## I Mina'Trentai Dos Na Liheslaturan Received Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
349-32 (COR)		AN ACT TO REZONE LOT NO. 5221-1-4-R1, MUNICIPALITY OF BARRIGADA, FROM AGRICULTURE ZONE (A) TO MULTI-FAMILY DWELLING ZONE (R-2).	3:07 p.m.	06/09/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			

*I Mina'trentai Dos na Liheslaturan Guåhan* ● The 32nd Guam Legislature 155 Hesler Place, Hagåtña, Guam 96910 • *www.guamlegislature.com* 

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator Rory J. Respicio CHAIRPERSON MAJORITY LEADER

June 9, 2014

Senator Thomas C. Ada VICE CHAIRPERSON ASSISTANT MAJORITY LEADER

> Senator C. Pangelinan

> > Member

Vicente (Ben) C. Pangelinan Member

Speaker Judith T.P. Won Pat, Ed.D.

Senator Dennis G. Rodriguez, Jr. Member

> Vice-Speaker Benjamin J.F. Cruz Member

Legislative Secretary Tina Rose Muña Barnes Member

Senator Frank Blas Aguon, Jr. Member

Senator Michael F.Q. San Nicolas Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator Aline Yamashita Member

### **MEMORANDUM**

To: Rennae Meno

Clerk of the Legislature

Attorney Therese M. Terlaje

Legislative Legal Counsel

From: Senator Rory J. Respicio

Chairperson of the Committee on Rules

Subject: Referral of Bill No. 349-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 349-32(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 Dos na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

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

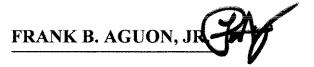
Bill No. 349 - 32 (COR)

Introduced by:

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

## BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Liheslaturan Guahån finds 2 that the late Victorino and Fina Mercado, property owners of Lot No. 5221-1-4-R1, 3 in the Municipality of Barrigada, self-constructed a two story duplex on the 4 existing property and converted it into a four-plex building. The intention of 5 Victorino and Fina Mercado, was to accommodate their children and finance their 6 education through the rental of the additional units. As children and heirs of the 7 late Victorino and Fina Mercado, Elmer C. Mercado and Lulu T. Mercado 8 (husband and wife) and Therese M. Bugayong and Danilo B. Bugayong (husband 9 and wife), ½ undivided interest, as community property owners of Lot No. 5221-1-10 4-R1, Barrigada, Guam, Estate No. 61159, Suburban, containing an area of 1,858 ± 11 square meters, as shown on Drawing No. EBM 79-39, L.M. No. 098 FY80, 12 prepared by Emil B. Meregillano, RLS No. 51, dated January 22, 1980;-13 LM098FY80 Map Pac #310027, located in the Municipality of Barrigada, Guam 14 would like to continue to utilize the existing property as additional income and 15 access the accumulated equity in their property. (Attachment A) 16 Furthermore, I Liheslaturan Guahan finds that the present property is zoned 17

Agricultural (A), and prior to construction, all building and occupancy permits

were approved, certifying compliance with all applicable rules, regulations and

- 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.
- Therefore, it is the intent of *I Liheslaturan Guahån* to resolve this problem
- through the rezoning of Lot No. 5221-1-4-R1, in the Municipality of Barrigada,
- from Agricultural (A) to Multi-Family Dwelling Zone (R-2).
- 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
- Danilo B. Bugayong (husband and wife) is hereby rezoned to Multi-Family
- 11 Dwelling Zone (R-2).
- Section 3. Effective Date. This provision contained herein shall take
- effect immediately upon enactment of the Act.
- Section 4. Severability. If any provision of this Act or its application to any
- person or circumstance is found to be invalid or contrary to law, such invalidity
- shall not affect other provisions or applications of this Act which can be given
- effect without the invalid provisions application, and to this end the provisions of
- this Act are severable.

# **CERTIFICATE OF TITLE**



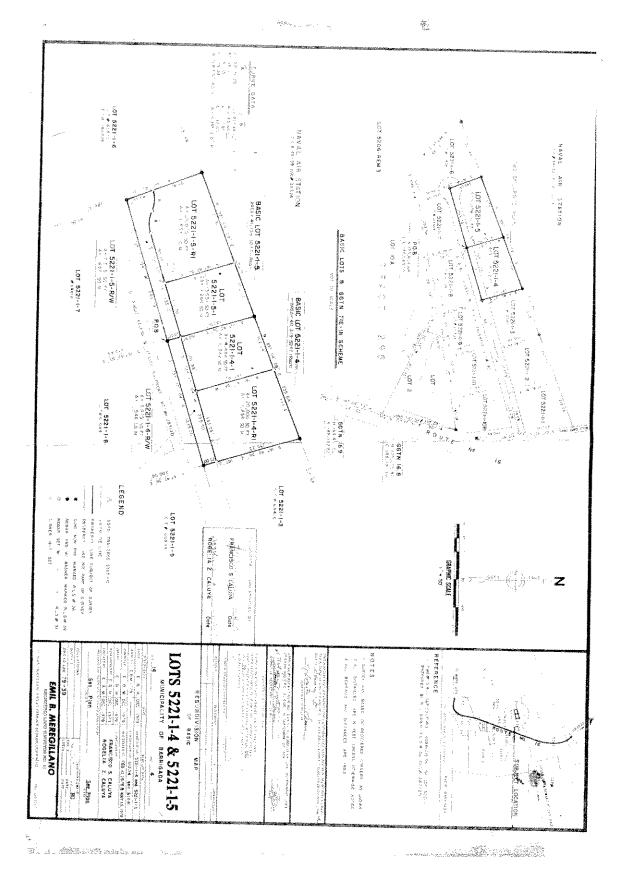
# TERRITORY OF GUAM DEPARTMENT OF LAND MANAGEMENT



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Municipality Frankfer froe	eď	C.T. No.	133764				
	Y OF GUAM) GUAM)	86					
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Said own	ever, to the est er is of the age der no disabilit	of		years;	nbrances hereunder noted. Civil status		
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this	51	h	_ day of ,	N/	(ay 2014		
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					ANDREW D. S/ Deputy Registrar	INTOS of Titles	
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DUPLICATE - TITLE 21 GCA \$29124

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6. C.

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

855838

File for Record is Instrument No.

Nonth Day Time (18)

Recording Fee Receipt No.

Deputy Recorder (18)

#### 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.

Grantors:

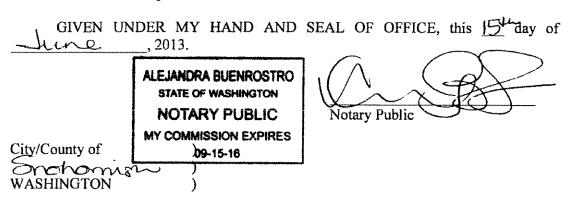
aime C. Mercado

oseph Homer C. Mercado

Lot 5221-1-4-R1, Barrigada Deed of Gift Page 1 of 4

Grantees:	Jan 7. Mun
Elmer C. Mercado	Lulu T. Mercado
Therese M. Bugayang Therese M. Bugayang	Byv
Therese M. Bugayoug	Danilo B. Bugayong
City/County of . )  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.



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 2013.

ALEJANDRA BUENROSTRO
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES

Lot 5221-1-4-RI, Barrigada Dec 15716 iff
Page 2 of 4

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City/County of Snohomen
)
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.

ALEJANDRA BUENROSTRO STATE OF WASHINGTON NOTARY PUBLIC MY COMMISSION EXPIRES 09-15-16

City/County of )
Six herry (5)
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 5 day of .2013.

ALEJANDRA BUENROSTRO STATE OF WASHINGTON NOTARY PUBLIC MY COMMISSION EXPIRES

09-15-16

Lot 5221-1-4-R1, Barrigada Deed of Gift Page 3 of 4

G of 6

Notary Public

GUAM	) ) )	
C. Mercado instrument, a consideration	RE ME, the undersigned authority, on this day personally appeared Elmer, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes and therein expressed.  N UNDER MY HAND AND SEAL OF OFFICE, this day of	
August	FERLYN C. APRESTO  NOTARY PUBLIC In and for Guam, U.S.A. My Commission Expires: April 02, 2016 P.O. Box 23149 Barrigada, Guam 9692	
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 gray of day of 2013.

## FERLYN C. APRESTO

MOTARY PUBLIC In and for Guam, U.S.A. My Commission Expires: April 02, 2016 P.O. Box 23149 Barrigada, Guam 96921

Notary Public

Lat 5221-1-4-R1, Barrigada Deed of Gift Page 4 of 4