

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 SEPTEMBER 22, 2017 IN LIEU OF
SEPTEMBER 21, 2017



PRESENT:

Leo Carmelo L. Locsin, Jr.,	Vice Mayor & Presiding Officer
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,	SP Member
Lea Doris C. Villar,	Minority Floor Leader
Mariano Y. Corro,	SP Member, Asst. Minority Floor Leader
	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

ON LEAVE:

Rolando M. Villasencio,	SP Member, Majority Floor Leader
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RESOLUTION NO. 2017-209

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 PURCHASE AND SIGN THE DEED OF ABSOLUTE SALE WITH SPOUSES ALBERTO AND DIOSDADA BELMORO AS VENDORS FOR PARCELS OF LAND EQUIVALENT TO THIRTY-TWO THOUSAND SEVEN HUNDRED FORTY-EIGHT (32,748) SQUARE METERS SITUATED AT BARANGAY GAAS, THIS CITY TO FOR VARIOUS PURPOSES, INCLUDING RELOCATION SITE UNDER THE SOCIALIZED HOUSING PROGRAM FOR THE IDENTIFIED BENEFICIARIES OF THE VICTIMS OF THE JULY 06, 2017 EARTHQUAKE.

WHEREAS, the City Mayor Richard I. Gomez through an Indorsement dated September 7, 2017 forwarded to this august Body for consideration the Deed of Absolute Sale to be entered into by City Government of Ormoc with Spouses Alberto and Diosdada Belmoro relative to the purchase of parcels of land located in Brgy. Gaas, Ormoc City to be used as relocation site under the socialized housing program for the identified beneficiaries of the victims of the July 06, 2017 earthquake that struck the City, a copy of the final Deed of Absolute Sale is hereto attached 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, during the conduct of the Community-based Disaster Risk Assessment (CDRA) for all Barangays in Ormoc City, the aforementioned Barangays have been found and identified to be highly susceptible to earthquake and rainfall induced landslides;

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 believes that these families who had constructed their dwelling houses along the mountainous barangays and have had their houses damaged in the recent 6.5 magnitude earthquake are entitled to a proper and orderly resettlement in a decent relocation site, within the City;

WHEREAS, as cited in the Deed of Absolute Sale, the Vendors have offered to the Vendee to sell their land for various purposes, including for the implementation of the socialized housing program for the identified beneficiaries for the price of Eighty Pesos (PHP80.00) per square meter or a total of Two Million Six Hundred Nineteen Thousand Eight Hundred Forty Pesos (PHP2,619,840.00) for a total land area of Thirty-Two Thousand Seven Hundred Forty-Eight (32,748) square meters consisting of two (2) parcels of land more particularly described as follows:

Parcel I: A portion of Nineteen Thousand One Hundred Sixty One (19,161) square meters

"A parcel of registered land, Lot No. 38, of the subdivision plan, SQO-08-000044, situated in Brgy. Ga-as, Ormoc City, containing an area of Thirty Nine Thousand Four Hundred Twenty Nine (39,429) square meters and covered by OCT No. OP-735 of the Register of Deeds of Ormoc City."

Parcel II: The whole area equating to Thirteen Thousand Five Hundred Eighty-Seven (13,587) square meters

"A parcel of registered land, Lot No. 40, of the subdivision plan, SQO-08-000044, situated in Brgy. Ga-as, Ormoc City, containing an area of Thirteen Thousand Five Hundred Eighty-Seven (13,587) square meters and covered by OCT No. OP-734 of the Register of Deeds of Ormoc City."

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, the City Legal Officer Atty. Jasper M. Lucero, thru a letter dated September 6, 2017, opined that lands intended for LGU housing programs may, among other modes, be acquired through direct negotiated purchase at a price agreed upon with the owner; this, in effect, essentially eliminates the necessity of an appraisal report for the purchase of intended property as the price to be paid therefore will be one that will be arrived at by LGU and property owner through the direct negotiation;

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WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor finds that the Deed of Sale is not contrary to law, existing contract, public policy, customs and morals and is to the best interest of the City and that the granting and extension of the sought assistance and support will, among other purposes, provide the City's earthquake displaced inhabitants with decent and safe shelters, and ensure their safety as well;

WHEREFORE, on motion of SP Member Mario M. Rodriguez, Vice-Chairman, Committee Zoning, Housing and Land Use, severally seconded by SP Members Vincent L. Rama, Tomas R. Serafica, Benjamin S. Pongos, Jr., Eusebio Gerardo S. Penserga, Gregorio G. Yrastorza III, Nolito M. Quilang, John Eulalio Nepomuceno O. Aparis II and Mariano Y. Corro; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass 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 PURCHASE AND SIGN THE DEED OF ABSOLUTE SALE WITH SPOUSES ALBERTO AND DIOSDADA BELMORO AS VENDORS FOR PARCELS OF LAND EQUIVALENT TO THIRTY-TWO THOUSAND SEVEN HUNDRED FORTY-EIGHT (32,748) SQUARE METERS SITUATED AT BARANGAY GAAS, THIS CITY FOR VARIOUS PURPOSES, INCLUDING RELOCATION SITE UNDER THE SOCIALIZED HOUSING PROGRAM FOR THE IDENTIFIED BENEFICIARIES OF THE VICTIMS OF THE JULY 06, 2017 EARTHQUAKE THAT STRUCK THE CITY;


ADOPTED, September 22, 2017.

RESOLVED, FURTHER, that a copy of the final notarized Deed of Absolute Sale 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. Jasper Lucero; the Register of Deeds, Ormoc City; the City Assessor; the Spouses Alberto and Diosdada Belmoro; 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.
Vice Mayor & Presiding Officer