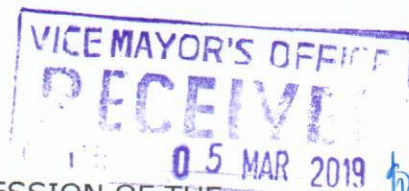
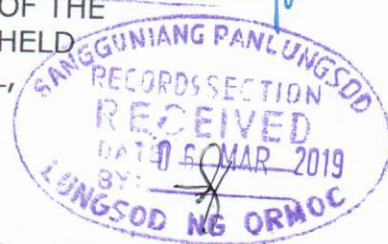


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



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 MARCH 04, 2019



PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Vincent L. Rama,	SP Member, Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore
Tomas R. Serafica,	SP Member, Asst. Majority Floor Leader
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,	SP Member, Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Jasper C. Yerro,	Ex-Officio SP Member, Chapter President
Panlungsod Pederasyon ng mga Sangguniang Kabataan ng Ormoc	

**RESOLUTION NO. 2019-052**

**A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC) AS VENDEE, TO ENTER INTO AND SIGN THE CONTRACT TO SELL WITH THE HEIRS OF ENECITO CARITAN AS VENDORS OVER A PORTION OF A PARCEL OF LAND DESCRIBED AS LOT NUMBER 7480-B COVERED BY TRANSFER CERTIFICATE OF TITLE (TCT) NUMBER 30455 EQUIVALENT TO ONE THOUSAND EIGHT HUNDRED EIGHTY (1,880) SQUARE METERS, SITUATED AT BARANGAY MILAGRO, ORMOC CITY, TO BE USED AS ROAD RIGHT OF WAY (RROW) FOR THE SOCIALIZED HOUSING PROJECT OF ITS INTENDED BENEFICIARIES AFFECTED BY THE JULY 06, 2017 EARTHQUAKE AND FOR OTHER LAWFUL PURPOSES.**

WHEREAS, the City Mayor Richard I. Gomez through an Indorsement dated September 25, 2018 forwarded to this august Body a request for an issuance of a Resolution granting the City Mayor the authority to sign the attached Contract to Sell to be entered into by and between LGU-Ormoc as vendee, and the Heirs of Enecito Caritan, as vendors, for Road Right of Way (RROW) for the Socialized Housing Project intended for the Identified Beneficiaries of the July 6, 2017 Earthquake in Ormoc City, a copy of the said Contract to Sell is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, Section 16 of the Republic Act No. 7160, otherwise known as the Local Government Code of 1991, states that every Local Government Unit (LGU) shall exercise the powers expressly granted, those necessary implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;



WHEREAS, to recall, on or about four o'clock (4:00) in the afternoon of July 6, 2017, the City of Ormoc was struck by a 6.5 Magnitude Earthquake causing massive damage not only to its infrastructure but displacing families as well particularly in Brgys. Gaas, Cabintan, Tongonan, Cabaon-an, Milagro and other parts of Ormoc City;

WHEREAS, in an assessment by the Philippine Institute of Volcanology and Seismology (PHIVOLCS) and the Mines and Geosciences Bureau (MGB) of the Department of Environment and Natural Resources (DENR), certain areas in the aforesaid Barangays are considered to be danger zones and not suitable for habitation;

WHEREAS, this Sanggunian passed Sangguniang Panlungsod (SP) Resolution No. 2018-249 on October 4, 2018 entitled: "A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC) AS VENDEE, TO SIGN THE AMENDMENT OF CONTRACT TO SELL WITH ABRAHAM P. PEREZ AND ARLEEN MAY P. PEREZ-FIGURASIN, AS VENDORS, FOR THE PURCHASE OF PARCELS OF LAND WITH AN AGGREGATE AREA EQUIVALENT TO ONE HUNDRED FIFTY-NINE THOUSAND ONE HUNDRED FIFTY-TWO (159,152) SQUARE METERS, MORE OR LESS, SITUATED AT BARANGAY DOLORES, THIS CITY, AMENDING SANGGUNIANG PANLUNGSOD (SP) RESOLUTION NO. 2018-145 DATED JUNE 21, 2018 AND THE CONTRACT TO SELL ATTACHED THERETO";

WHEREAS, to recall, thru said SP Resolution this Sanggunian approved the purchase by LGU-Ormoc of land located in Barangay Milagro for use of a housing project for the intended beneficiaries of the mentioned earthquake and for other lawful purposes as well, and a RROW for the provision of a decent and viable access road to and fro said land is much needed therefore, hence, the herein subject Contracts to Sell for said purpose;

WHEREAS, as cited in the attached Contract to Sell, the Vendors have offered to the Vendee to sell their land to be used by the latter as ROAD RIGHT OF WAY for the socialized housing project of its intended beneficiary affected by the 6 July 2017 earthquake, and for other purposes as well at the price of Three Hundred Fifty Pesos (PHP350.00) per square meter;

WHEREAS, an Extrajudicial Partition had been executed by the said heirs dated May 10, 2011 over the afore-described property, a copy of said document is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, the said purchased properties shall be considered as forming part of City properties for public use pursuant to the applicable provisions of the Civil Code;

WHEREAS, in a Memorandum issued by the Appraisal Committee dated September 19, 2017, the recommended appraised value of parcel of land of the subject sites should not be more than Five Hundred Pesos (Php 500.00) per Square Meter, a copy of said Memorandum is hereto attached as Annex "C" and made an integral part hereof;

WHEREAS, in an appraisal report issued by the Development Bank of the Philippines dated May 24, 2018, the appraised value of parcels of land located in Barangay Milagro are described as follows, a copy of said appraisal report is hereto attached as Annex "D" and made an integral part hereof;



Classification	Value per Square Meter
Residential/Commercial Lot	PHP 1,000.00 to 3,000.00
Agricultural Lot	PHP 100.00 to 400.00

WHEREAS, upon a close examination of the two immediately succeeding paragraphs which provide for the bases for the determination of the fairness and reasonability of the price of the subject lands, the price indicated on the Contract to Sell is clearly shown to be within the stated appraisal range and is, therefore, determined to be just, fair and reasonable;

WHEREAS, the City General Services Office (CGSO) has forwarded a copy of the Sketch Plan showing the Lot Plan of the affected plots for the proposed RROW to the National Housing Authority (NHA) Permanent Housing Relocation Site at Barangay Milagro, Ormoc City, a copy of the said Sketch Plan is hereto attached as Annex "E" and made an integral part hereof;

WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor, in addition to finding the price on the Contract to Sell as just, fair and reasonable, additionally finds that: the same are not contrary to law, existing contract, public policy, customs and morals; the road network on the sketch plan is reasonable and in order; the same are entered into for the best interests of the City; and, finally, that the granting of the authority for the purchase of the aforementioned parcel of land, among other lawful purposes, facilitates for the provision to the City's earthquake displaced inhabitants of decent and safe shelters and much needed road access, and henceforth, deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws & Ordinances, severally seconded by SP Members Vincent L. Rama, Tomas R. Serafica, Esteban V. Laurente and Gregorio G. Yrastorza III; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC) AS VENDEE, TO ENTER INTO AND SIGN THE CONTRACT TO SELL WITH THE HEIRS OF ENECITO CARITAN AS VENDORS OVER A PORTION OF A PARCEL OF LAND DESCRIBED AS LOT NUMBER 7480-B COVERED BY TRANSFER CERTIFICATE OF TITLE (TCT) NUMBER 30455 EQUIVALENT TO ONE THOUSAND EIGHT HUNDRED EIGHTY (1,880) SQUARE METERS, SITUATED AT BARANGAY MILAGRO, ORMOC CITY, TO BE USED AS ROAD RIGHT OF WAY (RROW) FOR THE SOCIALIZED HOUSING PROJECT OF ITS INTENDED BENEFICIARIES AFFECTED BY THE JULY 06, 2017 EARTHQUAKE AND FOR OTHER LAWFUL PURPOSES;

ADOPTED, March 04, 2019.

RESOLVED, FURTHER, that a copy of the final notarized Contract to Sell be submitted to this Sanggunian for its information and files;


RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez, the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; the Register of Deeds, Ormoc City; the City Assessor; the Heirs of Enecito Caritan; the OIC-City Director, DILG; and other concerned offices for their information and guidance.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

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

ATTESTED:

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

DEMO COPY



3/4/19

CERTIFIED TRUE COPY OF  
ORIGINAL DOCUMENT

## CONTRACT TO SELL

KNOW ALL MEN BY THESE PRESENTS:

This Contract is made and entered into by and between:

THE HEIRS OF ENECITO M. CARITAN NAMELY: FLORDELISA R. CARITAN, Filipino, of legal age, widow; ANECITO R. CARITAN, of legal age, married; CRISTINA R. CARITAN, of legal age, married; ELENA C. ORELLANO, of legal age, married; MARIO R. CARITAN, of legal age, married; VICTORIA C. TORRES, of legal age, married; CRESENTE R. CARITAN, of legal age, married; and GASPAR R. CARITAN, of legal age, married, all residents of Brgy. Milagro, Ormoc City except for Gaspar Caritan who lives in Tandag, Surigao del Sur, and all herein represented by MARIO CARITAN under a Special Power of Attorney dated January 4, 2019; September 11, 2018; and September 10, 2018 attached hereto as Annexes "A" to "A-2" and made integral parts of this agreement;

- AND -

THE LOCAL GOVERNMENT UNIT OF ORMOC, a municipal corporation created and existing under Philippine laws, with address at Aunubing Street, Brgy. Cogon, Ormoc City, represented by Mayor RICHARD I. GOMEZ, hereunder referred to as the VENDEE;

WITNESSETH, that:

**WHEREAS**, the City of Ormoc was struck by an earthquake on 6 July 2017 that caused devastation and destruction of houses in Brgys. Gaas, Cabintan, Tongonan, Cabaon-an, Milagro and other parts of Ormoc City;

**WHEREAS**, because of the destruction of houses, thousands of families were displaced and had to be evacuated;

**WHEREAS**, based on the assessment of the Philippine Institute of Volcanology and Seismology and the Mines and Geosciences Bureau of the Department of Environment and Natural Resources, there are areas in the aforesaid barangays that are considered danger zones and are therefore not suitable for human habitation;

**WHEREAS**, the victims that can no longer return to their respective residences must be relocated by the City and provided with houses under the Socialized Housing Program in cooperation with the NHA;

**WHEREAS**, the VENDEE has purchased a piece of land owned by the Perez family located in the interior portions and the intended beneficiaries need to pass through the land of the VENDORS;

**WHEREAS**, the VENDEE has offered to buy a portion of the VENDOR's, to be used as ROAD RIGHT OF WAY for the socialized housing project of its intended beneficiaries affected by the 6 July 2017 earthquake totaling an area of ONE THOUSAND EIGHT HUNDREDEIGHTY (1,880) SQUARE METERS, which the latter has accepted under the following terms and conditions:

1. That the lot subject of the sale is hereunder identified as:  
Lot No.: 7480- B  
Area: TWENTY ONE THOUSAND THREE HUNDRED NINETY FIVE (21,395) square meters;  
Transfer Certificate of Title No. 30455 and Tax Declaration No.: 00060- 00023  
Location: Milagro, Ormoc City.
2. That the Contract Price is THREE HUNDRED FIFTY PESOS (P350.00) per square meter net of capital gains tax, documentary stamp tax, transfer tax and registration fees, except for transfer costs on the tax declaration, and expenses or a total of SIX HUNDRED FIFTY EIGHT THOUSAND PESOS (Php 658,000.00) for ONE THOUSAND EIGHT HUNDRED EIGHTY (1,880) SQUARE METERS.

In accordance with the provision of related laws, the VENDEE shall pay for the account of the seller, the capital gains tax as well as the documentary stamp tax, transfer tax and registration



fees, without prejudice to securing an exemption from payment thereof from the BIR. Unpaid real property and transfer costs on the tax declaration shall be borne by the VENDORS, if any.

3. That the VENDORS agree to SELL to the VENDEE the property subject of this Contract.
4. That the consideration of this Contract shall be paid in accordance with the following schedule:
  - a. That upon signing of this Contract, the VENDEE shall process the disbursement voucher for the release of the amount due under this contract, as follows:
    - a.1. FIFTY PERCENT (50%) of the consideration shall be released, to wit:
      - a.1.a. The amount for the settlement of estate taxes due on the property shall be paid directly by the VENDEE to the Bureau of Internal Revenue (Ormoc City). Parties understand that the Estate Taxes payable as of February 28, 2019 is TWO HUNDRED EIGHTY FIVE THOUSAND SIX HUNDRED FORTY TWO PESOS and 78 centavos (Php 285,642.78). If upon payment thereof, estate taxes is less than that withheld, the excess will be delivered to the VENDOR.
      - a.1.b. Upon production of proof of payment of the estate taxes, the remaining amount of the FIFTY PERCENT (50%) of the consideration shall be paid by the VENDEE to the VENDORS. VENDEE shall then be entitled to enter and take and possession of the property subject of this agreement.
      - a.1.c. VENDEE shall be charged with the processing and securing the necessary clearance on the estate tax due on the property.
    - b. That upon receipt of FIFTY PERCENT (50%) of the Contract Price, the VENDORS shall sign and execute a Deed of Absolute Sale over the property subject of this contract in favor of the VENDEE, and the acknowledgment receipt of total amount.
    - c. That the VENDORS shall secure the necessary documents and comply with all the necessary requirement for the transfer of title to the name of the VENDEE.
    - d. That after title is transferred to the name of the VENDEE, the latter shall release the remaining FIFTY PERCENT (50%) in favor of the VENDORS.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures this \_\_\_\_\_ in Ormoc City.

  
MARIO CARITAN

*For himself and for the Heirs of Eneito M. Caritan, namely: FLORDELISA R. CARITAN, ANECITO R. CARITAN, CRISTINA R. CARITAN, ELENA C. ORELLANO, VICTORIA C. TORRES, CRESENTE R. CARITAN, and GASPAS R. CARITAN, of legal age, married, all residents of Brgy. Milagro, Ormoc City except for Gaspar Caritan who lives in Tandag, Surigao del Sur, and all herein represented by MARIO CARITAN*

LOCAL GOVERNMENT UNIT OF ORMOC, REPRESENTED BY:

RICHARD I. GOMEZ, MBA

As per SP Resolution No. 2019-052

WITNESSED BY (PRINT NAME AND SIGN): \_\_\_\_\_

OFFICE OF THE CITY MAYOR  
Ormoc City

CERTIFIED TRUE COPY OF  
ORIGINAL DOCUMENT

SIGNED: 

DATE: \_\_\_\_\_

ACKNOWLEDGMENT

Republic of the Philippines)  
City of Ormoc ) S.S.

Before me, this MAR 20 2019 at Ormoc City, Philippines, personally appeared the following with competent evidence of identity:

PARTY	COMPETENT EVIDENCE OF IDENTITY
Mario Caritan	UMID # <u>CEN-0111-0161661-4</u>
Richard L. Gomez	UMID # <u>CEN-021-1628-7865-8</u>

all known to me to be the same persons who executed the foregoing Contract to Sell consisting of THREE (3) pages, including the page on which this Acknowledgment is written and they acknowledged to me that the same is their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, on the date and place above- written.

Doc. No. 378 ;  
Page No. 78 ;  
Book No. V1 ;  
Series of 2019.

ATTY. ADRIANO M. SOLINAGA JR.  
Notary Public for the City of Ormoc,  
Municipalities of Kananga, Matag-ob,  
Masada and Isabel.  
CNo. QRM 17-12-019 issued on 12/22/17  
Valid until December 31, 2019  
CEN No. 084054, 01/04/19, Ormoc City  
IBP No. 070800, 1/24/19, Cebu City  
Roll of Attorney No. 31625  
TIN 207 693 130  
J. Navarro St., Ormoc City, Philippines

OFFICE OF THE CITY MAYOR  
Ormoc City

CERTIFIED TRUE COPY OF  
ORIGINAL DOCUMENT

SIGNED: [Signature]  
DATE: \_\_\_\_\_

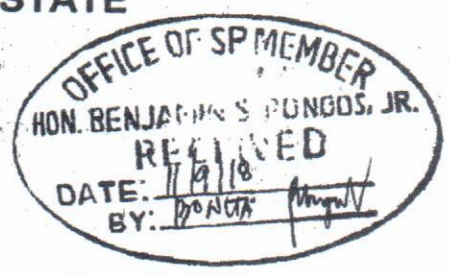


KAG. MANO CARITAN  
0948-9787233

"Annex B =

EXTRAJUDICIAL SETTLEMENT OF ESTATE

KNOW ALL MEN BY THESE PRESENTS:



- THAT WE,
- FLORDELISA R. CARITAN - of legal age, widow, and a resident of Brgy. Milagro, Ormoc City.
  - ANECITO R. CARITAN - of legal age, married and a resident of Brgy. Milagro, Ormoc City.
  - CRISTINA R. CARITAN - of legal age, single and a resident of Brgy. Milagro, Ormoc City.
  - ELENA C. ORELLANO - of legal age, married and a resident of Brgy. Milagro, Ormoc City.
  - MARIO R. CARITAN - of legal age, married and a resident of Brgy. Milagro, Ormoc City.
  - VICTORIA C. TORRES - of legal age, married and a resident of Brgy. Milagro, Ormoc City.
  - CRESENTE R. CARITAN - of legal age, married and a resident of Brgy. Dolores, Ormoc City.
  - GASPAR R. CARITAN - of legal age, married and a resident of Brgy. Dolores, Ormoc City.

WITNESSETH:

That we are the widow and legitimate children, respectively, and sole heirs of the deceased **Enecito M. Caritan**, who died on February 17, 2004 in Ormoc City, copy of his death certificate is hereto attached as **Annex "A"**, and made an integral part of this document;

That said deceased Enecito M. Caritan died intestate, without Will or Testament and without any outstanding debts in favor of any person or entity;

That the deceased Enecito M. Caritan left the following real property which is his share of a conjugal property situated in Brgy. Dolores, Ormoc City, which is more particularly described as follows:

**Transfer Certificate of Title No. T - 30455  
of the Register of Deeds for Ormoc City**

"A parcel of land (Lot 7480-B, Psd-009296-D being a portion of Loy 7480, Ormoc Cadastre Cad. 256m LRC Rec. No. 17533), situated in Brgy. Dolores, City of Ormoc, Island of Leyte, x x x x, containing an area of **TWENTY ONE THOUSAND THREE HUNDRED NINETY FIVE (21,395) SQUARE METERS** more or less, and registered in the name of **ENECITO N. CARITAN** married

BEHOLD TRUE AND  
FIDEL COPY OF THE  
ORIGINAL WHEN  
PRESENTED

Flordelisa Caritan  
Anecito Caritan  
Cristina Caritan  
Elena C. Orellano  
Mario R. Caritan  
Victoria C. Torres  
Cresente R. Caritan  
Gaspar R. Caritan  
Enecito Caritan



to **FLORDELIZA REGINO**, a resident of Brgy. Dolores, Ormoc City, Philippines."

That pursuant to Sec. 1, Rule 74 of the Revised Rules of Court of the Philippines, and the parties herein being all of age, they have agreed to adjudicate to themselves the real property above-described, and have agreed, as they hereby agree, to have the said property described above partitioned as follows: 50% thereof as conjugal share *pro indiviso* of the widow Flordeliza R. Caritan and the remaining 50% which forms the estate of the deceased Enecito M Caritan to be divided into eight shares and each heir receiving 1/8 share thereof *pro indiviso*.

That they hereby affirm that they have executed the foregoing instrument out of their own voluntary free will without force, intimidation or violence upon their person, that they have no claim or demand against each other.

IN WITNESS WHEREOF, WE have hereby affixed our signatures this 17<sup>th</sup> day of May, 2011, at the City of Ormoc, Philippines.

*Flordeliza Caritan*  
FLORDELIZA R. CARITAN

*Anecito Caritan*  
ANECITO R. CARITAN

*Caritan*  
CRISTINA R. CARITAN

*Caritan*  
GASPAR R. CARITAN

*Elena C. Orellano*  
ELENA C. ORELLANO

*Mario R. Caritan*  
MARIO R. CARITAN

*Torres*  
VICTORIA C. TORRES

*Caritan*  
CRESENTE R. CARITAN

WITNESSES:

*Notary Public*  
REPUBLIC OF THE PHILIPPINES)  
City of Ormoc ) S.S.

### ACKNOWLEDGEMENT

BEFORE ME, a Notary Public for and in the City of Ormoc, Philippines, personally appeared:

Name	CTC No.	Date/Place Issued
1. FLORDELIZA R. CARITAN ID No. <u>Senior Citizen ID# 002081</u>	06279556,	May 5, 2011, Ormoc City
2. ANECITO R. CARITAN ID No. <u>[IN# 949-061-477]</u>	062795554	May 5, 2011, Ormoc City
3. CRISTINA R. CARITAN ID No. _____	06279555,	May 5, 2011, Ormoc City
4. ELENA C. ORELLANO ID No. <u>SSS ID# 07-9209754-8</u>	06279552,	May 5, 2011, Ormoc City

NOTARIAL TRUE AND  
FIDELITY COPY OF THE  
ORIGINAL WHEN  
PRESENTED



5. MARIO R. CARITAN ID No. DL# 602-92-083375 06279551, May 5, 2011, Ormoc City
6. VICTORIA C. TORRES, ID No. Postal 6920174 valid Sept. 1, 2013 06279553, May 5, 2011, Ormoc City
7. CRESENTE R. CARITAN ID No. DL# 603-91-022936 06278212, May 5, 2011, Ormoc City
8. GASPAR R. CARITAN ID No. DL# 603-00-033528 06278211, May 5, 2011, Ormoc City

known to me and to me known to be the same persons who executed the foregoing instrument which they acknowledged to me as their free and voluntary act and deed, consisting of only three (3) pages, including this page in which this Acknowledgement is written, duly signed by them and their instrumental witnesses on each and every page hereof.

WITNESS MY HAND AND SEAL this 10<sup>th</sup> day of May, 2011 at Ormoc City, Philippines.

Doc. No. 481  
Page No. 99  
Book No. XIII  
Series No. 2011

PHILIP A. ALBEOS III  
NOTARY PUBLIC

ROLL NO. 53093

EXPIRATION DATE: 01.03.11

COMMISSION NO. 10-1202

OFFICE: CATAAG ST. ORMOC CITY

CERTIFIED TRUE AND  
FAITHFUL COPY OF THE  
ORIGINAL WHEN  
PRESENTED

PHILIP A. ALBEOS III  
Notary Public for the City of Ormoc,  
Municipalities of Kananga, Isabel and Marikina  
Leyte until December 31, 2013  
Notarial Commission No. ORM-14-12-007  
Roll of Attorney's No. 53093  
PTR No. 4799734, 1-6-16, Ormoc City  
IEP OR No. 1030906, 12-11-16, Ormoc City  
TIN No. 947-754-295  
Off. Add.: Rm 2, 2/F Coching Bldg  
Bonifacio St., Ormoc City

Flordelisa Caritán

Anecito Caritán

M





REPUBLIC OF THE PHILIPPINES  
ORMOC CITY

**MEMORANDUM:**

FOR: **HON. RICHARD I. GOMEZ**  
City Mayor

FROM: **APPRAISAL COMMITTEE**  
Composed of City Administrator, City Legal Officer and City Assessor

SUBJECT: Appraisal Report of Portions of –

1. TCT No. 121-2014000116 in the name of Fe P. Into et al;
2. TCT No. 30455 in the name of Enecito M. Caritan;
3. TCT No. T-35130 in the name of Ma. Felisa Into, et al;
4. TCT No. 6092 in the name of the Heirs of Zacarias Alicando;
5. TCT No. 13665 in the name of Maria Elenita A. Almaden;
6. TCT No. 13666 in the name of Daylinda A. Almaden;

DATE: 19 September 2017

**I. GENERAL**

The term **Fair Market Value** is defined as the estimated amount for which property should exchange on the date of valuation between a willing buyer and a willing seller in an arms-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently, and without compulsion.

In this definition it is assumed that any transaction shall be based on cash or its equivalent consideration. The price which the property would fetch if offered for sale in the open market would undoubtedly be affected, should the sale be on terms, whether favorable or unfavorable.

It is further assumed that the titles to the property are good, marketable and free from liens and encumbrances, and that fee simple ownership is transferable.

The rights appraised in this report are the property rights in fee simple, free and clear. Fee Simple is defined as the absolute fee without limitation to any particular class of heirs or restrictions but subject to the limitations of eminent domain, escheat, police power and taxation.

**II. SCOPE AND PURPOSE OF APPRAISAL**

This Appraisal Committee was constituted pursuant to Executive Order No. 46 s-2017. It is tasked with the duty to determine the appraised value of portions of real properties in Brgy. Dolores sought to be used by the



City as a Road Right of Way toward the socialized housing project for the victims of the 06 July 2017 earthquake.

### III. PROPERTY IDENTIFICATION, LOCATION AND OWNERSHIP

The above subject properties have been surveyed to be adjacent to each other and are identified as:

#### Site 1:

"A parcel of land xxx situated in the Brgy. of Milagro, Ormoc City, containing an area of Twenty Thousand Six Hundred Fifteen (20,615) square meters and covered by TCT No. 121-2014000116 of the Register of Deeds of Ormoc City.

The property is registered in the name of Fe P. Into et al.

#### Site 2:

"A parcel of registered land, Lot No. 7480-B Psd-009236-D of being a portion of Lot 7480, Ormoc Cadastre, situated in Brgy. Dolores, Ormoc City, containing an area of Twenty One Thousand Three Hundred Ninety Five (21,395) Square Meters and covered by TCT No. 30455 of the Register of Deeds of Ormoc City."

The property is registered in the name of Eneito M. Caritan.

#### Site 3:

"A parcel of land (Lot No. 7471 of the Cadastral Survey of Ormoc), xxx, situated in the Barrio of Dolores xxx with an area of Eighty Six Thousand Two Hundred Ninety Five (86,295) square meters and covered by TCT No. T-35130".

The property is registered in the name of Ma. Felisa Into, et al.

#### Site 4:

"A parcel of registered land, xxx situated in the Barrio of Dolores, Ormoc City, containing an area of Fourteen Thousand Nine Hundred Ninety Six (14,996) Square Meters and covered by TCT No. 6092 of the Register of Deeds of Ormoc City."

The property is registered in the name of the Heirs of Zacarias Alicando.

#### Site 5:

"A parcel of land xxx situated in the Barrio of Dolores, City of Ormoc, xxx containing an area of Seven Thousand Four Hundred Ninety Eight (7,498) Square Meters and covered by TCT No. 13665 of the Register of Deeds of Ormoc City."

The property is registered in the name of Maria Elenita A. Almaden.



**Site 6:**

"A parcel of land xxx situated in the Barrio of Dolores, City of Ormoc, xxx containing an area of Seven Thousand Four Hundred Ninety Eight (7,498) Square Meters and covered by TCT No. 13666 of the Register of Deeds of Ormoc City."

The property is registered in the name of Daylinda A. Almaden.

**IV. LAND CLASSIFICATION, IMPROVEMENTS AND GENERAL CONDITION**

The above subject properties are classified as agricultural land and are in the interior portion. The sites are planted with various crops (e.g. sugarcane, coconut trees, etc).

**V. NEIGHBOURHOOD DATA**

The properties are located in an area where land development is of mixed use, specifically, residential, industrial and agricultural

Near the sites are the solar farm and the administrative building of the NGCP. There are residential houses scattered in the area and a residential subdivision is likewise present in the locality.

**VI. GOVERNMENT ASSESSMENT**

BIR Zonal Valuation of Real Properties within Ormoc City as per Department Order No. 22-02, effective 28 December 2002, provides:

Street Name	Classification	1 <sup>st</sup> REV ZONAL VALUE/SQ.M
Barangay Road		
Residential Land	RR	200.00
Commercial and	CR	480.00
Industrial Land	I	480.00
Weather Road	RR	260.00
Dirt Road	RR	160.00
All Other Lots		
Irrig. Rice Land	A1	20.00
Unrig Rice Land	A2	20.00
Coco and	A4	20.00
Fishpond	A6	20.00
Nipa Land	A8	10.00
Abaca Land	A11	10.00
Pineapple Land	A13	10.00
Pasture Land	A15	10.00
Corn Land	A16	20.00
Sugar Land	A17	20.00
Camote/Cassava	A25	10.00
Peanut Land	A27	20.00
Mineral Land	A31	10.00
Non-Metallic/Timber Land	A32	10.00
Forest Land/ Timber Land	A36	10.00
Sandy/Stony	A41	20.00
Ipil-Ipil	A44	10.00



**HIGHEST AND BEST USE**

Taking into consideration the location, size, actual use and the land use of neighboring properties, the highest and the best use of the affected lots are for residential purposes.

**VII. LAND APPRAISAL**

The committee in the appraisal of the property has taken foremost consideration the comparative approach in determining the value thereof. It is found that there are deeds of sale over lands located near the site, to wit:

**Listing 1:**

A Deed of Absolute Sale dated August 22, 2013 made and executed by and between Heirs of Cesar Into represented by Fe P. Into as the vendors and the National Transmission Corporation represented by Atty. Noel Z. De Leon General Counsel, as the vendee whereby the Vendors sold a parcel of land in favor of the vendee covering Lot 7470-B, located in Brgy. Dolores, Ormoc City, for the amount of Five Hundred Pesos (Php500.00) per square meter.

**Listing 2:**

The Deed of Absolute Sale dated October 2017 made and executed by and between the Development Bank of the Philippines, a government financial institution as vendor and Rikardo K. Ogario, married to Zelda V. Ogario as vendee whereby the Vendor sold two parcels of land with an aggregate area of Nine Thousand Nine Hundred Sixty Seven (9,967) Square Meters covered by TCT Nos. 54025 and 54026, both located at Brgy. Dolores, Ormoc City Leyte for a consideration of Seven Million Seven Hundred Thousand Pesos (Php7,700,000.00) including the residential house or Seven Hundred Seventy Two Pesos (Php772.00) per square meter.

**Listing 3:**

The Deed of Absolute Sale dated March 22, 2017, made by Raymund P. Tan married and resident of Brgy Dayhagan, Ormoc City as Attorney-in-fact of Gregorio P. Tan as vendors in favor of Sps Rayan N. Padilla & Medina C. Padilla resident of Brgy Bagong Ormoc City as vendee covering a portion of Lot No. 7490-D-2-F with an area of Two Hundred (200) square meters for a consideration of One Hundred Thousand Pesos (Php100,000.00) or Five Hundred Pesos (Php500.00) per square meter.

**HENCE:**

(Listed Price in Pesos Per Square Meter / Number of Deeds Listed) =  
Average Listed Price

$[500 + 772 + 500] / 3 = \text{Average Listed Price}$

**Php1,772 / 3 = Php590.6**



### VIII. RECOMMENDED APPRAISED VALUE

It is recommended that the appraised value of the subject sites should **not be more than Five Hundred Pesos (Php500.00) per square meter.**

Prepared by:

#### APPRAISAL COMMITTEE

  
ENGR. ARTHUR E. ARCUINO  
City Assessor

  
ATTY. JASPER M. LUCERO  
City Legal Officer

  
VINCENT LEMNAS  
City Administrator  
Chairman, Appraisal Committee

Recommending Approval:

  
HON. RICHARD J. GOMEZ  
City Mayor



Annex "D"

Annex D



Development Bank of the Philippines

May 24, 2018

ATTY. JASPER LUCERO  
City Legal Officer  
LGU-Ormoc City

Atty:

This refers to your letter dated May 11, 2018, requesting data on appraisal value of the real estate properties in Brgy. Milagro, Ormoc City.

Below are the values available based on our land data file/opinion, to wit:

Land Classification	VALUE PER SQ.M.
Residential / Commercial Lot	P 1,000 to P 3,000
Agricultural Lot	P 100 to P 400

Thank you.

MGR. LINA G. ELIAS-MDE  
Head, Credit and Appraisal Field Team - Eastern Visayas