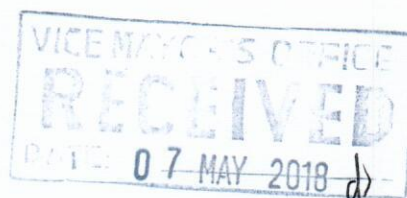


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 MAY 03, 2018

PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Vincent L. Rama,	SP Member, Asst. Majority Floor Leader
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
	Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader

ON OFFICIAL BUSINESS:

Rolando M. Villasencio, (O.B. – Cebu City), SP Member, Majority Floor Leader

ON LEAVE:

Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Mariano Y. Corro,	Ex-Officio SP Member
	Chapter President, Liga ng mga Barangay ng Ormoc

RESOLUTION NO. 2018-106

A RESOLUTION CONFIRMING THE AUTHORITY OF THE CITY MAYOR RICHARD I. GOMEZ, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC), AS VENDEE, AND THEREFORE, RATIFYING THE CONTRACT TO SELL ENTERED INTO BY THE SAME WITH SPOUSES ALBERTO AND DIOSDADA BELMORO, AS VENDORS, OVER 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 AS RELOCATION SITE FOR THE HOUSING PROJECT UNDER THE NATIONAL HOUSING AUTHORITY (NHA) FOR QUALIFIED BENEFICIARIES OF THE VICTIMS OF THE JULY 06, 2017 EARTHQUAKE AND THEREBY, SUPERSEDING SP RESOLUTION NO. 2017 – 209.

WHEREAS, the City Mayor Richard I. Gomez through an Indorsement addressed to Vice Mayor Leo Carmelo L. Locsin, Jr, City Vice Mayor & Presiding Officer of the 14th Sangguniang Panlungsod ng Ormoc dated April 10, 2018, forwarded to this august Body a request ratifying and confirming the authority of the City Mayor to enter into and sign the Contract to Sell relative to the two (2) parcels of land covered by Transfer Certificate of Title Nos. OP-735 and OP-734 and, further classifying the same as EXTREMELY URGENT, a copy of the signed and notarized Contract to Sell is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, to recall, this Sanggunian passed SP Resolution No. 2017-209 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 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, which granted authority to Ormoc City Mayor Richard I. Gomez to enter into and sign the Deed of Absolute Sale 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;

WHEREAS, in a letter of explanation dated April 05, 2018 from the City Legal Officer, Atty. Jasper M. Lucero, he conveyed that the Spouses Belmoro (vendors) initially agreed to the price of Eighty Philippine Pesos (PHP80.00) per square meter and thereafter, regrettably, after the passage of said SP Resolution authorizing the City Mayor to enter into and sign the Deed of Absolute Sale, the vendors had a change of mind and would no longer agree on the said amount, a copy of the said letter is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, further in the aforementioned letter, Atty. Lucero was constrained to immediately renegotiate and haggle with the vendors as the subject properties were urgently needed as a site for an NHA approved housing project on said area, the same being already inspected and adjudged by said national agency as an ideal and suitable site for said purposes, until the vendors finally agreed on a purchase price in the amount of One Hundred Philippine Pesos (PHP100.00) per square meter;

WHEREAS, upon reaching said agreement with the vendors and due to the exigency of the circumstances as aforementioned, Atty. Lucero was constrained to immediately prepare a Contract to Sell and had the same signed by the vendors and the City Mayor in order to immediately close the deal of the said purchase of the two (2) parcels of land;

WHEREAS, by reason of foregoing premises, there comes therefore a need for the said Contract to Sell by this Sanggunian to pass a resolution ratifying and confirming the validity and legality of the authority of the City Mayor to enter into and sign said Contract to Sell with LGU-Ormoc as vendee;

WHEREAS, Section 22(c) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, states that no contract may be entered into by the local chief executive on behalf of the local government unit without prior authorization by the Sanggunian concerned;

WHEREAS, an authority for the City Mayor to enter into and sign the Contract to Sell for and on behalf of the Local Government Unit is not only necessary but also indispensable;

WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor finds that the Contract to Sell is not contrary to law, existing contract, public policy, customs and morals and is to the best interest of the City and its earthquake displaced inhabitants with decent and safe shelters, and ensure their safety as well and therefore most deserving of this august Body's prompt and favorable consideration;

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

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION CONFIRMING THE AUTHORITY OF THE CITY MAYOR RICHARD I. GOMEZ, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC), AS VENDEE, AND THEREFORE, RATIFYING THE CONTRACT TO SELL ENTERED INTO BY THE SAME WITH SPOUSES ALBERTO AND DIOSDADA BELMORO, AS VENDORS, OVER 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 AS RELOCATION SITE FOR THE HOUSING PROJECT UNDER THE NATIONAL HOUSING AUTHORITY (NHA) FOR QUALIFIED BENEFICIARIES OF THE VICTIMS OF THE JULY 06, 2017 EARTHQUAKE AND THEREBY, SUPERSEDING SP RESOLUTION NO. 2017 - 209:

ADOPTED, May 03, 2018.

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.
City Vice Mayor & Presiding Officer