

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

INSTRUMENT NUMBER \_\_\_\_\_

This instrument was filed for record on \_\_\_\_\_

\_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ A.M.  
TERRITORIAL LAND USE COMMISSION \_\_\_\_\_ P.M.

\_\_\_\_\_ at Page \_\_\_\_\_

Recording Fee \_\_\_\_\_ Voucher No. \_\_\_\_\_  
TERRITORIAL LAND USE COMMISSION, GUAM 96910

Deputy Recorder

FINAL

HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)

PUBLIC REPORT

on

VILLA ROSARIO CONDOMINIUM

Dededo, Guam

REGISTRATION NO. 071

**IMPORTANT - Read This Report Before Buying**

This Report is Not an Approval or Disapproval of This Condominium Project.

It reflects information obtained by the Territorial Land Use Commission in its investigation of the project. This Report, based on a principle of disclosure, is issued by the Territorial Land Use Commission for the purpose of preventing fraud, misrepresentation or deceit.

The Developer may enter into a binding contract or agreement of sale after:

- (1) A copy of this Report has been given to the prospective purchaser.
- (2) The latter has been given an opportunity to read same, and
- (3) Their receipt taken therefor.

Issued: September 27, 1990

Expired: October 27, 1991

*Rec'd  
10/27/91*

*v*

**SPECIAL ATTENTION**

A comprehensive reading of the report is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The purchaser is particularly directed to the following:

**THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION PREVIOUSLY SUBMITTED. THE DEVELOPER, IN NOTIFYING THE TERRITORIAL LAND USE COMMISSION OF ITS INTENTION TO SELL, IS COMPLYING WITH THE REQUIREMENTS OF SECTION 1270-1324 OF THE CIVIL CODE OF THE TERRITORY OF GUAM.**

1. VILLA ROSARIO CONDOMINIUM is a proposed freehold condominium project consisting of One Hundred and Forty-one (141) dwelling units and one (1) non-dwelling laundry unit arranged through four (4) residential buildings of three (3) stories each. The non-dwelling unit is a separate one-storey building. The offering plan indicates that there are two hundred forty (240) parking stalls for car parking. One hundred forty one (141) stalls are reserved for tenants and ninety nine (99) are for guests.

2. No promotional and advertising matter has been submitted pursuant to rules and regulations promulgated by the Territorial Land Use Commission.

3. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Section 1270-1324 of the Civil Code of the Territory of Guam which relate to the Horizontal Property Regimes.

4. The Developer has previously submitted to the Territorial Land Use Commission for examination all documents deemed necessary for the registration of the condominium project and issuance of a Preliminary Public Report. Updated documents regarding the project have also been submitted which now allow issuance of this Final Public Report.

5. The basic documents and a copy of Condominium Map No. 071, under Document No. 445374, with the approved Floor Plans, Site Plan, Elevation Plan, and Building Drawing with Dimensions of Apartments, have been filed with the Territorial Land Use Commission. The Declaration of Horizontal Property Regime was executed and was filed in the Department of Land Management, Agana, Guam on 11/28/95, under Document No. 445375.

NAME OF PROJECT: VILLA ROSARIO CONDOMINIUM

LOCATION:

Lot Number 10064-N-3, Municipality of Dededo, Territory of Guam, Estate Number 20391, Suburban, as said lot is marked and designated on Drawing Number SDC065-0671, as recorded on March 24, 1972 in the Department of Land Management, Government of Guam, under Document Number 110480.

Area: 20,000± square meters

Certificate of Title No.: 65126

TAX KEY: None

ZONING: R-2

DEVELOPER:

The Notice of Intention states that the Developer is SIX D ENTERPRISES, INC., P.O. Box 2767, Agana, Guam 96910.

ATTORNEY REPRESENTING DEVELOPERS:

LADD A. BAUMANN, BAUMANN & HULL, Attorneys-at-Law, Suite 903, Pacific News Building, 238 Archbishop Flores Street, Agana, Guam 96910. Telephone: 477-9084/5/9.

DESCRIPTION:

The execution and recorded Declaration of Horizontal Property Regime (Condominium) and Developer's floor plans reflect that there are One Hundred and Forty-one (141) separate living units and one separate laundry unit (hereafter called "Units"). One Hundred and Forty-one (141) units of the project are contained in four (4) three-storey multi-family residential buildings, constructed principally of concrete block walls and concrete slabs. One (1) laundry unit is located in a separate one-storey building. The breakdown of units in the project is as follows:

Twelve (12) of the units are 4 bedroom, 3 bathroom "Type A" units. The Type A units are distributed one to each floor of each of the three story buildings. The Type A units have 1491 square feet. Each unit consists of a foyer, living/dining room, kitchen, 4 bedrooms and 3 bathrooms.

Fifty-four (54) of the units are 3 bedroom, 2 bathroom Type B units. The Type "B" units have 1321 square feet. Each unit consists of a foyer, a living/dining room, kitchen, 3 bedrooms and 2 bathrooms.

Twelve (12) of the units are 2 bedroom, 2 bathroom Type C units. The Type C units are distributed one to each floor of the three story buildings. Type C units have 1078 square feet. Each unit consists of a living/dining room, kitchen, 2 bedroom and 2 bathrooms.

Twenty-seven (27) of the units are 3 bedroom, 2 bathroom Type D units. The units have 1253 square feet. Each unit consists of a living/dining room, kitchen, 3 bedrooms and 2 bathrooms.

Twenty-seven (27) of the units are 3 bedroom, two bathroom Type D1 units. The units have 1190 square feet. Each unit consists of a living/dining room, kitchen, 3 bedrooms and 2 bathrooms.

Nine (9) of the units are 3 bedroom, 2 bathroom Type E units. The units have 1374 square feet. Each unit consists of a living/dining room, entry area, kitchen, 3 bedrooms and 2 bathrooms.

One (1) non-dwelling unit is designated as a "laundry unit". It is a separate building which is located adjacent to Building D and is a one-story, single room unit of 600 square feet. The laundry unit will be used for business purposes including but not limited to a laundry facility for unit owners. The owner of the laundry unit shall pay its proportional share of the common expenses assessed to all unit owners.

The various units are located as follows:

**BUILDING "A"**

<u>Type of Unit</u>	<u>Unit Number</u>	<u>Type of Unit</u>	<u>Unit Number</u>
A	2	C	23
A	13	D	5
A	24	D	8
B	3	D	16
B	6	D	19
B	7	D	27
B	9	D	30
B	14	D1	4
B	17	D1	10
B	18	D1	15
B	21	D1	20
B	25	D1	26
B	28	D1	31
B	29	E	11
B	32	E	22
C	1	E	33
C	12		

**BUILDING "B"**

<u>Type of Unit</u>	<u>Unit Number</u>	<u>Type of Unit</u>	<u>Unit Number</u>
A	35	C	64
A	50	D	38
A	65	D	41
B	36	D	46
B	37	D	53
B	40	D	56
B	43	D	61
B	44	D	68
B	47	D	71
B	51	D	76
B	54	D1	37
B	55	D1	42
B	58	D1	45
B	59	D1	51
B	62	D1	57
B	66	D1	60
B	69	D1	67
B	70	D1	72
B	73	D1	75
B	74	E	48
B	77	E	63
C	34	E	78
C	49		

**BUILDING "C"**

<u>Type of Unit</u>	<u>Unit Number</u>	<u>Type of Unit</u>	<u>Unit Number</u>
A	80	C	101
A	91	D	83
A	102	D	86
B	81	D	94
B	84	D	97
B	85	D	105
B	88	D	108
B	92	D1	82
B	95	D1	87
B	96	D1	93
B	99	D1	98
B	103	D1	104
B	106	D1	109
B	107	E	89
B	110	E	100
C	79	E	111
C	90		

**BUILDING "D"**

<u>Type of Unit</u>	<u>Unit Number</u>	<u>Type of Unit</u>	<u>Unit Number</u>
A	120	C	121
A	130	C	131
A	140	C	141
B	113	D	112
B	115	D	118
B	116	D	122
B	119	D	128
B	123	D	132
B	125	D	138
B	126	D1	114
B	129	D1	117
B	133	D1	124
B	135	D1	127
B	136	D1	134
B	139	D1	137

Each unit has immediate access to the front entry appurtenant to such unit and walkways connecting the units to the street entrances and parking area of the project.

Ownership of the respective units shall be deemed to include the "common elements", as described in the following paragraph (which also includes the "limited common elements"), the undecorated or unfinished surfaces of the perimeter walls or interior of load-bearing walls, the floors and ceilings surrounding each unit or any pipes, wires, conduits or other utility or service lines running through such unit, which are utilized for or serve any other unit, the same being deemed to include all the walls and partitions which are not load-bearing within its perimeter walls, floors and ceilings, and all fixtures originally installed therein including, refrigerator, cooking range and carpets.

COMMON ELEMENTS:

The Declaration of Horizontal Property Regime (Condominium) reflects that the common elements shall not belong to individual owners but shall be utilized for the benefit of all unit residents. These common elements shall be deemed to consist but not limited to said land in leasehold and freehold, all foundations, floor support, columns, girders, beams, supporters, unfinished perimeter walls, load-bearing walls, roofs of the residential buildings, all yards, ground landscaping, roads, walkways, loading areas, parking areas, and driveways, recreational facilities, all refuse facilities, all ducts, swimming pool, electrical equipment, wiring, pipes and other central appurtenant transmission facilities and installations over, under and across the project which service more than one (1) unit for services such as power, lights, water, gas, sewer, telephone, and radio and television signal distribution. Any and all other apparatus and installations of common use and

other parts of the property necessary or convenient to its existence and safety, or normally on common use.

LIMITED COMMON ELEMENTS:

Certain portions of the common elements, called the "limited common elements", are designated and set aside for the exclusive use of certain units. Such units shall have exclusive use of the limited common elements which are: The front entries of each unit shall be appurtenant to and for the exclusive use of such units. All other common elements of the project which are rationally related to less than all of said units or building.

INTEREST TO BE CONVEYED TO PURCHASER:

Each Type A unit shall convey an undivided 0.823% percent interest; each Type B unit shall convey an undivided 0.730% percent interest; each Type C unit shall convey an undivided 0.595% percent interest; each Type D unit shall convey an undivided 0.692% percent interest; each Type D-1 unit shall convey an undivided 0.657% percent interest; and each Type E unit shall convey an undivided 0.759% percent interest; laundry unit shall convey an undivided 0.340% percent interest; in all common expenses of the project, and for all other purposes including voting.

PURPOSE OF BUILDING AND RESTRICTIONS AS TO USE:

The units (except the "laundry unit") shall be occupied and used only as private dwellings by the respective owners thereof, their tenants, families, social guests and invitees, all as provided in the By-Laws of the VILLA ROSARIO CONDOMINIUM and the Home Rules. The units may be used and occupied only in compliance with all federal, territorial, and municipal authorities and after certificate of occupancy has been issued by the Government of Guam pursuant to law.

OWNERSHIP OF FREEHOLD INTEREST TO LAND:

The Developer owns the freehold interest to the Land as shown in Certificate of Title No. 65126.

ENCUMBRANCES AGAINST TITLE:

There exists current Real Property Taxes which are not yet due and payable.

Grant of Easement made by Government of Guam for utility purposes over Lot 10064 Northern Section dated December 8, 1964 and recorded December 14, 1964 under Document Number 58561.

Notice of Lis Pendens, Civil Case No. 122-68 made by Government of Guam for expansion and improvements of public water system dated October 8, 1968 and recorded October 8, 1968 under Document Number 87533.

Subject to twenty-five feet wide access easement on the west boundary of said lot as delineated on the map filed under Document No. 110480.

PURCHASE MONEY HANDLING:

TITLE GUARANTY OF GUAM, shall serve as the escrow agent, and shall accept and distribute such amounts requiring as reservations fees or deposits, and shall serve as closing agents for all sales of condominiums contemplated herein.

MANAGEMENT AND OPERATIONS:

The executed Declaration of Horizontal Property Regime (Condominium) states that the management and administration of the condominium shall be conducted for the Association by a responsible corporate Managing Agent who shall be appointed by the Association in accordance with the By-Laws. The Managing Agent shall be authorized to receive service of legal process in all cases provided in the Horizontal Property Act. The initial Managing Agent shall be SIX D ENTERPRISES, INC., a Guam corporation for a period of not less than five years.

STATUS OF PROJECT:

The unit building and individual units described herein will be completed by November 15, 1990, and will be sold with the standard construction warranty, subject to the restrictions provided herein and a six-month warranty on the existing small appliances located within the individual units which shall be furnished by Developer.

The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimiles must be white.

TERRITORIAL LAND USE COMMISSION  
Government of Guam  
Agana, Guam

By: 

F. L. S. CASTRO  
Executive Secretary  
Territorial Land Use Commission  
Territory of Guam

Distribution:

DEPARTMENT OF LAND MANAGEMENT  
DEPARTMENT OF REVENUE & TAXATION  
DEPARTMENT OF PUBLIC WORKS  
DEVELOPER

November 29, 1990, 1990

Registration No. 071




TERRITORY OF GUAM )  
(ss.: )  
CITY OF AGANA )


On this 29 day of November, 1990, before me, a Notary Public in and for the Territory of Guam, personally appeared F. L.G. CASTRO, known to me to be the person representing the Territorial Land Use Commission as its Executive Secretary, for an on behalf of the Territory of Guam, whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same as his free and voluntary act and deed for an on behalf of the Territorial Land Use Commission for the uses and purposes therein set forth.

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

) Seal (

  
NOTARY PUBLIC  
JOSE Q. TAITAGUE  
NOTARY PUBLIC  
In and for the Territory of Guam  
My Commission Expires: 7/17/93

DGN:edg/545/R>HPR>Villa

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT  
OFFICE OF THE RECORDER  
INSTRUMENT NUMBER 115461  
This instrument was filed for record on 29  
Day of Nov, 19 90, at 11:00 A.M.  
P.M.  
and duly recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_  
Recording Fee \_\_\_\_\_ Voucher No. \_\_\_\_\_  
  
Deputy Recorder