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By: for

RICHARD L. JOHNSON
BLAIR STERLING JOHNSON & MARTINEZ
A Professional Corporation
1411 Pale San Vitores Road, Ste. 303
Tamuning, Guam 96913
Telephone: (671) 477-7857
Facsimile: (671) 472-4290
E-mail: rljohnson@bsjmlaw.com

Attorneys for Plaintiff Imelda D. Santos

IN THE SUPERIOR COURT OF GUAM

IMELDA D. SANTOS,

Plaintiff,

vs.

BEACH FRONT DEVELOPMENT LLC,
A DISSOLVED GUAM LIMITED
LIABILITY COMPANY, AND ALL
OTHER PERSONS UNKNOWN
CLAIMING ANY RIGHT, TITLE,
ESTATE, LIEN OR INTEREST IN THE
REAL PROPERTY DESCRIBED IN THE
COMPLAINT ADVERSE TO
PLAINTIFF'S OWNERSHIP OR ANY
CLOUD UPON PLAINTIFF'S TITLE
THERE TO,

Defendants.

CIVIL CASE NO. CV0295-26

**DECISION AND ORDER GRANTING
PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT**

This matter came before the Court upon a Motion for Summary Judgment filed by Plaintiff Imelda D. Santos ("Plaintiff"). Based on the pleadings, arguments, and evidence of record, the Court hereby **GRANTS** Plaintiff's Motion for Summary Judgment, granting quiet title to Plaintiff in the subject property described below, and **ORDERS** that judgment issue reflecting the same and be recorded at the Department of Land Management, Government of Guam.

I. BACKGROUND

Plaintiff brought this action to resolve a cloud on title affecting property that had been in the possession of Plaintiff and her family for over twenty (20) years. Plaintiff was an initial member of Beach Front Development LLC, a dissolved Guam limited liability company ("Beach

1 Front"). Beach Front developed the Villa Kanton Tasi condominiums in Tumon, Guam (the
2 "Property"), and then later executed a deed conveying Apartment Unit 6A of the Property (the
3 "Apartment") to Plaintiff and her now deceased husband in 2005. The deed was never recorded.
4 As a result, title to said Apartment remains in the name of Beach Front, despite the fact that
5 Plaintiff and her family have lived in and possessed the Apartment for the past two decades. The
6 unrecorded deed was lost and also contained ambiguities as to whether the Apartment was to be
7 conveyed to Plaintiff and her husband as joint tenants or as tenants in common.
8

9 As a result, Plaintiff filed the Complaint for Reformation of Deed and Quiet Title on June
10 5, 2026 (the "Complaint"). A Notice of Lis Pendens was filed and recorded on June 5, 2026. Notice
11 of this action was provided to all relevant parties on June 10, 2026, including Beach Front, as
12 evidenced by the Declaration of Posting of Summonses filed on July 16, 2026, and the Declaration
13 of Service filed on July 16, 2026.
14

15 Beach Front filed an answer on June 18, 2026 (the "Answer") stating that it asserts no claim
16 of right, title, estate, lien or interest in the Apartment adverse to Plaintiff.

17 Plaintiff filed a Motion for Summary Judgment and supporting memorandum seeking quiet
18 title to the Apartment on July 17, 2026. Beach Front filed a non-opposition on July 23, 2026.

19 A status hearing was held on August 12, 2026 at 9 a.m.

20 II. DISCUSSION

21 Rule 56(a) of the Guam Rules of Civil Procedure provides that a Court shall grant summary
22 judgment if the movant shows that there is no genuine dispute of material fact and the movant is
23 entitled to judgment as a matter of law. See also *Bank of Guam v. Flores*, 2004 Guam 25 ¶ 8. To
24 determine whether summary judgment should be granted, a trial court must view the evidence and
25 draw the inferences in the light most favorable to the non-moving party. *Edwards v. Pac. Fin.*
26 *Corp.*, 2000 Guam 27 ¶ 7. A material fact is a fact that is relevant to an element of a claim or
27 defense, the existence of which might affect the outcome of the suit. *Iizuka Corp. v. Kawasho Int'l*
28

1 (*Guam*), *Inc.*, 1997 Guam 10, ¶ 7. Summary judgment will not be precluded by disputes over
2 irrelevant or unnecessary facts. *Id.* “Only disputes over facts that might affect the outcome of the
3 suit under the governing law will properly preclude the entry of summary judgment. Factual
4 disputes that are irrelevant or unnecessary will not be counted.” *Bank of Guam v. Flores*, 2004
5 Guam 25, ¶ 8 (quoting *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986)).
6

7 A quiet title action “may be brought by any person against another who claims an estate or
8 interest in real or personal property, adverse to him, for the purpose of determining such adverse
9 claim.” 21 G.C.A. § 25101. An action to determine adverse claims may be brought by a person
10 who has been in actual, exclusive and adverse possession of a property continuously for twenty
11 (20) years, and paid all taxes associated with the property for five (5) years. 21 G.C.A. § 25111. A
12 notice of *lis pendens* must be filed and the Court must also ensure that the summons was properly
13 served and posted. 21 G.C.A. § 25113. The Court must “require evidence of plaintiff’s title and
14 possession and hear such evidence as may be offered respecting the claims and title of any of the
15 defendants and must thereafter direct judgment to be entered in accordance with the evidence.” *Id.*
16

17 Here, Beach Front was properly served the summons and Complaint on June 10, 2026
18 through personal service and posting, and the Notice of Lis Pendens was filed at the Department
19 of Revenue and Taxation on June 5, 2026. No interested parties have raised any disputed facts that
20 would preclude summary judgment, nor have any interested parties objected to the Court granting
21 quiet title to the Apartment to Plaintiff. Based on the Answer and non-opposition filed by Beach
22 Front, and the declarations filed by the heirs of Plaintiff’s deceased husband, Valentin, there are
23 no adverse claims of ownership to the Apartment.
24

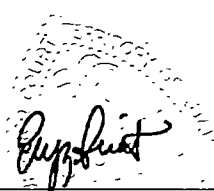
25 To the contrary, the overwhelming weight of evidence presented to the Court would
26 support a finding that Plaintiff is the rightful fee simple owner of the Apartment. Plaintiff was one
27 of the original members of Beach Front, the entity which developed the Property and the
28

1 Apartment in the early 2000s. Plaintiff stated that her intention was to own the Apartment jointly
2 with her husband as joint tenants with rights of survivorship. Plaintiff not only paid consideration
3 as part of her membership in Beach Front to develop the Apartment, but she also paid all real
4 property taxes and common area fees associated with the Apartment for over twenty years, and
5 has not been disturbed in her possession of the Apartment during that time. No one has come
6 forward to contest this evidence. Further, none of the heirs of Valentin object to Plaintiff being
7 named the sole fee simple owner of the Apartment. All known heirs of Valentin have disclaimed
8 any interest they may have in the Apartment, as evidenced by the declarations submitted with
9 Plaintiff's motion for summary judgment. Based on the above, the Court finds that Plaintiff is the
10 sole and rightful fee simple owner of the Apartment and shall issue judgment evidencing the same.
11

12 III. CONCLUSION

13 The Court **GRANTS** summary judgment in favor of Plaintiff, and hereby orders, declares
14 and adjudges that Plaintiff is the sole fee simple owner of the Apartment and that no other parties
15 have any estate, right, title, lien or interest whatsoever in or to such Apartment adverse to Plaintiff,
16 and that a judgment be issued, executed and recorded at the Department of Land Management,
17 Government of Guam, to reflect the same.
18

19 **IT IS SO ORDERED** this 24th day of August 2026.

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21 
22 **HONORABLE ELYZE M. IRIARTE**
23 **JUDGE, SUPERIOR COURT OF GUAM**
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Motion for Summary Judgment re Imelda Santos v. Beach Front Dev
LLC CV0295-26
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