


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

Bill No. 349-32 (COR)

Introduced by:

FRANK B. AGUON, JR. 

**AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY
OF BARRIGADA, FROM AGRICULTURE ZONE (A) TO
MULTI-FAMILY DWELLING ZONE (R-2).**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guahån* finds
3 that the late Victorino and Fina Mercado, property owners of Lot No. 5221-1-4-R1,
4 in the Municipality of Barrigada, self-constructed a two story duplex on the
5 existing property and converted it into a four-plex building. The intention of
6 Victorino and Fina Mercado, was to accommodate their children and finance their
7 education through the rental of the additional units. As children and heirs of the
8 late Victorino and Fina Mercado, Elmer C. Mercado and Lulu T. Mercado
9 (husband and wife) and Therese M. Bugayong and Danilo B. Bugayong (husband
10 and wife), ½ undivided interest, as community property owners of Lot No. 5221-1-
11 4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an area of 1,858 ±
12 square meters, as shown on Drawing No. EBM 79-39, L.M. No. 098 FY80,
13 prepared by Emil B. Meregillano, RLS No. 51, dated January 22, 1980;-
14 LM098FY80 Map Pac #310027, located in the Municipality of Barrigada, Guam
15 would like to continue to utilize the existing property as additional income and
16 access the accumulated equity in their property. (*Attachment A*)

17 Furthermore, *I Liheslaturan Guahån* finds that the present property is zoned
18 Agricultural (A), and prior to construction, all building and occupancy permits
19 were approved, certifying compliance with all applicable rules, regulations and

2014 JUN -9 PM 3:07


1 laws by the proper government agencies. This places the four-plex in an approved
2 and legal structure but the non-conforming status restricts the current property
3 owners access to the accumulated equity in their property.

4 Therefore, it is the intent of *I Liheslaturan Guahân* to resolve this problem
5 through the rezoning of Lot No. 5221-1-4-R1, in the Municipality of Barrigada,
6 from Agricultural (A) to Multi-Family Dwelling Zone (R-2).

7 **Section 2. Lot Rezoning.** Notwithstanding any other provisions of law,
8 Lot No. 5221-1-4-R1, in the Municipality of Barrigada and owned by Elmer C.
9 Mercado and Lulu T. Mercado (husband and wife) and Therese M. Bugayong and
10 Danilo B. Bugayong (husband and wife) is hereby rezoned to Multi-Family
11 Dwelling Zone (R-2).

12 **Section 3. Effective Date.** This provision contained herein shall take
13 effect immediately upon enactment of the Act.

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

CERTIFICATE OF TITLE

TERRITORY OF GUAM DEPARTMENT OF LAND MANAGEMENT



Certificate of Title Number 132765 Document No. 855838
 Originally registered 3 June, 1973 Vol. _____
 Municipality of _____ Page _____
 Transfer from Number C.T. No. 132764 Guaranteed Claim No. _____
 TERRITORY OF GUAM) Certificate of Title No. 29758
 HAGATNA GUAM)

This is to certify that Therese M. Bugayong and Danilo B. Bugayong, Husband and Wife,
Elmer C. Mercado and Lulu T. Mercado, Husband and Wife, 1/2 undivided interest,
 as Community Property.

now residing at Barrigada 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 of parcel of land situated in
 the municipality of Barrigada Territory of Guam, designated by

Cadastral Lot Number 5221-1-4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing
an area of 1,858± square meters, as shown on Drawing No. EBM 79-39, L.M. No. 098 FY80, prepared by Emil B.
Meregillano, PLS No. 51, dated January 22, 1980, and recorded under Document No. 310027;
 subject, however, to the estate, easements, liens, charges and encumbrances hereunder noted.
 Said owner is of the age of _____ years; Civil status _____
 and is/are under no disability.

IN WITNESS WHEREOF, I have hereunto set my hand and called my official seal to be affixed
 this 5th day of May, 2014

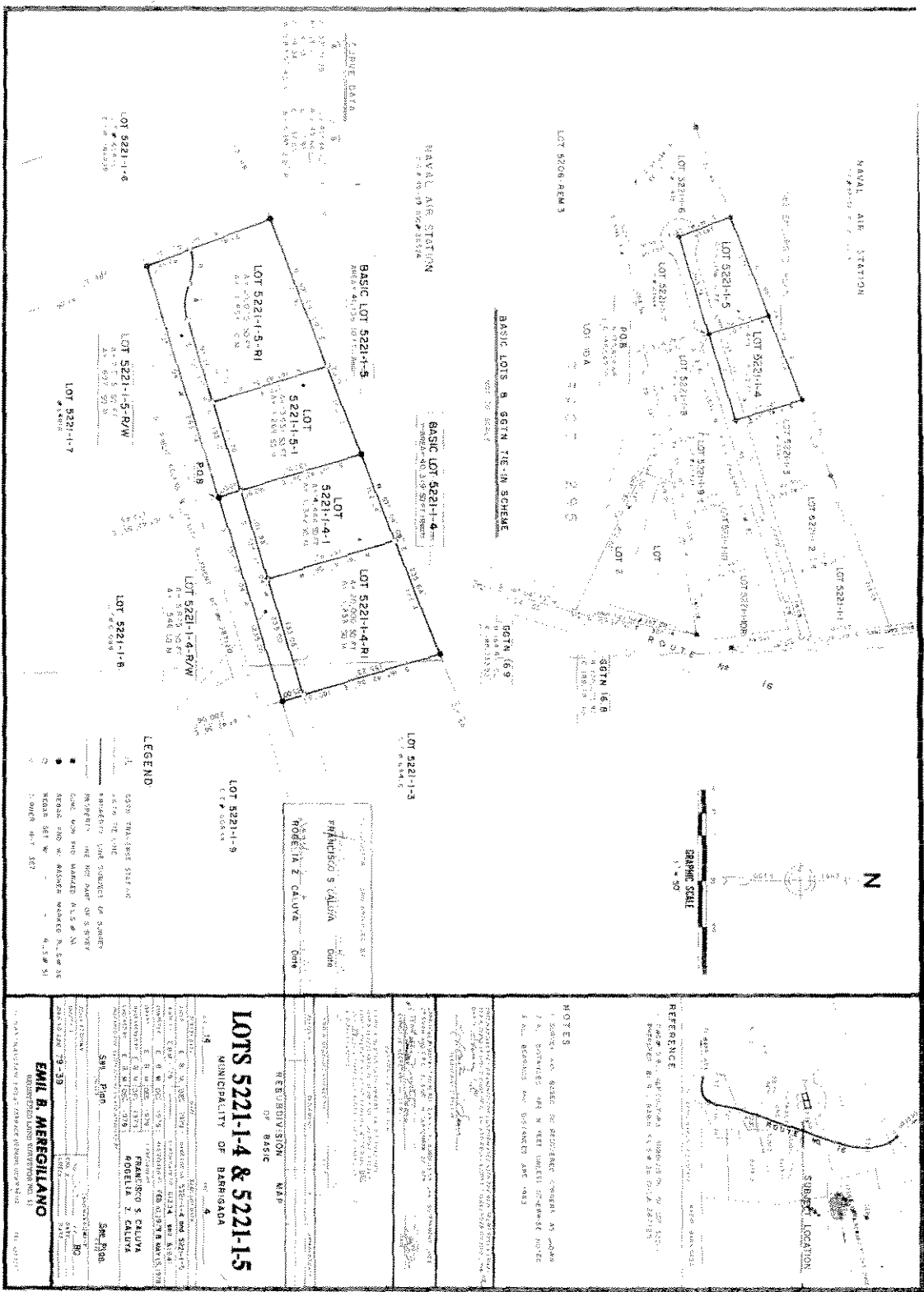
ANDREW D. SANTOS
 Deputy Registrar of Titles
 In And For The Territory of Guam

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			
793554	Easement Deed	7/27/2009	1:42 PM		A.R. Won Fai International Airport Authority	
855839	Affidavit of Transferee	8/29/2013	2:51 PM		Elmer C. Mercado Lulu T. Mercado	
855840	Affidavit of Transferee	8/29/2013	2:52 PM		Therese M. Bugayong Danilo B. Bugayong	

Attachment A of ...

3451



LEGEND

1. Dotted line: Boundary of the lots.

2. Solid line: Boundary of the parcels.

3. Dashed line: Boundary of the blocks.

4. Shaded area: Areas reserved for public use.

5. Line with dots: Areas reserved for public use.

6. Line with squares: Areas reserved for public use.

7. Line with circles: Areas reserved for public use.

NOTES

1. These lots are subject to the requirements of the Urban Planning Law of 1982.

2. The lots are subject to the requirements of the Urban Planning Law of 1982.

3. The lots are subject to the requirements of the Urban Planning Law of 1982.

REFERENCE

Plan No. 14/2008/3512-3513, Urban Planning Law of 1982.

REVISION

DATE: ...

BY: ...

PROJECT: ...

EMIL B. MEREGLIANO

REGISTERED LAND SURVEYOR

NAVIGATION SYSTEM

NAVIGATION SYSTEM

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

855838

File for Record if Instrument No.

On the Year 13 Month 08 Day 29 Time 2:48

Recording Fee 2K

Receipt No. 38812

Deputy Recorder

Sisa D. Manggan

Attachment A of

DEED OF GIFT

KNOW ALL MEN BY THESE PRESENTS:

That we, Jaime C. Mercado (dob: 07/11/70), mailing address 2 148th PL SW, Lynnwood, WA 98087 and Joseph Homer C. Mercado (dob: 05/09/73), mailing address is 2 148th PL SW, Lynnwood, WA 98087 in consideration of love and affection, as Grantors do now give, grant, convey and confirm to our brother and his wife, Elmer C. Mercado (dob: 11/17/75) and Lulu T. Mercado (dob: 09/23/83), as husband and wife, mailing address PO BOX 217782, Barrigada, GU 96921 and our sister and her husband, Therese M. Bugayong (dob: 05/02/69) and Danilo B. Bugayong (dob: 07/26/64), as husband and wife, mailing address 8608 11th PL SE, Lake Stevens, WA 98258 our undivided interest in the following described real property:

Lot No. 5221-1-4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an area of 1,858± square meters, as shown on map Drawing No. EBM 79-39, prepared by Emil Meregillano, RLS No. 51, dated January 22, 1980;- LM098FY80 Map Pac #310027

Together with all and singular the tenements, hereditaments and appurtenances thereon belonging, or in anywise appertaining and all existing improvements and/or structures unto said Grantees, their heirs and assigns forever.

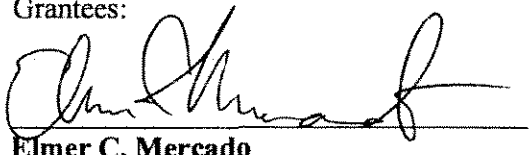
IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of June, 2013.

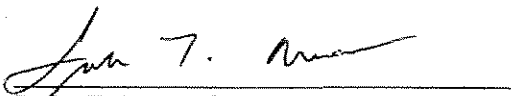
Grantors:

Jaime C. Mercado
Jaime C. Mercado

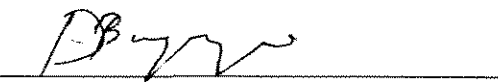
Joseph Homer C. Mercado
Joseph Homer C. Mercado

Grantees:


Elmer C. Mercado


Lulu T. Mercado

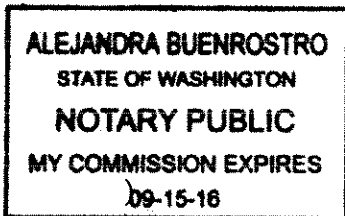

Therese M. Bugayong


Danilo B. Bugayong

City/County of)
Snahomish)
WASHINGTON)

BEFORE ME, the undersigned authority, on this day personally appeared **Jaime C. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.

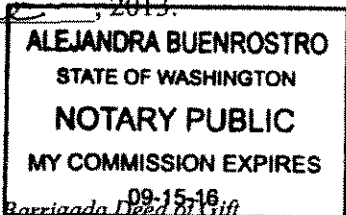



Notary Public

City/County of)
Snahomish)
WASHINGTON)

BEFORE ME, the undersigned authority, on this day personally appeared **Joseph Homer C. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.

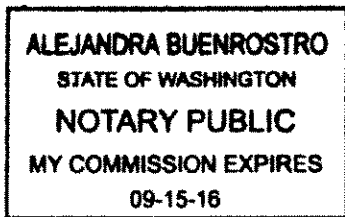



Notary Public

City/County of Snohomish
)
WASHINGTON)

BEFORE ME, the undersigned authority, on this day personally appeared **Therese M. Bugayong**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.

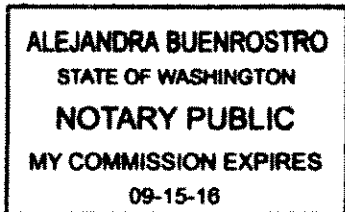


[Handwritten Signature]
Notary Public

City/County of
Snohomish
WASHINGTON)

BEFORE ME, the undersigned authority, on this day personally appeared **Danilo B. Bugayong**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of June, 2013.



[Handwritten Signature]
Notary Public

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GUAM)

BEFORE ME, the undersigned authority, on this day personally appeared **Elmer C. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8th day of August, 2013.



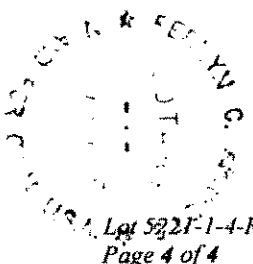
FERLYN C. APRESTO
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **April 02, 2016**
P.O. Box 23149 Barrigada, Guam 96921

Ferlyn C. Apresto
Notary Public

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GUAM)

BEFORE ME, the undersigned authority, on this day personally appeared **Lulu T. Mercado**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8th day of August, 2013.



FERLYN C. APRESTO
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **April 02, 2016**
P.O. Box 23149 Barrigada, Guam 96921

Ferlyn C. Apresto
Notary Public