



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 OCTOBER 04, 2018

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. 2018-253

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR RICHARD I. GOMEZ TO ENTER INTO AND
SIGN A DEED OF ABSOLUTE SALE, FOR AND ON
BEHALF OF THE LOCAL GOVERNMENT UNIT OF
ORMOC (LGU-ORMOC), AS VENDOR, AND
ACKNOWLEDGED RECEIPT OF PAYMENT IN FAVOR OF
MR. NESTOR RUBEN S. CAÑETE, AS VENDEE, FOR A
PARCEL OF LAND DENOMINATED AS LOT 16, BLOCK 7
UNDER THE ORMOC CITY GOVERNMENT EMPLOYEES
HOUSING PROGRAM LOCATED AT BARANGAY SAN
ISIDRO, ORMOC CITY, INCLUDING ALL RELATED AND
LIKE DOCUMENTS RELATIVE THERETO.**

WHEREAS, this august Body was in receipt of an Indorsement (2nd Indorsement) from the Office of the City Mayor dated September 24, 2018, and was referred to the Office of SP Member Tomas R. Serafica, Chairman of the Committee on Ways and Means, Public Properties and Economic Enterprise, requesting therein for the issuance of a resolution granting the City Mayor Richard I. Gomez, authority to enter into and sign a Deed of Absolute Sale, for and in behalf of the Local Government Unit of Ormoc (LGU-Ormoc) as Vendor, by and between Mr. Nestor Ruben S. Cañete as Vendee under the Government Employees Housing Program (photocopy of the Deed of Absolute Sale is hereto attached and made an integral part hereof), and further requesting for an Omnibus Authority for the City Mayor to sign related and like documents relative thereto;

WHEREAS, prior to the above-mentioned indorsement, the Office of the City Legal Officer sent a letter dated September 19, 2018 addressed to Ma. Victoria Lyra P. Dela Cerna, Assistant Department Head I of LGU Ormoc informing the Office of the City Mayor that upon examination of the supporting documents submitted by Mr. Nestor Ruben S. Cañete, the latter complied with his obligations toward the City in relation to the property subject of the sale (Lot 16, Block 7, evidenced by Transfer Certificate of Title No. T-40244), and thus, poses no objection to the granting of Mr. Cañete's request;

WHEREAS, the City Government of Ormoc is the owner of a parcel of land situated in Barangay San Isidro, Ormoc City, evidenced by Transfer Certificate of Title No. T-40244, issued by the Register of Deeds of Ormoc City, which is more particularly bounded and described as follows:

"A parcel of land (Lot Sixteen (16), Block Seven (7), of the subdivision plan, Psd 08-000521-D, being a portion of Lot 5362-A, B & C (LRC) Psd-236950 and Lot 5362-D-2, situated in the Barangay of San Isidro, City of Ormoc, Island of Leyte. Bounded on the x x x Containing an area of ONE HUNDRED SEVENTY-NINE (179) SQUARE METERS, more or less, xxxx---xxx---xxxx"

WHEREAS, the City Government of Ormoc, as the vendor, and the vendee have executed a Deed of Conditional Sale last December 16, 2002 where the vendee, as one of the qualified awardees of the Ormoc City Government Employees Housing Program, had agreed to purchase the above-described property, and that the vendor had agreed to sell the specified parcel of land under terms and conditions specified thereon;

WHEREAS, over the years, the vendee had fully paid for the value of the lot through salary deductions and had been compliant of all the succeeding terms and conditions aforementioned in the said Deed of Conditional Sale;

WHEREAS, as provided for in the aforementioned Deed of Conditional Sale, upon full payment of the vendee of the purchase price the vendor shall execute an Absolute Deed of Sale in the former's favor over the subject parcel of land;

WHEREAS, through a Certification issued by the Office of the City Accountant dated September 4, 2018, Mr. Nestor Ruben S. Cañete, a bonafide beneficiary of said Housing Program, who was granted a Certificate of Award on December 8, 2001, has fully settled his lot loan obligation in the total amount of Thirty Five Thousand Eight Hundred Philippine Pesos (PHP 35,800.00), which includes all applicable penalties thereto;

WHEREAS, upon close and thorough review, this Sanggunian finds that the Deed of Absolute Sale and Acknowledgement Receipt are not contrary to law, contract, public policy and morals and that the vendee is found to have been fully compliant with the terms and conditions as provided for in the Deed of Conditional Sale and so therefore, most deserving of this august Body's full support and affirmative action to the same;

WHEREFORE, on motion of SP Member Tomas R. Serafica, Chairman of the Committee on Ways and Means, Public Properties and Economic Enterprise, severally seconded by SP Members Vincent L. Rama, Gregorio G. Yrastorza III, Nolito M. Quilang, John Eulalio Nepomuceno O. Aparis II, Lea Doris C. Villar and Esteban V. Laurente; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ TO ENTER INTO AND SIGN A DEED OF ABSOLUTE SALE, FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC), AS VENDOR, AND ACKNOWLEDGED RECEIPT OF PAYMENT IN FAVOR OF MR. NESTOR RUBEN S. CAÑETE, AS VENDEE, FOR A PARCEL OF LAND DENOMINATED AS LOT 16, BLOCK 7 UNDER THE ORMOC CITY GOVERNMENT EMPLOYEES HOUSING PROGRAM LOCATED AT BARANGAY SAN ISIDRO, ORMOC CITY, INCLUDING ALL RELATED AND LIKE DOCUMENTS RELATIVE THERETO;


ADOPTED, October 04, 2018.

RESOLVED, FURTHER, that a copy of the final notarized Deed of Absolute Sale and Acknowledgement Receipt 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; Mr. Nestor Ruben S. Cañete; COGEA; the OIC-City Director, DILG; and other concerned offices for their information and guidance.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


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

ATTESTED:


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

DEED OF ABSOLUTE SALE

KNOW ALL MEN BY THESE PRESENTS:

THE LOCAL GOVERNMENT UNIT OF ORMOC CITY, represented in this instance by its Honorable Mayor **RICHARD I. GOMEZ**, of legal age, Filipino, married and resident of Ormoc City, here known as the **VENDOR**, as authorized by the 14th Sangguniang Panlungsod of Ormoc City per Resolution No _____, for and in consideration of the sum of **THIRTY FIVE THOUSAND EIGHT HUNDRED PESOS (Php 35, 800.00)**, Philippine currency, receipt in full, as per Certification of Office of the City Accountant dated September 4, 2018, is hereby acknowledge, paid by **NESTOR RUBEN CAÑETE**, of legal age, Filipino, married and a resident of, Ormoc City, Leyte, Philippines, by these presents, do hereby **SELL, CEDE, TRANSFER AND CONVEY** by way of an absolute sale, unto said Nestor Ruben Cañete, his heirs, successor and assigns a certain parcel of land with all the improvements thereon, destined for and in actual use as a residential lot, situated in Lot 16, Block 7, Barangay San Isidro, Ormoc City, Leyte, Philippines, which is more particularly bounded and described as follows:

“A parcel of land (Lot 16, Block 7, of the subdivision plan Pcs 08-0005521-D, being a portion of Lot 5362-A, B & C situated in Barangay San Isidro, City Ormoc, containing an area of 179 square meters, more or less, xxx---xxxx---xxxx”

That I have the perfect right to dispose and convey of the said proportion of land being my lawfully owned properly; that the property subject matter of this instrument is free from all liens and encumbrances; and that I will warrant and forever defend the ownership and title of the same unto the said Nestor Ruben Cañete, his heirs, successors, executors, administrators and assigns against any and all lawful claims of all persons whosoever.

That the property subject matter of this instrument has not been registered with act 496 not under the Spanish Mortgage Law, and the parties have agreed to register this instrument according to the provision of section 194 of the Revised Administrative Code as amended by Act 3344.

IN WITNESS WHEREOF, I here unto set my hand on this _____ day of _____ at Ormoc City, Philippines.

RICHARD I. GOMEZ, MBA
CITY GOVERNMENT OF ORMOC
Vendor

Signed in the presence of:

1. _____ 2. _____