

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

Bill No. 231-32-(COR)

Introduced By:

T.R. MUÑA BARNES

2013 DEC -2 AM 10:31 M

AN ACT TO REZONE LOT NO. 22, BLOCK NO. 4, TRACT NO. 170, WEST ACRES SUBDIVISION, DEDEDO, GUAM FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO MULTIPLE-FAMILY DWELLING ZONE (R-2).

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Pedro T. and Teresita B. Aguon are the property owners of Lot Nos. 22 and
4 23, Block No. 4, Tract No. 170, West Acres Subdivision, located in the
5 Municipality of Dededo, Guam. *I Liheslaturan Guåhan* further finds that the
6 Aguons' acquired Lot No. 22 through a Deed of Conveyance. (*Attached as Exhibit*
7 *"A"*) with the Government of Guam on January 1976 and Lot No. 23 through a
8 Quitclaim Deed. (*Attached as Exhibit "B"*) on April 2004. At the present time,
9 the Aguons' have homes on both properties with the main family home with an
10 attached single-family dwelling on Lot No. 22, and a single-family dwelling on Lot
11 No. 23.

12 *I Liheslaturan Guåhan* further finds that because the main family home with
13 the attached 3-Bedroom dwelling on Lot No. 22 are separately metered, this places
14 said lot as non-conforming with respect to the zoning status. This in essence
15 prevents Mr. and Mrs. Aguon from accessing the equity on their property.
16 Furthermore, the Aguons' would like to maximize the highest and best use of Lot
17 No. 23, and are requesting the assistance of *I Liheslaturan Guåhan* to rezone this

1 property as well from Single-Family Dwelling (R-1) to Multiple-Family Dwelling
2 (R-2).

3 In an effort to ensure that Mr. and Mrs. Aguon's home conforms to the
4 proper zoning status, as well as to assist the Aguons' in maximizing the highest
5 and best use of their properties, it is the intent of *I Liheslaturan Guåhan* to rezone
6 these properties from R-1 to R-2.

7 **Section 2. Lot No. 22 Rezoned.** Notwithstanding any other provisions of
8 law, Lot No. 22, Block No. 4, Tract No. 170, West Acres Subdivision,
9 Municipality of Dededo, containing an area of 1,180.04 square meters, as shown
10 on Land Management Drawing No. D4-70T225, covered under C.T. No. 26204,
11 recorded under Instrument No. 266599, is hereby rezoned from Single-Family
12 Dwelling (R-1) to Multiple-Family Dwelling (R-2) Zone. (*Partial Map attached*
13 *as Exhibit "C"*).

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

EXHIBIT "A"

DEED OF CONVEYANCE

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

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

Lot No. 22, Block No. 4, Tract 170, West Acres Subdivision, Municipality of Dededo, containing an area of 1,189.04 square meters, as shown on Land Management Drawing No. D4-70T225, covered under C.T. No. 25204.

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

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

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

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

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

The property herein described was approved by the Land Transfer Board at its meeting held on the 23rd day of October 1973, and also by the Governor of Guam on the 26th day of December 1973.

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

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

GOVERNMENT OF GUAM

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

Date: FEB 02 1976

APPROVED AS TO FORM:

/s/ Charles H. Troutman

Attorney General

Date: JAN 19 1976

COUNTERSIGNED:

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

INSTRUMENT NUMBER 266599

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

and duly recorded in Book _____ at Page _____

Recording Fee \$ 2.00 Receiver No. 48022

Deputy Recorder

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

INSTRUMENT NUMBER 286599

This instrument was filed for record on 8
day of March, 1974, at 9:31 A.M.
P.M.

and duly recorded in Book _____ at Page _____

Recording Fee 7.00 P. P. Reyes No. 48022

Deputy Recorder

EXHIBIT "B"

Quitclaim Deed

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

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

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

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

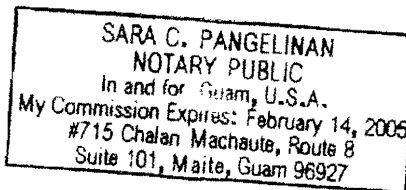
On this 9 day of **April, 2004**, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **PEDRO T. AGUON**, known to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he executed the within instrument as his free and voluntary act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

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan

Notary Public



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

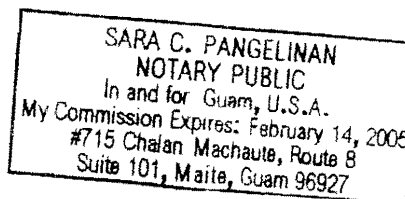
On this 9 day of **April, 2004**, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **TERESITA B. AGUON**, known to me to be the person whose name is subscribed to the within instrument and she acknowledged to me that she executed the within instrument as her free and voluntary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

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan

Notary Public



AFFIDAVIT OF CONSIDERATION

TO: DIRECTOR OF LAND MANAGEMENT

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

I/We, have duly acquired the following described real property: **LOT NO. 7-1, BLOCK NO. 6, TRACT NO. 271, YIGO, GUAM, U.S.A.**, by the terms of a Deed executed on the 9 day of **APRIL, 2004**, bearing Instrument No. 690000, incorporated hereby reference.

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

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

[Signature]
Grantor(s)

[Signature]
Grantee(s)

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

That this Affidavit is executed to satisfy the requirements of Section 20102 of Title 11GCA and for official use by the Government of Guam.

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

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

[Signature]
Grantor:
PEDRO T. AGUON

[Signature]
Grantee:
HERBERT Q. AGUON

[Signature]
Grantor:
TERESITA B. AGUON

[Signature]
Grantee:
CATALINA M.B. AGUON

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

) SEAL (

[Signature]
Notary Public.

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

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

) SEAL (

[Signature]
Notary Public.

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

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

AFFIDAVIT

We, PEDRO T. AGUON and TERESITA B. AGUON, husband and wife, first duly sworn, deposes and says:

1. That we acquired the following described property identified as:

LOT NO. 23, BLOCK NO. 4, TRACT NO. 170, WEST ACRES SUBDIVISION, DEDEDO, GUAM, ESTATE NO. 17759, SUBURBAN, as said lot is marked and designated on Map Drawing No. D4-70T225, recorded under Instrument No. 97091, in the Department of Land Management, Government of Guam.

The following is shown for information purposes only: Said map shows the area to be: 1,373.14 ± Square Meters; Last Certificate of Title No. 86960 issued to Catalina M. Blas.

2 That the above described property was acquired as joint tenants with rights of survivorship and not as our community property.

3. That this affidavit is made for the purpose of complying with the requirement of Title 21 Guam Code Annotated Section 29158.



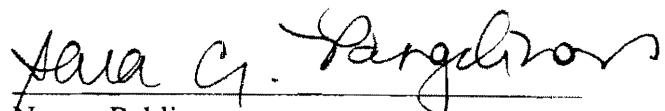
PEDRO T. AGUON



TERESITA B. AGUON

SUBSCRIBED to sworn to before me this 9 day of **April, 2004**.

) seal (



Notary Public.

Chief of Party, Government of Guam
Department of Land Management, Office of The Recorder

690989

Date: _____ Day _____ Time _____

Recording Fee _____ Receipt No. _____

Notary Public 

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

Quitclaim Deed

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

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

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

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


WATER AND POWER

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

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

GRANTORS:

Date: 04-09-04


PEDRO T. AGUON

Date: 4-9-04


TERESITA B. AGUON

GRANTEES:

Date: 4-9-04


HERBERT Q. AGUON

Date: 4-9-04


CATALINA M.B. AGUON

Quitclaim Deed

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

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

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

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

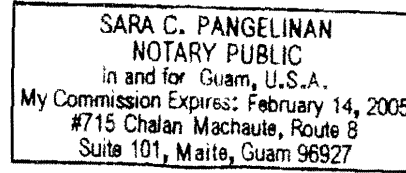
On this 9 day of **April, 2004**, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **PEDRO T. AGUON**, known to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he executed the within instrument as his free and voluntary act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

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan

Notary Public



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

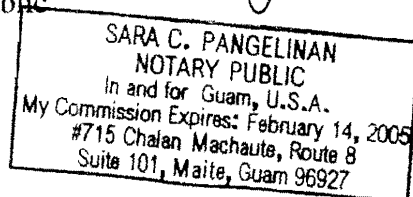
On this 9 day of **April, 2004**, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **TERESITA B. AGUON**, known to me to be the person whose name is subscribed to the within instrument and she acknowledged to me that she executed the within instrument as her free and voluntary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

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan

Notary Public



Quitclaim Deed

Grantor(s): Pedro T. Aguon and Teresita B. Aguon.
Grantee(s): Herbert Q. Aguon and Catalina M. Aguon.
Legal Description(s): Lot No. 7-1, Block No. 6, Tract No. 271, Yigo, Guam.

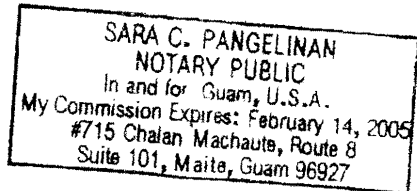
GUAM, U.S.A.)
) SS.:
CITY OF MAITE)

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

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan
Notary Public



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

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

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan
Notary Public

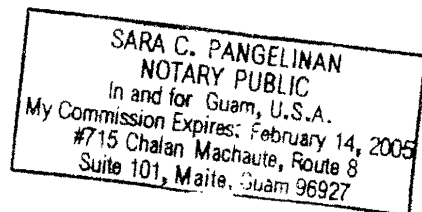


EXHIBIT "C"

B L O C K 3 0

