

*I Mina'Trentai Tres Na Liheslaturan Received*  
**Bill Log Sheet**

<b>BILL NO.</b>	<b>SPONSOR</b>	<b>TITLE</b>	<b>DATE INTRODUCED</b>	<b>DATE REFERRED</b>	<b>CMTE REFERRED</b>	<b>PUBLIC HEARING DATE</b>	<b>DATE COMMITTEE REPORT FILED</b>	<b>FISCAL NOTES</b>
<b>33-33 (COR)</b>	T. R. Muña Barnes	AN ACT TO REZONE LOT NO. 5228-R4-R2-1, BARRIGADA, GUAM, FROM AGRICULTURAL ZONE (A) TO COMMERCIAL ZONE (C).	01/23/15 9:24 a.m.	01/23/15	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement			



## COMMITTEE ON RULES

*I Mina'trentai Tres na Liheslaturan Guåhan* • The 33rd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

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Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

January 23, 2015

### MEMORANDUM

**To:** **Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From:** **Senator Rory J. Respicio**   
*Chairperson, Committee on Rules*

**Subject: Referral of Bill No. 33-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 33-33(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Tres na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2015 (FIRST) Regular Session

Bill No. 33-33 (COR)

Introduced By:

T.R. MUÑA BARNES

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**AN ACT TO REZONE LOT NO. 5228-R4-R2-1, BARRIGADA,  
GUAM, FROM AGRICULTURAL ZONE (A) TO  
COMMERCIAL ZONE (C).**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that Annie Mesa Makepeace and Glen Randy Makepeace are the property owners  
4 of Lot No. 5228-R4-R2-1 located in the Municipality of Barrigada, Guam. At the  
5 present time, the Makepeaces have a single family house on the property.

6        Furthermore, the Makepeaces would like to maximize the highest and best  
7 use of Lot No. 5228-R4-R2-1, and are requesting the assistance of *I Liheslaturan*  
8 *Guåhan* to rezone this property from Agricultural Zone (A) to Commerical Zone  
9 (C).

10        In an effort to assist the Makepeaces in maximizing the highest and best use  
11 of their property, it is the intent of *I Liheslaturan Guåhan* to rezone the property  
12 from A to C.

13        **Section 2. Lot No. 5228-R4-R2-1 Rezoned.** Notwithstanding any other  
14 provisions of law, Lot No. 5228-R4-R2-1, Municipality of Barrigada, Guam,  
15 containing an area of 3,173 +/- square meters, as said lot is marked and designated  
16 on Surveyor's Drawing No. FC01-005, Land Management No. 113-FY 2001  
17 recorded under Instrument No. 635593, in the Department of Land Management,

2015 JAN 23 AM 9:24

1 Government of Guam, is hereby rezoned from Agricultural (A) Zone to  
2 Commercial (C) Zone. (*Map attached as Exhibit "A"*).

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

File for Record Instrument No. 873560

On the Year 15 Month 01 Day B Time 9:21

Recording Fee 2 Receipt No. 78726

Deputy Recorder [Signature]

### AFFIDAVIT OF TRANSFEREE

I/We GLEN AND ANNIE MAKEPEACE being first duly sworn, depose and says:

- 1. a. I am a single person.
  - b. I am a married person, and my spouses name is \_\_\_\_\_
  - c. We are husband and wife.
  - d. I am a widow/widower.
2. That I/We have purchases/acquired the following described property through a GIFT DEED:

**FULL LOT NUMBER AND DESCRIPTION OF MAP (SEE DEED)**  
 LOT NUMBER 5228-R4-R2-1 CONTAINING AN AREA OF 3,173 SQ M (square meters) as shown in LAND MANAGEMENT FILE NUMBER 635593, SURVEYOR'S DRAWING # FC01-005, LAND MANAGEMENT NUMBER 113-FY2002 AS RECORDED IN THE DEPARTMENT OF LAND MANAGEMENT OF GUAM. PLEASE SEE EXHIBIT A ATTACHED HERETO.

- 3. I/We have acquired the property as:
  - a. My sole and separate property.
  - b. As joint tenants with rights of survivorship.
  - c. Community Property.
- 4. This Affidavit is made for the purpose of complying with the requirements of Title 21, Guam Code Annotated Section 29158.

[Signature]  
 GRANTEES NAME

[Signature]  
 GRANTEES NAME

SUBSCRIBED and sworn to before me this 12<sup>th</sup> day of JANUARY, 2015, by GLEN MAKEPEACE & ANNIE MAKEPEACE

**ELIZABETH C. LOPEZ**  
 NOTARY PUBLIC  
 IN AND FOR GUAM, U.S.A.  
 MY COMMISSION EXPIRES APRIL 6, 2015  
 P. O. BOX 25607 GUMF, GUAM 96921

[Signature]  
 NOTARY PUBLIC

Exhibit "B"

FOR  
RECORDATION  
AT DEPARTMENT  
OF LAND MANAGEMENT

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

File for Record is Instrument No. 873559  
On the Year 15 Month 01 Day 13 Time 9:20  
Recording Fee 25 Receipt No. 38726  
Deputy Recorder [Signature]

## DEED OF GIFT

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

That we, the board of trustees of J.J. Moving Service, Incorporated known individually as Carmen Quidachay Mesa an U.S. citizen whose address is P.O. Box 22681 Barrigada, Guam 96921 and Annie Mesa Makepeace, Hereinafter referred to as "GRANTORS" or and in consideration of the love and affection and other valuable consideration which we have and bear unto **ANNIE MESA MAKEPEACE and GLEN RANDY MAKEPEACE**, U.S. citizens and residents of the Territory of Guam, whose mailing address is P.O. Box 22495 G.M.F. Barrigada, Guam 96921, respectively, hereinafter referred to as "GRANTEES" do by these presents hereby GIVE, GRANT, AND CONFIRM unto said "GRANTEES", as joint tenants with right of survivorship all of our interests, rights, title and claims in and to the following described real property, to wit:

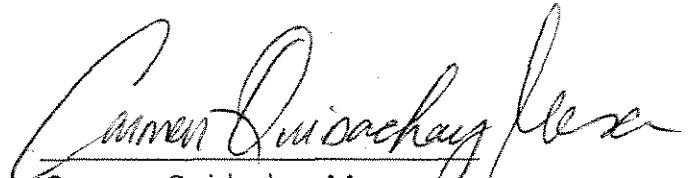
Lot Number 5228-R4-R2-1 containing an area of 3,173 SQ M (square meters) as shown in Land Management file Number 635593, Surveyor's drawing # FC01-005, Land Management Number 113-FY2001 as recorded in the Department of Land Management, Government of Guam, please see exhibit A attached hereto, to have and to hold the same in fee simple, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and any reversions, remainders, rents issues and profits thereof, unto said "GRANTEES", forever.

Exhibit "C"

IN WITNESS WHEREOF, I have unto set my hand this, 14<sup>th</sup> day of November 2014.

GRANTOR:

  
Annie Mesa Makepeace  
Corporate President

  
Carmen Quidachay Mesa  
Corporate Secretary

GRANTEE:

I, Annie Mesa Makepeace and Glen Randy Makepeace accept the above gift and acknowledge receipt of the original of the above instrument and physical possession of the above described Lot 5228-R4-R2-1 located in the jurisdiction of the village of Barrigada.

  
ANNIE MESA MAKEPEACE

  
GLEN R. MAKEPEACE

GUAM, U.S.A )ss:

City of BARRIGADA

On Nov. 14, 2014 before me a Notary Public in and for Guam, U.S.A., personally appeared Carmen Quidachay Mesa, Annie Mesa Makepeace and Glen R. Makepeace known to me to be the persons whose names are subscribed in this DEED OF GIFT.



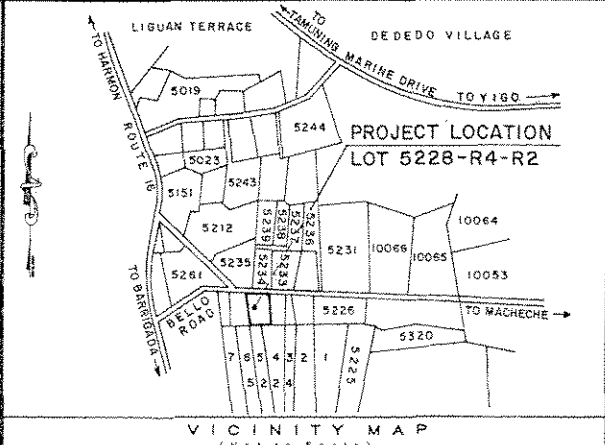
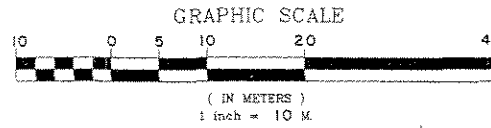
**VANESSA SALAS PADUA**  
NOTARY PUBLIC  
In and for Guam, U.S.A.  
My Commission Expires: June 13, 2015  
P.O. Box 11835 Tamuning, Guam 96931

CHECKED BY:

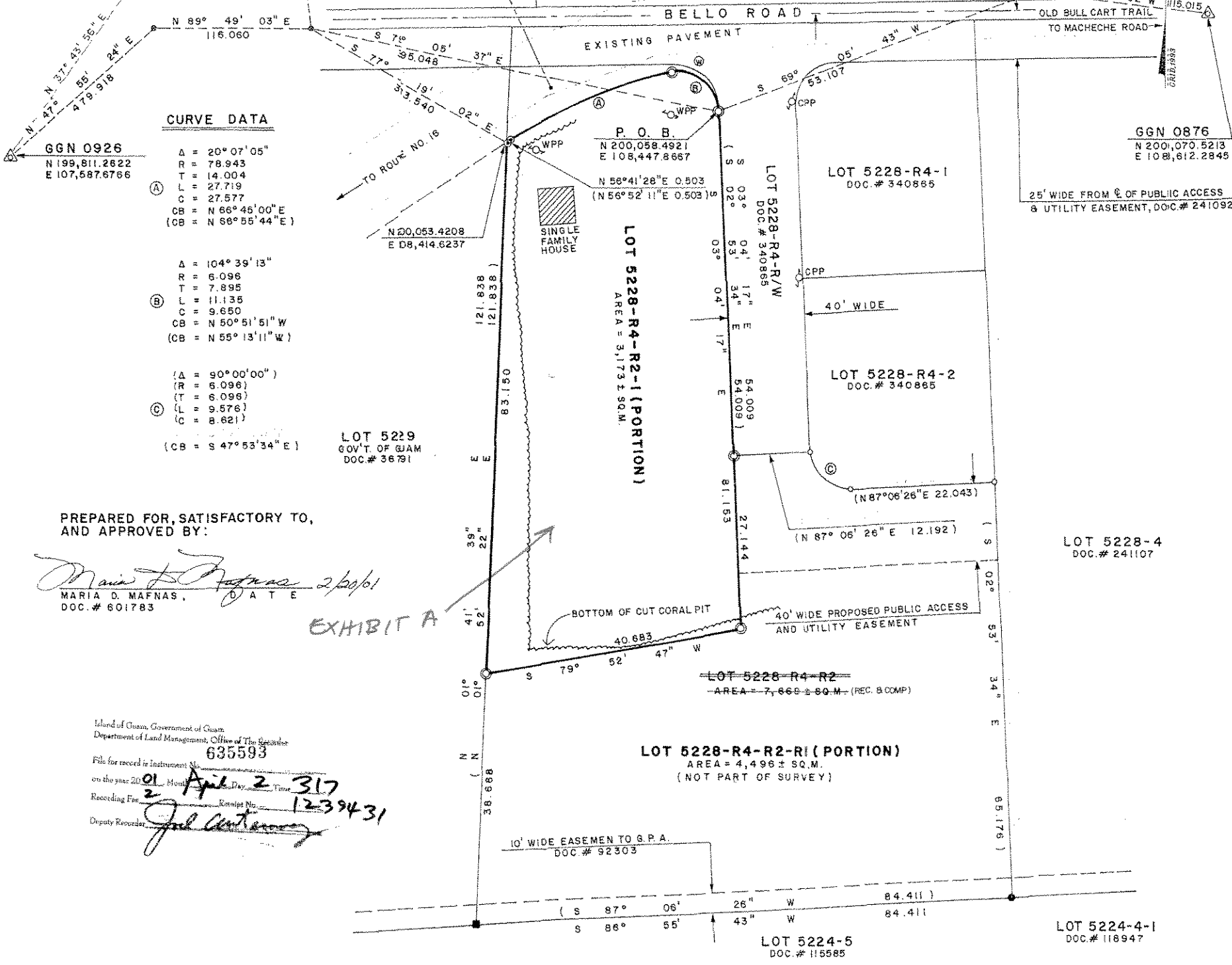
*Carlos R. Untalan* 03.08.2001  
 CARLOS R. UNTALAN  
 Planner, D.L.M.  
 DATE

*Ruby P. Cabana* 3.7.01  
 RUBY P. CABANA  
 Planner, D.L.M.  
 DATE

*Edgardo R. Taguiam* 3.15.2001  
 EDGARDO R. TAGUIAM  
 ENGINEERING, TECH., D.L.M.  
 DATE



GGN TIE-LINE NOT TO SCALE



**NOTES:**

- Survey was based on found corners as shown.
- All distances are in meters, unless otherwise noted.
- Bearing and distances in parenthesis are record data, all others are 1993 Grid.
- SUBJECT LOTS ARE "A" ZONED, RURAL AS OF APPROVAL OF THIS MAP.
- SUBJECT LOTS ARE WITHIN THE GROUNDWATER PROTECTION ZONE (GPZ).

**REFERENCES:**

- SEE L.M. NO. 277-FY83, PREPARED BY RLS # 24, DOC. NO. 340865.
- SEE DPW DWG NO. PW.92-03, PREPARED BY RLS # 58, DOC. NO. 508526.

**SYMBOLS:**

- △ = GGN STATION
- = 6" X 6" CONC. MON. FOUND SET BY UNKNOWN.
- = 3/4" IRON PIPE FOUND WITH TAG RLS # 24, DOC. 340865.
- ⊕ = # 4 REBAR FOUND WITH CAP MARKED "DPW, GOV'T. OF GUAM" DOC. 508526.
- ⊙ = # 4 REBAR SET WITH PLASTIC CAP MARKED RLS # 19.
- ⊙ = CORNER NOT RETRACED.
- ⊙ = NAIL SET (CONTROL TRAVERSE STATION).
- ⊙ = WOODEN/CONCRETE POWER POLE.
- ⊙ = WATER MANHOLE.

**CERTIFICATION**

I, FRANK L.G. CASTRO, hereby certify that this map was prepared by me or under my direct supervision that it is based upon a field survey made in JANUARY 23, 2001 in conformance with all applicable laws and regulations. That I am responsible for the accuracy of all data and information shown hereon, I also certify that all the monuments are of the character and occupy the positions indicated on this map.

*Frank L.G. Castro* 2-18-2001  
 FRANK L.G. CASTRO, RLS NO. 19 DATE EXP: SEPT. 30, 2001

Approval Pursuant to Title 21, Guam Code Annotated, Chapter 62, Subdivision Law.

*Felixberto R. Dungca Jr.* 03/29/2001  
 FELIXBERTO R. DUNGCA, JR. GUAM CHIEF PLANNER DATE

This map has been examined for conformance with Title 21, Guam Code Annotated, Chapter 60, Article 5, Uniform Triangulation System and Regulations thereunder on this 29th day of March, 2001.

*Nicanor B. Carino*  
 NICANOR B. CARINO, PLS. GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE DATE

REVISION	BRIEF DESCRIPTION	BY	DATE	APPROVED BY	DATE

**FLGC FRANK L.G. CASTRO**  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 19  
 ISLAND OF GUAM  
 P.O. BOX 1119, AGANA, GUAM 96932 TEL. NO. 649-4540/4541

SURVEY DATA	DATE	RE-SUBDIVISION OF
RESEARCHED BY: FC	JAN 2001	LOT 5228-R4-R2
FIELD BY: FLGC-OREA	JAN 2001	Y-LISONG, MUNICIPALITY OF BARRIGADA
FIELD BOOK: FCO04	JAN 2001	L.S. 14
COMPUTED BY: FC	JAN 2001	SEC. 1
DRAWN BY: GE	JAN 2001	
CHECKED BY: FLGC	JAN 2001	

LAND MANAGEMENT NO. 113-FY 2001	LOT NO. 5228-R4 CERTIFICATE OF TITLE NO. 53117 REGISTERED ON: OCTOBER 23, 1974.
SURVEYOR'S DRAWING NO. FC01-005	IN THE NAME OF: SANTIAGO B. MAFNAS
SURVEYOR'S PROJECT NO. FLGC-01005	PREPARED FOR, SATISFACTORY TO & APPROVED BY: SEE PLAN
SCALE: SEE PLAN	
SHEET NO. 1 OF 1	

PREPARED FOR, SATISFACTORY TO, AND APPROVED BY:

*Maria D. Mafnas* 2/20/01  
 MARIA D. MAFNAS, DATE  
 DOC. # 601783

EXHIBIT A

Island of Guam, Government of Guam  
 Department of Land Management, Office of the Registrar  
 635593

File for record in instrument No. 01  
 on the year 2001 Month April Day 2 Time 3:17  
 Recording Fee 2 Receipt No. 1239431  
 Deputy Recorder *Judith Contreras*

Exhibit "A"

635593 S-12008