

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY  
THE MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES, IN ITS  
SESSION HALL ON FEBRUARY 6, 1954

PRESENT:

Actg City Mayor Roberto B. Almaden..Presiding Officer  
Hon. Guillermo T. Parrilla.....City Councilor  
" Esteban C. Conejos....." "  
" Usualdo F. Laguitan....." "  
" Teotimo Ocubillo....." "  
" Alvaro I. Gutierrez....." "  
" Emilio C. Penserga....." "

ABSENT:

Hon. Jorge S. Tan.....City Councilor  
" Teofilo S. Tan....." "

RESOLUTION NO. 23

WHEREAS, be it known that the City of Ormoc, represented by Maximo Malinao as Vice Mayor & Acting City Mayor, entered into an agreement with Don Teodoro Conui of Ormoc City on the 11th day of January 1954, for a road right-of-way, the document having been signed by both parties and duly ratified by a notary public on the 13th day of February, 1954;

WHEREAS, Don Teodoro Conui presented a claim for payment of his land affected by the widening of city streets in accordance with resolution numbered 42, series of 1952;

WHEREAS, the appraised value of the portion of the land of Don Teodoro Conui affected by the widening of city streets is P5,500.00;

WHEREAS, Councilor Guillermo T. Parrilla suggested to the Honorable Members of the Board to appropriate the amount of P5,500.00 for payment of the portion of the land of Don Teodoro Conui affected; the same amount to be taken from funds not otherwise appropriated, or if there is no fund available at present, the same amount be carried as outstanding obligation of the City in the next fiscal year;


NOW THEREFORE, the Board, on motion of Councilor Guillermo T. Parrilla, seconded by Councilor Alvaro I. Gutierrez;

BE IT RESOLVED, as is hereby resolved, to appropriate the amount of P5,500.00 from any funds not otherwise appropriated and if no fund is available at present, the same amount be carried as outstanding obligation of the City in the next fiscal year, to pay the portion of the land of Don Teodoro Conui affected by the widening of city streets;

FINALLY RESOLVED, to furnish copy of this resolution each to the Hon. City Mayor, Ormoc City; City Treasurer, City Auditor, City Engineer and Don Teodoro Conui, all of Ormoc City.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above-quoted resolution.

  
RAMON BANTASAN  
Secretary

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(Resolution No. 23, s. 1954, cont'd)

APPROVED:

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ROBERTO B. ALMADEN  
Actg Vice Mayor & Actg City Mayor  
Presiding Officer

ATTESTED:

EDILBERTO S. MAGLASANG  
Secretary to the City Mayor

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DEMO COPY

Republic of the Philippines  
OFFICE OF THE CITY MAYOR  
—o—  
Ormoc City

V E T O

VETO ON RESOLUTION NO. 28, CURRENT SERIES, OF THE HONORABLE  
MUNICIPAL BOARD, ORMOC CITY, PURSUANT TO SECTION 14,  
ARTICLE III OF REPUBLIC ACT NO. 179.

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Pursuant to the provisions of Section 14, Art. III of Republic Act No. 179, otherwise known as the Charter of Ormoc City, I disapprove, as it is hereby disapproved, Res. No. 28 of the Honorable Municipal Board, Ormoc City, on the following ground, to wit:

1.- This resolution pertains to a contract entered into and executed by and between Maximo Malinao as Vice Mayor of Ormoc City, on one hand, and Don Teodoro Conui, Ormoc City, on the other hand, for a road-right-of-way on January 11, 1954, and which document was signed by the parties thereto on February 13, 1954, before Notary Public Atty. Bruno Villamor. This refers to the first paragraph of said resolution. It is to be noted in this connection that Maximo Malinao, on February 13, 1954, when this instrument was signed by said parties, was no longer the Vice Mayor of Ormoc City and as such had no more legal authority to sign for and in behalf of Ormoc City because he ceased to be the Vice Mayor of Ormoc City on January 18, 1954, when the incumbent Acting City Mayor assumed office as chief executive of the city government of Ormoc City. Under this circumstance, the contract referred to in Res. No. 28 of the Honorable Municipal Board of Ormoc City passed by it on February 6, 1954, became irregular as it is illegal and as such the city government should not be bound to pay any unlawful transaction.

Done In the City Hall, Ormoc City, Philippines, on this 1st day of March, In the Year of Our Lord, Nineteen Hundred and Fiftyfour.

  
ROBERTO B. ALMADEN  
Actg. Vice Mayor & Actg. City Mayor

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