



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

Office of the Governor of Guam
Hagåtña, Guam

DEC 31 2004

Handwritten signature and stamp

31 DEC 2004

The Honorable Vicente C. Pangelinan
Speaker
Mina' Bente Siete Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 403 (COR), "AN ACT TO REZONE LOT NUMBERS 5290-3-R8 AND 5292-3-2-2-1, MUNICIPALITY OF BARRIGADA, GUAM, FROM AGRICULTURAL ("A") TO INDUSTRIAL ("M-1")," now designated as Public Law 27-159.

Sinseru yan Magåhet,

Handwritten signature of Felix P. Camacho

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

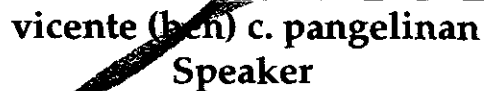
cc: The Honorable Tina Rose Muna-Barnes
Senator and Legislative Secretary

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

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

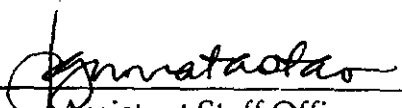
This is to certify that Bill No. 403 (COR), "AN ACT TO REZONE LOT NUMBERS 5290-3-R8 AND 5292-3-2-2-1, MUNICIPALITY OF BARRIGADA, GUAM, FROM AGRICULTURAL ("A") TO INDUSTRIAL ("M-1")," was on the 20th day of December, 2004, duly and regularly passed.

Attested:


vicente (ben) c. pangelinan
Speaker


Tina Rose Muña Barnes
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 20 day of December, 2004,
at 5:50 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: December 30, 2004

Public Law No. 27-159

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

Bill No. 403 (COR)

As amended.

Introduced by:

Toni Sanford
J. A. Lujan
F. B. Aguon, Jr.
J. M.S. Brown
F. R. Cunliffe
Carmen Fernandez
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
L. A. Leon Guerrero
T. R. Muña Barnes
v. c. pangelinan
J. M. Quinata
R. J. Respicio
Ray Tenorio

AN ACT TO REZONE LOT NUMBERS 5290-3-R8 AND 5292-3-2-2-1, MUNICIPALITY OF BARRIGADA, GUAM, FROM AGRICULTURAL ("A") TO INDUSTRIAL ("M-1").

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

2 **Section 1. Legislative Statement.** John A. Limtiaco, Barbara Untalan
3 Limtiaco, and Lawrence V. Limtiaco own and operate Pacific Unlimited, Inc.,
4 as a family business and own the properties listed as Lot Nos. 5290-3-R8 and
5 5292-3-2-2-1 in the Municipality of Barrigada, Guam. The owners request the
6 assistance of *I Liheslaturan Guåhan* to rezone their properties from Agricultural
7 ("A") to Industrial ("M-1"). Lot No. 5290-3-R8, Municipality of Barrigada,
8 Guam, containing an area of 13,000+/- square meters as shown on Land

1 Management Drawing No. L-4-77-98, is situated on Route 15 surrounded by
2 M-2 zoned properties, like Hawaiian Rock Products and Black Construction,
3 where heavy manufacturing takes place. Lot No. 5292-3-2-2-1, Municipality of
4 Barrigada, Guam, containing an area of 4,480 square meters as shown on Land
5 Management Drawing No. L-4-77-98, is situated on Route 15 (near Hawaiian
6 Rock Products and Kinney's restaurant). The Mangilao Municipal Planning
7 Council and the Mayor of Mangilao, the Honorable Nonito "Nito" Blas, have
8 endorsed the efforts of the owners to have the subject property rezoned. *I*
9 *Liheslaturan Guåhan* therefore finds that in order to provide uniformity to the
10 zoning in these respective areas as requested, it is prudent to act on this zone
11 change request and deems it reasonable and appropriate.

12 **Section 2.** Lot No. 5290-3-R8, Municipality of Barrigada, Guam,
13 containing an area of 13,000+/- square meters as shown on Land
14 Management Drawing No. L-4-77-98 and owned by Pacific Unlimited, Inc., is
15 hereby rezoned from Agricultural ("A") to Industrial ("M-1").

16 **Section 3.** Lot No. 5292-3-2-2-1, Municipality of Barrigada, Guam,
17 containing an area of 4,480 square meters as shown on Land Management
18 Drawing No. L-4-77-98 and owned by John A. Limtiaco, Barbara Untalan
19 Limtiaco and Lawrence V. Limtiaco, is hereby rezoned from Agricultural
20 ("A") to Industrial ("M-1").

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

Office of



The People

Mina' Bente Siete Na Liheslaturan Guahan

vicente (ben) c. pangelinan
Speaker

Committee on Utilities and land
Chairman

DEC 15 2004

The 27th Guam Legislature
I MINA' BENTE SIETE NA LIHESTURAN GUAHAN
155 Hesler Street
Hagåtña, GU 96910

The Committee on Utilities and Land, to which was referred **Bill 403 (COR)**, "AN ACT TO REZONE LOT NUMBERS 5290-3-R8 AND 5292-3-2-2-1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURE (A) TO INDUSTRIAL (M1)," has had the same under consideration, and wishes to report back the same with the **recommendation to do pass**.

The Committee votes are as follows:

<u>7</u>	To Do Pass
<u>2</u>	Not to Pass
<u>0</u>	Abstain
<u>0</u>	Inactive File

A copy of the Committee Report and other pertinent documents are attached for your immediate reference and information.

Sincerely,


vicente (ben) c. pangelinan
Speaker & Chairman of the Committee on Utilities and Land

enclosure

Committee on Utilities and Land
I Mina'Bente Siete Na Liheslaturan Guahan

VOTING SHEET ON

Bill No. 403 (COR): "AN ACT TO REZONE LOT NUMBERS 5290-3-R8 AND 5392-3-2-2-1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL (A) TO INDUSTRIAL (M1)."

COMMITTEE MEMBER	INITIAL	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
vicente (ben) c. pangelinan Chairman		✓			
Carmen Fernandez Vice Chairperson	<i>CF</i>	✓			
Frank Aguon, Jr. Member					
Randy Cunliffe Member	<i>RC</i>		✓		
Lou Leon Guerrero Member	<i>LLG</i>	✓			
Rory Respicio Member	<i>RR</i>	✓	✓		
Toni Sanford Member	<i>TS</i>	✓			
Joanne Brown Member					
Mark Forbes Member	<i>MF</i>	✓			
Ray Tenorio Member	<i>RT</i>	✓			



Senator Lou Leon Guerrero RN, MPH

DEC 01 2004

MEMORANDUM

Democrat Majority Leader

Committee on Rules & Health
Chairwoman

Committee on Utilities & Land
Member

Committee on Appropriation
& Budgeting, General
Government Operations
Reorganization & Reform
Member

Committee on Community,
Culture, Recreation &
Public Broadcasting
Member

Committee on Economic
Development, Retirement,
Investments, Public Works,
& Regulatory Functions
Member

Committee on Education
& Housing
Member

Committee on Judiciary
& Transportation
Member

Committee on Youth &
Senior Citizens,
Federal & Foreign Affairs
Member

To: Speaker vicente c. pangelinan
Chairman, Committee on Utilities and Land

From: *[Signature]*
Senator Lou Leon Guerrero
Chairwoman, Committee on Rules and Health

Subject: Principal Referral -- Bill No. 403 (COR)

In accordance with Section 6.04.04.01 of the Standing Rules of the Mina' Bente Siete na Liheslaturan Guahan,

Bill No. 403 (COR) AN ACT TO REZONE LOT NUMBERS 5290-3-R8 AND 5292-3-2-2-1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL (A) TO INDUSTRIAL (M1)

is referred to your Committee on Utilities and Land as the principal committee.

A copy of this bill may be obtained at the office of the Clerk of the Legislature.

Also in accordance with Section 7.01 of the Standing Rules, the Principal Committee shall notify the Speaker, the Chairwoman of the Committee on Rules and the Executive Director, the date, time, subject matter, number and title of the bill for which a public hearing will be held.

Thank you

Cc: Clerk of the Legislature

Office of the People's Speaker
vicente (son) c. pangelinan

DEC 01 2004

TIME 5:15
RECEIVED 7:15 AM 12/1/04

27th Guam Legislature

155 Hesler Street Hagatna, Guam 96910

Office 671.472-3582 - 5 / 472-3576 Facsimile 671.472-3591 Email

Committee on Utilities and Land
I Mina 'Bente Siete Na Liheslaturan Guahan

Bill 403 (COR)

AN ACT TO REZONE LOT NUMBERS 5290-3-R8 AND 5292-3-2-2-1,
MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL (A) TO
INDUSTRIAL (M1).

The Committee on Utilities and Land, to which was referred Bill 403 (COR), "AN ACT TO REZONE LOT NUMBERS 5290-3-R8 AND 5292-3-2-2-1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL (A) TO INDUSTRIAL (M1)," conducted a public hearing on Friday, December 10, 2004, at the Guam Legislature Public Hearing Room. Speaker vicente (ben) c. pangelinan conducted the legislative hearing as Chairman on Utilities and Land. Also in attendance were Senators Lou Leon Guerrero, Toni Sanford, Joanne Brown, Robert Klitzkie, and Jesse Lujan.

Summary

Mr. John Limtiaco, President of the Pacific Unlimited, Inc., requesting for the rezone, testified in favor of the bill. He said Lot# 5292-3-2-2-1 is currently zoned Agricultural, but is located in a split zone. This means that the lot is approximately 60% located in M2 zone and 40% in the A zone. The current regulations allow the owner of the property to select either zone by filling out a Split Zone Change Form at the Department of Land Management, but the regulations do not address the need of an owner to decide on the level of Industrial Zoning. His family would prefer to rezone this said lot to Light Industrial, as this is all that is required for their future plans.

As for Lot# 5290-3-R8, Mr. John Limtiaco said this is currently zoned as Agricultural. His family wants this lot rezoned to Light Industrial in order to have uniformity in the zoning of the area and which would also allow them to build warehouse facilities.

He indicated that the rezoning of both lots have the support of their neighbors, the Mayor and the Mangilao Municipal Planning Council.

Sen. Toni Sanford commented that when she was first approached by Mr. John Limtiaco for a rezoning bill, she was concerned about the neighboring area. But Mr. John Limtiaco presented to her signatures from his surrounding neighbors, as well as having gone through the Municipal Planning Council.

Mr. John Limtiaco explained that his property had gone through the I Tano-ta Plan, except that the I Tano-ta Plan was immediately repealed due to setback problems.

Sen. Bob Klitzkie asked Mr. John Limtiaco if he went to the Guam Land Use Commission for the rezoning of his lots. Mr. John Limtiaco said no because he feels that the GLUC requires too much. For example, GLUC was asking him to provide details of the plan on the property. He does not know what those plans are just yet and therefore did not want to invest so much money, especially if GLUC does not approve the rezone application.

Sen. Jesse Lujan said he is familiar with the problems of the Limtiaco Family and understands the need to rezone their property, which is why he co-sponsored the bill.

Sen. Joanne Brown expressed her opposition on spot rezoning bills. She believes that this process does not guarantee the welfare of the surrounding area. Appropriate agencies are needed to ensure that if rezoned, there is enough water pressure in the area, and that the rezone does not lower the value of the neighboring properties. She said there is a reason why the Legislature created the GLUC process.

Findings and Recommendations

The Committee on Utilities and Land, to which was referred Bill 403 (COR), "AN ACT TO REZONE LOT NUMBERS 5290-3-R8 AND 5292-3-2-2-1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURAL (A) TO INDUSTRIAL (M1)," reports back with its recommendation to _____.

Pacific Unlimited, Inc.
P.O. Box 10838, Tamuning Guam 96931

November 23, 2004

Honorable Speaker Vicente C. Pangelinan
Chairman
Committee on Utilities and Land
Twenty Seventh Guam Legislature
Hagatna, Guam 96910

Testimony on Bill 403

Dear Speaker Pangelinan,

My name is John Limtiaco and I am the president of our family small business Pacific Unlimited, Inc. I am testifying in support of Bill 403 which will allow the rezoning of lot 5292-3-2-2-1 and lot 5290-3-R8 from its current zoning of (A) Agricultural to (M1) Light Industrial.

Lot No. 5292-3-2-2-1 is currently zoned (A) Agricultural, but is located in a split zone. The lot is approximately 60% located in the M2 zone and 40% in the A zone. The current regulations allow the owner of the property to select either zone by filling out a Split Zone Change Form at Land Management. Unfortunately the regulations do not address the need of an owner to decide on the level of Industrial zoning. Our family would prefer to rezone this lot to Light Industrial, as this is all that is required for our future plans. We have the support of the Mangilao Mayor, The Mangilao Municipal Planning Council, and our surrounding neighbors.

Lot No. 5290-3-R8 is currently zoned (A) Agricultural. It shares two of its boundaries with properties zoned (M2) Heavy Industrial zoning, one of its boundary with military property, and its other boundary with (A) Agricultural zoning. Our family business owns this property and is requesting rezoning of this property to (M1) Light Industrial in order to have uniformity in the zoning for this area, which will allow us to build our own warehouse facilities instead of renting. The rezoning of this lot also has the support of the Mangilao Mayor, The Mangilao Municipal Planning Council, and our surrounding neighbors.

In closing, I humbly request your support for the rezoning of these lots.

Sincerely,


John A. Limtiaco
President

Cc: 27th Guam Legislature

The Community of Education, Culture and Sports



**Office of the Mayor
Municipality of Mangilao**

PO Box 786 Hagatna, GU 96932 (671) 734-2163 / 5731 Fax: (671) 734-4130

Nonito "Nito" C. Blas, Mayor

December 7, 2004

To: Mr. Juan T. Limtiaco, Chairman,
Pacific Unlimited Inc.
Tamuning, Guam 96931

From: Nonito "Nito" C. Blas, Mayor,
Municipality of Mangilao

Subject: Land Rezoning

Dear Mr. Limtiaco,

This is to inform you that my office and members of the Mangilao Municipal Planning Council are still in support of your prior request to rezone your properties in Mangilao from "A" Agriculture to "M-1" Industrial said properties are described as follows:

Lot number 5290-3-R8 zoned "A" Agriculture to "M-1 Industrial"
Lot number 5292-3-2-2-1 zoned "A" Agriculture to "M-1" Industrial

If you should need more information please contact me at the above number.

Sincerely,


Nonito C. Blas

cc: Honorable Felix P. Camacho, Governor of Guam
Senator Ben Pangelinan, Speaker
27th Guam Legislature
Mr. Joe Borja, Director,
Dept. of Land Management

**MANGILAO MUNICIPAL PLANNING COUNCIL
MINUTES OF MAY 3, 1995**

I. CALL TO ORDER

The Mangilao Municipal Planning Council regular meeting was held at the Bilmar Community Center Conference Room on Wednesday, May 3, 1995 at 7:10 p.m. The meeting was called to order by the Mayor who is also Chairman of the Council.

II. ROLL CALL

Council members present: Miguel (Mike) Awa, Nicolas (Nick) Francisco, Juan (John) Roberto, Antonio (Tony) Campos, Ben Carbullido, Atanacio (Tass) Salas, Frederico (Fred) Mendiola, Rosita Tosco and Nonito (Nito) Blas.

Guests: Mr. Juan Limtiaco, John Limtiaco and Larry Limtiaco.

III. SECRETARY'S REPORT

Copies of the Minutes of the April 5, 1995 meeting were distributed.

Mr. Ben Carbullido made a motion to approve the Minutes; it was seconded by John Roberto; unanimously approved.

IV. TREASURER'S REPORT

Mr. John Roberto presented the Treasurer's Report indicating a current balance of \$2,074.52. Several council members requested that previous encumbrances be checked so that funds remaining from these encumbrances may be spent before the end of the fiscal year. Mr. Tass Salas made a motion to approve the Treasurer's Report; seconded by Mr. Fred Mendiola; unanimously approved.

V. CHAIRMAN'S REPORT

None.

VI. OLD BUSINESS

1) Renaming Streets in Dairy Area - Mr. Ben Carbullido inquired if said petitions discussed in last month's meeting had been circulated for the three streets to be renamed in honor of the mayors residing in these areas. The Chairman indicated that his office staff will be working on this and will report to the Council in next month's meeting.

VII. NEW BUSINESS

1) Request to Rezone Lot 5292-3-2-2-1 and Lot 5290-3-R8 - Mr. John Limtiaco had previously sent all the council members letters and vicinity maps indicating his intent to rezone the above lots. The first Lot #5292-3-2-2-1 is requesting a change from "A" to "C". This is located in Pagat adjacent to Kinney's Cafe road and fronted by Route 15. The other Lot #5290-3-R8 is located behind Amelco and the Black Construction Pole Manufacturing plant; zone change requested from "A" to "M-1" (light industrial). Mr. Limtiaco presented signed petitions circulated to adjacent land owners. The Chairman informed him that the Council will submit a resolution to either support or reject his requests for zone change.

2) Request for funds:

The Chairman presented a list of items for funds to be approved by the Council:

a) Fuel for official vehicles	\$500.00
b) Office supplies	500.00
c) Copy cartridge	371.00
d) Additional Entrance Fee for Little League Girls Team	675.00

Total: \$2,046.00

Mr. Tass Salas made a motion to approve total funds requested; seconded by Mr. Nick Francisco; unanimously approved.

VIII. ANNOUNCEMENTS

1) American Red Cross Bazaar - scheduled for Saturday in the ball field area next to the church.

2) Birthday Party for Mayor's Grandson - The Mayor invited everyone to his home for Saturday evening on the occasion of his grandson's birthday party.

3) Graduation Party - Mr. Nick Francisco invited everyone to attend his daughter's graduation party on June 3rd at his residence.

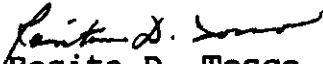
4) Birthday Party - Mr. Mike Awa invited everyone to his son's birthday at his residence on May 27.

5) Mayor's Office Sign - Mr. Tass Salas asked if a sign can be made to replace the old sign in front of the office as it gives a poor image to the people passing through the main road. The Chairman indicated that if funds were available this would be done but at the moment it is really not a top priority. Road repairs and street lights to be turned on are at the top of the list.


IX. ADJOURNMENT

As there were no further matters for discussion, Mr. Tass Salas made a motion to adjourn and Mr. Tony Campos seconded the motion. It was unanimously approved. The meeting adjourned at 8:30 p.m.

Submitted by:


Rosita D. Tosco, Secretary
8 May 1995

ATTESTED TO:



NONITO (NITO) C. BLAS, Chairman
MANGILAO MUNICIPAL PLANNING COUNCIL

TO WHOM IT MAY CONCERN:

We the undersigned hereby indicate our support for the rezoning from A To M-1 of Lot No. 5290-3-R8 Municipality of MANGILAO which consists of 13,126± sq. mtrs., owned by Pacific Unlimited, Inc.

Lot No.	Lot owner	Yes	No	Comments
<u>5290-6-3-5</u>	<u>Julie Mariano</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Concerned about bordering</u>
<u>5290-6-3-7</u>	<u>JACQUELINE SANTOS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/C</u>
<u>5290-3-5-6</u>	<u>Bibi TYDINGCO</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Traffic Congestion</u>
<u>5290-1-2-3³⁻⁵⁻²¹ 3-5-21</u>	<u>Paralyn J. Yanez</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Traffic congestion</u>
<u>5290-3-5-1</u>	<u>Mr. + Mrs. Gregey P. Yanez</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Traffic Congestion</u>
<u>5290-3-7-1</u>	<u>MANUEL C. BLAS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/C</u>
<u>5290-3-8-R2</u>	<u>MANUEL BLAS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/C</u>
<u>5290-3-7-2</u>	<u>Fred Mendocino</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>NC</u>
<u>5290-7-7-7</u>	<u>Maria C.R. Blas</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>NC</u>
<u>5290-3-7-4</u>	<u>MONICA T. BLAS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>NC</u>
<u>5290-3-7-2</u>	<u>FC Blas / Renencia Blas</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Concerned about bordering</u>
<u>5290-3-5-2-R1</u>	<u>Charlene T. Blas</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<u>5290-3-8-1</u>	<u>Marcella R. Blas</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

TO WHOM IT MAY CONCERN:

We the undersigned hereby indicate our support for the rezoning from A To M-1 of Lot No. 5292-3-2-2-1 Municipality of MANGILAO which consists of 4,480 sq. mtrs., owned by John and Lawrence Limtiaco.

Lot No.	Lot owner	Yes	No	Comments
<u>5290-3-6-5</u>	<u>Julie Maanao</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Concerned about lotterring</u>
<u>5290-3-6-7</u>	<u>JACQUELINE SANDS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>
<u>5290-3-5-6</u>	<u>Billy Tydingco</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Truffis Longate</u>
<u>5290-3-5-21</u>	<u>Perlynn J. Guevarra</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>"</u>
<u>5290-3-5-1</u>	<u>Mr. + Mrs. George B. B. B.</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>"</u>
<u>5290-3-5-1</u>	<u>MANUEL BLAS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>
<u>5290-3-8-22</u>	<u>MANUEL BLAS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>
<u>5290-3-7-2</u>	<u>Fred Mondillo</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>
<u>5290-3-7-0</u>	<u>Maria C.R. Blas</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>NA</u>
<u>5290-3-7-4</u>	<u>MONICA T. BLAS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>NC</u>
<u>5290-3-7-2</u>	<u>Florence C. Blas</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>concerned re lotterring</u>
<u>5290-3-52-A1</u>	<u>Chantene T. Perez</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<u>5290-3-8-1</u>	<u>Marcella B. Blas</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

PART ONE

RECORDATION
AT
THE
DEPARTMENT
OF
LAND
MANAGEMENT

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT
OFFICE OF THE RECORDER
INSTRUMENT NUMBER 516737

This instrument was filed for record on 27

Day of Sept, 19 96, at 2:19 P.M.

and duly recorded on Book _____ at Page _____

Recording Fee 195 Voucher No. 77204

A. B. Santos
Deputy Recorder

(Space Above This Line Is For Recorder's Use Only)

DEED PURSUANT TO EXERCISE OF POWER OF SALE IN MORTGAGE

CITIZENS SECURITY BANK (GUAM), INC., whose address is

This deed is made pursuant to the authority and powers given to Grantor by law and by that mortgage dated July 15, 1993, made by Natividad B. Guzman, as mortgagor, to Citizens Security Bank (Guam), Inc., as mortgagee, recorded on July 19, 1993, at the Department of Land Management, Territory of Guam, as Document No. 492204, and Grantor has complied with all applicable statutory provisions and requirements of law relating to this sale and to notice thereof and has performed all of its duties under the mortgage.

Pursuant to such notice of sale, the above-described

TERRITORY OF GUAM)
) ss:
CITY OF AGANA)

On this 27th day of September, 1994, before me, a Notary Public in and for the Territory of Guam, personally appeared TIMOTHY J. IRVIN, known to me to be the duly authorized representative of CITIZENS SECURITY BANK (GUAM), INC., that executed the foregoing DEED PURSUANT TO EXERCISE OF POWER OF SALE IN MORTGAGE on behalf of said corporation and acknowledged

**RIDER TO DEED PURSUANT TO EXERCISE
OF POWER OF SALE IN MORTGAGE**

The undersigned, being the Transferee under that certain Deed Pursuant to Exercise of Power of Sale in Mortgage, attached hereto, executed by CITIZENS SECURITY BANK (GUAM), INC., which Deed conveyed to the Transferee the property described therein, hereby acknowledges that under no circumstances will the Government of Guam be in any way responsible for paying for any required power or water hookup, power line extensions or water line extensions.

IN WITNESS WHEREOF, Transferee has executed this Rider this 27th day of September, 1994.

FCN 4-4-4
REV 6-11-62
REV 6-12-93

TERRITORY OF GUAM
DEPARTMENT OF LAND MANAGEMENT
CERTIFICATE OF TITLE

Certificate of Title Number **101003** Document No. **516737**
Originally registered 13 April, 1956 Vol. **29**
~~Municipality~~ of Miscellaneous Photostat Page **35** Certificate of Title ~~516737~~ No. **9105**

Transfer from Number **C.T. No. 101002**

TERRITORY OF GUAM)
AGANA, GUAM) ss

This is to certify that Pacific Unlimited, Inc.

now residing at P.O. Box 10838
Tamuning, Guam 96931 Municipality/Territory of _____
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 5290-3-R8, Barrigada, Guam, Estate No. 11935, Suburban, containing an area

Recording requested by Grantee. After recordation deliver copies to Title Guaranty of Guam, Inc., P.O. Box 771, Agana, Guam 96910. The real property affected by this instrument is a registered lot, the name of the registered owner being the Grantor(s) and the number of the certificate of last registration being No. 14945.

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT
 OFFICE OF THE REGISTER
 INSTRUMENT REGISTERED

528283

This instrument was filed for record on _____

Day of May, 1995, at 3:53 P.M. and duly recorded in Book _____ at Page _____

Recording Fee 20 Voucher No. 805303
John Carter
 Deputy Recorder

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

THAT ON THIS 12th day of MAY, 1995, JOHN-DAVID DENNIS aka J.D. DENNIS, SS# _____, whose address is 2863 PUA LOKE, LIHUE, HAWAII, 96766, hereinafter referred to as "GRANTOR", for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to him paid by JOHN A. LIMTIACO, SS# 586-77-3369, LAWRENCE V. LIMTIACO, SS# 586-74-8321, and BARBARA T. UNTALAN, SS# 586-92-2491 whose address is P.O. Box 10238 TAMUNING GUAM 96931, hereinafter referred to as "GRANTEE", the receipt, adequacy and sufficiency whereof is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY, unto the GRANTEE, as joint tenants with rights of survivorship, the following described property:

LOT NUMBER 5292-3-2-2-1, (Subdivision of Lot 5292-3-2-2), MUNICIPALITY OF MANGILAO, (Formerly of Barrigada), TERRITORY OF GUAM, ESTATE NUMBER 12297, SUBURBAN, as said Lot is marked and designated on H-304Y64, as described in that Property Map Lot 5292-3-2-2-1, dated JULY 14, 1964 and recorded JULY 20, 1964, at the Department of Land Management, Government of Guam, under document number 55971.

AREA: 4480.34 +/- SQUARE METERS

LAST CERTIFICATE OF TITLE NUMBER: 14945

TOGETHER with reversions, remainders, rents, issues and profits thereof and all of the estate, right, title and interest of the GRANTOR both at law and in equity, therein and thereto.

TO HAVE AND TO HOLD the same, together with all buildings, improvements, rights, easements, privileges and appurtenances thereon and thereto belonging or appertaining or held and enjoyed therewith, unto GRANTEE, in fee simple, their successors and assigns forever.

AND GRANTOR, for himself and his heirs, executors and administrators does hereby WARRANT and COVENANT with the GRANTEE, and their successors and assigns, that he is lawfully seized of the above described property in fee simple; that the same is free and clear of all encumbrances excepting current real property taxes not yet due and payable; GRANTS OF EASEMENT recorded under document numbers 41277, 42894, 52261, 52283, 53910 and 324999; and Subject to a TWENTY (20') Foot wide easement for ingress and egress as delineated on the Map filed under document number 55971.

THAT the GRANTEE shall have the right of quiet enjoyment of said property, and that he will and his heirs, executors and administrators warrant and defend the same to the GRANTEE, their successors and assigns against the lawful claims and demands of all persons.

AND GRANTEE, for themselves and their successors and assigns does hereby acknowledge and confirm that water and power are immediately available on the property or within 100 feet of the property described above.

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

GRANTOR:

GRANTEE:



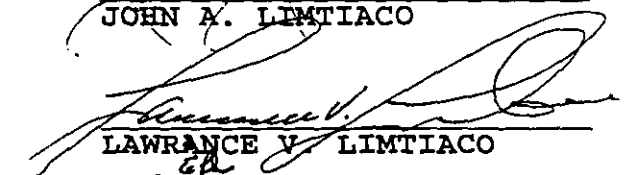
JOHN-DAVID DENNIS



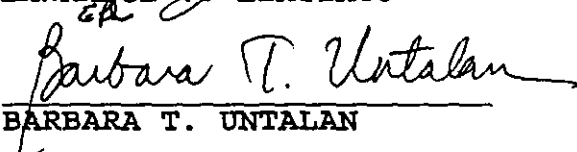
aka J.D. DENNIS



JOHN A. LIMTIACO



LAWRANCE V. LIMTIACO



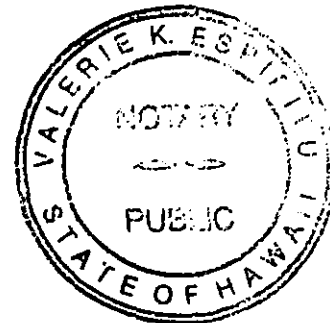
BARBARA T. UNTALAN

STATE OF HAWAII)
COUNTY OF Kauai) SS

ON THIS 12th day of MAY, 1995, before me, a Notary Public in and for STATE OF HAWAII, personally appeared JOHN-DAVID DENNIS aka J.D. DENNIS, and he acknowledged to me that he executed the foregoing WARRANTY DEED, as his free and voluntary act and deed for the purposes therein set forth.

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

Valerie K. Espinosa
NOTARY PUBLIC
My commission expires: 10-14-97



TERRITORY OF GUAM)
CITY OF AGANA) SS

ON THIS 11th day of MAY, 1995, before me, a Notary Public in and for Territory of Guam, personally appeared JOHN A. LIMTIACO, and he acknowledged to me that he executed the foregoing WARRANTY DEED, as his free and voluntary act and deed for the purposes therein set forth.

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

Ronald R. Sablan
NOTARY PUBLIC
My commission expires:

RONALD R. SABLAN
Notary Public
In and for the Territory of Guam
My Commission Expires: 10-21-95
Herman Cortez Avenue
Malayan Building #320
Agana, Guam 96910



TERRITORY OF GUAM)
) SS
CITY OF AGANA)

ON THIS 11th day of MAY, 1995, before me, a Notary Public in and for Territory of Guam, personally appeared **LAWRANCE V. LIMTIACO**, and he acknowledged to me that he executed the foregoing **WARRANTY DEED**, as his free and voluntary act and deed for the purposes therein set forth.

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

Ronald R. Sablan
NOTARY PUBLIC
My commission expires:

RONALD R. SABLAN
Notary Public
In and for the Territory of Guam
My Commission Expires: 10-21-95
Herman Cortez Avenue
Malayan Building #329
Agana, Guam 96910



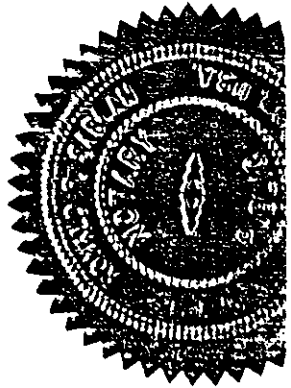
TERRITORY OF GUAM)
) SS
CITY OF AGANA)

ON THIS 11th day of MAY, 1995, before me, a Notary Public in and for the Territory of Guam, personally appeared **BARBARA T. UNTALAN**, and she acknowledged to me that she executed the foregoing **WARRANTY DEED**, as her free and voluntary act and deed for the purposes therein set forth.

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

Ronald R. Sablan
NOTARY PUBLIC
My commission expires:

RONALD R. SABLAN
Notary Public
In and for the Territory of Guam
My Commission Expires: 10-21-95
Herman Cortez Avenue
Malayan Building #329
Agana, Guam 96910





GUAM ENVIRONMENTAL PROTECTION AGENCY



AHENSIAŃ PRUTEKSIUN LINA'LA GUAHAN

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658/9 • FAX: 477-9402

Testimony of Mr. Fred M. Castro, Administrator

Guam Environmental Protection Agency

Before

The Committee on Utilities and Land

HEARING ON **BILL 403**: AN ACT TO REZONE LOT NUMBERS 5290-3-R8,
AND 5292-3-2-2-1, MUNICIPALITY OF BARRIGADA, FROM
AGRICULTURE (A) TO INDUSTRIAL (M-1)

December 10, 2004

Buenas yan Saluda, Mr. Chairman and Committee Members. I am pleased to have the opportunity this morning to provide for you some critical information, in response to your invitation to testify on Bill 403.

Bill 4031 proposes to spot zone a single property in Barrigada from A, to M-1,

which allows numerous industrial uses.

The existing land zoning system on Guam was instituted in 1966, by Guam's first Land Use Plan. This legal control on uses of land was a valuable innovation to improve the quality of our life, support development and protect our environment. But, as development, population and infrastructure grew since that time, the old zoning maps have become inappropriate and obsolete in most areas. Over the last thirty-eight years, various attempts have been made to update Guam's Land Use Plan and associated Zoning Code. The greatest effort, spurred by the Guam Comprehensive Planning Law, Public Law 20-147, resulted in the I Tano'-ta Land Use Plan and Zoning Code. This Island-wide comprehensive revision became Public Law 24-171 in 1998, but was only implemented for a month in 1999, when it was withdrawn by the Legislature for amendments, which were never made. Therefore, by the unfortunate continuation of the old zoning, developers and land owners remain disadvantaged and need to seek changes to their old zoning designations.

Mr. Chairman, you and I were active members of the Guam Planning Council which was responsible for the drafting and approval of I Tano'-ta. We learned and

strongly supported the value of comprehensive land use planning as we adopted a plan and zoning code based on meeting the needs expressed by the public at the over one hundred public hearings we held on I Tano'-ta. We even designated and had approved a specific zone for this lot and adjacent properties that was compatible with infrastructure, with surrounding use potentials and with the environment, while allowing gainful economic development.

Guam Planning Council also prioritized the need for water infrastructure master planning. The Guam Waterworks Authority is currently developing a Master Plan for water and sewer facilities that will address current problems and comprehensively meet needs for Guam's future. This Plan, costing over five million dollars, will be eroded and lose its value if spot zoning of properties occurs.

In lieu of a revised zoning code, a mechanism exists for owners to change zones of their properties. This involves applying for a zone change to the Guam Land Use Commission. Staff of the Department of Land Management assist applicants in obtaining requested zone changes and offer professional advice on best procedures to take. This zone change process allows for review and comments by technical staff of the Government as well as notification in writing to neighboring property

owners who will be impacted by the zone change and public hearings in the village where the property is located, as well as review by the Mayor and Planning Council of the village. Adequacy of infrastructure to support the uses allowed in the new zone, conformity with neighboring uses and with sectoral master plans, and concerns of impacted neighbors are all addressed. Many of the safeguards of this process are absent when properties are spot zoned through the legislative process, actually leading to more problems for the owner and decrease in the quality of life for the surrounding community. Well known examples of such problems include decreases in public water pressure, contamination of our well water, traffic safety risks, inadequate parking, devaluation of neighboring properties, etc.

If one individual zone change is passed through this proposed spot zoning law, thousands of other owners should also expect to be able to change their zoning through this poorly controlled process. This would lead to increased deficiencies in infrastructure and public services, damage to natural resources, degradation of the environment and overall lowering of the quality of life and loss of potential economic development.

Therefore, we generally oppose the provision of zone changes for individual

Thank you for the opportunity to provide this testimony, which we hope will help you reach the best decision in acting on this bill.



FRED M. CASTRO