

1 Recording requested by:
2 CAL-ISLAND DEVELOPERS,
3 LTD. After recordation,
4 deliver copies to: Trapp, Gayle,
5 Teker, Weeks & Friedman, Perez
6 Bros. Bldg., Agana, Guam.
7 The real property affected by this
8 instrument is registered land,
9 the name of the registered owner
10 being Cal-Island Developers, Ltd.,
11 and the numbers of the certificates
12 of last registration being Nos.
13 38661 and 38662.

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT
OFFICE OF THE RECORDER
INSTRUMENT NUMBER 254533

This instrument was filed for record on 25
day of Feb, 19 75, at 2:06 P

and duly recorded in book _____ at
_____, Recording Fee 15.00 Voucher No.

S. C. Perez
Deputy Recorder

Covenants

(Space above this line for Recorder's use.)

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS

The Declaration of Covenants, Conditions and Restrictions,
dated the 23th day of August, 1974, (the "Declaration") by
CAL-ISLAND DEVELOPERS, LTD., a California limited partnership,
admitted to engage in business in Guam, whose Guam post
office address is Post Office Box 8467, Tamuning, Guam
96911, (the "Declarant"), and recorded at the office of the
Recorder, territory of Guam, on October 8, 1974, under
Instrument No. 240686, is hereby AMENDED as hereinafter set
forth, pursuant to the provisions of Section 3 of Article VIII
thereof:

Amendment No. 1.

On pages 1 and 2 of the Declaration, line 23 on

LAW OFFICES
TRAPP, GAYLE, TEKER, WEEKS & FRIEDMAN
A PROFESSIONAL CORPORATION
PEREZ BROS. BUILDING
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AGANA, GUAM 96910
TELEPHONE 777-3331

1 page 1 and lines through 5 on page 2 are hereby stricken, and
2 the new description of the property is hereby inserted in lieu
3 thereof to read as follows:

4 DESCRIPTION OF PROPERTY

5 Unit 1, *Perez Acres* Subdivision of Tract
6 No. 1043 (Lots Nos. 7024-2NEW-1A and
7 7024-3NEW-1), Municipality of Yigo,
8 territory of Guam, which unit contains
9 eighty lots, together with roads, easements,
10 four common areas, and one ponding area,
11 more particularly described as follows:

12 Beginning at a point in a concrete
13 monument, the coordinate values of which
14 point are North 182,709.41 East 211,690.45,
15 which point is South 40°40'1" East, a
16 distance of 616.82 feet from Government
17 of Guam Triangulation Net Triangulation
18 Station IE.33, the coordinate values of
19 which triangulation station are North
20 183,177.276, East 211,288.493, which
21 point is a common corner with Lot No.
22 7024-3NEW-R4 and is on the easterly
23 boundary of that public road known as
24 Chalan Lujuna, proceed thence,

25 South 18°43'52" East along the
26 boundary of Chalan Lujuna, a distance of
27 462.08 feet to a point in an iron
28 reinforcing bar, which point is a
common corner with Lot No. 7024-3NEW-2;
thence,

South 18°43'52" East along the
boundary of Lot No. 7024-3NEW-2, a
distance of 461.85 feet to a point in a
concrete monument, which point is a common
corner with Lot No. 7024-3NEW-2; thence,

North 71°16'8" East along the
boundary of Lot No. 7024-3NEW-2, a
distance of 347.05 feet to a point in an
iron reinforcing bar, which point is a
common corner with Lot No. 7024-3NEW-2
and Unit 2 of Tract No. 1043; thence,

North 18°43'52" West along the
boundary of Unit 2, a distance of 145.95
feet to a point in an iron reinforcing bar,
which point is a common corner with Unit
2; thence,

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1 South 71°16'08" West along the
2 boundary of Unit 2, a distance of 43 feet
3 to a point in an iron reinforcing bar,
4 which point is a common corner with
5 Unit 2; thence,

6 North 51° West along the boundary of
7 Unit 2 a distance of 30.94 feet to a point
8 in an iron reinforcing bar, which point is
9 a common corner with Unit 2; thence,

10 North 6°39'24" West along the boundary
11 of Unit 2 a distance of 20.02 feet to a
12 point in an iron reinforcing bar, which
13 point is a common corner with Unit 2;
14 thence,

15 Along a curve concave to the left,
16 which curve has a delta angle of 8°50'55",
17 a radius of 371.27 feet, a chord of
18 57.28 feet a distance of 57.34 feet along
19 the boundary of Unit 2 to a point in an
20 iron reinforcing bar, which point is a
21 common corner with Unit 2; thence,

22 North 2°11'31" East along the boundary
23 of Unit 2 a distance of 125.85 feet to a
24 point in an iron reinforcing bar, which
25 point is a common corner with Unit 2;
26 thence,

27 Along a curve concave to the right,
28 which curve has a delta angle of 6°19'04",
29 a radius of 822 feet, a chord of 90.59
30 feet, a distance of 90.64 feet along the
31 boundary of Unit 2 to a point in an iron
32 reinforcing bar, which point is a common
33 corner with Unit 2; thence,

North 4°7'33" West along the boundary
of Unit 2 a distance of 11.95 feet to a
point in an iron reinforcing bar, which
point is a common corner with Unit 2; thence,

Along a curve concave to the left,
which curve has a delta angle of 92°24'31",
a radius of 12 feet, a chord of 17.32
feet, a distance of 19.35 feet along the
boundary of Unit 2 to a point in an iron
reinforcing bar, which point is a common
corner with Unit 2; thence,

North 3°39'15" West a distance of 8.40
feet to a point in an iron reinforcing bar,
which point is a common corner with Unit 2

1 and is on the southerly boundary of the
2 right-of-way for that public street
designated Paseo Antonio; thence,

3 North 3°39'15" West across Paseo
4 Antonio a distance of 51.64 feet to a
5 point in an iron reinforcing bar, which
6 point is a common corner with Unit 3 of
7 Tract No. 1043 and of Lot "H" of said Unit;
8 thence,

9 North 88°16'58" East along the boundary
10 of Unit 3, a distance of 22.52 feet to a
11 point in an iron reinforcing bar, which point
12 is on the northerly boundary of Paseo Antonio
13 and on the easterly boundary of that public
14 street known as North Cupa Court; thence,

15 North 4°7'33" West along the boundary
16 of Unit 3, a distance of 322.51 feet to a
17 point in an iron reinforcing bar, which point
18 is a common corner with Unit 3 and Lot "M"
19 ponding area; thence,

20 North 85°52'27" East along the boundary
21 of Lot "M", a distance of 34 feet to a point,
22 which point is a common corner with Lot "M"
23 ponding area and Lot "C" ponding area; thence,

24 North 4°7'33" West along the boundary
25 between Lot "C" and Lot "M" ponding areas,
26 a distance of 71.11 feet to a point, which
27 point is a common corner with Lots "C" and
28 "M" ponding areas and with Lot No. 7024-3NEW-R4;
29 thence,

30 South 71°16'8" West along the boundary
31 between Lot "C" and Lot No. 7024-3NEW-R4, a
32 distance of 459.60 feet to the point of
33 beginning.

34 The foregoing is shown on Drawing No. 3418-2, consisting
35 of three streets, prepared by K. A. Cockerill, a registered sur-
36 veyor, and recorded in the Office of the Recorder, territory of
37 Guam, under Instrument No. 236566, which Drawing is incorporated
38 herein by reference. Unit 1 contains (1) eighty lots, namely Lots
39 Nos. 1 through 80, of the following sizes, Lots Nos. 13, 14, 15,
40 16, 17, 18, 19, 20, 29, 30, 31, 32, 49, 50, 51 and 52, measuring

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1 27 feet by 33.54 feet and containing a total of 906 square feet;
2 Lots Nos. 1, 2, 5, 6, 9, 10, 21, 22, 25, 26, 33, 34, 37, 38, 41,
3 42, 45, 46, 49, 50, 53, 54, 57, 58, 61, 62, 65, 66, 69, 70, 73, 74
4 77 and 78, measuring 27 feet by 33.84 feet a total of 914 square
5 feet; Lots Nos. 3, 4, 11, 12, 39, 40, 55, 56, 75 and 76, measuring
6 27 feet by 48.82 feet, and containing a total of 1,318 square feet;
7 and Lots Nos. 7, 8, 23, 24, 27, 28, 35, 36, 43, 44, 47, 48, 59, 60,
8 63, 64, 67, 68, 71, 72, 79 and 80, measuring 27 feet by 49 feet,
9 and containing a total area of 1,323 square feet; (2) four common
10 areas, described as Lot "A" common area containing 23,903 square
11 feet, Lot "B" common area containing 40,732 square feet, Lot "D"
12 common area containing 161 square feet, and Lot "E" common area
13 containing 11,671 square feet; (3) one ponding area described as
14 Lot "C" ponding area containing 33,516 square feet; (4) four street
15 consisting of Paseo Antonio, Baki Court, North Cupa Court, South
16 Cupa Court and Gollo Court; and is subject to utility easements,
17 storm drainage easements, sewer easements and a future water-well
18 site easement, all as shown on said Drawing No. 3418-2;

19 *Amendment No. 2.*

20 On page 3 of the Declaration, Section 4 of Article I
21 thereof, delete lines 11 through 14, being the description of
22 the common areas, and insert in lieu thereof a new description to
23 read as follows:

24 "Lot "A", containing an area of 23,903, square
25 feet, and being all of that parcel of land
26 within Unit 1 as hereinbefore described, West
27 of Baki Court, North of Paseo Antonio, East
28 of Chalan Lujuna, and South of the Lot "C"
29 ponding area, *excluding*, however, Lots
30 Nos. 1 through 12, and *subject*, however,
31 to a ten-foot wide sewer easement on the
32 northern boundary and a utility easement

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1 of variable width on the eastern and
2 southern boundaries.

3 Lot "B", containing an area of 40,730
4 square feet, and being all of that parcel
5 of land within Unit 1 as hereinbefore
6 described, West of North Cupa Court,
7 North of Paseo Antonio, East of Baki
8 Court, and South of the Lot "C" pending
9 area, *excluding*, however, Lots Nos.
10 13 through 36, and *subject*, however,
11 to a ten-foot wide sewer easement on the
12 northern boundary, and a utility easement
13 of variable width on the eastern and western
14 boundaries.

15 Lot "D", containing an area of 161 square
16 feet, being all of that parcel of land
17 within Unit No. 1 as hereinbefore described,
18 bounded on the North by Unit 3, on the
19 East by a ten-foot wide utility easement,
20 and on the South and West by Paseo Antonio.

21 Lot "E", containing an area of 11,671
22 square feet, being all of that parcel of
23 land within Unit 1 as hereinbefore described,
24 South of Paseo Antonio, West of Unit 2
25 and North and East of Lot No. 7024-3NEW-2
26 and East of Chalan Lujuna, *excluding*,
27 however, Lots Nos. 37 through 80, and
28 *subject*, however, to a temporary easement
for storm drain purposes ten feet in
width on the Westerly boundary, a future
water well site easement, measuring twenty
feet by thirty feet in the Southeast
corner, and utility easements of variable
width running to the North and South of
Gollo Court and to the South and East of
South Cupa Court.

The foregoing common areas are shown on
sheets 1 and 2 of Drawing No. 3412, which
Drawing is recorded at the office of the
Recorder, territory of Guam, under Instrument
No. 236566, and is incorporated herein by
reference.

Amendment No. 3.

On page 7 of the Declaration, Section 1 of Article
IV, on lines 12 through 16, delete the following: "a variable
rate equal to one and one-half percent (1 1/2%) above the

1 prime rate of inte: in Guam as set from ti :o time by
2 the Bank of Hawaii, (except such rate of interest shall in no
3 event exceed the maximum lawful rate for such obligations in
4 Guam nor be less than six percent (6%) per annum)," and insert
5 in lieu thereof the following: "six percent (6%) per annum".

6 *Amendment No. 4.*

7 On page 10 of the Declaration, Section 8 of Article
8 IV, on lines 14 through 19, delete the following: "a variable
9 rate equal to one and one-half percent (1 1/2%) above
10 the prime rate of interest in Guam as set from time to time
11 by the Bank of Hawaii, (except that such rate of interest shall
12 in no event exceed the maximum lawful rate for such obligations
13 in Guam nor be less than six percent (6%) per annum)" and insert
14 in lieu thereof the following: "the rate of six percent (6%)
15 per annum".

16 *Amendment No. 5.*

17 On page 11 of the Declaration, Article V, at the
18 end of line 17, after the word "repair", insert the following:
19 "of the lot or the improvements thereon".

20 IN WITNESS WHEREOF, the undersigned, being the Declarant
21 herein, and the owner of all of the lots within Unit 1, covered
22 by the Declaration, has hereunto set its hand this 31st day of
23 December, 1974, to signify its execution of the foregoing amend-
24 ments.

25 CAL-ISLAND DEVELOPERS, LTD.,
26 Declarant,

27 by James W. Welch and Cal-Island
28 Development Company, general
29 partners,

[Handwritten signature of James W. Welch]

JAMES W. WELCH, general partner,
CAL-ISLAND DEVELOPMENT COMPANY,
general partner,

[Handwritten signature of James W. Welch]

by James W. Welch, president.

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TERRITORY OF GUAM,) (ss:
City of Agana.)

On this 3rd day of December, 1974, before me, FRANCES U. TAITANO, a notary public in and for the territory of Guam, personally appeared JAMES W. WELCH, known to me to be the person whose name is subscribed to the within Amendment to Declaration of Covenants, Conditions and Restrictions, and acknowledged that he executed the same on behalf of CAL-ISLAND DEVELOPERS, LTD., a California limited partnership of which he is general partner.

WITNESS my hand and official seal.

[Handwritten signature of Frances U. Taitano]

FRANCES U. TAITANO,
Notary public in and for the
territory of Guam. My commission
expires May 14, 1978.

) SEAL (

LAW OFFICES
TRAPP, GAYLE, TEKER, WEEKS & FRIEDMAN
A PROFESSIONAL CORPORATION
PHOENIX BROS. BUILDING
P.O. BOX 3337
AGANA, GUAM 96910

1 TERRITORY OF GUAM,)
2 City of Agana. (ss:
)

3 On this 31st day of December, 1974, before me, FRANCES
4 U. TAITANO, a notary public in and for the territory of Guam,
5 personally appeared JAMES W. WELCH, known to me to be the president
6 of CAL-ISLAND DEVELOPMENT COMPANY, a corporation, who executed
7 the foregoing Amendment to Declaration of Covenants, Conditions
8 and Restrictions, and he acknowledged to me that such corporation
9 executed the same as general partner of CAL-ISLAND DEVELOPERS, LTD.,
10 a California limited partnership.

11 WITNESS my hand and official seal.

12
13 Frances U. Taitano,
14 FRANCES U. TAITANO,
15 Notary public in and for the
16 territory of Guam. My commission
17 expires May 14, 1978.

) SEAL (