clerks@guamlegislature.org

From: Speaker's Office <speaker@guamlegislature.org>
Sent: Friday, July 24, 2020 12:37 PM
To: Clerks Office
Cc: Rennae Meno
Subject: Messages and Communications
Attachments: Receipt of Zone Change Application No. SZC 2019-25.pdf

07-22-20	2:30 PM	07-17-20	Receipt of Zone Change Change Application No. SZC 2019-25.	Office of the Legislative Secretary Amanda L. Shelton	35GL-20-2042

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

The Office of Senator Amanda L. Shelton

Legislative Secretary & Chairwoman

Committee on Higher Education and the Advancement of Women, Youth and Senior Citizens

I Mina'trentai Singko Na Liheslaturan Guåhan

35th Guam Legislature

35GL-20-2042
Speaker Tina Rose Muña Barnes

JUL 22 2020
Time 2:30 ( )AM ( )PM
Received By:

July 22, 2020

Speaker Tina Rose Muña Barnes
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Receipt of Zone Change Application No. SZC 2019-25

Dear Speaker Muña Barnes,

Our office received **Summary Zone Change Application No. SZC 2019-25** from the Department of Land Management on July 17, 2020 and herewith transmits to the Speaker of the Legislature said application.

Please contact our office should you have any questions.

Si Yu'os Ma'åse,

Amanda L. Shelton
Seantor

163 Chalan Santo Papa St. Hagåtña Guam 96910
(671) 989-2572

Speaker Tina Rose Muña Barnes

JUL 2 2 2020
Time 2:30 ( )AM ( )PM
Received By:

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
Director

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
http://land.guam.gov

E-mail Address:
lmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

July 17, 2020

Honorable Senator Amanda L. Shelton
Legislative Secretary, 35th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa
Hagåtña, Guam 96932

Re: **Summary Zone Change Application No. SZC 2019-25**
Lot 3, Block 29, Dededo Village Ext.,
Municipality of Dededo;
For: Yuanyuan Zheng and Meizhen Xie

Buenas Yan Hafa Adai, Honorable Senator Shelton:

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single - Family Residential Rezoning and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), the Department of Land Management is herewith submitting to the Legislature, a Zone Change application for Lot 3, Block 29, Dededo Village Ext., Municipality of Dededo, from "R-1" (Single-Family) to "R-2" (Multi–Family Dwelling) Zone in order to construct a Four (4) unit apartment complex for family and rentals.

As such, I have **APPROVED WITH CONDITIONS** the Zone Change.

Your expeditious response on this action is greatly appreciated.

Senseramente,

JOSEPH M. BORJA
Director

CC
PCG; w/Attachment(s):
1. Staff Report and Notice of Action; MPC Resolution of Support
2. Certifications of Application Review Committee (ARC)
3. Zone Change Application with supporting documents
4. Amendment Map No. 197; Zoning Map No. F367S39

SUMMARY ZONE CHANGE
APPLICATION NO: 2019-40
LOT 10111-10-8-5
MUNICIPALITY OF DEDEDO

COPY

Space for Recordation

GOVERNMENT OF GUAM - Department of Land Management
Office of the Recorder

File for Record is Instrument Number 948102

On the Year 20 20 Month 7 Day 1 Time 1127

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder _____

JOEL ANTENORCRUZ

SUMMARY ZONE CHANGE

APPLICATION NO.: 2019-40

APPLICANT: GUAM EVERGREEN CORP.

PREPARED ON DECEMBER 18, 2019

FROM: "A" (AGRICULTURAL)

TO: "R-1" (SINGLE-FAMILY DWELLING)

LOT: 10111-10-8-5

BLOCK: N/A

TRACT: N/A

MUNICIPALITY: DEDEDO

LOT AREA: 4,054.12 SQ.M. or 43,638 SQ.FT.

MAP REF NO: 131FY76 / DOC. # 261870

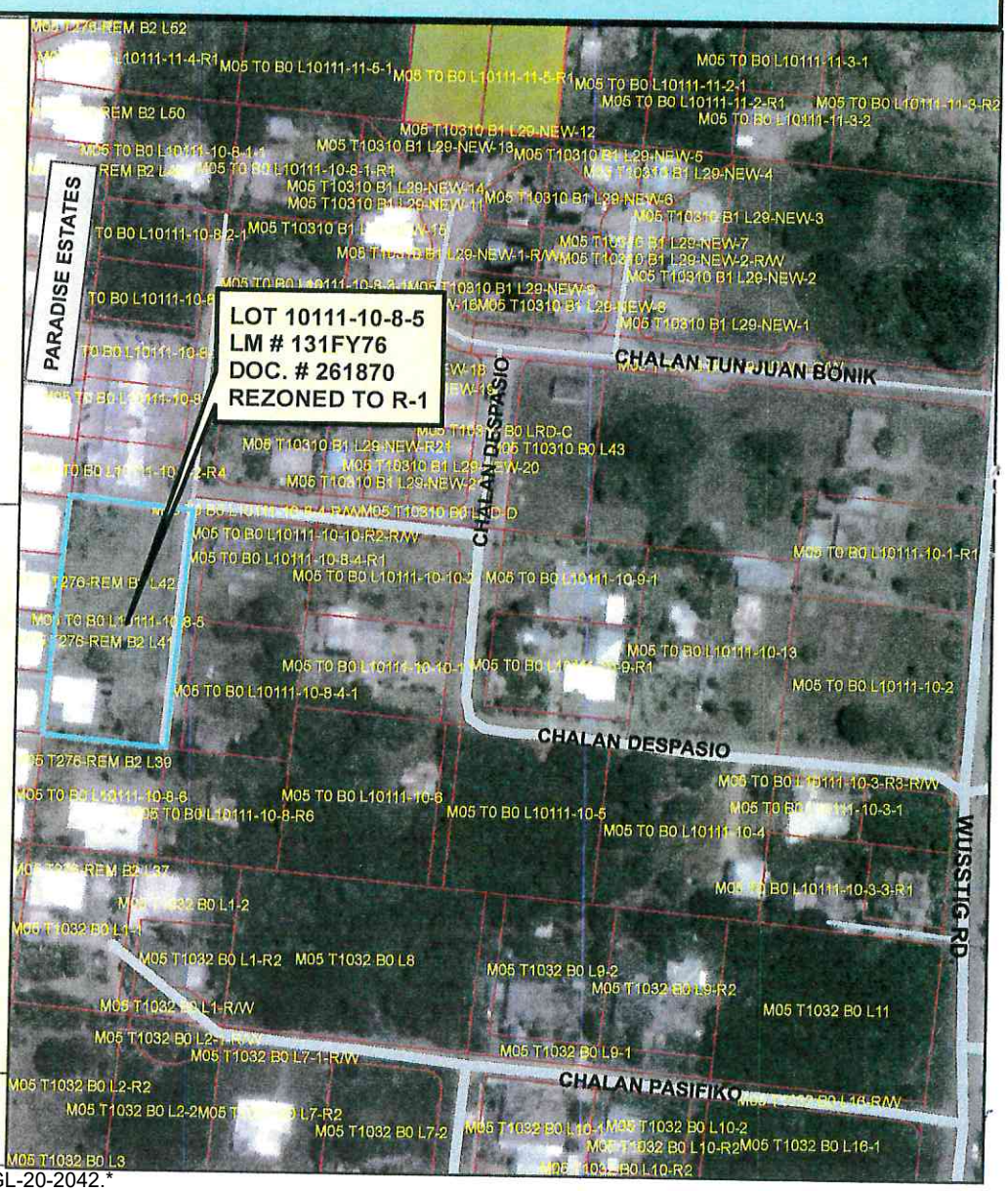
AMENDMENT NO.: A-196

ZONING MAP NO.: F3-67S39

1. Approved with conditions as noted in Notice of Action and Pursuant to Title 21 GCA Chapter 61 Section 61639 and Executive Order 98-02.
2. Subject to restrictions on land Use pursuant to PL 21-82:4; as amended by PL 21-144.

JOSEPH M. BORJA
DIRECTOR
DEPARTMENT OF LAND MANAGEMENT

6/30/2020
DATE



GOVERNMENT OF GUAM – Department of Land Management
Office of the Recorder

File for Record is Instrument Number _____

on the Year 20____ Month _____ Day _____ Time _____

Recording Fee _____ Receipt No. _____

Deputy Recorder: _____

(Space above for Recordation)

SUMMARY ZONE CHANGE

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

NOTICE OF ACTION

June 22, 2020
Date

To: Guam Evergreen Corp.
c/o Harry D. Gutierrez, Consultant
#119 Gutierrez Way
Agana Heights, Guam 96910

Application No. 2019-40

The Director of Land Management Pursuant to 21 Guam Code Annotated, Chapter 61, (Zoning Law), Part 3 (Changes of Zone), §61639 (Summary Procedures for Agricultural and Residential rezoning), and Executive Order No. 92-08:

DEPARTMENT ACTION

N/A / APPROVED

XX / **APPROVED WITH CONDITIONS**

N/A/ Disapproved

ZONE CHANGE REQUEST

XX / **FROM "A" (AGRICULTURAL) TO "R-1" (SINGLE-FAMILY DWELLING) IN IN ORDER TO SUBDIVIDE THE BASIC LOT INTO FIVE (5) RESIDENTIAL LOTS.**

Ref: Lot 10111-10-8-5 (Wusstig), Dededo, Guam; [4,054.12 S.M. or 43,638 S.F.], LM Map 131FY76, DOC #261870

N/A / FROM "R-1" (SINGLE-FAMILY DWELLING) TO "R-2" (MULTI-FAMILY DWELLING) ZONE

N/A / FROM "R-1" (SINGLE-FAMILY DWELLING) TO "R-2" (MULTI-FAMILY DWELLING) ZONE

Application No. 2019-40

1. APPLICATION SUMMARY: Guam Evergreen Corp., c/o Harry D. Gutierrez, Consultant, the owners, requests approval for rezoning of Lot 10111-10-8-5 (Wusstig), Dededo, Guam; [4,054.12 S.M. or 43,638 S.F.], LM Map 131FY76, DOC #261870; from "A"(Agricultural) to "R-1" (Single-Family Dwelling) Zone in order to subdivide the basic into (Five (5) residential lots.

2. DIRECTOR'S CONDITIONS OF APPROVAL: (Appropriate water, power and public sewer is available on the subject lot, verified by staff inspection); Applicant(s) shall:

a. Comply with all permitting Agency Conditions and requirements; and

b. That the Building Construction Site Development Plan shall show details of the structure's location, sewage disposal type and connection; and

c. That the development shall be connected to public sewer and shall comply with GWA and GEPA's wastewater disposal system requirements and conditions; and

d. That the Applicants comply with all subdivision/parceling conditions and requirements.

6.30.2020

Celine L. Cruz
Guam Chief Planner
Date

6/30/2020

Joseph M. Borja
Director
Date

ATTACHMENTS

Cc: Building Permits Section, DPW (Attn: Administrator or Designee)
Real Property Tax Division, Department of Revenue and Taxation

Case Planner: Penmer Gulac

CERTIFICATION OF UNDERSTANDING AND AGREEMENT

I/**We**_____ / **Harry D. Gutierrez**
(Applicant [Please print name]) (Representative [Please print name])

I/We_____
(Applicant [Please print name])

Understand and accept the Conditions cited above; and further agree to adhere to all of said Conditions made a part of and/or attached to this Notice of Action as approved by the Director of the Department of Land Management. I/We, acknowledged receipt of this Notice of Action.

I/WE, acknowledged that this Zone Change Approval does not constitute automatic approval or guarantee the issuance of any "**PERMITS**" for the construction of the proposed Development or issuance of any "**LICENSE**" for rentals or leases. I/We further understand that the issuance of any required "**PERMITS**" or "**LICENSE**" shall be contingent on the availability and/or adequacy of infrastructure in the area. Such infrastructure availability and/or adequacy shall be as determined by the appropriate and responsible mandated permitting Agency/Department (i.e., DPW, GEPA, GWA, GPA, PH&SS and GFD, etc).

_____ / _____ _____
Signature of Applicant (s) Signature of Representative

Date: _____ Date: 7-1-20

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

_____ _____ _____ 7-1-20 _____
Applicant (s) Date Representative Date

NOTICE OF ACTION (Attachment)
SUMMARY ZONE CHANGE
Lot 10111-10-8-5 (Wusstig), Dededo, Guam
Date of Preparation of NOA: June 22, 2020
Page 4 of 4

Application No. 2019-40

Planning Staff Review and Recommendation(s);

1. Frank P. Taitano, Planner IV ___Y___ Approved ____ Disapproved

Comments: meets SZC requirements

Signature [signature] Date: 6-29-20

DEPARTMENT OF LAND MANAGEMENT
LAND PLANNING DIVISION
SITE INSPECTION REPORT - FIELD WORK

Planner/Staff: P. Carlos	Date of Request: 9/16/19
Date of Inspection: 9-20-19	Time of Inspection: 8:30
Project Name: Guam Evergreen Corp	(Rezoning)
Lot Number: 10111-10-8-5	Municipality: Dededo

Description: Rezoning of Basic Lot 10111-10-8-5 from A to R1 for 5 residential lots; all infrastructure in place. Ref LM131-476

Type of Inspection: [ ] Occupancy [ ] Site [✓] Other

Contact Person: C/O Harry Cortiano	Phone: 482-5315

Findings: Verified location & assessed the area within a residential subdivision (Santos Subdiv) & to the southeast (Paradise Estates) all infrastructure, power, sewer, water, Telephone, are within 100 feet. The existing residence on the lot is connected to public sewer. Recommend Approval for Rezoning to R1 for (5) lots

OCCUPANCY INSPECTION ONLY: [✓] IN COMPLIANCE [ ] NOT IN COMPLIANCE

& Complies to SZC Regulations

ATTENTION: All inspection must be approved three (3) days in Advance by Guam Chief Planner.

Applicant: Guam Evergreen Corp.

9/20/19

P Carlos

Case Planner

Approved [✓]

Guam Chief Planner

DLM Form 6 - Site Inspection - April 2019

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O Box 2950
Hagåtña, GU 96932

Website:
http://land.guam.gov

E-mail Address:
mdir@land.guam.gov

Telephone:
71-649-LAND (5263)

Facsimile:
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DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
S GUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
Director

July 1, 2020

Honorable Senator Regine Biscoe-Lee
Legislative Secretary, 35th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa
Hagåtña, Guam 96932

Re: **Summary Zone Change Application No. SZC 2019-40**
Lot No. 10111-10-8-5, Municipality of Dededo;
For Guam Evergreen Corp c/o Harry D. Gutierrez

Buenas Yan Hafa Adai, Honorable Senator Regine Biscoe -Lee:

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single–Family Residential Rezoning and Executive Order 92-08 Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), the Department of Land Management is herewith submitting to the Legislature, a Zone Change application for **Lot No. 10111-10-8-5, Municipality of Dededo, from "A" (Agricultural) to "R-1" (Single- Family Dwelling) Zone in order to subdivide the basic lot into Five (5) residential lots.**

As such, I have **APPROVED WITH CONDITIONS the Zone Change.**

Your expeditious response on this action is greatly appreciated.

Senseramente,

JOSEPH M. BORJA
Director

cc CC
PCG, Project Planner

w/Attachment(s):
1. Staff Report and Notice of Action
2. Certifications of Utility Agencies & Application Review Committee (ARC)
3. Zone Change Application with supporting documents, and MPC Resolution
4. Amendment Map No. 196: Zoning Map No. F3 67 S39

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

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Hagåtña, GU 96932

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lmdir@land.guam.gov

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LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
Director

June 24, 2020

MEMORANDUM

TO: Director

FROM: Guam Chief Planner

SUBJECT: **Summary Zone Change (SZC) No. 2019-40; For Guam Evergreen Corp.**

Buenas Yan Hafa Adai:

Submitted is the SZC Packet for your review and action.

I have reviewed the application and concur with the recommendations of the Case Planner and the Panel of Senior Planners for approval with conditions.

I am available should you have additional questions or need further clarification.

Senseramente,

CELINE L. CRUZ
Guam Chief Planner

With Attachments

PCG (Project Planner)

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN

LOURDES A. LEON GUERRERO
Maga' Haga • Governor

JOSHUA F. TENORIO
Sigundo Maga'Lahi • Lieutentant Governor

JOSEPH M. BORJA
Director

Street Address:
90 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
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Hagåtña, GU 96932

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lmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

June 18, 2020

To: Director, Department of Land Management

From: Planner IV

Subject: Staff Report - **Case No. SZC 2019-40**

Re: Zone Change - Lot 10111-10-8-5, Wusstig, Municipality of Dededo;
For: Guam Evergreen Corp, C/O Harry D. Gutierrez, Consultant

PURPOSE:

a. Application Summary. The Applicant, Guam Evergreen Corp, C/O Harry D. Gutierrez, Consultant, is requesting a zone change on Lot 10111-10-8-5, Wusstig, Municipality of Dededo; from "A" (Agricultural) to "R-1" (Single-Family) in order to subdivide the basic lot into Five (5) residential lots.

b. Legal Authority. 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones, Section 61639 (Summary Procedure for Agricultural and Single Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), Public Law 21-82:4 as amended by P.L. 21-144:8.

FACTS:

a. Location. The subject lot is fronting a 40-foot right of way and is approximately 400 feet of Wusstig Road to the north and approximately ¼ mile east of Marine Corps Drive/Route No. 1 in Dededo **(see attached vicinity map).**

b. Field Description. There's an existing single-family residence on the southwestern boundary of the subject lot. The topography is fairly flat all around. Per staff inspection, all public utilities such as power, water, telephone service connections are within 100 feet of the property. Note: The existing residence is connected to public sewer and all utilities.

c. Lot Area. 4,054.12 square meters or 43,638 square feet) or 1(+) Acre

d. Present Zoning. "A" (Agricultural) Zone;

e. 1967 Master Plan. Open Space/Agricultural

f. Community Design Plan. Mix Uses; Residential, Low – Medium Density, commercial activities and a Government of Guam Agricultural Experimental Station

g. Surrounding Area. The surrounding area consists of some vacant lots, single family dwellings, duplexes, tri-plexes, four-plexes, apartments, a large residential subdivision and a commercial complex and a few "mom and pop" retail stores, within 800- 2,500 feet northeast along Marine Corps. Drive. The proposed development is conducive to the existing land use trend comprising of mix uses of residential single-family, and multi-family, and commercial development within the area. The proposed development is not expected to have a major impact to existing infrastructure or immediate surroundings as infrastructure is being upgraded in the area to support and sustain residential growth and community development.

3. APPLICATION CHRONOLOGICAL FACTS.

a. Date Application Accepted: September 20, 2019

b. Certifications:

DPW: No Official Certification have been received from DPW. Per Staff inspection, the property is accessible from a 40-foot right-of-way fronting the subject lot access from the north from Wusstig Road. Planning staff advises the applicant to obtain all required permits before any clearing, construction or improvements on said lot.

GWA: No Official Certification have been received from GWA. Per DLM staff inspection, it was verified that sewer and water connections are located along the right-of-way fronting the subject lot. Applicants are advised to coordinate with GWA Engineering and Customer Service Unit to obtain future requirements on permits and clearances before any construction or additional water meter requirements.

GEPA: No Official Certification have been received from Guam EPA. Per Planning Staff inspection, the proposed project is near all utility infrastructure. The project will be connected to all public utilities, such as sewer, water, power, etc.,. Planning staff advises the applicants to obtain the required permits from the agency before any clearing, or construction on said lots. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

GPA: The Authority has submitted their official certification. GPA has no objections to the proposed zone change, however, the customer/applicants are required to comply with all requirements pursuant to the National Electric Safety Code and GPA's Service Rules and Regulations as noted in their official certification. **(Certification is Attached).**

BoPS: No Official Certification have been received as of staff report date. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

DPR/HPO: An Official Certification have been received and stated that the zone change will not affect any historical properties within or around the nthey have no objection on the application. **(Certification is attached)**

Note): Pursuant to Section 61639 (a)((1), failure to provide the Department of Land Management, from any infrastructure agency as to the availability and/or adequacy of infrastructure (water, power, sewer), within ten (10) working days from receipt of this request, shall constitute an assumption by DLM that the agency not answering the request has no objection to the rezoning.

c. Municipal Public Hearing Results: Pursuant to P.L. 21-144:3, the public hearing on this zone change application has been waived by Director of Land Management and any hearing is deferred to the Mayor and the Municipal Planning Council of Dededo.

d. Municipal Planning Council Resolution: The Mayor of Dededo received a copy of the application packet for the proposed development. Submitted and made a part of this report, MPC Resolution No. 2019-05 dated December 10, 2019, they support the rezoning and future development on the lots to benefit the community.

5. **STAFF RECOMMENDATION**: Planning Staff recommends **Approval** of the Summary Zone Change request with the following conditions:

   a. Comply with all permitting Agency Conditions and requirements; and

   b. That a Building Construction Site Development Plan shall show details of structure location, sewage disposal type and connection; and

   c. That the development be hooked up to public sewer and comply with GWA and GEPA's waste-water disposal system requirements and conditions;

   d. That the Applicant comply with all subdivision/parceling and permitting agency conditions and requirements

Penmer C. Gulac
Planner IV, Project Planner

6/18/20
Date

Attachments; Application packet and Position Statements, Supporting Documents

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN

LOURDES A. LEON GUERRERO
Maga' Haga • Governor

JOSHUA F. TENORIO
Sigundo Maga'Lahi • Lieutentant Governor

JOSEPH M. BORJA
Director

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lmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

June 16, 2020

MEMORANDUM

TO: Frank P. Taitano, Planner IV

FROM: Director

SUBJECT: **Appointment as Panel Member Ref: SZC Program**

Buenas Yan Hafa Adai:

Pursuant to SZC Guidelines, Paragraph 17, effective June 16, 2020, I hereby appoint you as panel member to review and provide recommendations relative to ***SZC Application No. 2019-40 (Guam Evergreen Corp)***

Coordinate with Mr. Penmer Gulac who oversees the SZC Program on the matter.

Your appointment as panel members shall expire upon your submittal of your recommendations to the Guam Chief Planner.

Senseramente,

Joseph M. Borja
Director

Cc: Masterfile – Land Planning. Ref: SZC 2019-40

DEDEDO MUNICIPAL PLANNING COUNCIL
MUNICIPALITY OF DEDEDO

RESOLUTION NO 2019-05

Introduced by:
Melissa B. Savares, Chairperson
Frank A. Benavente, Vice Chairperson
MEMBERS:
Acda, Romy
Artero, Pascual V.
Chan, Jose Arthur Jr.
Faculo, Natalia
Gines, Bernardo
Mafnas, Frank
Makepeace, Annie M.
San Nicolas, Joseph C.
Santos, Felix
Servino, Benito
Tainatongo, Carmen N.
Wusstig, Ernie

Relative to the Dededo Municipal Planning Council's (DMPC) support to zone change for Lot 10111-10-8-5, Chalan Despacio (Wusstig Area), in the Municipality of Dededo from "A" (Agriculture) to "R-1" (Single-Family Dwelling) for property owner, Guam Evergreen Corp. to construct Five (5) Residential lots.

BE IT RESOLVED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL:

WHEREAS, on Tuesday, December 10, 2019, during a DMPC meeting, members reviewed and discussed the rezoning application for Lot 10111-10-8-5 on Chalan Despacio (Wusstig Area) from "A" (Agriculture) to "R-1" (Single-Family Dwelling) for Guam Evergreen Corp. to construct Five residential lots; and

WHEREAS, members acknowledged that there are adequate utilities available within this property; and

BE IT RESOLVED, that after further discussion, members of the DMPC motioned to support this zone change from "A" (Agriculture) to "R-1" (Single-Family Dwelling); and therefore be it

FURTHER RESOLVED, that the Chairperson of the Dededo Municipal Planning Council certify to and the secretary attest the adoption hereof and that copies of the same be therefore transmitted to the Department of Land Management, Department of Public Works and Department of Revenue & Taxation.

DULY RECORDED AND REGULARLY ADOPTED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL ON THIS 10th DAY OF December 2019.

MELISSA B. SAVARES, MAYOR OF DEDEDO

YVONNE S. ACDA, Secretary DMPC

Rec'd 3/10/19 PGuho Planning Div

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
Director

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

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http://land.guam.gov

E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

November 18, 2019

Honorable Melissa B. Savares
Mayor of Dededo, c/o Municipal Planning Council

Subject: Summary Zone Change Public Hearing Waiver

Hafa Adai Mayor Savares:-

An application has been filed with the Department of Land Management, Division of Planning by: **Guam Evergreen Corp., C/O Harry D, Gutierrez, Consultant, owners of Lot 10111-10-8-5 (Wusstig Area), Municipality of Dededo, under Application No. SZC 2019-40 for a Zone Change from "A" (Agricultural) to "R-1" (Single – Family) Zone in order to subdivide into Five (5) residential lots.**

Pursuant to Public Law 21-144, Section 3 (Waiver of Formal Public Hearing), based on Our review of the application, and the results of our site inspection on September 20, 2019, and the availability of all required infrastructure for proposed development on the subject lot. The Department of Land Management hereby waives the requirement of a formal public hearing and defers any hearing on the application to your Municipal Planning Council (the MPC).

Although the Department has waived the requirements of a formal public hearing, and pursuant to Public Law 33-68 (MPC review of applications), an MPC Resolution is required prior to any final action on the application. To ensure that our recommendation is consistent with the desire of your community, we request that your MPC submit a Resolution stating its position (i.e. support, objections, concerns, conditions, etc.) on the zone change. The Resolution should be transmitted within fourteen (14) days from the date of DLM filing with your office. The Resolution can be faxed to the department at 649-5383, to the attention of Summary Zone Change Section, Land Planning Division.

Thank you for your attention to this matter.

Senseramente,

JOSEPH M. BORJA
Director

DLM COPY

Project Planner: Penmer Gulac; With Application & Attachments

Dededo Mayor's Office
P.O. Box 786 Hagatna,
Guam 96932
11/25/19

GUAM POWER AUTHORITY

ATURIDÅT ILEKTRESEDÅT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
2019
12:13
DLM/GALC/GLUC

October 8, 2019

MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Lots 10111-10-8-5, Municipality of Dededo, (Guam Evergreen Corp.): Summary Zone Change Application from "A" (Agricultural) to "R-1" (Single-Family Dwelling) to subdivide into five (5) residential lots. **Application No. 2019-40 SZC**

Guam Power Authority has reviewed the application described above and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

1. Customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
   - Coordinate overhead underground power requirements with GPA Engineering for new structures.
   - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
   - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
   - Developer Owner shall provide necessary electric utility easements to GPA prior to final connection.
   - Provide scheduling and magnitude of project power demand requirements for new loads.
   - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
   - **GPA reserves its easement rights established under Doc. No. 260911 on Map 731FY73.**

2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.

3. A system impact assessment may be required to determine the effect of this development on GPA's existing power facilities.

4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments
GPA has no objection to the request subject to the conditions cited above.

for JOHN M. BENAVENTE, P.E.

ASG:arp

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
Applicant: Guam Evergreen Corp.
Location: Lot 10111-10-8-5, Dededo
Type of Application: Summary Zone Change
GLUC GSPC Application No. 2019-40 SZC
Brief Project Description:
"A" to "R-1" to subdivide into five (5) residential lots.

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:
   Yes ☒ No ☐

2. If the answer to #1 above is YES, then:
   I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:
   Yes ☐ No ☒

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

Services, Facilities and Infrastructure Needed	Cost of Upgrades	Funds Available	Date Available	Funds Identified
Please see comments below				

I hereby certify that the foregoing is true and correct to the best of my knowledge.

JOHN M. BENAVENTE, P.E.
General Manager

10/11/19
Date

Comments:
Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. A system impact assessment may be required to determine the effect of this development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/arp

Department of Parks and Recreation
Dipattamenton Plaset yan Dibuetsion
Government of Guam
Director's Office, Parks and Recreation Divisions:
#1 Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
(671) 475-6288; Facsimile (671) 477-0997
Guam Historic Resources Division:
490 Chalan Palasyo, Agana Heights, Guam 96910
(671) 475-6294 6355; Facsimile (671) 477-2822

Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Richard Y. Ybanez
Acting Director
Victor R. Villagomez
Acting Deputy Director

DEPARTMENT OF LAND MANAGEMENT
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OCT 31 2019
DEPARTMENT OF LAND MANAGEMENT

In reply refer to:
RC2020-0001

October 28, 2019

Memorandum

To: Director, Department of Land Management

From: State Historic Preservation Officer

Subject: DLM Application No. SZC 2019-40, Summary Zone Change
Lot 10111-10-8-5, (Wusstig Area), Municipality of Dededo
Applicant: Guam Evergreen Corp., c/o Harry D. Gutierrez (Consultant)
Case Planner: Pemer C. Gulac, Division of Planning

We reviewed the above subject application and determined that the Summary Zone Change will not affect historic properties within or around the subject lots. Therefore, we have no objection to the approval of this Summary Zone Change Application.

In our review we found no historic properties, however, in the event that any inadvertent discoveries are encountered when excavating during the construction phase, please stop and contact our office. To speed up the approval review process, please provide a copy of this letter with the DPW permit application.

Should you have any questions, please contact Mr. Alfred S. Masga at 475-6338 or the State Archaeologist, Mr. John Mark Joseph at 475-6339.

Sincerely,

Patrick Q. Lujan

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
http://land.guam.gov

E-mail Address:
llmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

LOURDES A. LEON GUERRERO
MAGA'HÁGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
Director

September 24, 2019

To: Certifying Agencies/Departments
Application Review Committee (ARC)

Subject: **Request for Certification**

Attached for your review and action is an application under Public Law 21-82, Section 4; as amended by Public Law 21-144, Section 8; Summary Zone Change Program.

Applicant(s): **Guam Evergreen Corp**
C/O Harry D. Gutierrez (Consultant)

Application No. **SZC 2019- 40**

Project Description: To rezone the property from "A" (Agricultural) to "R-1" (Single-Family Dwelling) Zone in order to subdivide into Five (5) residential lots; Ref: Lot 10111-10-8-5 (Wusstig Area) , Municipality of Dededo

Date Received: **September 16, 2019**

Date Accepted: **September 20, 2019**

**** Due Date for Certification:** **October 7, 2019**
(Public Law 21-144, Section 8(b)(A)(1)

Certification must be directed to Director, Department of Land Management, Division of Planning. If you have any questions, please call 649-5385 or 5390, and ask for Penmer C. Gulac, the assigned case planner.

Thank You.

Celine L. Cruz,
Acting Guam Chief Planner

PG

Attachments: Application and supporting documents

HARRY D. GUTIERREZ
CONSULTANT
#119 Gutierrez Way
Agana Heights, Guam 9691(
482-5315/email: harry.gutierrez@ya

SZC 2019-40
Guam Evergreen Corp
SUMMARY ZONE CHANGE
Accepted Date: 20-Sep-19
Case Planner: PGulac

September 11, 2019

RECEIVED 9/20/19

To: Mr. Joseph M. Borja, Director, Department of Land Management
Attention: Land Planning Division
P.O. Box 2950, Hagatna, Guam 96932

Subject: Summary Zone Change Application for Lot 10111-10-8-5, Dededo, Guam; Rezoning from "A" (Agricutlure) to "R-1" (Single-Family) Dwelling Zone

Hafa Adai Mr. Borja:

Pursuant to PL 21-82 (as amended by PL 21-144, Section 8), submitted is an application for a Summary Zone Change on Lot 10111-10-8-5 located in the Municipality of Dededo. The information provided below is required pursuant to the Department's Summary Zone Change Program process,

a. **WHAT IS THE CURRENT ZONE ON THE PROPERTY.** The property is zone "A" (Agriculture).

b. **WHO CURRENTLY OWNS THE PROPERTY.** The lot is own by Guam Evergreen Corp.

c. **HOW DID YOU ACQUIRE THE PROPERTY.** Warranty Deed (Document No. 917110).

d. **FROM WHO DID YOU ACQUIRE THE PROPERTY.** Paul Howard Owen

e. **WHAT IS CURRENTLY ON THE PROPERTY.** One single-family dwelling

f. **IS/ARE YOUR STRUCTURE(S) SERVICED BY PUBLIC SEWER OR BY AN INDIVIDUAL SEPTIC TANK/LEACHING FIELD SYSTEM.** The existing single-family dwelling is connected to public sewer. The propose 4-additional single-family dwellings will also be connected to the public sewer.

g. **WHAT ARE YOUR INTENTIONS OR PLANS.** To subdivide Basic Lot 10111-10-8-5 into Five (5) lots.

h. **SURROUNDING LAND USES.** The surrounding land uses comprises of a mixed of single-family, multi-family uses. In addition, on its western side is a the Paradise Estates, a "PUD" Planned Unit Development.

I. **TOPOGRAPHY.** The topography of lot is "FLAT " terrain.

j. **ACCESS.** The lot fronts a 40-foot wide public access and utilities easement; which in-turn, connects to Chalan Despasiu, a fifty (50") foot wide public access and utilities easement street; and further connects to Wusstig Road which culminates and intersects with Marine Corps Drive (Route 1).

k. **ALL OTHERS:** The subject lot has an area of 43,638 sf or approximately 4,054.12 sm.

The rezoning to "R-1" will allow for the propose division of the lot into five(5) lots. The propose lot area sizes are listed below in Table.

PROPOSE NUMBER OF LOTS	LOT AREA SIZES	
	SM	SF
2-LOTS	520	5,597.21
2-LOTS	641	6,899.64
1-LOT (w/existing single-family dwelling)	1,191	12,819.76

The propose 5 -lot single-family subdivision is not anticipated to significantly impact its immediate or surrounding areas. All public utilities are available and will be use. The propose single-family use is definitely compatible to existing uses in the area. Directly facing the subject lot, is a lot recently rezoned from "A" to "R-1" (under SZC Application No. 2016-34); and on its western side is the "Paradise Estates", a "PUD" development. The remaining uses in the surrounding area are primarily single-family and scattered duplexes.

This propose subdivision of the basic lot into five (5) new lots is planned for the construction of single-family dwelling units. When completed these single-family units will be available to both the local population and the military.

The perennial question has always been, Is there a need for additional housing? Consider that the increase in the military population will continue to tax our local housing inventory. Certainly, not all military personnel could be accommodated by availability of military housing on base and others would prefer to live on the local economy. Recent local news reports states that funds for military construction projects on-island has been diverted to fund the border wall project in the United States. The availability for replenishing such funds to continue the military construction projects on-island is unknown at this time. It could be 1, 2 or 3 years, etc. It is really anyone's guess. The point being emphasized is any additional housing that can be provided is a step closer to providing needed shelter for the people who reside on our island whether it is our local people or military families.

The Legislative intent of this program is for landowners with small land acreage size (2.5 acres or less) to developed their properties in the highest and best utilization of various uses inherent in the specific zoning designation sought. The propose development, if the Zone Change is approve, is in line with this Legislative intent. If the SZC application is approve, the first action needed is to "subdivide" the basic lot. The SZC action to rezone from "A" to "R-1" will allow for the 5-lot subdivision; and, in-turn, construction of single-family dwellings can occur.

While this propose development is a small development, nonetheless, it will be an addition to any housing inventory on-island. It is also expected to be an addition to the real property tax valuation (both on the land and dwelling units) and will provide its appropriate share of taxes to our Government. The addition of these five units is a positive step towards realizing the goal of lessening the housing shortage.

In conclusion, the propose development is in line with the Legislative intent of PL 21-82; and the propose use is a permitted use requested for the "R-1" (single-family) zone.

On behalf of my Client and myself, we look forward to your Department's review and anticipate a favorable action on this Summary Zone Change Application.

Harry D. Gutierrez
Consultant Representative

With Attachments

"ORIGINAL COPY"

SUMMARY ZONE CHANGE

(P. L. 21-82:4 Short Form as Amended by P.L. 21-144:8)

TO: Director, Department of Land Management
c/o Division of Land Planning
Government of Guåhan
P.O. Box 2950, Hagatna, Guåhan 96932

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a *Zone Change.*

1. Information on Applicant:

Name of Applicant: Guam Evergreen Corp. U.S. Citizen: [√] Yes [ ] No

Mailing Address: c/o Harry D. Gutierrez, #119 Gutierrez Way, Agana Heights 96910

Telephone No.: Business: 482-5315 Home: N/A

2. Location, Description and Ownership: (*NOTE: The maximum lot cannot exceed two (2) acres or 8,093.743 square meters or 87,120 square feet, gross area.)*

Subdivision Name: **N/A**

Lot(s): 10111-10-8-5 Block: N/A Tract: N/A

Lot Area: Acres: 1.09 Square Meters: 4054.12 Square Feet: 43,638

Village: Dededo Municipality: Dededo

Registered Owner(s): Guam Evergreen Corp.

Certificate of Title No.: Last CT #84623 under Paul Howard Owen
Recorded Document No.: _____

Deed (Gift, Warranty, etc.): Warranty Deed Deed Document No.: 917110

3. Current and Proposed Land Use:

Current Use: Single-Family Current Zoned: "A"

Proposed Use: Single-Family (5 - LOTS) Proposed Zone: "R-1"

4. Justification Letter: Attach a typed, brief and concise justification (letter format if possible) explaining your intentions and purpose of the Zone Change. Your letter should be addressed to the Director of Land Management.

"ORIGINAL COPY"

SUMMARY ZONE CHANGE

(P. L. 21-82:4 Short Form as Amended by P.L. 21-144:8)

5. **Support Information.** The following information shall be attached to this application:

a. A map, drawn to scale, showing existing zoning within 1000 feet radius and all parcels and their uses within 750 feet radius from the subject lot boundaries. The map shall contain:
   (1) Lot number for every parcel(s);
   (2) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
   (3) All adjacent easements and roads leading to, and serving property, their widths, and condition of surfaces;
   (4) The nearest location of all public utilities to the subject lot; and
   (5) Show any/all features of property such as flat/hilly terrain, flood hazard, etc.

b. The most recent survey map certified and recorded at the Department of Land Management, of the subject property.

c. For "R-1" Zone Change request: A proposed property map showing how many lots are to be subdivided.

d. For "R-2" Zone Change request: Preliminary sketch plan shall be drawn to scale and show the following items:

   (1) Density: Number of units and type. (i.e. Eight (8) units, three (3) bedroom, two baths, etc.)
   (2) All setback or distances from proposed building to property boundary line.
   (2) Parking Stalls must be numbered. Also, show one parking for persons with disabilities for every sixty (60) regular stalls (minimum).
   (4) Recreational area or playground must be provided for children of tenants.
   (5) Show nearest location of sewer, water, power connection or hook-up.
   (6) Entrance and Exit of project area.
   (7) Etc... Any other information you feel is necessary or pertinent to your request.
   (8) In addition, the following information is required by the Agencies as follows:

GUÅHAN POWER AUTHORITY

1. **Include Ownership and Encumbrance Title Report.**
2. **Provide Proposed Power Demand in Kilovolt Amps (KVA).**

GUÅHAN ENVIRONMENTAL PROTEACTION AGENCY

1. **Copy of Site Layout showing the existing building structures and the outline of the septic tank and leaching field system, if not connected to public sewer.**
2. **Copy of building Permits for any extensions (additional structures) to the existing dwelling unit.**

6. **Filing Fee: Twenty-Five Dollars ($25.00)** filing fee, signed and approved by the Governor of Guåhan on May 18, 2007, under Public Law 29-02, Chapter V, Part III *(Fees and Charges Assessed by the Department of Land Management).*

"ORIGINAL COPY"

SUMMARY ZONE CHANGE

(P. L. 21-82:4 Short Form as Amended by P.L. 21-144:8)

7. **Required Signatures:** All legal owners/lessees of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

I/We hereby certify that all information contained in this application and its supplements are true and correct. I/We also understand that any misrepresentation in this application shall void the entire submission.

GUAM EVERGREEN CORP

Owner *(Print/Sign)*

Owner *(Print/Sign)*

Date

Date

HARRY D. GUTIERREZ, CONSULTANT 9-11-19

Representative *(If any)*

Date

THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.

A-251

Island of Guam, Government of Guam
Department of Land Management Office of the Recorder
File for Record is Instrument No. 917110
On the Year 18 Month 1 Day 17 Time 331
Recording Fee 432.50 Receipt No. 8969
Deputy Recorder

Security Title

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

I, PAUL HOWARD OWEN, whose mailing address is 29424 120TH Ave. SE Auburn, WA. 98092 hereinafter referred to as "GRANTOR", for TEN DOLLARS ($10.00) and other good and valuable consideration paid by GUAM EVERGREEN CORP. whose mailing address is P.O. Box 8438 Tamuning, GU 96931, hereinafter referred to as "GRANTEE", do hereby grant, bargain, sell and convey any and all of the Grantor's right, title and interest unto GRANTEE, and GRANTEE'S heirs, administrators, executors successors and assigns, in fee simple, the following described real property in the MUNICIPALITY OF YIGO.

Lot Number 10111-10-8-5, Yigo, Guam, Estate Number 53494, Suburban, as said Lot is described in that Agriculture Subdivision of Basic Lot# 10111-10-8, as shown on Drawing Number CA-013-8-75D, as L.M. Check Number 131 FY 76, dated 17 October 75 and recorded on 07 November 75 under Instrument No. 261870 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 43,638± square feet.

Certificate of Title Number: 84362 - Paul Howard Owen

TOGETHER with all and singular the tenements, privileges, hereditaments, and appurtenances, whatsoever belonging or in anywise appertaining and the reversion or reversions, remainder or remainders rents, issue and profits thereof and all the estate, rights, title interest property, claim and demand whatsoever of the said GRANTOR, at law or in equity, in and to the same.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments, and appurtenances hereunto belonging and in anywise appertaining unto the said GRANTEE, its heirs, and executors administrators and assigns, forever

AND GRANTOR DOES HEREBY for himself and assigns, covenant with said GRANTEE, its heirs, and executors, administrators and assigns; that GRANTOR is lawfully seized in fee of the granted premises: that it is free from all encumbrances other than:

1. 40' public access and utility easement, as disclosed by that Agriculture Subdivision of Basic Lot# 10111-10-8, as shown on Drawing Number CA-013-8-75D, as L.M. Check Number 131 FY 76, dated 17 October 75 and recorded on 07 November 75 under Instrument No. 261870 at Land Management.

That to sell the same as aforesaid; that GRANTOR shall warrant and defend the same to the said GRANTEE, its heirs, and assigns, forever against the lawful claims and demands of all persons

AND GRANTEE for itself and its 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

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IN WITNESS WHEREOF, this instrument has been executed this 8th day of January 2018.

GRANTOR:

PAUL HOWARD OWEN

STATE OF WASHINGTON

CITY OF Kent } SS

On this 8th day of January 2018, before me, a Notary Public in and for WASHINGTON personally appeared PAUL HOWARD OWEN, and he acknowledged to me that he executed the foregoing WARRANTY DEED, as his voluntary act and deed for the purposes herein set forth

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

PATRICIA D EBERLY
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
07/28/2021

NOTARY PUBLIC
My Commission Expires: 07 · 28 · 2021

GRANTEE:
GUAM EVERGREEN CORP.

BY: XU JUN GU
AUTHORIZED REPRESENTATIVE

GUAM, U.S.A.

} SS

CITY OF TAMUNING

On this 17th day of January 2018, before me a Notary Public in and for GUAM, U.S.A., personally appeared XU JUN GU, AS AUTHORIZED REPRESENTATIVE FOR AND ON BEHALF OF GUAM EVERGREEN CORP., and he acknowledged to me that he executed the foregoing WARRANTY DEED, as his voluntary act and deed for the purposes herein set forth.

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

NOTARY PUBLIC
My Commission Expires:

CLAIRE MENDIOLA MANGLONA
NOTARY PUBLIC
and for Guam, U.S.A.
M[illegible]
[illegible] Box [illegible]

SPOUSAL CONSENT & RELEASE

I, LINA MENDIOLA OWEN, spouse of PAUL HOWARD OWEN, do hereby relinquish any interest I may have on the following described property to EVERGREEN CONSTRUCTION CROP.

Lot Number 10111-10-8-5, Yigo, Guam, Estate Number 63494, Suburban, as said Lot is described in that Agriculture Subdivision of Basic Lot# 10111-10-8, as shown on Drawing Number CA-013-8-75D, as L.M. Check Number 131 FY 76, dated 17 October 75 and recorded on 07 November 75 under Instrument No. 261870 at Land Management.
For informational purposes only, the above referenced map indicates the property contains an area of 43,638± square feet.
Certificate of Title Number: 84362 - Paul Howard Owen

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of JANUARY 2018.

Lina M Owen
LINA MENDIOLA OWEN

STATE OF WASHINGTON
CITY OF Kent } SS

On this 8th day of January 2018 before me, a Notary Public in and for WASHINGTON personally appeared LINA MENDIOLA OWEN and she acknowledged to me that she executed the foregoing SPOUSAL CONSENT AND RELEASE, as her voluntary act and deed for the purposes herein set forth.

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

PATRICIA D EBERLY
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
07/23/2021

NOTARY PUBLIC
My commission expires: 07.28.2021

Spousal Consent
Lot Number 10111-10-8-5, 499J Chalan Despasiu Yigo
2017-1344CMM

AUTHORIZATION

GUAM EVERGREEN CORP., Representative. **XUE JUN GU** of Lot 10111-10-8-5, Municipality of Dededo, of legal age and with power bestowed as the owner representative of the subject properties, through this instrument hereby do grant and authorize the following:

1. That, HARRY D. GUTIERREZ is hereby authorized to represent me in obtaining a **Summary Zone Change to R-1** with the Department of Land Management.

2. That my authorized to representative and conduct himself accordingly to arbitrate, negotiate, commit represent, mitigate and abate the proposed project through all reviewing instrumentalities involved along the process.

I hereunto affix my signatures to this affidavit:

GUAM EVERGREEN CORP

By: _____
XUE JUN GU
Owner Representative

SUBSCRIBED AND SWORN TO before me this 30th day, September 2019, by XUE JUN GU, Owner and representative for GUAM EVERGREEN CORP.

_____
NOTARY PUBLIC

CLAIRE MENDIOLA MANGLONA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **APR. 05, 2022**
356 S. Marine Corps. Drive Tamuning, Guam 96913

PROPOSED LOT DIVISION -

(SUBDIVISION Sketch)

(OF BASIC LOT 10111-10-8

LOT 10111-10-8-5-1R/W

LOT 10111-10-8-5-1RA
AREA = 540 ± Sq. M.
6.096 m (20') Wide Public Access & Utility Easement

LOT 10111-10-8-5-5
AREA = 841 ± Sq. M.

LOT 10111-10-8-5-3
AREA = 841 ± Sq. M.

LOT 10111-10-8-5-4
AREA = 520 ± Sq. M.

LOT 10111-10-8-5-2
AREA = 520 ± Sq. M.

LOT 10111-10-8-5-R5
AREA = 1511.5 ± Sq. M.

LOT 10111-10-8-5 (Rec)
1520 ± Sq. M. Comp

LOT 10111-10-8-5

LOT 10111-10-8-2
DOC. # 251870

LOT 10111-10-8-4
DOC. # 251870

LOT 10111-10-8-3
DOC. # 251870

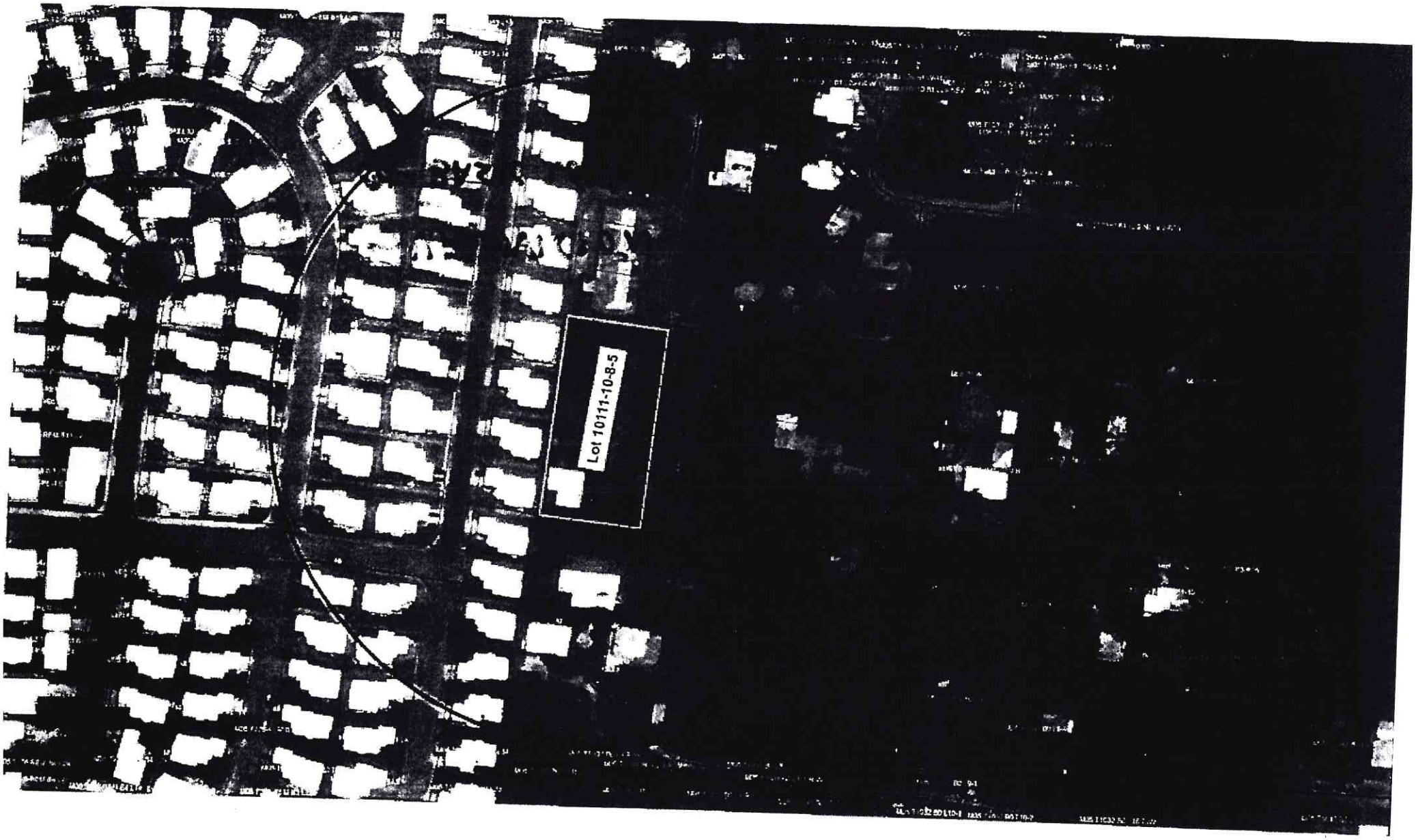
12.192 m (40') Wide Public Access & Utility Easement
DOC. # 251870/DOC. # 250911

P.O.B.
N 203,351.9715
E 112,473.7246

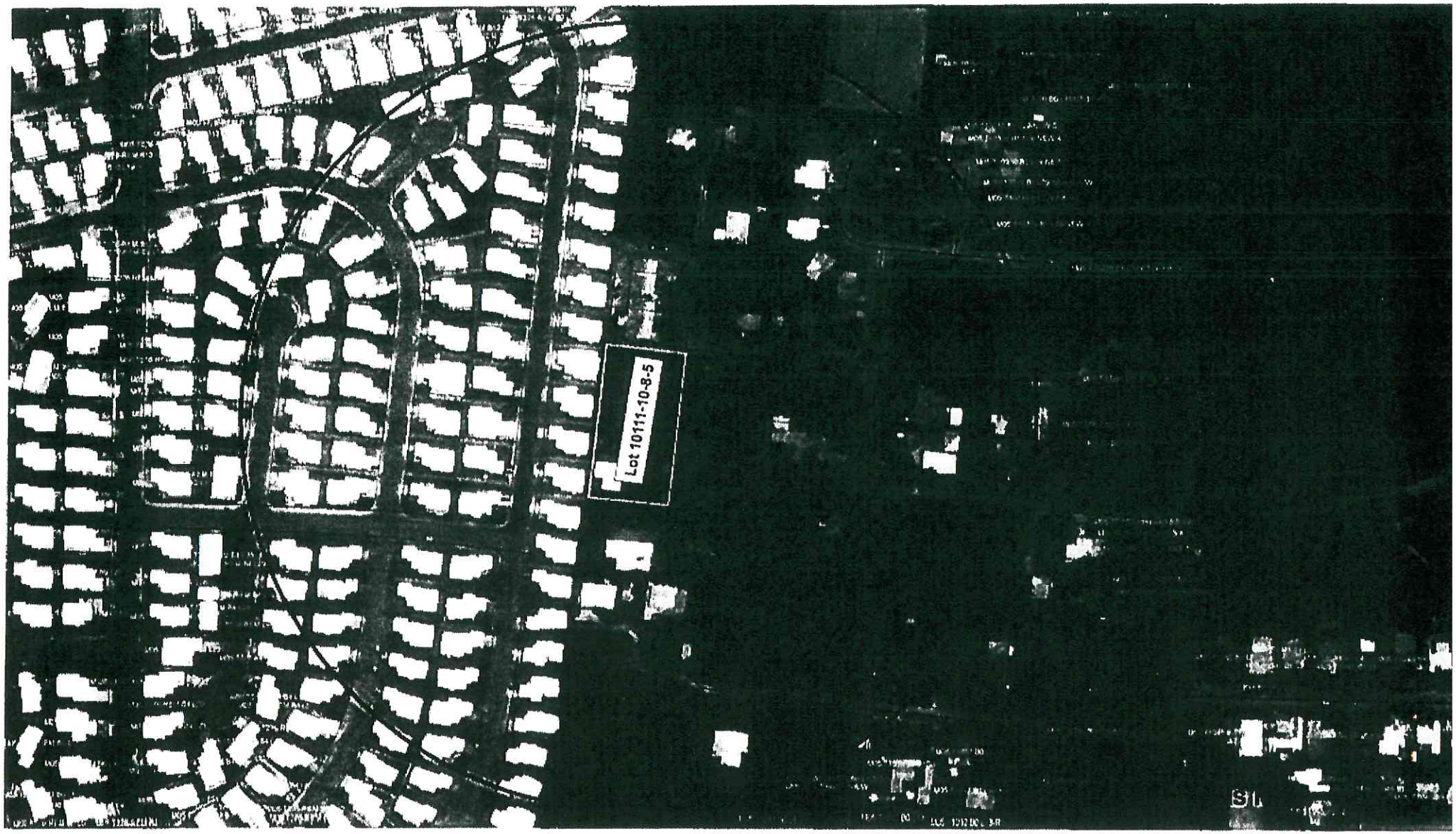
29.300
88.660
24.728
4.572
21.023
45.720
18.595
5.486
N 05° 19' 26" E
S 84° 40' 34" E
N 84° 40' 34" W
S 05° 19' 26" W
Ohanlin Rd. Fence
edge asphalt pavement

Doc. No. 35GL-20-2042.*

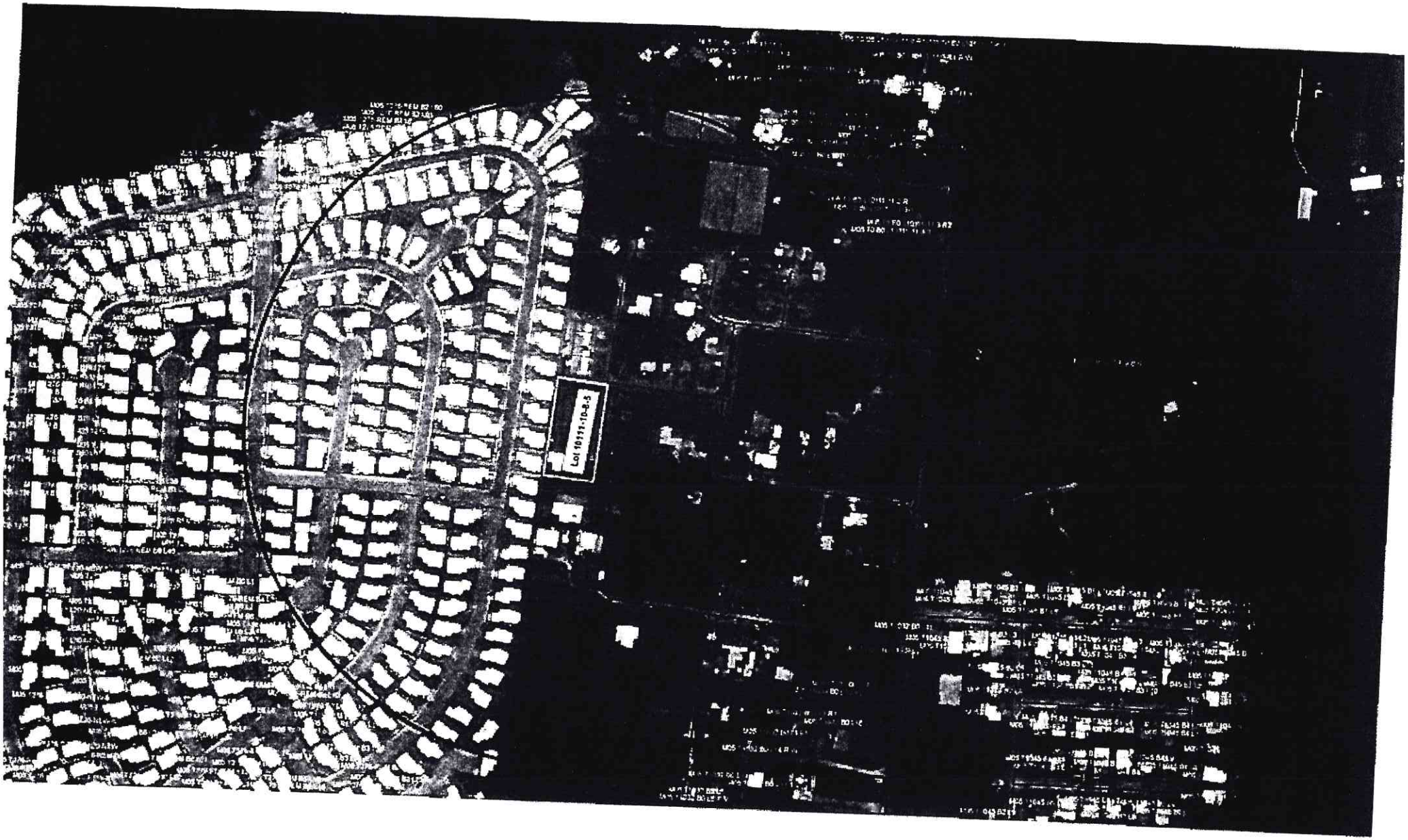
ATTACHMENT: 500 FT RADIUS MAP

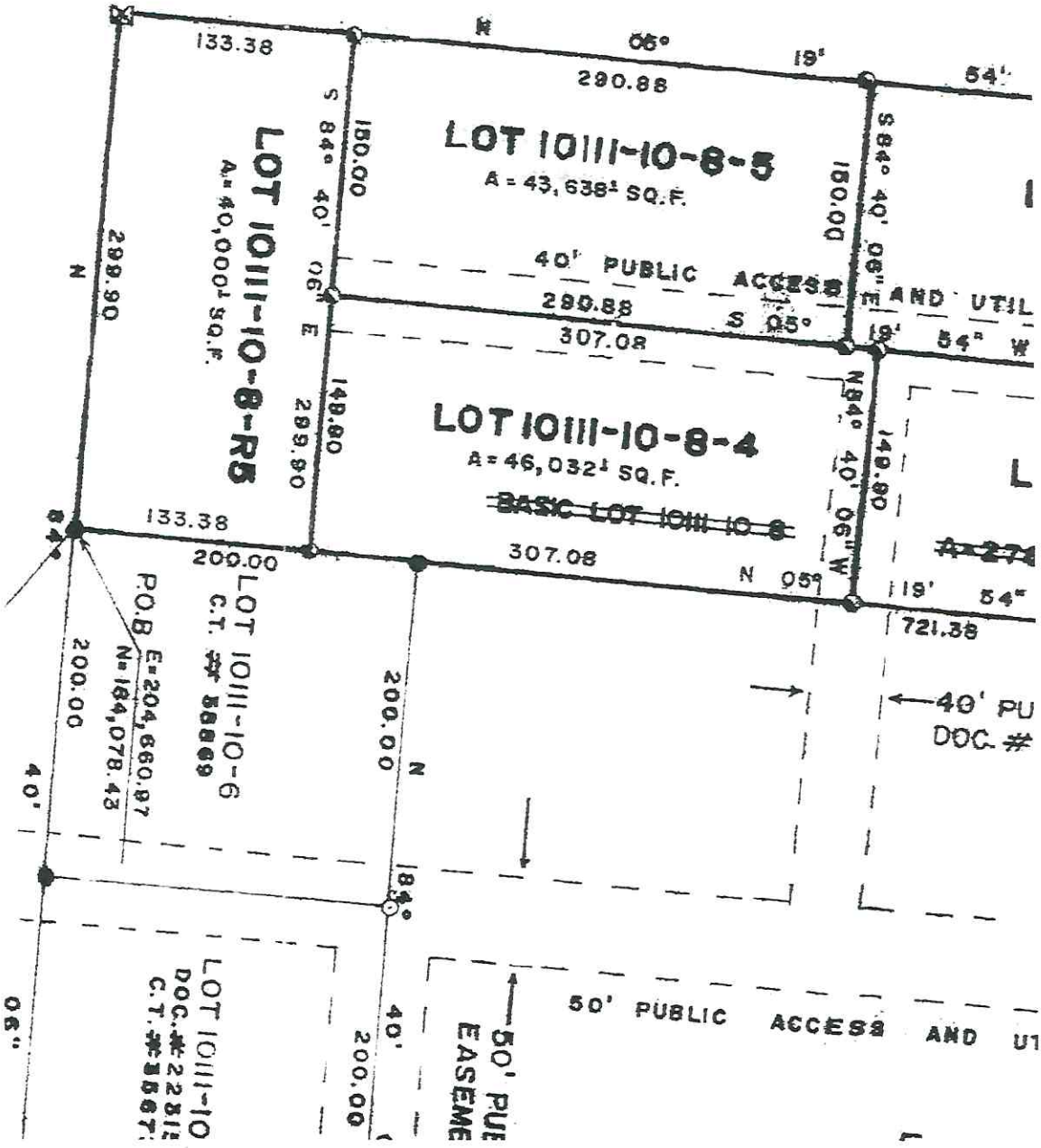


ATTACHMENT: 750 FT RADIUS MAP

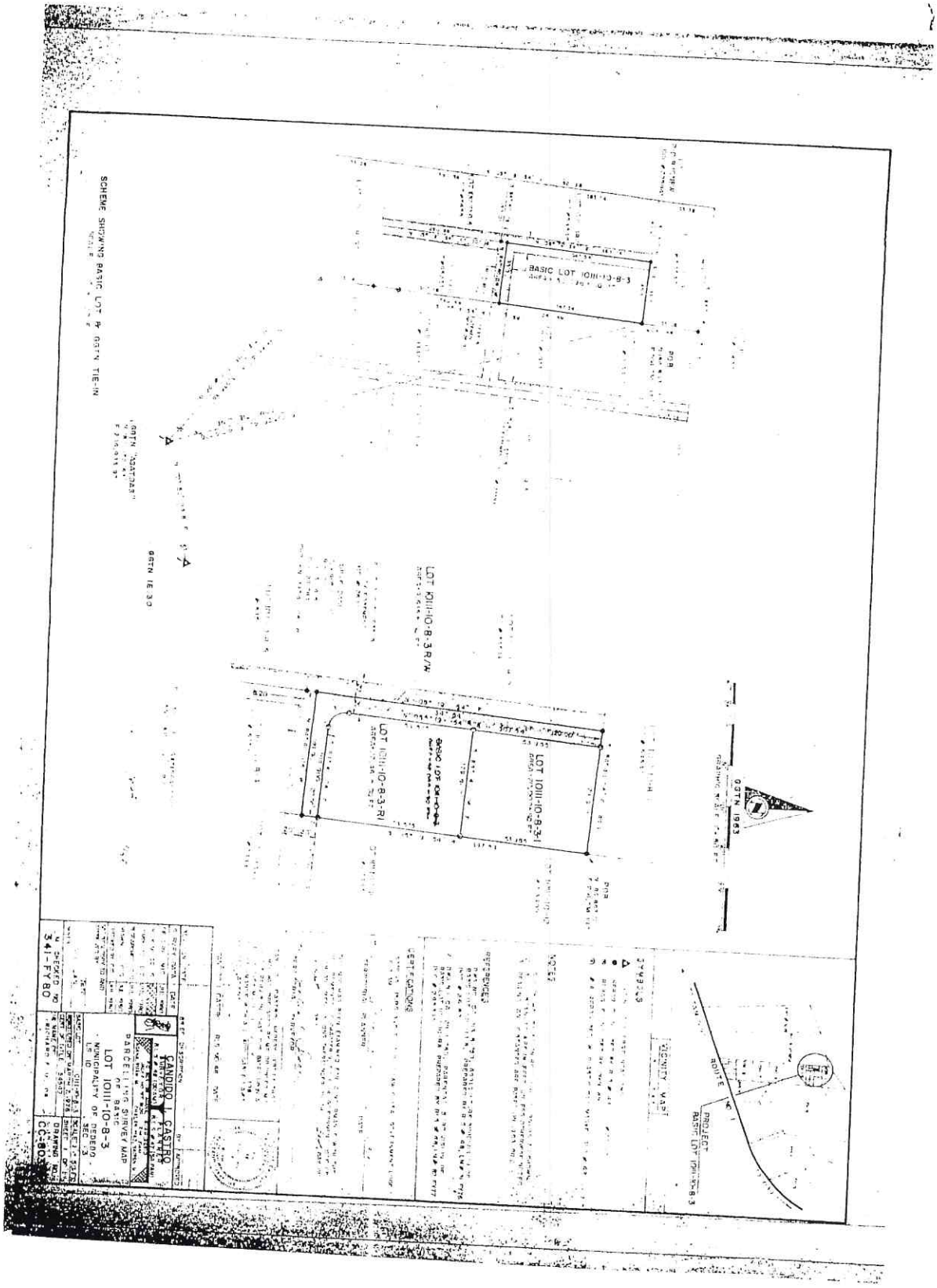


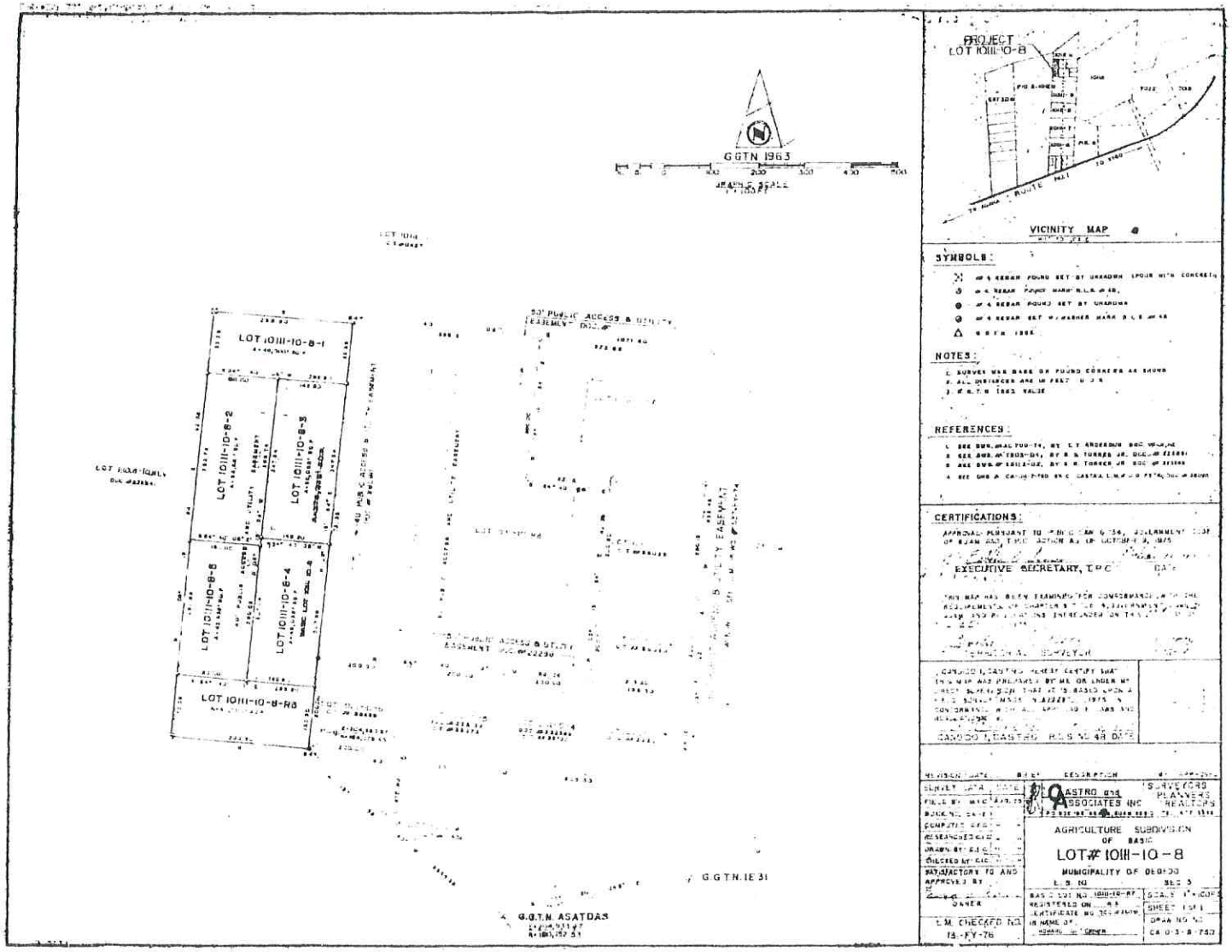
ATTACHMENT: 1,000 FT RADIUS MAP




LOT 10111-10-8-5
A = 43,638± SQ.F.
LOT 10111-10-8-R5
A= 40,000± SQ.F.
LOT 10111-10-8-4
A = 46,032± SQ.F.
BASIC LOT 10111-10-8
LOT 10111-10-6
C.T. # 58869
40' PUBLIC ACCESS
50' PUBLIC ACCESS AND
P.O.B. E=204,660.87
N=184,078.43
133.38
290.88
150.00
299.90
307.08
149.80
200.00
721.38
40'
50'

3886

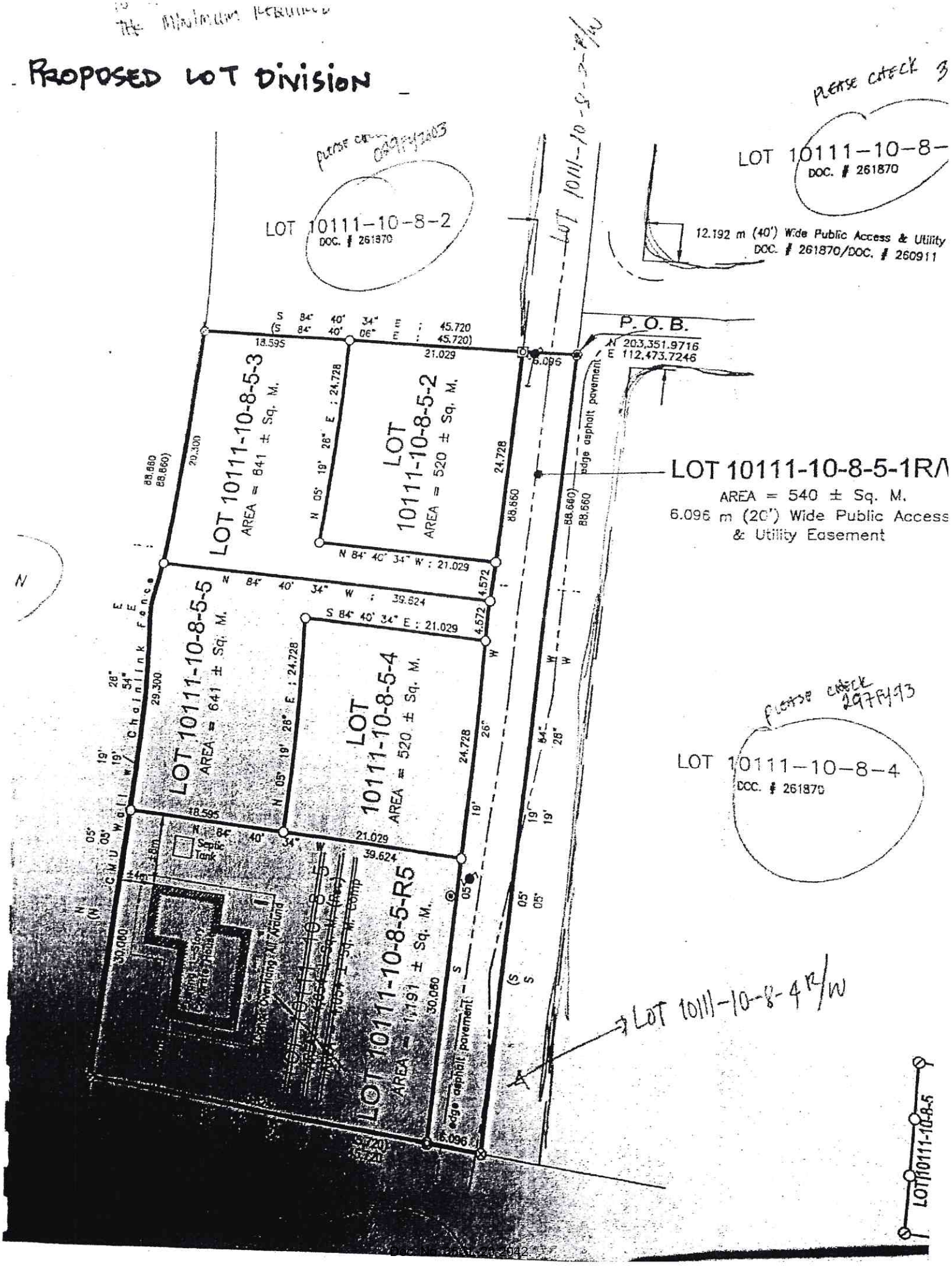

SCHEME SHOWING BASIC LOT & G.C.P. TIE-IN
BASIC LOT 101II-10-8-3
P.O.B.
G.C.P. No. 1
G.C.P. No. 2
G.C.P. No. 3
G.C.P. No. 4
G.C.P. TIE-IN
LOT 101II-10-8-3 R/W
LOT 101II-10-8-3-R1
BASIC LOT 101II-10-8-3
LOT 101II-10-8-3-R1
G.C.P. 1983
PROJECT
BASIC LOT 101II-10-8-3
VICINITY MAP
ROUTE No. 1
PARCEL PLOTTING SURVEY MAP
LOT 101II-10-8-3
MUNICIPALITY OF DEEP RIVER
SCALE
DRAWING No.
CC-3803
341-FT80

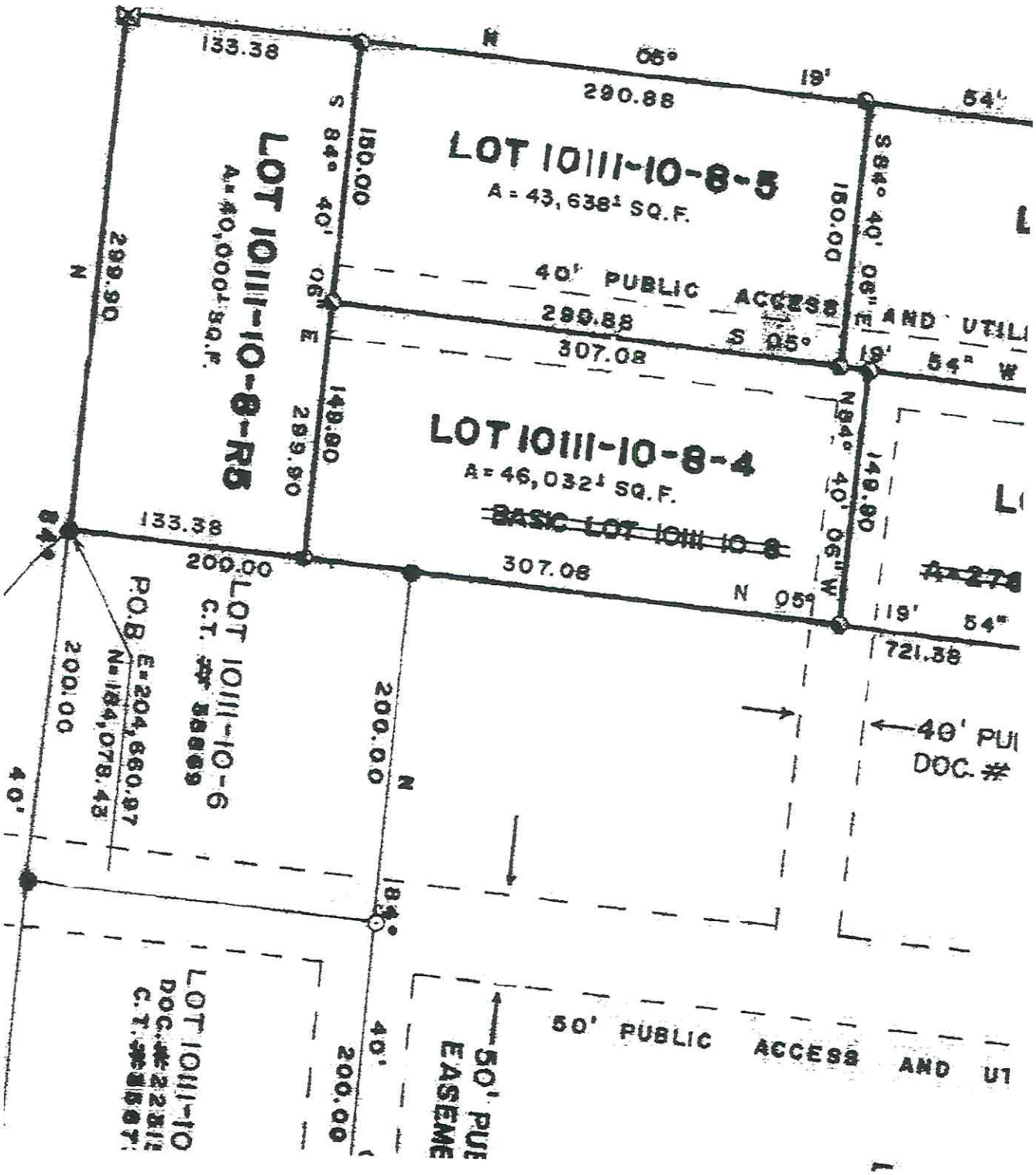


2263

Doc. No. 35GL-20-2042.*

PROPOSED LOT DIVISION





Doc. No. 35GL-20-2042.*

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

File for Record is Instrument No. 917110

On the Year 18 Month 1 Day 17 Time 331

Recording Fee 432.50 Receipt No. 8969

Deputy Recorder

Security Title

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

I, **PAUL HOWARD OWEN**, whose mailing address is 29424 120TH Ave. SE Auburn, WA. 98092, hereinafter referred to as "**GRANTOR**", for TEN DOLLARS ($10.00) and other good and valuable consideration paid by **GUAM EVERGREEN CORP.** whose mailing address is P.O. Box 8433 Tamuning, GU 96931, hereinafter referred to as "**GRANTEE**", do hereby grant, bargain, sell and convey any and all of the Grantor's right, title and interest unto GRANTEE and GRANTEE'S heirs, administrators, executors, successors and assigns, in fee simple, the following described real property in the MUNICIPALITY OF YIGO:

Lot Number 10111-10-8-5, Yigo, Guam, Estate Number 53494, Suburban, as said Lot is described in that Agriculture Subdivision of Basic Lot# 10111-10-8, as shown on Drawing Number CA-013-8-75D, as L.M. Check Number 131 FY 76, dated 17 October 75 and recorded on 07 November 75 under Instrument No. 261870 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 43,638± square feet.

Certificate of Title Number: 84362 - Paul Howard Owen

TOGETHER with all and singular the tenements, privileges, hereditaments and appurtenances whatsoever belonging or in anywise appertaining and the reversion or reversions, remainder or remainders, rents, issue and profits thereof, and all the estate, rights, title, interest, property, claim and demand whatsoever of the said GRANTOR, at law or in equity, in and to the same.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments, and appurtenances hereunto belonging and in anywise appertaining unto the said GRANTEE, its heirs, and executors administrators and assigns, forever.

A-R1

AND GRANTOR DOES HEREBY for himself and assigns, covenant with said GRANTEE, its heirs, and executors, administrators and assigns; that GRANTOR is lawfully seized in fee of the granted premises; that it is free from all encumbrances other than:

1. 40' public access and utility easement, as disclosed by that Agriculture Subdivision of Basic Lot# 10111-10-8, as shown on Drawing Number CA-013-8-75D, as L.M. Check Number 131 FY 76, dated 17 October 75 and recorded on 07 November 75 under Instrument No. 261870 at Land Management.

That to sell the same as aforesaid; that GRANTOR shall warrant and defend the same to the said GRANTEE, its heirs, and assigns, forever against the lawful claims and demands of all persons.

AND GRANTEE, for itself and its 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.

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IN WITNESS WHEREOF, this instrument has been executed this 8th day of January 2018.

GRANTOR:

PAUL HOWARD OWEN

STATE OF WASHINGTON

CITY OF Kent } SS

On this 8th day of January 2018, before me, a Notary Public in and for WASHINGTON, personally appeared PAUL HOWARD OWEN, and he acknowledged to me that he executed the foregoing WARRANTY DEED, as his voluntary act and deed for the purposes herein set forth.

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

PATRICIA D EBERLY
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
07/28/2021

NOTARY PUBLIC
My Commission Expires: 07.28.2021

GRANTEE:
GUAM EVERGREEN CORP.

BY: XU JUN GU
AUTHORIZED REPRESENTATIVE

GUAM, U.S.A.

CITY OF TAMUNING } SS

On this 17th day of January 2018, before me, a Notary Public in and for GUAM, U.S.A., personally appeared XU JUN GU, AS AUTHORIZED REPRESENTATIVE FOR AND ON BEHALF OF GUAM EVERGREEN CORP., and he acknowledged to me that he executed the foregoing WARRANTY DEED, as his voluntary act and deed for the purposes herein set forth.

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

NOTARY PUBLIC
My Commission Expires:

CLAIRE MENDIOLA MANGLONA
NOTARY PUBLIC
and for Guam, U.S.A.
My Commission Expires:
P.O. Box [illegible]

SPOUSAL CONSENT & RELEASE

I, LINA MENDIOLA OWEN, spouse of PAUL HOWARD OWEN, do hereby relinquish any interest I may have on the following described property to EVERGREEN CONSTRUCTION CROP.

Lot Number 10111-10-8-5, Yigo, Guam, Estate Number 53494, Suburban, as said Lot is described in that Agriculture Subdivision of Basic Lot# 10111-10-8, as shown on Drawing Number CA-013-8-75D, as L.M. Check Number 131 FY 76, dated 17 October 75 and recorded on 07 November 75 under Instrument No. 261870 at Land Management.
For informational purposes only, the above referenced map indicates the property contains an area of 43,638± square feet.
Certificate of Title Number: 84362 - Paul Howard Owen

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of JANUARY 2018.

Lina M. Owen
LINA MENDIOLA OWEN

STATE OF WASHINGTON
CITY OF Kent } SS

On this 8th day of January 2018 before me, a Notary Public in and for WASHINGTON personally appeared LINA MENDIOLA OWEN and she acknowledged to me that she executed the foregoing SPOUSAL CONSENT AND RELEASE as her voluntary act and deed for the purposes herein set forth.

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

PATRICIA D EBERLY
COMMISSION EXPIRES
NOTARY PUBLIC
07/28/2021
STATE OF WASHINGTON

NOTARY PUBLIC
My commission expires 07.28.2021

Spousal Consent
Lot Number 10111-10-8-5, 499J Chalan Despasiu Yigo
2017-1344CMM

2263

Doc # 261870

