

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 APRIL 12, 2018

PRESENT:

Vincent L. Rama (OIC City Vice-Mayor & Temporary Presiding Officer)
SP Member, Asst. Majority Floor Leader
Eusebio Gerardo S. Penserga (Acting Majority Floor Leader)
SP Member
Mario M. Rodriguez SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica SP Member
Benjamin S. Pongos, Jr. SP Member
John Eulalio Nepomuceno O. Aparis II SP Member
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

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr. (Acting City Mayor)
Vice Mayor & Presiding Officer
SP Member
Nolito M. Quilang SP Member

ON LEAVE:

Gregorio G. Yrastorza III SP Member
Rolando M. Villasencio SP Member, Majority Floor Leader

RESOLUTION NO. 2018-088

**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), TO ACCEPT AND SIGN THE
DEED OF DONATION EXECUTED BY MRS. SALVACION
AYUYAO-PENNYA, AS DONOR, OVER A PARCEL OF LAND
LOCATED IN BARANGAY SALVACION, THIS CITY,
COVERED BY TRANSFER CERTIFICATE OF TITLE (TCT) NO.
17471 AND DESCRIBED AS LOT NO. 5857, IN FAVOR OF
LGU-ORMOC AS DONEE.**

WHEREAS, this august Body was in receipt of an Indorsement from the Office of the City Mayor dated April 3, 2018, requesting therein for the passage of a resolution granting authority to Ormoc City Mayor Richard I. Gomez to accept and sign, for and on behalf of LGU-Ormoc the Deed of Donation made and executed by Mrs. Salvacion Ayuyao-Pennya, as Donor over a parcel of land in favor of the LGU-Ormoc as Donee, a copy of said Deed of Donation is hereto attached and made an integral part thereof;

WHEREAS, the Donor is the registered owner of a parcel of land located at Barangay Salvacion, this City, which is more particularly described in the Narrative Technical Description as follows:

"Transfer Certificate of Title No. 17471

A parcel of land (Lot No. 5857 of the Cadastral Survey of Ormoc), with the improvements thereon situated in the Barrio of Salvacion, Municipality of Ormoc, containing an area of Fifty Seven Thousand Five Hundred and Thirty-Six (57,536) square meters, more or less, registered in the name of Salvacion Ayuyao, of legal age, Filipino, married to Tito Pennya, and a resident of Ormoc City, Phil.";

WHEREAS, as cited in the Deed of Donation, the Donors freely and voluntarily give, transfer and convey by way of donation unto Donee (LGU-Ormoc) a Five (5) Hectare portion of the aforementioned parcel of land together with all the improvements found thereon, and free from all liens and encumbrances, subject, however, to certain conditions indicated on the instrument;

WHEREAS, this august Body believes that said donation is done in good faith, extremely beneficial to the Barangay and to the City in general for the aforementioned donation purpose, and not made for the purpose of defrauding their creditors, having reserved for themselves enough and sufficient property to meet their obligations;

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

WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor finds that it is to the best interest of the City and advantageous to the same to authorize the City Mayor to sign the Deed of Donation, and further finds that the conditions found thereon are neither onerous or disadvantageous to the Donee, and thereby, deserving of this august Body's prompt approval by granting authority to the City Mayor to sign and accept the said property located at Barangay Salvacion, this City;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr. Chairman, Committee Laws and Ordinances, severally seconded by SP Members Tomas R. Serafica, Lea Doris C. Villar, 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 OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC), TO ACCEPT AND SIGN THE DEED OF DONATION EXECUTED BY MRS. SALVACION AYUYAO-PENNYA, AS DONOR, OVER A PARCEL OF LAND LOCATED IN BARANGAY SALVACION, THIS CITY, COVERED BY TRANSFER CERTIFICATE OF TITLE (TCT) NO. 17471 AND DESCRIBED AS LOT NO. 5857, IN FAVOR OF LGU-ORMOC AS DONEE;

ADOPTED, April 12, 2018.


RESOLVED, FURTHER, that a copy of the final notarized Deed of Donation 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; Mrs. Salvacion Ayuyao-Pennya; the OIC-City Director, DILG; and other concerned offices for their information and guidance.

Res. No. 2018-088

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


NANCY I. LOPENA
(OIC - SP Secretary)
Local Legislative Staff Officer V

ATTESTED:


VINCENT L. RAMA
(OIC-City Vice Mayor & Temporary Presiding Officer)
Asst. Majority Floor Leader
SP Member

DEMO COPY

DEED OF DONATION

KNOW ALL MEN BY THESE PRESENTS:

That I, **SALVACION AYUYAO-PENNYA**, of legal age, Filipino, married, and a resident of Barangay _____ Ormoc City, hereinafter referred to as the **DONOR**,

AND

LGU ORMOC CITY, herein represented by **CITY MAYOR RICHARD I. GOMEZ, MBA**, duly authorized to sign as done by Sangguniang Panlungsod Resolution No. __, of legal age, Filipino, and a resident of Barangay Can-adieng, Ormoc City, hereinafter called the **DONEE**,

-WITNESSETH-

1. That the **DONOR** is the registered owner of a parcel of land covered by Transfer Certificate of Title No. 17471 of the Registry of Deeds of Ormoc City, and situated in Barangay Salvacion, Ormoc City;
2. That the **DONOR** hereby voluntarily **GIVES, TRANSFERS, and CONVEYS** by way of **DONATION** unto the said **DONEE** a Five (5) Hectare portion of the aforementioned parcel of land together with all the improvements found thereon, and free from all liens and encumbrances;
3. That this **DONATION** is subject to the following conditions:
 - a. That the property shall be used solely and exclusively for **EDUCATIONAL PURPOSES and/or EDUCATION-RELATED PROGRAMS OF THE CITY GOVERNMENT OF ORMOC** and/or the **DEPARTMENT OF EDUCATION**, with recommendation on an education program for high school, called "dynamic learning program" developed by Drs. Chris & Marivic Bernido.
 - b. That the property shall not be sold, leased, or otherwise disposed of, or utilized by any entity without the donor's prior and express written consent or by her heirs;
 - c. That ownership of the property shall revert back to the donor or to her heirs in the event the property is no longer used for the aforementioned purposes.
4. That the **DONOR** affirms that this **DONATION** is not made with intent to deceive her creditors, and that she has reserved for herself sufficient funds and property;
5. That the **DONEE** hereby accepts and receives this donation made in its favor by the **DONOR**, and hereby manifests its gratefulness for the latter's generosity.

IN WITNESS WHEREOF, both the **DONOR & DONEE** have hereunder subscribed their names this ____ day of _____ 2018 at Ormoc City, Philippines.

SALVACION AYUYAO-PENNYA
DONOR

LGU-ORMOC CITY
DONEE

By:

WITNESSES:

ACKNOWLEDGEMENT

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

BEFORE ME, a notary for and in the City of Ormoc, personally appeared, the above named persons with their competent identifications to wit:

SALVACION AYUYAO-PENNYA
RICHARD I. GOMEZ

Personally known to the witnesses, who are known to me to be the same persons who executed the foregoing Deed of Donation consisting of two (2) pages including this page and acknowledged to me that the same is their free and voluntary act and deed.

This instrument consisting of two (2) pages including this acknowledgement has been signed on the left margin on each and every page hereof by the parties herein and their witnesses and sealed with my notarial seal.

WITNESS MY HAND AND SEAL, on the date and place first above written.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2018.