1960's, they were sold as one acre and half acre parcels. The  
8 Legislature has subsequently ascertained that a majority of those parcels  
9 were purchased by individuals acting on behalf of several members of a group  
10 of friends or family, with each member maintaining a percentage interest  
11 equivalent to a single residential lot. The current Agricultural zoning  
12 precludes subdividing further the parcels into residential lots. Another  
13 problem confronted by the individual owners is that they are unable to obtain  
14 certificates of titles for their interests and, therefore, are unable to obtain any  
15 form of financing for the building of their homes.

16           **Section 2. Rezoning.** All parcels and lots situated within Tracts 230  
17 and 243, **Salas I and Salas II** subdivisions, and Tract 10413, Lots Nos. 7028-5  
18 and 7028-R5, Municipality of Yigo, which meet the requirement for  
19 residential subdivisions, i.e., the availability of potable water and electric  
20 power, fire hydrants, paved roads, and sewer lines or septic tanks, are hereby  
21 rezoned from Agricultural ("A") to Single Family Residential ("R-1").

22           **Section 3. Change in zoning maps.** The Director of Land  
23 Management (the "Director") is directed to amend all zoning maps and all  
24 other pertinent documents to reflect the zone change authorized in Section 2  
25 of this Act.

1           Section 4. §61639 is hereby added to Chapter 61, Title 21, Guam Code  
2 Annotated, to read:

3           **"§61639. Summary procedure for agricultural and single**  
4 **family residential rezoning.** The Department of Land  
5 Management (the "Department") is directed to set up a procedure  
6 whereby landowners of agriculturally- or single family  
7 residentially-zoned properties in Guam can expeditiously apply  
8 for rezoning of their parcels. Owners of agriculturally-zoned  
9 property may apply to rezone their property as either Single  
10 Family Residential ("R-1") or Multi-Family Residential ("R-2");  
11 owners of single-family residentially-zoned property may apply  
12 to rezone their property to Multi-Family Residential ("R-2").  
13 Such procedure shall be incorporated into rules and regulations to  
14 be promulgated by the Director of Land Management pursuant to  
15 the Administrative Adjudication Law, which rules shall include  
16 provisions as to lot size and required infrastructure and shall  
17 include the following steps:

18           (A) The submission of a completed application to the  
19 Director who shall render a decision thereon within sixty (60)  
20 days; provided, that:

21           1. The Public Utility Agency of Guam, the Guam Power  
22 Authority and the Environmental Protection Agency of  
23 Guam certify in writing, which certificates shall be attached  
24 to the application, that there is adequate infrastructure to  
25 accommodate the zone change.

1           2. The applicant meet all the other requirements  
2           established by the Department.

3           (B) Upon receipt of the completed application, the  
4           Director shall immediately transmit copies of the same to all the  
5           member departments and agencies constituting the Development  
6           Review Committee, which departments and agencies shall  
7           expeditiously make recommendations on the change request.  
8           Failure of any member department or agency to reply within  
9           forty-five (45) days of receipt of the application shall constitute  
10          concurrence with the requested change. The Director shall then  
11          approve or disapprove the application, and submit the same to  
12          the Legislature with his reasons for approval or disapproval,  
13          within sixty (60) days of its submission to him.

14          (C) If the application has been approved by the Director,  
15          the property the subject of the application shall be rezoned to  
16          either Single Family Residential ("R-1") or Multi-Family  
17          Residential ("R-2") as the case may be, unless within forty-five  
18          (45) days of its submission to the Legislature, the Legislature, by  
19          statute, amends or rejects the same. If the application has been  
20          disapproved by the Director, the property the subject of the  
21          application shall not be rezoned unless within forty-five (45) days  
22          of its submission to the Legislature, the Legislature, by statute,  
23          overrules the Director and approves the change of zone."



SETBISION MAMPLANEHA  
Bureau of Planning  
GOVERNMENT OF GUAM  
AGANA, GUAM 96910

JUL 02 1992

Honorable Francisco R. Santos  
Chairman  
Committee on Housing, Community Development,  
Federal and Foreign Affairs  
Twenty-First Guam Legislature  
163 Chalan Santo Papa  
Agana, Guam 96910

RECEIVED  
7-2-92  
10:20a.m.

Hafa Adai Senator Santos:

I appreciate the opportunity to present this testimony on Bill No. 836 (LS), **An Act to Rezone Lot No. 5211-2-2-1-R2 and Lot No. 5211-2-2-2-R1, situated in the Municipality of Barrigada, from "Agricultural" (A) to "Commercial" (C).**

Although the Bureau has no objection to the zone change per se, as the proposed zone abuts an existing C-Zone, the Bureau does object to the manner in which the zone change is being proposed for the following reasons:

1. It becomes impossible to evaluate the impacts the proposed zone change will have on surrounding land owners without the necessary information being submitted for proper and full review;
2. Impacts on the island's infrastructure need to be evaluated. Through the DRC/TLUC process, agencies are able to plan for future infrastructure needs based on the development projects that go through the review process. Therefore, it is important that everyone is made to conform to these plans, otherwise projects that are considered in the planning process are negatively affected by those that are not considered, and the end result could be a substantial and unnecessary cost to the taxpayers in unanticipated costs;
3. Due to the lack of agency review, a determination as to whether the proposed uses will be compatible with existing land uses cannot be made;
4. Pertinent reviewing agencies have not had the opportunity to analyze the proposed zone changes to determine whether the requirements of Section 17600 of the Zoning Law, i.e., **public necessity, convenience and general welfare** have been addressed and satisfied by the owners of the properties affected by said changes;



5. Surrounding landowners within a 500' radius are not provided personal notice of proposed zone changes as is not only proper, but as required by law;
6. The Bureau was unable, because of the absence of proper maps, to determine the exact locations of the subject lots; and
7. Such rezoning negate the million plus dollar investment in Guam's land use plan.

As a result, the Bureau must strongly recommend against the passage of Bill No. 836. Thank you for giving the Bureau the opportunity to comment.

Si Yu'os Ma'ase',

  
PETER P. LEON GUERRERO  
Director



SETBISION MAMPLANEHA  
Bureau of Planning  
GOVERNMENT OF GUAM  
AGANA, GUAM 96910

JUL 02 1992

Honorable Francisco R. Santos  
Chairman  
Committee on Housing, Community Development,  
Federal and Foreign Affairs  
Twenty-First Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Hafa Adai Senator Santos:

The Bureau of Planning has completed its review of Bill No. 903, An Act to Rezone Certain Parcels of Land in the Municipality of Chalan Pago-Ordot, and offers the following comments in opposition to the bill.

The Bureau too, is sympathetic toward every property owner's wish to realize the greatest amount of value from their property, and if we also did not have to worry about long-term impacts on the community and wasted efforts in planning for infrastructure needs, we would have no problem with such rezonings. But allowing piecemeal land-use decision-making does a major disservice to this and succeeding generations of residents, and in the final analysis costs each taxpayer an inordinate amount of money in "reactive spending", rather than the more cost effective spending based on planning.

In looking at the lots rezoned by Section 2 of this bill, the density within the neighborhood, based only on these lots, could increase from a possible 37 dwelling units to 149 dwelling units. There is absolutely no guarantee that these would be affordable units, but could just as easily be built for wealthy, off-island investors. One thing is certain though, the people would have to pay for the provision of sewer, water, power and telephone lines to serve four times the number of units.

The lots rezoned in Section 4 are within a, flood prone area and we should not be encouraging denser development, but discouraging it. In all, these lots which could accommodate some 34 units under present zoning, could become denser by more than eight (8) times, to 282 dwelling units.

The residents of Pago Bay have made it clear in more than one public hearing, that they do not favor dense, R-2 usage in the area. The community's voice has been heard, and should be heeded.





The Bureau continues to object to re-zoning by legislation as a process. The land-use element for the master plan is well under way and will be severely compromised by continued disregard for the process which was established by the Legislature itself. That proper process allows for the maximum review by the public and government, in order to guarantee that rezonings occur only when they are deemed necessary for the community good. The Bureau supports the proper process.

Thank you for giving us this opportunity to provide our comments on Bill 903.

Si Yu'os Ma'ase',

  
PETER P. LEON GUERRERO  
Director



SETBISION MAMPLANEHA  
Bureau of Planning  
GOVERNMENT OF GUAM  
AGANA, GUAM 96910

JUL 02 1992

Honorable Frank R. Santos  
Chairman  
Committee on Housing, Community Development,  
Federal and Foreign Affairs  
Twenty-First Guam Legislature  
163 Chalan Santo Papa  
Agana, Guam 96910

Hafa Adai Senator Santos:


I appreciate the opportunity to present this testimony on Bill No. 886, An Act to Rezone Lot No. 5220-1-1-R1 from "Single Family Dwelling" (R-1) to "Commercial" (C); Lot No. 5223-5A-1 from "Agricultural" (A) to "Light Industrial" (M-1); and Lot 1, Block 1, Tract 1442 from "Single Family Dwelling" (R-1) to "Commercial" (C), in the Municipality of Barrigada.

Although the Bureau has no major objection to the zone change per se, we cannot support the above bill for the following reasons. Research has shown that this area is within the aircraft Accident Potential Zone (APZ 1) which is considered "normally unacceptable" for activities found in a commercial zone. There is an existing process that permits changes of zones should public necessity, convenience, and general welfare justify such actions. Zone change proposals that bypass the DRC/TLUC process are not given the benefit of a comprehensive evaluation in which impacts can be assessed and fully analyzed, whether they be environmental, social, or economic impacts.

Furthermore, impacts on the island's infrastructure also need to be evaluated. Through the DRC/TLUC process, agencies are able to evaluate existing infrastructure capabilities and anticipate future infrastructure needs based on the development projects that go through the review process. Therefore, it is important that everyone is made to conform to the DRC/TLUC process, otherwise projects that are considered in the planning process are often negatively affected by those that are not, and the end result could be in a substantial and unnecessary cost to the taxpayers in unanticipated costs.

Thank you for the opportunity to comment.

Si Yu'os Ma'ase',

  
PETER P. LEON GUERRERO  
Director



Commonwealth Now!

DEPARTMENT OF LAND MANAGEMENT  
CERTIFICATE OF TITLE

Certificate of Title Number 19376

Document No. 79545

Originally registered 17 June, 1924 Vol. 19

Municipality of Agana Page 156 Guaranteed Claim No. 2194

Transfer from Number

TERRITORY OF GUAM ) ss  
AGANA, GUAM )

This is to certify that William Arthur Flores

now residing at the ~~MARIGUAY~~ Territory of Guam

Certificate of Identification No. \_\_\_\_\_ and by occupation \_\_\_\_\_ is/  
the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in  
municipality of Barrigada territory of Guam, designated  
Cadastral Lot Number 1, Block No. 4, Subdivision of Lot No. 1098-Rem, Barrigada, Guam, Estate  
No. 14444, Suburban, containing an area of 793 square meters;

subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owner is <sup>over</sup> ~~at~~ the age of 21 years; Civil status \_\_\_\_\_ and is/  
under no disability.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed

this 28th day of February 19 91

This Certificate of Title issued in place of the  
lost one. 8/8/91

*A. C. Taitague*  
A. C. TAITAGUE  
Deputy Civil Registrar

/s/ A. C. Taitague  
/t/ A. C. TAITAGUE  
Deputy Recorder of Titles  
In and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above Certificate  
of which said property has not yet been sold.

CERTIFICATE OF TITLE

Certificate of Title Number 19377

Document No. 79545

Originally registered 17 June, 1924

Vol. 19

Municipality of Agana Page 156

Guaranteed Claim No. 2194

Transfer from Number

TERRITORY OF GUAM )  
AGANA, GUAM ) ss

This is to certify that William Arthur Flores

now residing at the Municipality Territory of Guam

Certificate of Identification No. and by occupation is/as

the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in the municipality of Barrigada territory of Guam, designated by

Cadastral Lot Number 2, Block No. 4, Subdivision of Lot No. 1098-Rem, Barrigada, Guam, Estate No. 14445, Suburban, containing an area of 736 square meters;

subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owner is <sup>over</sup> the age of 21 years; Civil status and is/ar

under no disability.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed

this 28th day of February 19 67.

This Certificate of Title issued in place of the lost one. 8/8/91

*A. C. Taitague*  
A. C. TAITAGUE  
Deputy Civil Registrar

/s/ A. C. Taitague  
/t/ A. C. TAITAGUE  
Deputy Recorder of Titles  
In and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above Certificate

Certificate of Title Number 19378

Document No. 7954

Originally registered 17 June, 1924

Vol. 19

Municipality of Agana

Page 156

Guaranteed Claim No. 219

Transfer from Number

TERRITORY OF GUAM )  
AGANA, GUAM ) ss

This is to certify that William Arthur Flores

now residing at the Municipality / Territory of Guam

Certificate of Identification No. \_\_\_\_\_ and by occupation \_\_\_\_\_ is

the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in  
municipality of Barrigada territory of Guam, designated

Cadastral Lot Number 3, Block No. 4, Subdivision of Lot No. 1098-Ram, Barrigada, Guam, Estate  
No. 14446, Suburban, containing an area of 724 square meters;

subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owner is <sup>over</sup> ~~at~~ the age of 21 years; Civil status \_\_\_\_\_ and is  
under no disability.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed

this 28th day of February 19 91

This Certificate of Title issued in place of  
lost one. 8/8/91

*A. C. Taitague*  
A. C. TAITAGUE  
Deputy Civil Registrar

/s/ A. C. Taitague  
/t/ A. C. TAITAGUE  
Deputy Recorder of Titles  
In and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above Certificate  
TERRITORY OF GUAM

CERTIFICATE OF TITLE

Certificate of Title Number 19379

Document No. 29545

Originally registered 17 June, 1924

Vol. 19

Municipality of Agana Page 156

Guaranteed Claim No. 2194

Transfer from Number

TERRITORY OF GUAM )  
AGANA, GUAM ) ss

This is to certify that William Arthur Flores

now residing at the ~~Municipality~~ Territory of Guam

Certificate of Identification No. \_\_\_\_\_ and by occupation \_\_\_\_\_ is/are

the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in the municipality of Barrigada

territory of Guam, designated by Cadastral Lot Number 10, Block No. 4, Subdivision of Lot No. 1098-Rem, Barrigada, Guam, Estate No. 14447, Suburban, containing an area of 650 square meters;

subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owner is <sup>over</sup> the age of 21 years; Civil status \_\_\_\_\_ and is/are under no disability.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed

this 28th day of February 19 91.

This Certificate of Title issued in place of the lost one. 8/8/91

*A. C. Taitague*  
A. C. TAITAGUE  
Deputy Civil Registrar

/s/ A. C. Taitague  
/t/ A. C. TAITAGUE  
Deputy Recorder of Titles  
In and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above Certificate of Title other than taxes for non-payment of which said property has not yet been sold.

"OWNER'S CERTIFIED COPY"  
TERRITORY OF GUAM

LAND AND MANAGEMENT

"OWNER'S CERTIFIED COPY"  
TERRITORY OF GUAM

DEPARTMENT OF LAND MANAGEMENT  
CERTIFICATE OF TITLE

Certificate of Title Number 19380

Document No. 79545

Originally registered 17 June, 1924

Vol. 19

Municipality of Agana Page 156

Guaranteed Claim No. 2194

Transfer from Number

TERRITORY OF GUAM )  
AGANA, GUAM ) "

This is to certify that William Arthur Flores

now residing at the Municipality/Territory of Guam

Certificate of Identification No. and by occupation is/are

the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in the municipality of Barrigada

territory of Guam, designated by Cadastral Lot Number 11, Block No. 4, Subdivision of Lot No. 1098-Rem., Barrigada, Guam, Estate No. 14448, Suburban, containing an area of 650 square meters;

subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owner is <sup>over</sup> the age of 21 years; Civil status and is/are under no disability.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed

this 28th day of February 19 67

This Certificate of Title issued in place of lost one. 8/8/91

*A. C. Taitague*  
A. C. TAITAGUE  
Deputy Civil Registrar

/s/ A. C. Taitague  
/t/ A. C. TAITAGUE  
Deputy Recorder of Titles  
In and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above Certificate of Title, other than taxes, for non-payment of which said property has not yet been sold.

"OWNER'S CERTIFIED COPY"  
TERRITORY OF GUAM

DEPARTMENT OF LAND MANAGEMENT  
CERTIFICATE OF TITLE

Certificate of Title Number 19381

Document No. 79545

Originally registered 17 June, 1924

Municipality of Agana Page 156 Vol. 19

Transfer from Number \_\_\_\_\_ Guaranteed Claim No. 2194

TERRITORY OF GUAM ) ss  
AGANA, GUAM )

This is to certify that William Arthur Flores

now residing at \_\_\_\_\_ the \_\_\_\_\_ Municipality/Territory of Guam

Certificate of Identification No. \_\_\_\_\_ and by occupation \_\_\_\_\_ is/a

the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in the municipality of Barrigada

territory of Guam, designated by Cadastral Lot Number 12, Block No. 4, Subdivision of Lot No. 1098-Rem., Barrigada, Guam, Estate No. 14449, Suburban, containing an area of 694 square meters;

subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owner is <sup>over</sup> ~~21~~ the age of 21 years; Civil status \_\_\_\_\_ and is/are

under no disability.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed

this 28th day of February 19 67.

This Certificate of Title issued in place of the lost one. 8/9/91

*A. C. Taitague*  
A. C. TAITAGUE  
Deputy Civil Registrar

/s/ A. C. Taitague  
/c/ A. C. TAITAGUE  
Recorder of Titles  
In and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above Certificate of Title, other than those for any assessment of which said assessment has not yet been paid.



789-4656

**TERRITORY OF GUAM**  
**DEPARTMENT OF LAND MANAGEMENT**  
**CERTIFICATE OF TITLE**

Certificate of Title Number 31438

Document No. 110122

Originally registered 21 January, 1930

Vol. 22

Municipality of Agana

Page 526

Guaranteed Claim No. 3390

Transfer from Number C.T. No. 29750

TERRITORY OF GUAM )  
AGANA, GUAM ) ss.

This is to certify that Lee D. Carter and Rosa R. Carter  
husband and wife

now residing at the territory  
municipality of Guam

Certificate of Identification No. , and by occupation are

the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in the  
municipality of Barrigada

Cadastral Lot Number 2285-New-1, Mangilao, Barrigada, Guam, Estate No. 12587,  
Suburban, containing an area of 929.03 square meters, reference to Property  
map Drawing No. ISL9-64866, filed under Document No. 39244.

subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

are over

Said owner ~~xxx~~ the age of 21 years; civil status married, and is are  
under no disability.

The sale, gift or devise to aliens of lands in the territory of Guam is prohibited, except as provided  
in Section 672, Civil Code of Guam.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed  
this 13th day of March 19 72

*Jose P. Cruz*  
JOSE P. CRUZ  
Deputy Recorder of Titles  
In and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above  
Certificate of Title, other than taxes, for non-payment of which said property has not yet been sold.

Document No.	Kind of Instrument	Registration		Amount	In favor of	Signature Deputy Recorder of Title
		Date	Time			

Introduced

JAN 06 '92

TWENTY-FIRST GUAM LEGISLATURE  
1991 (First) Regular Session

Bill No.: 637 (cor)

Introduced By:

J. P. AGUON



AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM  
TO CHANGE THE ZONING OF LOT 1, BLOCK 1,  
TRACT 124, PAGAT, MANGILAO, MUNICIPALITY  
OF BARRIGADA, FROM 'A' ZONING TO 'C'

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

2 Section 1. Legislative Findings. It is the finding of this  
3 Legislature that the owner of Lot No. 1, Block No. 1, Tract 124, Pagat,  
4 Mangilao, Municipality of Barrigada, Garlin W. Young, desires to conduct a  
5 business venture by building an outdoor archery range on said property. The  
6 Legislature further finds that due to the zoning of the property which is  
7 agricultural, the owner is not able to conduct said business venture thereon.

8 Section 2. Rezoning. Lot No. 1, Block No. 1, Tract 124, Pagat,  
9 Mangilao, Municipality of Barrigada, containing 4,047 +/- square meters and  
10 belonging to Garlin W. Young is hereby rezoned from Agriculture ("A") to  
11 Commercial ("C").

12  
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18

APRIL 92

SENATOR FRANK SANTOS

SUB LOT 5220-1-3/5220-1-3-1/2/3/4/5/

DEAR SENATOR

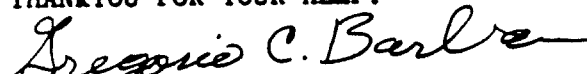
WE WOULD APPRECIATE IF YOU CAN HELP US CHANGE THE ZONE OF OUR PROPERTY.  
THIS PROPERTY IS LOCATED, FRONTING ROUTE 16, AND IS ZONED R-1.  
NOW DAYS, IT IS NOT PRACTIAL TO BUILD HOUSES FRONTING THE MAIN HIGHWAY,  
SO WE ARE ASKING FOR YOUR HELP TO RE-ZONE THIS PROPERTY TO COMMERCIAL ZONE.

THE SIZE OF THE PROPERTY IS 2988 SQ METERS, AND IS DIVIDED IN TO SIX LOTS.

WE PLAN TO CONSOLIDATE THE 6 LOTS IN TO ONE LOT, CONSISTING OF 2988 SQM.

WE PLAN TO BUILD A COMMERCIAL BLDG ON THE PROPERTY, AND LEASE IT FOR OFFICE SPACE.

THANKYOU FOR YOUR HELP.

  
GREIGORIO BARBA  
OWNER

①

LEASE

THIS LEASE is made this 12 day of AUGUST, 1987, by and between GREGORIO C. BARBA, whose address is P.O. Box 23402, GMF 96921, hereinafter referred to as "LESSOR", and DANIEL A. C. CRUZ and KUO-YING CRUZ (husband and wife), whose address is P.O. Box 20416, GMF 96921, hereinafter referred to as "LESSEE".

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the payment of rent and of the covenants, terms and conditions hereinafter provided, the LESSOR hereby leases to LESSEE the following property:

Lot No. 5220-1-3, Barrigada, Guam, containing an area of 2,988+ square meters.

TOGETHER WITH the improvements thereon and the appurtenances and all the rights, title and interest of LESSOR in and to land lying in all streets, highways and rights-of-way abutting or on appurtenant to said premises, all of said leased property being hereinafter referred to as the "Property"; subject, however, to the encumbrances of record.

1. TERM: This Lease shall be for a term of sixty (60) years commencing at midnight on the 12 day of AUGUST, 1987, and terminating at midnight on the 11 day of AUGUST, 2047.

11

2. USE: LESSEE shall use the premises for any lawful purpose.

3. RENTAL: The rent shall be FIVE HUNDRED DOLLARS (\$500.00) per month during the first year of this Lease. During the second year, the monthly rental shall be EIGHT HUNDRED DOLLARS (\$800.00) per month. Thereafter, the rent shall increase ten (10) percent every five (5) years. Upon execution of the lease, LESSEE shall pay to LESSOR SIX THOUSAND DOLLARS (\$6,000.00) representing the first years rent in advance.

4. TITLE: LESSOR warrants that it is lawfully seized of the above described real property in fee simple; that the same is free and clear of all encumbrances excepting those of record; and that it has good right to lease said property.

5. UTILITIES, TAXES AND ASSESSMENTS: LESSEE shall pay, as they become due and payable, all utilities, taxes, assessments and other public charges arising thereto, levied or assessed against the premises, or arising by reason of the occupancy, use or possession of the same. If LESSEE, in good faith, shall contest such payment, LESSEE must make payment and file in the name of LESSOR all such protests or other instruments and commence or prosecute proceedings for the purpose of each contest.

6. IMPROVEMENTS: LESSEE shall have the right to construct, improve, develop, reconstruct, remove and/or modify any buildings or improvements on or about the property without the written consent of LESSOR. At the end of the Lease, any improvements or structures remaining on the property shall then belong to the LESSOR.

7. MORTGAGE; LESSEE shall have the right to  
-leased property and LESSEE's leasehold interest at any time  
without the consent of LESSOR. LESSOR covenants and agrees not  
to mortgage the whole or any portion of the leased property and  
to keep same free and clear of all encumbrance.

8. NOTICE: All notices shall be made by personal  
delivery or by registered or certified mail, addressed to the  
proper party as follows:

TO LESSOR: P.O. Box 23402  
GMF 96921

TO LESSEE: P.O. Box 20416  
GMF 96921

All mailed notices to the LESSEE shall be deemed  
delivered as of 3 days after the date of the postmark of any mail  
or notices properly addressed and registered by the U.S. Post  
Office provided that such notice and mail is properly addressed,  
as set forth above, contains sufficient postage and is registered.

The LESSOR shall, upon serving notice to the LESSEE,  
simultaneously serve a copy of such notice to any mortgagee of  
the LESSEE; provided, however, that the LESSEE shall inform the  
LESSOR of any mortgagee and a copy of such mortgage is delivered  
to the LESSOR.

9. ESTOPPEL CERTIFICATE: If LESSEE's mortgagee shall  
require a certificate of non-default and that no undisclosed  
amendments or agreements exist between LESSOR and the LESSEE, the  
same shall be executed and delivered in the form satisfactory to

LESSEE's mortgagee and LESSOR, provided that the matter asserted is true.

10. CONDEMNATION: LESSOR and LESSEE covenant and agree that in the event the whole, or any portion of the property hereby leased shall be taken in condemnation proceedings or by any right of eminent domain, or otherwise, for public purposes, then and on the happening of any such event, LESSEE, at its option, may terminate this Lease and the term hereby granted and all the rights of the LESSEE hereunder, and the rent shall be paid up to the date of such termination and any unearned rent paid in advance by the LESSEE shall be refunded prorata. If LESSEE does not terminate this Lease, then the rent shall be reduced in proportion to the land taken as such bears to the total area of land leased. The LESSOR and the LESSEE may each independently file separate claims in such proceedings for the purpose of having the value of their respective interests determined, and the award shall be paid accordingly; but if the public or governmental authorities shall object or refuse to permit separate claims to be provided and/or distribute said award in such manner, the LESSOR will prosecute all claims for damages to the premises on behalf of the LESSOR and the LESSEE (and authority to do so is hereby granted), and after deducting all reasonable expenses incurred by the LESSOR incident thereto, the balance of said award shall be divided between the LESSOR and the LESSEE prorata in proportion to their respective interests as established in said proceeding. In the event the LESSOR prosecutes said claim in behalf of both parties

hereto, all such awards shall be paid to the LESSOR and LESSEE according to their interest therein.

11. DEFAULT: LESSEE shall be in default of this Lease if LESSEE fails to perform anything contained herein upon the due date in which LESSEE is to perform, and the LESSOR may terminate this Lease if LESSEE fails to correct such default within 60 days after written notice is received from the LESSOR requiring the LESSEE to cure such default within the time period to prevent termination of the Lease. As to the payment of any monies, as may be required herein, LESSEE must pay such monies within the 60-day period. If the default requires performance of the LESSEE other than the payment of money, then as long as the LESSEE commences to cure such default within the 60-day period, then the LESSEE shall have a reasonable time thereafter to cure the default with such performance.

12. ASSIGNMENT: LESSEE shall have the right to assign or sublet this Lease without the written consent of LESSOR.

13. TERMINATION OF LESSEE: LESSEE may terminate its interest in this lease by supplying LESSOR with 60 days notice of termination. LESSEE shall supply LESSOR with written notice advising same of the date which LESSEE wishes to terminate its interest in the Lease, and this Lease shall be deemed terminated on the date so specified by LESSEE so long as the notice to LESSOR is received at least 60 days prior to the designated termination date.

14. BINDING EFFECT: This Lease shall inure to the benefit



of and bind the LESSOR, and the LESSEE, their respective heirs, successors and assigns jointly and severally.

15. GENDER: Any reference to the LESSOR or LESSEE, or the use of any pronoun thereto shall mean and include all genders and shall mean and include the singular or plural, as the case may be.

16. UNAVOIDABLE DELAY: Except for the non-payment of any rents of monies hereunder if either party shall be delayed or prevented from the performance of any act required by this Lease by reason of acts of God, war stricks, walk outs, labor troubles, inability to procure materials for other causes without fault and beyond the reasonable control of the party obligated, then performance of such act shall be excused for the period of the delay and a period equivalent to the period of such delay shall be added to the performance time.

17. OPTION TO RENEW: LESSEE shall have the option to renew this Lease for an additional period of twenty-five (25) years. Said option must be exercised no later than 180 days prior to the termination of the Lease by LESSEE by giving notice thereof to LESSOR. The rent for the first five years of the option period shall be \$2,510.76 per month payable on the 1st day of the month and every first day of the month thereafter. The rent shall escalate ten (10) percent every five (5) years thereafter.

18. ACCESS TO LESSOR: During the entire term of this Lease, including the renewal of any option period, LESSEE shall provide access to LESSOR for ingress and egress to Lot No. 5220-1-2.

Said easement shall run west to east from the northerly boundary of Lot No. 5220-1-3 to LESSOR's property.

19. LOST FOR ADDITIONAL DOCUMENTS: LESSEE agrees to pay to LESSOR the sum of ONE THOUSAND DOLLARS (\$1,000.00) for any document which LESSEE may ask LESSOR to sign, subsequent to the execution of this Lease.

IN WITNESS WHEREOF, the parties hereto have executed this instrument on the date first above written.

LESSOR:

  
\_\_\_\_\_  
GREGORIO C. BARBA

LESSEE:

  
\_\_\_\_\_  
DANIEL A. C. CRUZ

  
\_\_\_\_\_  
KUOYING CRUZ

EXHIBIT--'1'



A C K N O W L E D G M E N T

TERRITORY OF GUAM )  
                                  : SS.  
CITY OF AGANA         )

On this 12<sup>th</sup> day of August, 1987, before me,  
a Notary Public in and for the Territory of Guam, personally  
appeared DANIEL A. C. CRUZ and KUO-YING CRUZ, known to me to be  
the persons whose names are subscribed to the within instrument,  
and they acknowledged to me that they executed the same.

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



DOMINIC KIM  
NOTARY PUBLIC  
In and for the Territory of Guam  
My Commission expires: Oct. 18, 1988

EXHIBIT--'

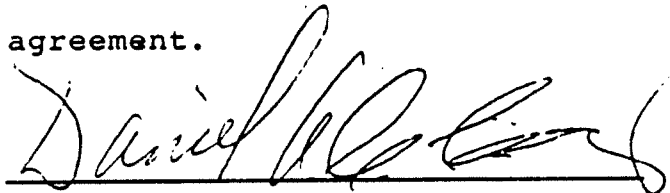
To: Gregorio C. Barba , P. O. Box 23402 GMF 96921

From: Daniel A.C. Cruz and Kuo-Ying Cruz , P. O. Box 20416 GMF 96921

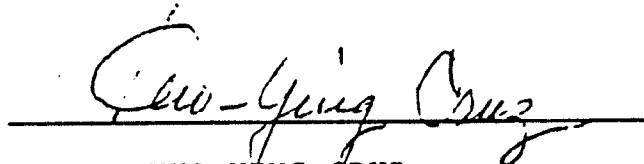
RE: Option to Renew Lease on Lot No. 5220-1-3, Barrigada,  
Guam

Date: April 29, 1988

In accordance with paragraph seventeen (17) of the Lease Agreement dated August 12, 1987, between Gregorio C. Barba and ourselves, I do hereby exercise my option to renew lease agreement for an additional twenty five (25) years under all the terms and conditions set in aforementioned lease agreement.



DANIEL A.C. CRUZ



KUO-YING CRUZ

EXHIBIT--'2'

A C K N O W L E D G M E N T

TERRITORY OF GUAM )

: SS.

CITY OF AGANA )

On this 29th day of April, 1988, before me, a Notary Public in and for the Territory of Guam, personally appeared DANIEL A.C. CRUZ and KUO-YING CRUZ known to me to be the persons whose names are subscribed to the within instrument, and they acknowledged to me that they executed the same.

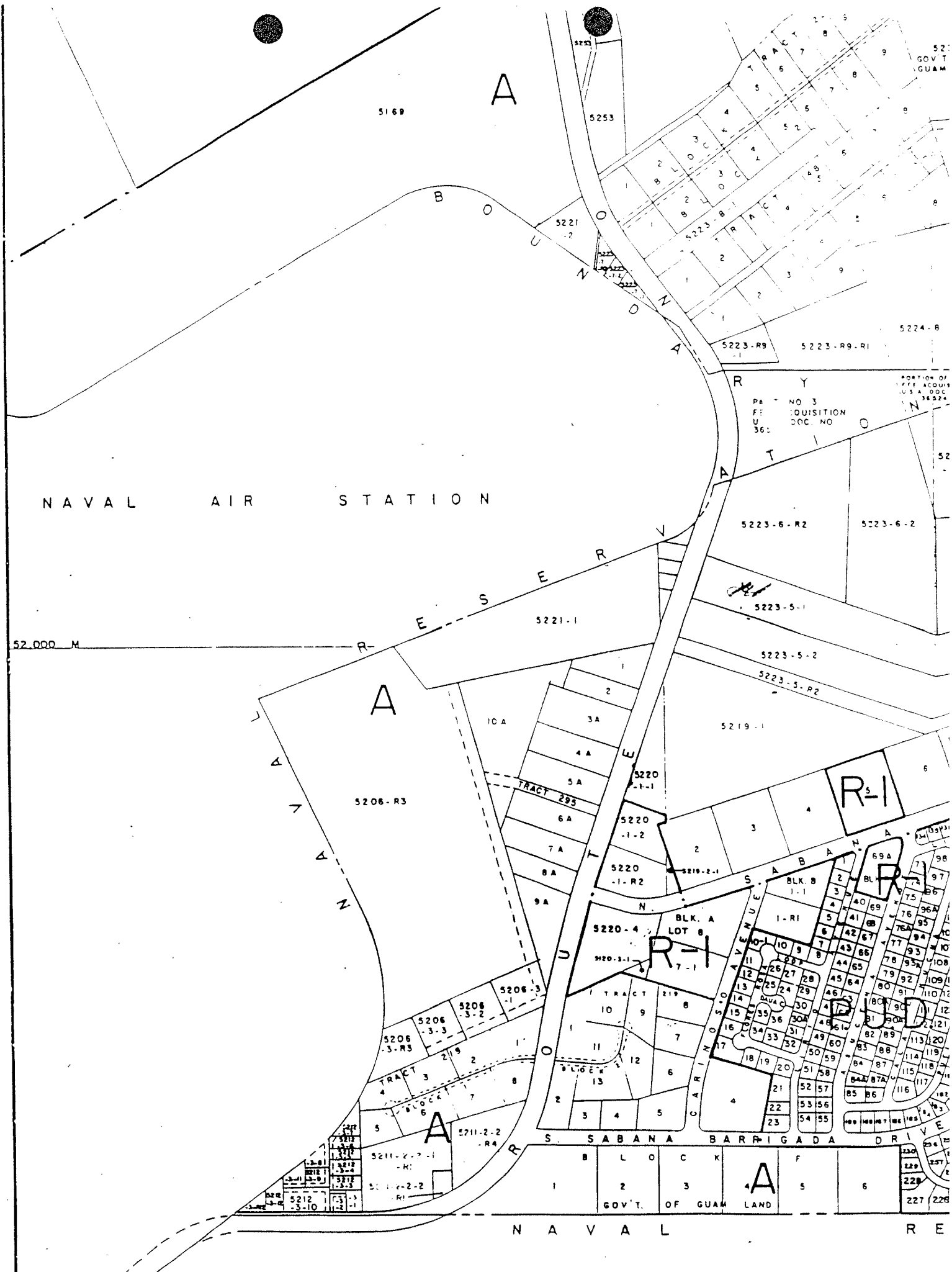
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date first above written.



JOSEFINA I. MCDONALD  
NOTARY PUBLIC

In and for the Territory of Guam.  
My Commission expires Oct. 21, 1993

EXHIBIT--'2



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GOV T  
GUAM

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5224-B

5223-R9

5223-R9-R1

NAVAL AIR STATION

PA NO 3  
FE LOUSITION  
U DOC NO  
361

PORTION OF  
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16822

5223-6-R2

5223-6-2

5223-5-1

5221-1

5223-5-2

5223-5-R2

52,000 M

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5206-R3

10A

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5219-1

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5220

R-1

6A

5220

7A

5220

8A

5220

9A

5220

5220-4

BLK. A  
LOT 8

R-1

5220-3-1

TRACT 219

R-1

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5206-3-R3

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AIR STATION

5223-R9

5223-R9-R1

PORTION OF  
OFFICE ACQUISITION  
U.S.A. DOC. NO. 36824

PART NO. 3  
FEED ACQUISITION  
U.S.A. DOC. NO. 36524

E S T R A D E

5221-1

5223-6-R2

5223-6-2

5223-5-1

5223-5-2

5223-5-R2

5219-1

5206-R3

10A

5220  
-1-1

5220  
-1-2

5220  
-1-R2

5220-4

5220-3-1

TRACT 293  
1  
2  
3A  
4A  
5A  
6A  
7A  
8A  
9A

BLK. A  
LOT 8

R-1  
7-1

R-1

BLK. B  
1-1

69A

5206-3  
5206-3-2  
5206-3-3  
5206-3-R3

TRACT 3

5206-3

5211-2-2  
-R4

5211-2-2-1  
-R1

5211-2-2-2  
-R2

5212  
5212-3-1  
5212-3-2  
5212-3-3  
5212-3-4  
5212-3-5  
5212-3-6  
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5212-3-8  
5212-3-9  
5212-3-10

SABANA BARRIGADA DRIVE  
GARDINER AVENUE  
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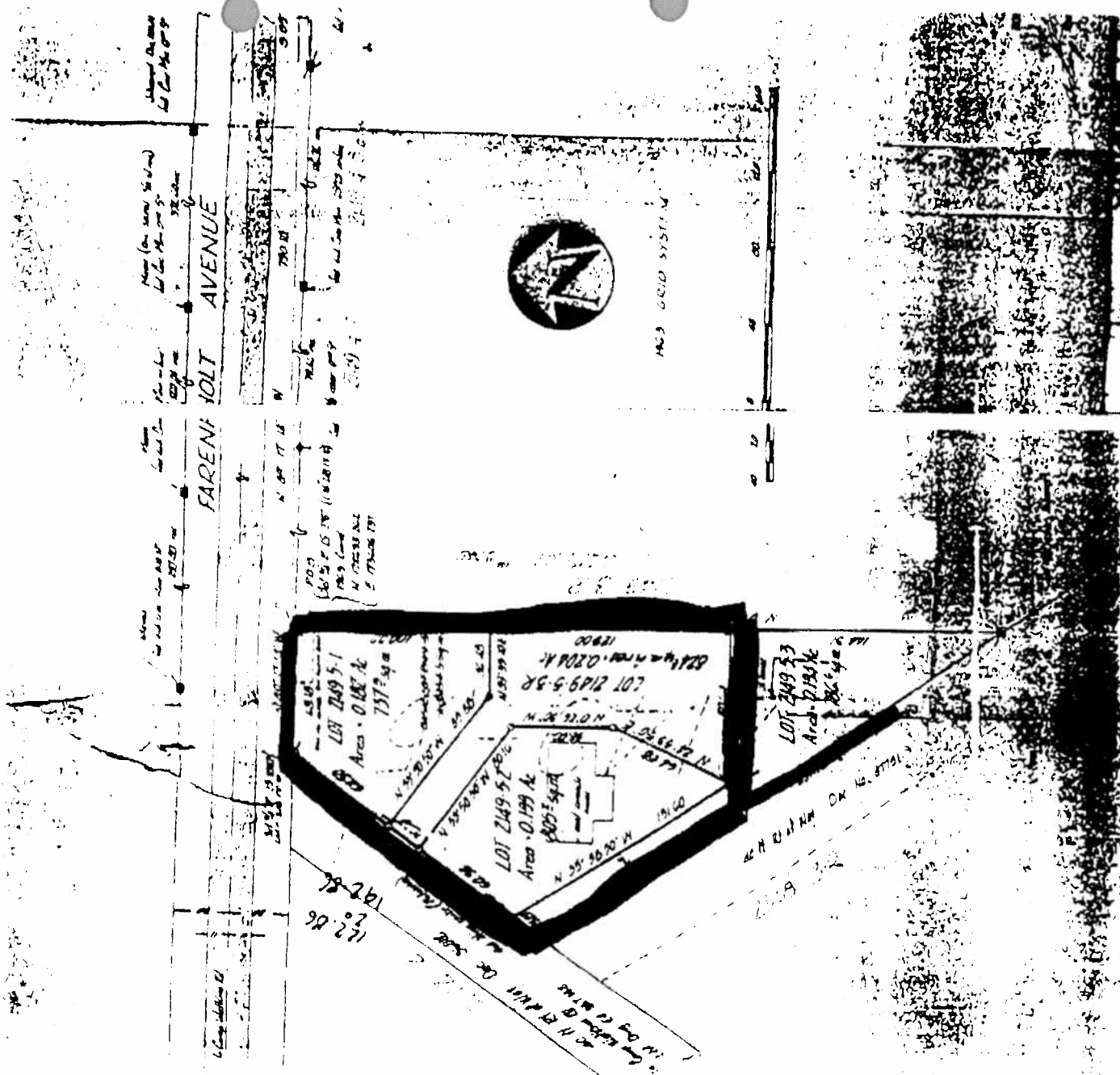
GOVT OF GUAM LAND

N A V A L

R E







FCM 8-6-g  
Rev 8/11/63

**TERRITORY OF GUAM**  
**DEPARTMENT OF LAND MANAGEMENT**  
**CERTIFICATE OF TITLE**

285396  
314375  
336335

Certificate of Title Number 77555

Document No. ....

Originally registered 24 June, 1920 Vol. 16

Municipality of Agana Page 791 Guaranteed Claim No. 1681

Transfer from Number C. T. No. 40504

TERRITORY OF GUAM )  
AGANA, GUAM ) ss.

This is to certify that Lourdes Dorothy D. Chaves and Mary D. Chaves, 1/2  
undivided interest each as tenants in common;

now residing at ..... municipality of .....

Certificate of Identification No. ...., and by occupation ..... is

the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in the  
municipality of Dededo, territory of Guam, designated by

Cadastral Lot Number 2149-5-3R, Tamuning, Dededo, Guam, Estate No. 11509, Subar  
containing an area of 824.8 square meters, as shown on Drawing No. L-14,  
prepared by Robert A. Beam, RLS No. 24, dated April 15, 1970,  
subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owner is of the age of ..... years; civil status ....., and is  
under no disability.

The sale, gift or devise to aliens of lands in the territory of Guam is prohibited, except as provided  
in Section 872, Civil Code of Guam.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed  
this 17th day of September, 1985.

*A. C. TAITAGUE*  
A. C. TAITAGUE  
Deputy Recorder of Titles  
in and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above  
Certificate of Title, other than taxes, for non-payment of which said property has not yet been sold.

Document No.	Kind of Instrument	Registration		Amount	In favor of	Signature Deputy Recorder of Title
		Date	Time			

TERRITORY OF GUAM  
DEPARTMENT OF LAND MANAGEMENT  
CERTIFICATE OF TITLE

314375  
Document No. 336335

Certificate of Title Number 77554

Originally registered 24 June, 1920 Vol. 16  
Municipality of Agana Page 791 Guaranteed Claim No. 1681  
Transfer from Number C. T. No. 65565

TERRITORY OF GUAM )  
AGANA, GUAM ) ss.

This is to certify that Lourdes Dorothy D. Chavez and Mary D. Chavez, 1/2  
undivided interest, as tenant in common.

now residing at \_\_\_\_\_ municipality of \_\_\_\_\_  
Certificate of Identification No. \_\_\_\_\_, and by occupation \_\_\_\_\_

the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in the  
municipality of Dededo, territory of Guam, designated by  
Cadastral Lot Number 2149-5-2, Tamuning, Dededo, Guam, Estate No. 56677, Suburban  
containing an area of 805.2 square meters, as shown on Drawing No. L-14,  
prepared by Robert A. Beam, RLS No. 24, dated April 10, 1970,  
subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owner<sup>are</sup> of the age of \_\_\_\_\_ years; civil status \_\_\_\_\_, and ~~is~~  
under no disability.

The sale, gift or devise to aliens of lands in the territory of Guam is prohibited, except as provided  
in Section 672. Civil Code of Guam.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed  
this 17th day of September 19 85.

*A. C. TALTAGUE*  
A. C. TALTAGUE  
Deputy Recorder of Titles  
In and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above  
Certificate of Title, other than taxes, for non-payment of which said property has not yet been sold.

Document No.	Kind of Instrument	Registration		Amount	In favor of	Signature Deputy Recorder of Title
		Date	Time			

TERRITORY OF GUAM  
DEPARTMENT OF LAND MANAGEMENT  
CERTIFICATE OF TITLE

285396  
314375  
336335

Certificate of Title Number 77553

Document No. ....

Originally registered 24 June, 1920 Vol. 16

Municipality of Agana Page 791 Guaranteed Claim No. 1681

Transfer from Number C. T. No. 40503

TERRITORY OF GUAM )  
AGANA, GUAM ) ss.

This is to certify that Lourdes Dorothy D. Chavez and Mary D. Chavez, 1/2  
undivided interest each, as tenant in common

now residing at ..... municipality of ..... is

Certificate of Identification No. ...., and by occupation .....

the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in the  
municipality of Dededo, territory of Guam, designated by

Cadastral Lot Number 2149-5-1, Tamuning, Dededo, Guam, Estate No. 24942, Subur  
containing an area of 737.9 square meters, as shown on Drawing No. L.14,  
prepared by Robert A. Beam, RLS No. 24, dated April 15, 1970;

subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owners are of the age of ..... years; civil status ....., and  
under no disability.

The sale, gift or devise to aliens of lands in the territory of Guam is prohibited, except as provided  
in Section 672, Civil Code of Guam.

IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed  
this 17th day of September 19 85

*A. C. TAITAGUE*  
A. C. TAITAGUE  
Deputy Recorder of Titles  
In and for the Territory of Guam

Memorial of estates, assessments, liens, charges or encumbrances on the land described in the above  
Certificate of Title, other than taxes, for non-payment of which said property has not yet been sold

Document No.	Kind of Instrument	Registration		Amount	In favor of	Signature Deputy Recorder of Titles
		Date	Time			
273721	Mortgage	11-19-76	8:18am	\$20,000	Small Business Admn.	<i>[Signature]</i>

June 17, 1992

TO: Mr. Kin Perez

FROM: Dorothy D. Chavez

RE: Rezoning Schedule Meeting

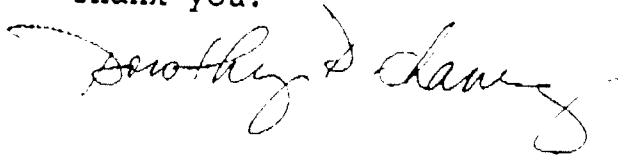
PAGES TO FOLLOW: 3

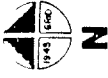
Enclosed are copies of certificate of titles and map for Lot 2149-5-1, 2, 3R.

I shall be contacting you soon regarding the next public hearing concerning our lots. If you have any news already, please, call me: (w) 646-4571; (h) 646-3525.

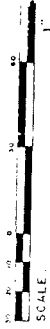
I look forward to hearing from you soon.

Thank you.

A handwritten signature in cursive script, appearing to read "Dorothy D. Chavez". The signature is written in dark ink and is positioned below the typed text "Thank you."

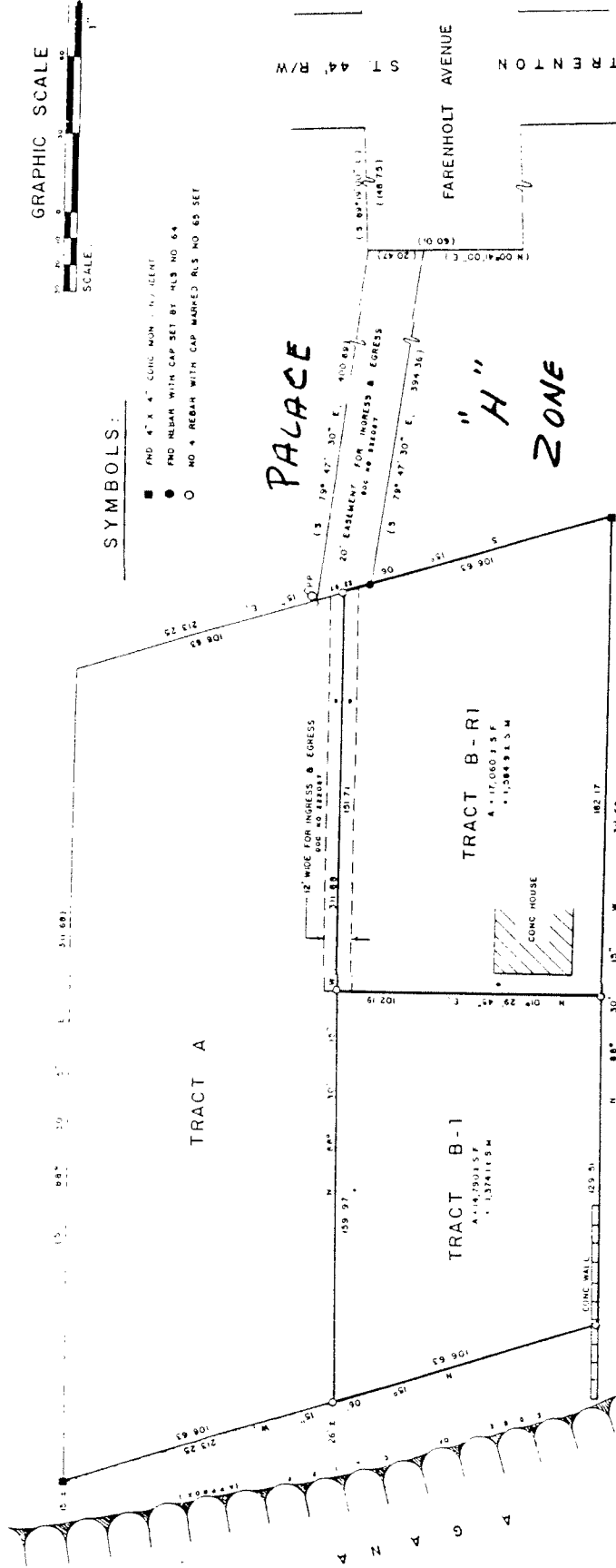


GRAPHIC SCALE



**SYMBOLS:**

- END 4" x 4" CONIC MONUMENT
- END REBAR WITH CAP SET BY RLS NO 64
- END 4" REBAR WITH CAP MARKED RLS NO 65 SET



OKA TOWERS

PALACE

"H" ZONE

PALACE

"H" ZONE

**NOTES:**

- 1 SURVEY WAS BASED ON FOUND CORNERS AS SHOWN
- 2 ALL DISTANCES AND DIMENSIONS ARE IN FEET
- 3 BEARINGS ARE BASED ON 1945 GRID
- 4 PORTION OF LOT 5172 (TRACT B, SOUTH ONE HALF) IS REGISTERED PROPERTY UNDER CERTIFICATE OF TITLE NO 80337 IN THE NAME OF TANDIA PARTNERS, A GUAM LIMITED PARTNERSHIP

**REFERENCE MAP USED:**

PROPOSED DIVISION OF A PORTION OF LOT NO. 5172, SEGENO PHARRU  
 BY JAMES W. DARLING, RLS NO. 1 DATED AUG. 23, 1982

**CERTIFICATION**

I, NESTORIO C. RINADO, HEREBY CERTIFY THAT THIS MAP  
 WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT  
 IS BASED UPON A FIELD SURVEY MADE IN FEBRUARY 1983, IN  
 CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATIONS

*Nestorio C. Rinado*  
 NESTORIO C. RINADO RLS NO 65 DATE 2-8-88



DUENAS & SWAVELY, INCORPORATED  
 ENGINEERING PLANNING SURVEYING CONSTRUCTION MANAGEMENT

**SKETCH MAP**

PARCELLING SURVEY OF

TRACT B (PORTION OF LOT 5172 -

SEE REFERENCE MAP SHEET OF RECORD)

# 5172 - Tract B - R-1

Introduced

MAR 11 '92

TWENTY-FIRST GUAM LEGISLATURE  
1992 (SECOND) Regular Session

Bill No. 787 (LS)

Introduced by:

  
G.T.C. Gutierrez

AN ACT TO REZONE AGRICULTURAL AND RESIDENTIAL LOTS IN  
SINAJANA AND BARRIGADA OF THE TERRITORY OF GUAM.

1 Section 1. The zoning of Lot No. 3074 Sinajana, Guam Estate No. 61,  
2 Suburban, containing an area of 26,292 square meters, and Lot No. 5357-6-  
3 R12-5-1 Adacao, Barrigada, Guam, Estate No. 54147, Suburban containing  
4 an area of 1,100 square meters is hereby changed from Agricultural Zone  
5 (A) to Multiple-Family Dwelling Zone (R2).  
6

7 Section 2. Lot. No. 3061-4-1-R1, Sinajana, Guam, Estate No. 8564,  
8 Suburban, containing an area of 10,325 square feet, and Lot No. 3061-8-R4,  
9 Agana Heights, Sinajana, Guam, Estate No. 57, Suburban containing an area  
10 of 2689.61 square meters, are rezoned from One-Family Dwelling Zone to  
11 Multiple-Family Dwelling Zone.







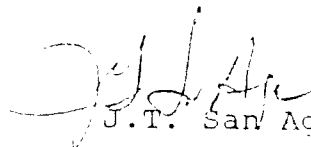
Introduced

MAY 13 '92

TWENTY-FIRST GUAM LEGISLATURE  
1992 (SECOND) REGULAR SESSION

Bill No. 870 (LS)

Introduced by:

  
J.T. San Agustin

AN ACT TO RE-ZONE LOT NO. 2374-2-1 AND LOT NO. 2374-2-R1,  
BARRIGADA, TO "C" AND "R-2" RESPECTIVELY.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. LOT 2374-2-1, Municipality of Barrigada, is hereby  
rezoned from "R-1" (Single Family Residential) to "C" (Commercial).

Section 2. LOT 2374-2-R1, Municipality of Barrigada, is hereby  
rezoned from "R-1" (Single Family Residential) to "R-2" (Multi-  
Dwelling Residential).

July 3, 1992

Mr. Joseph T. Duenas  
P.O. Box FX  
Agana, Guam 96910

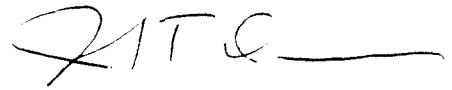
Senator Francisco R. Santos  
Committee on Housing, Community Development,  
Federal and Foreign Affairs  
Twenty-First Guam Legislature  
Agana, Guam 96910

Dear Senator Santos and Committee Members:

First, I would like to thank you once again for the opportunity to express my support of Bill # 903 at last night's public hearing. I ask that you consider this letter in addition to my original testimony and thus allow me the opportunity to respond to some of the concerns voiced by Mr. Steven Unpingco. I do not believe that this legislation would be setting a precedent because in reality that precedent has already been set by the Territorial Planning Commission (predecessor to the Territorial Land Use Commission) in 1972 when they rezone lots along Route # 4 in Pago Bay from Agriculture to R-2 and the remaining lots in Pago Bay from Agriculture to R-1, further the TPC later rezoned the lots adjacent to my lot from R-1 to R-2 in 1986 (see letter dated July 2, 1992). The argument then becomes one of equity, I would like to be treated in the same manner that my neighbor was when he was granted a change from R-1 to R-2, or for that matter in the same manner as Mr. Unpingco and others when their lots were changed from Agriculture to R-1. In point of fact what we are talking about is housing, single family (R-1) and multi family (R-2). These uses are compatible and not as extreme as say mixing single family (R-1) and Industrial (M-1). Mr. Unpingco further states that he has two single family houses in Pago Bay and further that he is embarrassed to say just how much he is renting out one of those houses, I guess his concern is that Pago Bay should be left alone to be an exclusive and high priced housing area. I firmly believe that what we need on Guam is affordable housing and unless property zones are made more available (more R-2) then we will find it very hard to make affordable housing a reality.

Thank you once again.

Sincerely,



Joseph T. Duenas

July 2, 1992

Mr. Joseph T. Duenas  
P.O. Box FX  
Agana, Guam 96910

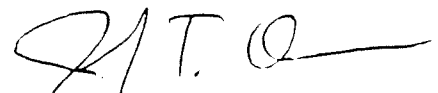
Senator Francisco R. Santos  
Committee on Housing, Community Development,  
Federal and Foreign Affairs  
Twenty-First Guam Legislature  
Agana, Guam 96910

Dear Senator Santos and Committee Members:

I am before you today to offer my support for Bill # 903 which would rezone certain lots in Chalan Pago-Ordot. My wife and I are the owners of Lot # 3329-1-1-R1, Municipality of Sinajana, one of the lots mentioned in this bill. I am requesting a change from R-1 to R-2, for several reasons, first, I currently own apartments and would like to develop additional units, there is a real need for affordable rental units on our Island, and secondly, I am asking for equal treatment in that Lot # 3329-1-4-R1 and Lot # 3229-1-R4 adjacent to my lot were rezoned by the Territorial Planning Commission in 1986. Also I support the general intent of this bill which seeks to put us on an equal basis with our neighbor and provide for more housing units which are desperately needed for our island.

Thank you for this opportunity to be heard.

Sincerely,



Joseph T. Duenas

IN THE OFFICE OF THE GOVERNOR

2096

DEPARTMENT OF LAND MANAGEMENT  
GOVERNMENT OF GUAM  
AGANA

April 28, 1986

MEMORANDUM

TO: The Governor  
FROM: Executive Secretary, Territorial Planning Commission  
SUBJECT: Zone Change Request for Lots 3329-1-4-R1 and 3229-1-R4, from "R-1" (Single Family) to "R-2" (Multiple Dwelling), Chalan Pago

Submitted herewith for your approval is a Zone Change request that was approved by the Territorial Planning Commission, during its February 13, 1986 meeting.

The applicant, U.S. Investment Group Corporation's intention of the rezoning of said lots is to construct an apartment complex. Said lots are located 800 to 1,000 feet east of Pago bridge overlooking the ocean.

Section 17604 of the Zoning Law requires that the decision of the Commission "shall be forwarded to the Governor who may approve or disapprove the proposed change in whole or in part."

Your consideration of the Zone Change is earnestly appreciated.

Thank you.

*[Signature]*  
RUPIN J. LUJAN

Attachments: 1) Amendment 10  
2) Zoning Map No. F3-67537

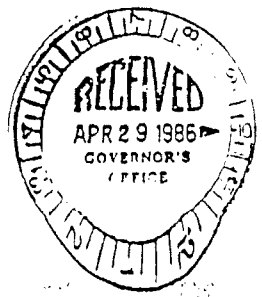
REZONING APPROVED  
 REZONING DISAPPROVED

*[Signature]*  
RICARDO S. BORDALLO  
Governor

*[Signature]*  
EDWARD D. REYES  
Lieutenant Governor

5/6/86  
(Date)

5/6/86  
(Date)



July 2, 1992

Mr. Joseph T. Duenas  
P.O. Box FX  
Agana, Guam 96910

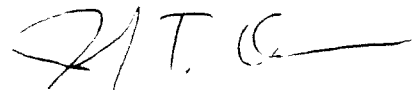
Senator Francisco R. Santos  
Committee on Housing, Community Development,  
Federal and Foreign Affairs  
Twenty-First Guam Legislature  
Agana, Guam 96910

Dear Senator Santos and Committee Members:

I am before you today to offer my support for Bill # 903 which would rezone certain lots in Chalan Pago-Ordot. My wife and I are the owners of Lot # 3329-1-1-R1, Municipality of Sinajana, one of the lots mentioned in this bill. I am requesting a change from R-1 to R-2, for several reasons, first, I currently own apartments and would like to develop additional units, there is a real need for affordable rental units on our Island, and secondly, I am asking for equal treatment in that Lot # 3329-1-4-R1 and Lot # 3229-1-R4 adjacent to my lot were rezoned by the Territorial Planning Commission in 1986. Also I support the general intent of this bill which seeks to put us on an equal basis with our neighbor and provide for more housing units which are desperately needed for our island.

Thank you for this opportunity to be heard.

Sincerely,



Joseph T. Duenas

18 JUNE 1992

Senator Frank Santos  
Chairman, Committee on Housing Community Development  
Federal and Foreign Affairs  
155 Hesler St.  
Agana, Guam 96910

Dear Mr. Chairman,

My name is Francisco Bautista Crisostomo, the owner of Lot No. 3259 1-1, Chaot Sinajana. I would like to seek your assistance in rezoning the said property from agricultural zone A to residential zone R2 for the purpose to build a detached residential unit.

Sincerely,

---

Francisco B. Crisostomo  
Major  
Superintendent Dept. of Corrections



July 2, 1992

Senator Francisco Santos  
Chairman - Committee on Housing,  
Community Development, Federal  
and Foreign Affairs  
155 Hesler St.  
Agana, Guam 96910

**SUBJECT: LOT #3351-7-R3, MUNICIPALITY OF SINAJANA  
REQUEST FOR ZONE CHANGE**

Dear Senator Santos,

This letter is our second request for rezoning of subject property. The first request was submitted in March 1992, along with copies of our property map and a Preliminary Title Report.

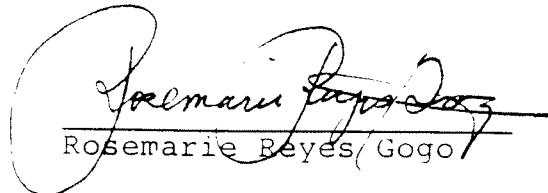
We the undersigned aspire that you, along with fellow elected peers consider our request for approval.

Our original request was to rezone subject lot from "R1" to "R2". Our reasons for rezoning is so we may build a two-story, duplex; each with 3 bedrooms and 2 full baths. We have two daughters and would like to ensure that when they are adults their housing needs are provided for. In addition, we would also like to improve our economic position, as well as, assist the community with its housing needs.

Your consideration of this request is most appreciated.




Sincerely,

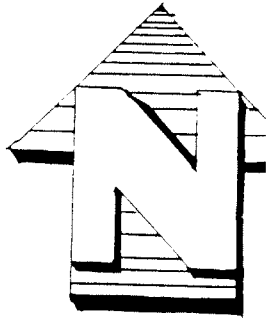
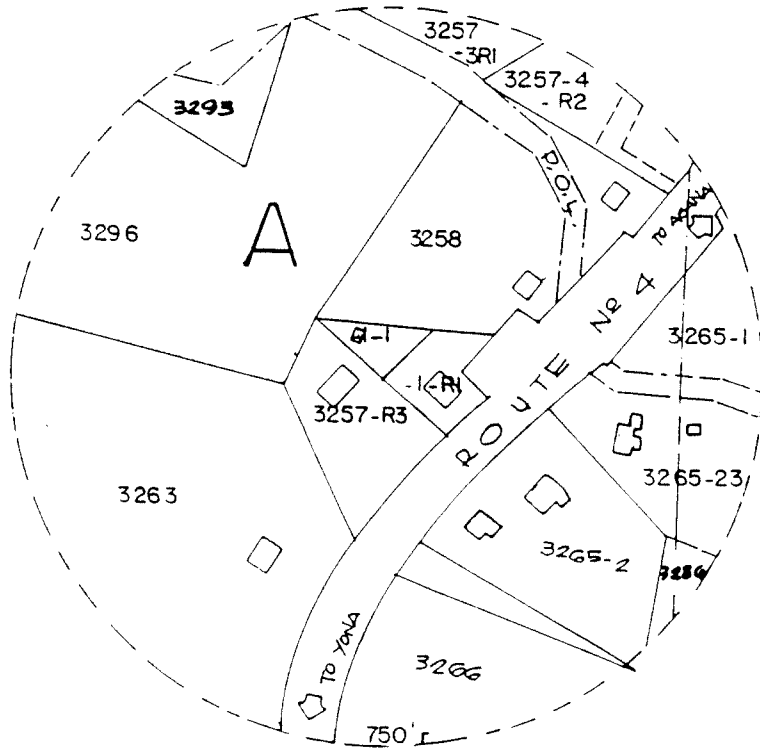
  
\_\_\_\_\_  
Raymond Arceo San Nicolas

  
\_\_\_\_\_  
Rosemarie Reyes Gogo

Tony Curran

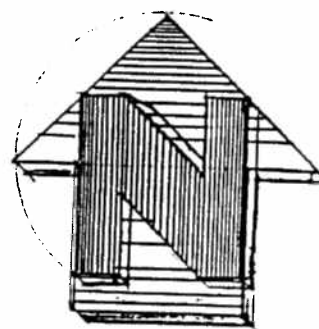
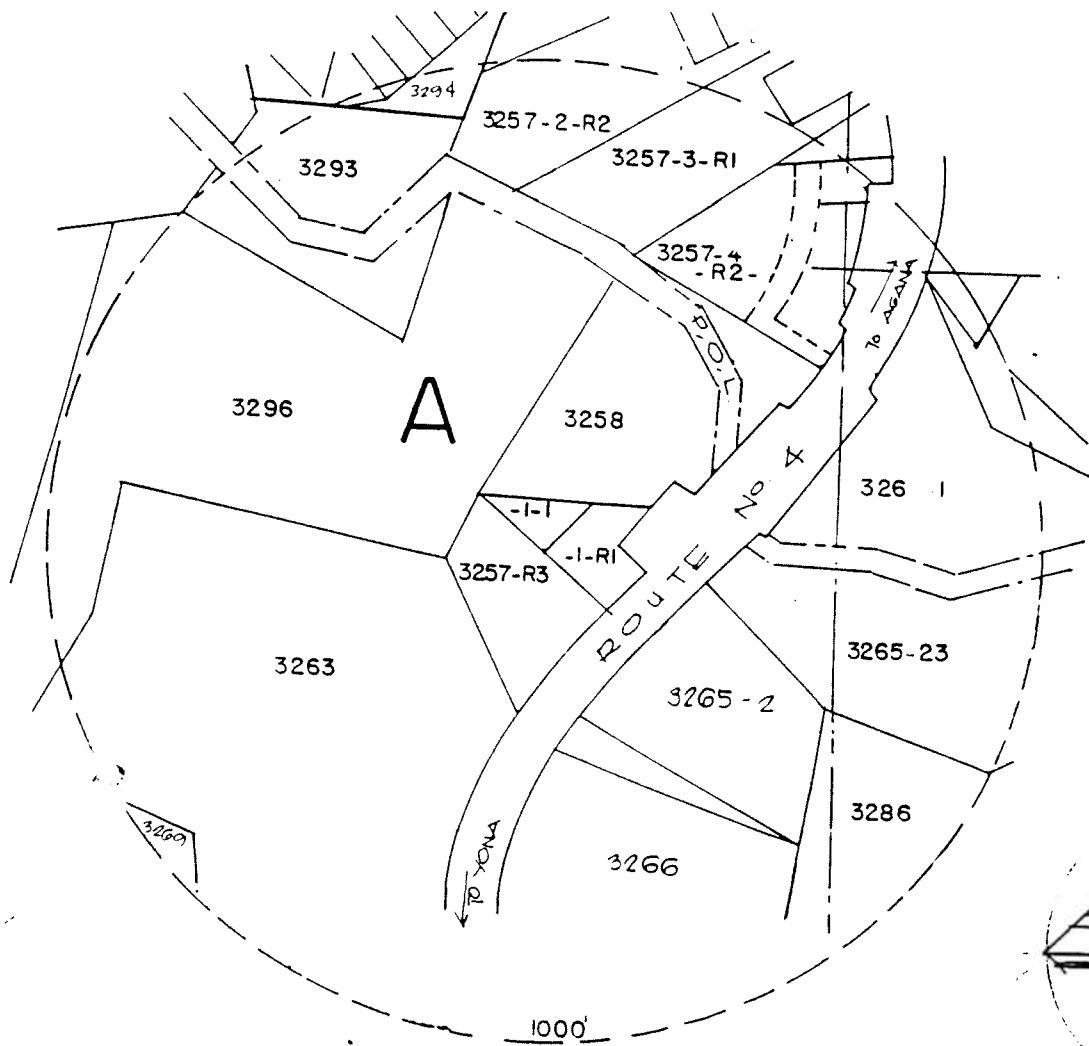
LEGEND:

-  RESIDENTIAL
-  PUMP STN.
-  SUBJECT LOT



 VICINITY MAP  
SCALE 750' Radius 1" = 400'

<u>Lot No.</u>	<u>Name of Owner</u>	<u>Uses</u>
3293	GHURA	Vacant
3296	Manuela Tedtaotao Carlina Alvarez Constantino Faustino	" " "
3263	Lee James PJR Inc. Rita Mesa Carmen Agualo Pedro Bautista Juan Bautista Vicente Bautista Joaquin Bautista Manuel Bautista Rita Blas Dolores Camacho Maria Perez Jose Bautista Edmon Guadalupe	" " " " " " " " " " " " " " "
3266	Jesus Cruz Maria Quitugua Victoria Perez Jose Cruz Rosa Hilgeman Pacita Aguon Teresita Gogo	" " " " " " "
3265-2	Andres San Luiz Asuncion	Residential
3265-2-3	Violeta N. Pacheco	Residential
3265-1	Antonio & Isabel S. Cruz	Vacant
3257-4-5	Wu Chong Mei Lin	"
3257-3-R1	Pedro G. Tedtaotao	"
3286	Luisa Santos Taitano	"




**VICINITY MAP**  
 SCALE 1000' RADIUS 1" = 400'

















TERRITORY OF GUAM  
DEPARTMENT OF LAND MANAGEMENT  
CERTIFICATE OF TITLE

Certificate of Title Number 81661 Document No. 390936  
Originally registered 17 November, 1917 & 17 May, 1918 Vol. 12 & 13  
Municipality of Agana Page 612 Guaranteed Claim No. 1035 & 6  
Transfer from Number C. T. Nos. 15906, 75589 & 78340

TERRITORY OF GUAM )  
AGANA, GUAM ) ss.

This is to certify that Elmer L. Gay and Bernice M. Gay, husband and wife  
as joint tenants with full right of survivorship, and not as tenants in common;

now residing at \_\_\_\_\_ municipality of \_\_\_\_\_  
Certificate of Identification No. \_\_\_\_\_, and by occupation \_\_\_\_\_  
the owner of an estate in Fee Simple, in that certain piece or parcel of land situated in the  
municipality of Sinajana, territory of Guam, designated by  
Cadastral Lot Number 48 REM-1-RENEW-R7 (R/W), Sinajana, Guam, Estate No. 8055, Suburban,  
containing an area of 584+ square meters, as shown on Drawing No. CSS-01-25-87, prepared by  
Elmer L. Gay, RLS No. 14;  
subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.

Said owner is of the age of \_\_\_\_\_ years; civil status \_\_\_\_\_, and is  
under no disability.

The sale, gift or devise to aliens of lands in the territory of Guam is prohibited, except as provided  
in Section 672. Civil Code of Guam.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Department of Land Management, at the capital of Guam, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.