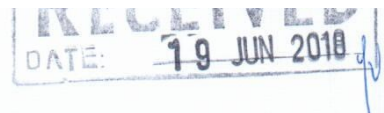




REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON JUNE 14, 2018

PRESENT:

Leo Carmelo L. Locsin, Jr.,	Vice Mayor & Presiding Officer
Rolando M. Villasencio,	SP Member, Majority Floor Leader
Vincent L. Rama,	SP Member, Asst. Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III,	SP Member
Nolito M. Quilang,	SP Member
John Eulalio Nepomuceno O. Aparis II,	Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader
Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

PREFATORY STATEMENT

WHEREAS, the Sangguniang Panlungsod was in receipt of an Endorsement Letter from the City Mayor's Office (CMO), dated May 9, 2018, requesting for a Supplemental Appropriation in the total amount of TWO MILLION PHILIPPINE PESOS (PHP2,000,000.00) to be taken from reversion of Continuing Appropriation (CY 2015-20% Development Fund), to wit:

From: Road Concreting @ Brgy. Bantigue, Ormoc City PHP2,000,000.00
To: Road Opening @ Brgy. Bantigue, Ormoc City PHP2,000,000.00

WHEREAS, the subject request for reversion of the funds from Road Concreting at Barangay Bantigue, Ormoc City to Road Opening at same barangay is made relative to the request of the Punong Barangay of Brgy. Bantigue to the Office of the City Engineer to realign the same for the purpose of Opening a New road at Purok 5 of subject barangay, a copy of said letter of request is hereto attached and designated as Annex "A" hereof;

WHEREAS, the current and existing barangay road used by the residents of the barangay and the public is a private lot located in the middle of Sea View Subdivision and owned by the same, and which subdivision will be developing for the exclusive use of its residents;

WHEREAS, Sangguniang Pambarangay of Bantigue Resolution No. 37 Series of 2016, hereto attached and designated as Annex "B", entitled: "A Resolution of the Punong Barangay Dionesio V. Dalumpines Accepting the Lot with Deed of Donation Owned and Donated by Mr. Ceriaco Aviles to Open the New Road Right of Way of Purok 5, Barangay Bantigue, Ormoc City," was carried and unanimously approved by the members of the Sangguniang Pambarangay of Bantigue, Ormoc City on January 19, 2016;

WHEREAS, per abovementioned Sangguniang Pambarangay Resolution, the Punong Barangay of Brgy. Bantigue received and accepted the lot donated by Mr. Ciriaco P. Aviles for the purpose of constructing a new road right of way at Purok 5, Barangay Bantigue, Ormoc City, a copy of the Deed of Donation Inter Vivos of herein subject matter is hereto attached and designated as Annex "C";

WHEREAS, upon examination of the Deed of Donation, the Office of the City Legal Officer posited an opinion, attached herein as Annex "D", stating that the minor clerical error on the signatory portion of the subject Deed of Donation is insubstantial and that the body of the document prevails over the said error;

WHEREAS, the City Budget Officer, the OIC-City Accountant and City Treasurer issued a Certification of Availability of funds dated May 8, 2018, a copy of said certification is attached as Annex "E" and made an integral part hereof, stating therein that the amount of TWO MILLION PHILIPPINE PESOS (PHP2,000,000.00) is deemed available for the road opening at Brgy. Bantigue, Ormoc City to be taken from the reversion of the Continuing Appropriation (CY 2015-20% DF) account Road Concreting @ Brgy. Bantigue, Ormoc City;

WHEREAS, the request is deemed reasonable and meritorious as it is geared towards the betterment of public roads and infrastructure to the benefit of the general public, and not contrary to existing accounting and auditing laws, rules and regulations;

WHEREFORE, FOREGOING PREMISES CONSIDERED, on motion of SP Member Tomas R. Serafica, Member, Committee on Finance & Appropriation, severally seconded by SP Members Mario M. Rodriguez, Nolito M. Quilang, John Eulalio Nepomuceno O. Aparis II and Mariano Y. Corro: be it

RESOLVED, AS IT IS HEREBY RESOLVED, to enact:

APPROPRIATION ORDINANCE NO. 2018-010
(General Fund)

AN ORDINANCE REVERTING AND APPROPRIATING THE AMOUNT OF TWO MILLION PHILIPPINE PESOS (PHP2,000,000.00) TO BE TAKEN FROM REVERSION OF CONTINUING APPROPRIATION (CY 2015-20% DF), TO WIT:

FROM:

**ROAD CONCRETING @ BARANGAY
BANTIGUE, ORMOC CITY**

PHP2,000,000.00

TO:

**ROAD OPENING @ BARANGAY
BANTIGUE, ORMOC CITY**

PHP2,000,000.00

BE IT ENACTED, by the Fourteenth Sangguniang Panlungsod ng Ormoc in Regular Session assembled, that:

SECTION 1. CY 2018 GENERAL FUND SUPPLEMENTAL BUDGET. The total sum of TWO MILLION PHILIPPINE PESOS (PHP2,000,000.00) from Continuing Appropriation (CY 2015-20% DF) under the account of Road Concreting at Brgy. Bantigue, Ormoc City is hereby reverted and appropriated to Road Opening at Brgy. Bantigue, Ormoc City.

SECTION 2. EFFECTIVITY. This Appropriation Ordinance shall take effect immediately upon its approval.

RESOLVED, FURTHER, that sufficient copies of this Appropriation Ordinance, together with all supporting documents thereof, be submitted to the Honorable Secretary of Department of Budget and Management, Manila, through the City Budget Officer of Ormoc and the Regional Director, Department of Budget & Management, Tacloban City, for review purposes;

ENACTED, June 14, 2018.

RESOLVED, FURTHERMORE, to furnish copies of this Appropriation Ordinance, one each to the City Mayor Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Jasper M. Lucero; the City Engineer, Engr. Ranulfo D. Oliveros; the City Budget Officer; the OIC-City Accountant; the City Treasurer; the City Auditor; the OIC-City Director, DILG, Engr. Jesus Jeremy D. Bagares; and other offices concerned;

CARRIED UNANIMOUSLY.

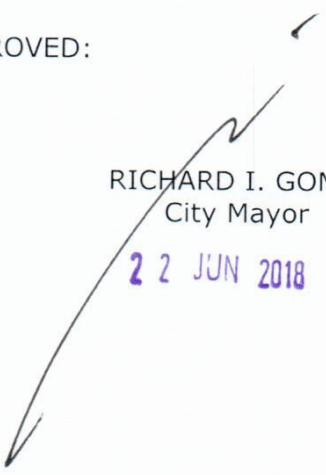
I HEREBY CERTIFY that the foregoing Appropriation Ordinance No. 2018-010 which approved the General Fund Supplemental Budget of Ormoc City for CY 2018 was duly enacted by the Fourteenth Sangguniang Panlungsod ng Ormoc in its regular session.


MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
Vice Mayor & Presiding Officer

APPROVED:


RICHARD I. GOMEZ
City Mayor

22 JUN 2018

Republic of the Philippines
OFFICE OF THE SANGGUNIANG BARANGAY
Barangay Bantigue,
Ormoc City



Dec. 18, 2017

Engr. Rannie Oliveros
City Engineering Office
Ormoc City


Sir/Ma'am,

Greetings.

May I have the honor to respectfully request on your good office to change the project of road concreting to new road opening of Purok 5, Brgy. Bantigue, Ormoc City in the amount of P2,000,000.00 (Two Million Pesos).

Hoping for your kind consideration. Thank you so much.

Respectfully,


Hon. Dionesio V. Darumpines
Punong Barangay

Republic of the Philippines
Office of the Punong Barangay
Barangay Bantigue,
Ormoc City

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF SANGGUNIANG BARANGAY OF BARANGAY BANTIGUE, ORMOC CITY, HELD AT BARANGAY SESSION HALL ON JAN. 19, 2016 AT 9:00 O'CLOCK IN THE MORNING.

PRESENT :

HON. DIONESIO V. DALUMPINES	-	Punong Barangay
HON. RODULFO T. RAMOS	-	Kagawad
HON. RAULITO M. GAYO	-	Kagawad
HON. JENNY N. CON - UI	-	Kagawad
HON. MA. LILIBETH O. FORTUNA	-	Kagawad
HON. ROGER C. DICDICAN	-	Kagawad
HON. LETECIA A. BASAS	-	Kagawad
HON. BENEDICTO M. ABLEN	-	Kagawad

OTHERS:

MARISSA E. CLARIN	-	Ingat-yaman
MARILYN L. SIOC	-	Kalihim

RESOLUTION NO. 37, SERIES OF 2016

A RESOLUTION OF THE PUNONG BARANGAY DIONESIO V. DALUMPINES ACCEPTING THE LOT WITH DEED OF DONATION OWNED AND DONATED BY MR. CERIACO AVILES TO OPEN THE NEW ROAD RIGHT OF WAY OF PUROK 5, BARANGAY BANTIGUE, ORMOC CITY.

WHEREAS, the existing road is a temporary Barangay road located in the middle of the Sea View Subdivision that can create the constituents living in the area no privacy.

WHEREAS, the place is exclusively for the residents living in the place and the management of the Subdivision have planned to install and build children playground and other facilities intended for them.

WHEREAS, the Punong Barangay Dionesio V. Dalumpines as a representative and Chairman of the Barangay will be able to receive and accept the lot donated by Mr. Ceriaco Aviles with deed of donation in order to construct the new road right of way as soon as possible.

NOW THEREFORE, on motion of Kagawad JENNY N. CON-UI Barangay Chairman in Infrastructure, duly seconded by Kagawad BENEDICTO M. ABLEN Kagawad in-charge in Purok 5, Be it:

RESOLVED, AS IT IS HEREBY RESOLVED, that the Punong Barangay Dionesio V. Dalumpines as Chairman accept and receive the lot with deed of donation owned and donated by Mr. Ceriaco Aviles to open the NEW ROAD RIGHT OF WAY of Purok 5, Barangay Bantigue, Ormoc City

RESOLVED FURTHER, to furnished copies of this resolution to the Lutheran World Relief (LWR) and Other Offices concerned for guidance and information.

"CARRIED UNANIMOUSLY".

I HEREBY CERTIFY to the correctness of this foregoing resolution.

Prepared by:

MARILYN L. SIOC
Kalihim

APPROVED:

[Signature]
HON. DIONESIO V. DALUMPINES
Punong Barangay

CONFORME:

[Signature]
RODULFO T. RAMOS
Kagawad

[Signature]
RAULITO M. GAYO
Kagawad

[Signature]
JENNY N. CON-UI
Kagawad

[Signature]
MA. LILIBETH O. FORTUNA
Kagawad

[Signature]
ROGER C. DICDICAN
Kagawad

[Signature]
LETECIA A. BASAS
Kagawad

[Signature]
BENEDICTO M. ABLEN
Kagawad

SUBSCRIBED AND SWORN TO before me on this 16 AUG 2016

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[Signature]
SUSAN RAYE A. BATA
Notary Public for the Philippines
Barangay, Division Office, Office of the
Notary Public, Office of the
Magistrate, Office of the
Judge, Office of the
Prosecutor General, Office of the
Attorney General, Office of the
Secretary of Justice, Office of the
President of the Philippines

DEED OF DONATION INTER VIVOS

KNOW ALL MEN BY THESE PRESENTS:

This DEED OF DONATION, made and executed into by and between CIRIACO P. AVILES, of legal age, Filipino, married to Elisa Moya and a resident of Ormoc City, Philippines, hereinafter called the "DONOR" in favor of the LOCAL GOVERNMENT UNIT OF BRGY. BANTIGUE, ORMOC CITY, represented herein by its Brgy. Captain, HON. DIONESIO V. DALUMPINES, of legal age, Filipino, married and a resident of Brgy. Bantigue, Ormoc City, Philippines, as evidenced by a Board Resolution dated August __, and known as Doc. No. 262; Page No. 53; Book No. XCII; Series of 2016 under the notarial register of Notary Public Atty. Aleah Rafael G. Bataan-Tolibao of Ormoc City, a copy of which is hereto attached as marked as Annex "A", hereinafter called the "DONEE",

WITNESSETH:

That the DONOR is the registered owner and possessor of that certain parcel of land more particularly described as follows:

"A parcel of land designated as Lot 1, Block 13, of the consolidation-subdivision plan, Pcs-08-000579-D, being a portion of Lots 1901, 1906 & 1907, Cad. 256, Ormoc Cad., situated in the Brgy. of Bantigue (Patag before), City of Ormoc, Island of Leyte. Bounded on the x x x. Containing an area of **FOUR THOUSAND EIGHTY EIGHT (4,088) SQUARE METERS**, more or less, covered by Transfer Certificate of Title No. 51135 in the Office of the Registry of Deed for the Ormoc City."

That for and in consideration of the love, affection and altruism which the DONOR has for the DONEE, the said DONOR by these presents, transfers and conveys by way of DONATION *Inter Vivos* unto the DONEE, its executors or administrators a portion of **ONE THOUSAND ONE HUNDRED TWENTY ONE (1,121) SQUARE METERS** of the above-described parcel free from all liens and encumbrances whatsoever;

That ownership of the donated property shall transfer to the DONEE upon execution and acceptance of this donation;

That the DONOR does hereby state, for the purpose of giving full effect to this donation, that he has reserved for himself full ownership sufficient property to support him in a manner appropriate to his needs;

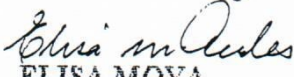
That the DONEE does hereby accept this donation of the said portion of **ONE THOUSAND ONE HUNDRED TWENTY ONE (1,121) SQUARE METERS** of the above-described real property and do hereby express its gratitude for the kindness and liberality of the DONOR.

IN WITNESS WHEREOF, we have hereunto set our hands this 23 AUG 2016 day of _____, 2016 at Ormoc City, Philippines.


CIRIACO P. AVILES


Donor

With my Marital Consent:


ELISA MOYA
Wife

LOCAL GOVERNMENT UNIT OF
BRGY. SAN PABLO, ORMOC CITY
Donee

By:


HON. DIONESIO V. DALUMPINES
Brgy. Captain

IRP No. 10-107-10000 Chapter, 02/11/2016
 PLEA Agreement, Commod City, 01/20/2016
 PLEA Agreement, 0018062, 04/23/2016
 PLEA Agreement, 0018062, 04/23/2016



Republic of the Philippines
OFFICE OF THE CITY LEGAL OFFICER
Ormoc City, Leyte

25 May 2018

TOMAS R. SERAFICA
Sangguniang Panlungsod Member
LGU-Ormoc

Re: Deed of Donation between Ciriaco P. Aviles and Brgy. Bantigue,
Ormoc City

Dear SP Member Serafica:

Mr. Aviles executed a Deed of Donation of a parcel of land in favor of Brgy. Bantigue. On the signatory portion of the above Deed, however, the Donee is listed as the local government unit of Brgy. San Pablo instead of Brgy. Bantigue.

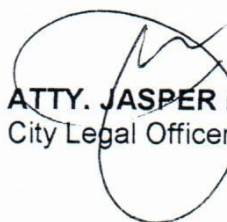
An examination of the document shows that the listing of Brgy. San Pablo as donee is a minor clerical error. All other parts of the document, including the introduction, the official representing the barangay, and the location of the property, indicate that the donee is Brgy. Bantigue. It is the opinion of the undersigned that the body of the document prevails over an insubstantial error in the signatory portion thereof.

Should this opinion be found insufficient, the undersigned suggests that the SP acquire a Joint Affidavit of Confirmation of Donation from Mr. Aviles and the Punong Barangay of Brgy. Bantigue, to confirm that indeed a donation was executed between said parties.

For the consideration of the Office of the Honorable Tomas R. Serafica.

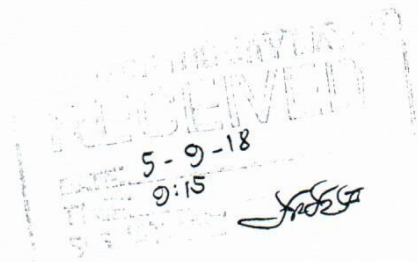
Thank you.

Very Truly Yours,



ATTY. JASPER M. LUCERO
City Legal Officer

Republic of the Philippines
Ormoc City



CERTIFICATION

THIS IS TO CERTIFY that the amount of TWO MILLION PESOS (P 2,000,000.00) is deemed available for the road Road Opening @ Brgy. Bantigue, Ormoc City to be taken from reversion of Continuing Appropriation (CY 2015-20% DF), to wit:

FROM:

Road Concreting @ Brgy. Bantigue, Ormoc City

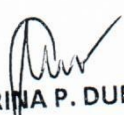
(P 2,000,000.00)

TO:


Road Opening @ Brgy. Bantigue, Ormoc City

2,000,000.00

Issued this 8th day of May, 2018 to support the request of City Engineer's Office for supplemental appropriation.


SABRINA P. DUERO
City Budget Officer


DELIA C. VILBAR
City Treasurer


ROSARIO G. SERAFICA
OIC-City Accountant