

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON DECEMBER 06, 2019 IN LIEU OF
DECEMBER 03, 2019

PRESENT:

Tomas R. Serafica,

Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Esteban V. Laurente,

Joan Marbie C. Simbajon,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

(Acting City Vice-Mayor),
SP Member, Presiding Officer "Pro-Tempore"
SP Member, 2nd Asst. Majority Floor Leader
SP Member
SP Member
SP Member
Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc
Ex-Officio SP Member, Chapter President,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON OFFICIAL BUSINESS:

Roiland H. Villasencio,

Lalaine A. Marcos,

(Acting City Mayor),
SP Member, 1st Asst. Majority Floor Leader
(O.B -Taiwan), SP Member

ON LEAVE:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Jasper M. Lucero,
Peter M. Rodriguez,

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member
SP Member

RESOLUTION NO. 2019-155

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR RICHARD I. GOMEZ, OR THE OIC MAYOR, OR
THE ACTING CITY MAYOR, FOR AND ON BEHALF OF
LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-
ORMOC), TO SIGN THE DEED OF DONATION (DOD)
EXECUTED BY AND BETWEEN PREMIUMLANDS CORP.
REPRESENTED BY FRANCIS LLOYD T. CHUA, AS
DONOR, IN FAVOR OF THE LOCAL GOVERNMENT
UNIT OF ORMOC, AS DONEE, RELATIVE TO THE
DONATION OF A PARCEL OF LAND CONSISTING OF
FIFTEEN THOUSAND ONE HUNDRED FIFTEEN
(15,115) SQUARE METERS, LOCATED AT BARANGAY
NAUNGAN, ORMOC CITY.**

WHEREAS, this august Body was in receipt of an Indorsement from the Office of the City Mayor dated December 5, 2019 requesting therein for the passage of a resolution granting authority to the City Mayor/ OIC/ Acting Mayor to sign, for and on behalf of LGU-Ormoc, the Deed of Donation (DOD) executed by and between LGU-Ormoc, as Donee, and Premiumlands Corporation, as Donor, for the donation of a parcel of land consisting of Fifteen Thousand One Hundred Fifteen (15,115) square meters and covered by TCT No. T- 37566 and located at Brgy. Naungan, this City, a copy of said DOD is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, pursuant to Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, every Local Government Unit 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, the Donee is tasked with the promotion of tourism and conservation and preservation of the environment, towards the improvement of the well-being of the people of Ormoc;

WHEREAS, the property owner, Premiumlands Corp. has expressed its willingness to provide support to the Donee in the pursuit and implementation by the latter of its various eco-tourism plans and programs;

WHEREAS, LGU-Ormoc, in consideration of the Donor's desire to assist in providing the needed location site to be developed into a mangrove zone, into a park to provide guests a safe access while appreciating the rich ecosystem that is surrounded with brackish waters, as well as the Donor itself, shall cause the joint survey of the parcel of land subject of the donation, specifically a portion of Lot No. 5405, up to Fifteen Thousand One Hundred Fifteen (15,115) square meters, which property is covered by Transfer Certificate of Title No. T- 37566, at Naungan, Ormoc City, a copy of the Sketch Plan is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, the City Legal Officer, Atty. Josephine Mejia-Romero, in an opinion dated December 5, 2019 forwarded the said DOD to the Office of the City Mayor certifying that the same is not contrary to laws, customs or public policy;

WHEREAS, this august Body believes that said donation is done in good faith, extremely beneficial to the City in general for the aforementioned donation purpose, and not made for the purpose of defrauding creditors, Donee having reserved for itself enough and sufficient property to continue its operations;

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, cognizant of the need to promote the tourism industry and in furtherance of the City's commitment to execute environmentally sustainable projects, this Sanggunian finds the necessity to accept the donation;

WHEREAS, upon close examination by this august Body, the Deed of Donation is found to clearly and plainly encapsulate the terms and conditions of the agreement of the parties thereto, including their specific roles and obligations towards the attainment of the lofty ends of the same; to be not contrary to law, public policy and public order; and, lastly, to be advantageous to the City;

NOW, THEREFORE, on motion of SP Member Nolito M. Quilang, Vice-Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Vincent L. Rama, Gregorio G. Yrastorza III, Esteban V. Laurente and Joan Marbie S. Simbajon; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ, OR THE OIC MAYOR, OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC), TO SIGN THE DEED OF DONATION (DOD) EXECUTED BY AND BETWEEN PREMIUMLANDS CORP. REPRESENTED BY FRANCIS LLOYD T. CHUA, AS DONOR, IN FAVOR OF THE LOCAL GOVERNMENT UNIT OF ORMOC, AS DONEE, RELATIVE TO THE DONATION OF A PARCEL OF LAND CONSISTING OF FIFTEEN THOUSAND ONE HUNDRED FIFTEEN (15,115) SQUARE METERS, LOCATED AT BARANGAY NAUNGAN, ORMOC CITY;

ADOPTED, December 06, 2019.

RESOLVED, FURTHER, that copies 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. Josephine Mejia-Romero; the Register of Deeds, Ormoc City; the City Assessor; the City Tourism Office; the Premiumlands Corp. Represented by Francis Lloyd T. Chua; the City Local Government Operations Officer-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
Secretary to the
Sangguniang Panlungsod

ATTESTED:


TOMAS R. SERAFICA
(Acting City Vice Mayor)
SP Member
Presiding Officer "Pro-Tempore"

DEED OF DONATION

Annex 2

KNOW ALL MEN BY THESE PRESENTS:

This DEED OF DONATION, made and executed by:

PREMIUMLANDS CORP., a corporation duly organized and existing under and by virtue of Philippine laws, with office address at Purok 8, Barangay Linao, Ormoc City, represented herein by its President, **FRANCIS LLOYD T. CHUA**, hereinafter referred to as the "DONOR";

- in favor of -

THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU ORMOC), a local government unit existing in accordance with pertinent laws, represented herein by **MAYOR RICHARD I. GOMEZ**, hereinafter referred to as the "DONEE";

WITNESSETH, that:

The DONOR is absolute owner of one (1) parcel of land acquired by onerous title under Deed of Absolute Sale dated October 16, 2017 from the Philippine Veterans Bank, situated in the City of Ormoc, identified as Lot No. 5405, covered by Transfer Certificate of Title No. 37565, more particularly described as follows:

TRANSFER CERTIFICATE OF TITLE No. 37566

"A parcel of land (Lot No. 5405 of the Cadastral Survey of Ormoc, Cadastral Case No. 29, LRC Cnd. Res. No. 1750), situated in the City of Ormoc, Bounded on the NE., points 64-67, 67-1, by a Road; and points 7-20, by a River; on the E., point 20-21, by a River; on the SE., points 21-36, by Lot No. 10009; on the SE., and N., points 36-63, by a River; and on the NW., points 63-64, by Lot No., 5413. Beginning at a point marked "1" on plan, being N 74 deg. 55'W., 690.24 m. from B.B.M. No. 22; thence 43 deg. 83'E., 201.40 s. to point 2; thence N 64 deg. 50'E., 185.46 m. to point 3; thence N. 52 deg. 00'E., 146.12 m. to point 4; thence N 3; deg. 16'E., 18.77 m. to point 5; thence N 56 deg. 11'E., 23.09 m. to point 6; thence S 76 deg. 48'E., 13.06 m. to point 7; thence S 23 deg. 35'E., 20.25 m. to point 8; thence S 4 deg. 59'W., 15.53 m. to point 9; thence S 34 deg. 43' W., 27.19 M. to point 10; thence 12 deg. 48'W., 14.57 m. to point 11; thence S 31deg. 04'E., 38.67 m. to point 12; thence N. 88 deg. 31'E., 25.21 m. to point 13; thence S 46 deg. 33'E., 12.30 m. to point 14; thence S 18 deg. 07'W., 9.87 m. to point 15; thence S 15 deg. 49'E 11.01 m. to point 16; thence S 54 deg. 27'E., 31.01 m. to point 17; thence N 48 deg. 30'E., 17.96 m. to point 18, thence N 40 deg. 53'E., 11.52 m. to point 19; thence S 75 deg. 47'E., 14.54 m. to point 20; thence S 5 deg. 33'E., 53.80 m. to point 2; thence S 51 deg. 19'W., 53.48 m. to point 22; thence S 40 deg. 31'W., 88.41 m. to point 23; thence S 37 deg. 13'W., 184.16 m. to point 24; thence S 49 deg. 42'E., 22.07 m. to point 25; thence S 0 deg. 08'W., 108.00 m. to point 26; thence N 31 deg. 46'W., 26.01 m. to point 27; thence S 22 deg. 24'W., 48.37 m. to point 28; thence S 73 deg. 04'W., 24.2 m. to point 29; thence S 84 deg. 39'W., 48.84 m. to point 30; thence N 85 deg. 14'W., 26.02 m. to point 31; thence S 17 deg. 58'W., 82.73 m. to point 32; thence S 43 deg. 40'W., 76.64 m. to point 33; thence 53 deg. 01'W., 122.04 m. to point 34; thence S 43 deg. 07'W., 85.07 m. to point 35; thence SA 52 deg. 33'W., 96.50 m. to point 36; thence N 59 deg. 27'W., 81.32 m. to point 37; thence N 46 deg. 45'W., 99.74 m. to point 38; thence N 1 deg. 22'W., 56.82 m. to point 39; thence N 25 deg. 42'E., 74.53 m. to point 40; thence N 19 deg. 36'W., 62.08 m. to point 41; thence N 36 deg. 41'W., 49.97 m. to point 42; thence S 64 deg. 57'E., 5.16 m. to point 43; thence N 56 deg. 38'W., 17.31 m. to point 44; thence N 14 deg. 57'E., 13.06 m. to point 45; thence N 21 deg. 11'E., 53.41 m. to point 46; thence N 26 deg. 30'E., 29.75 m. to point 47; thence N 16 deg. 47'E., 81.00 m. to point 48; thence N 0 deg. 10'E., 53.69 m. to point 49; thence N 26 deg. 52'W., 48.04 m. to point 50; thence N 64 deg.

REVIEWED

ORMOC CITY LEGAL OFFICE

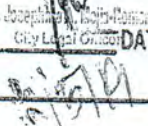
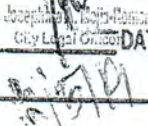
Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public policy, moral

Amendments/Revisions

BY:  DATE: 

46'W., 91.00 m. to point 51; thence N 74 deg. 57' W., 7.02 m. to point 52; thence N 5 deg. 21'W., 118.85 m. to point 53; thence N 5 deg. 07'W., 135.67 m. to point 54; thence N 8 deg. 09'E., 36.61 m. to point 55; thence N 54 deg. 17'E., 34.73 m. to point 56; thence N 65 deg. 09'E., 25.35 m. to point 57; thence N 48 deg. 00'E., 45.68 m. to point 58; thence N 48 deg. 57'E., 45.57 m. to point 59; thence N 15 deg. 00'E., 53.88 m. to point 60; thence N to 16 deg. 39'W., 34.26 m. to point 61; thence N 58 deg. 81.27 m. to point 62; thence N 58 deg. 56'W., 81.27 m. to point 62; thence N 43 deg. 22'W., 59.74 m. to point 63; thence N 34 deg. 02'E., 121.78 to point 64; thence S 59 deg. 05'E., 60.68 m. to point 65; thence S 36 deg. 59'E., 100.193 m. to point 66; thence S 39 deg. 89.34 m. to point 67; thence S 35 deg. 25'E., 238.56 m. to the point of beginning, containing an area of FIVE HUNDRED EIGHTY THREE THOUSAND TWO HUNDRED AND NINETY (583,290) SQUARE METERS, more or less. All points referred to are indicated on the plan and are marked on the ground; Bearings True; Date of the Cadestral Survey, August, 1928—June, 1935."

The DONOR recognizes and supports the noble task of the DONEE in the promotion of tourism and conservation and preservation of the environment, towards the improvement of the well-being of the people of Ormoc;

The DONOR desires to assist the DONEE and give further impetus to the various eco-tourism programs being implemented by the City;

NOW, THEREFORE, for and in consideration of the foregoing premises and due to the magnanimity of the DONOR, the latter hereby transfers and conveys unto the DONEE, by way of DONATION, a PORTION of the said parcel of land equivalent to FIFTEEN (15,000) square meters, indicated in the Lot Plan attached hereto as Annex "A" and made an integral part of this document;

1. The area subject of this donation is that which comprises the ORMOC MANGROVE ECO-PARK Without prejudice to this, the parties herein will conduct a joint survey the results of which will comprise the exact metes and bounds of the area subject of this donation;

2. The property donated shall be used solely by the DONEE for the above stated purpose for eco-tourism purposes, or for such other purpose as may be mandated by law or Ordinance;

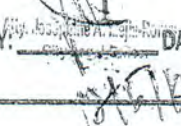
3. The DONEE, at its own expense, shall maintain the donated land its immediate surroundings in clean and safe condition;

4. That the DONEE shall be liable to pay the Donor's Tax, if applicable, Capital Gains Tax, Documentary Stamp Tax, and other related transfer tax. Further, the DONOR shall have no additional expenses or cost liability for this agreement. This is without prejudice to any and all exemption(s) that the DONEE may avail of and be entitled to as a government entity;

5. The DONEE shall not sell, assign, transfer, donate, mortgage or otherwise convey or encumber any portion of the property to any person or entity; and

6. The DONEE must not use the Property for any unlawful purpose/s or

In the event that the conditions of the donation, as contained herein, are not complied with by the DONEE after the latter's failure to comply with the same is brought to its attention, this donation shall be automatically revoked and rendered ineffective and the DONOR shall regain ownership over the property so donated and shall have the right to recover possession of the same.

REVIEWED	
ORMOC CITY LEGAL OFFICE	
Approved	
Separate Opinion	
Drafted by CLO	
Not contrary to laws, policies, moral.	
Amendments/Revisions	
BY: 	DATE: 5/18/20

ACCEPTANCE

The DONEE hereby accepts the donation of the aforementioned property as listed in Annex "A", together with the conditions herein imposed, and hereby expresses its gratitude and appreciation for the support, kindness and liberality of the DONOR.

That the DONOR hereby states further that this is the only DONATION it has made for the current year.

IN WITNESS WHEREOF, the DONOR has hereunto affixed its hand this _____ day of _____ at _____, Philippines.

REVIEWED

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

☒ Drafted by CLO

Not contrary to laws, public policy, moral.

Amendments/Revisions

BY: Josephine A. Maglio-Romero DATE: 01/15/19

City Legal Officer

Republic of the Philippines

Ormoc City

) S.S.

PREMIUMLANDS CORP.
represented by: FRANCIS LLOYD T. CHUA

THE LOCAL GOVERNMENT UNIT OF ORMOC
represented by: RICHARD I. GOMEZ

WITNESSED BY:

PRINT NAME AND SIGN

ACKNOWLEDGMENT

Before me, this _____ day of _____ at _____, Philippines, personally appeared the parties with competent evidence of identity:

PARTY	COMPETENT EVIDENCE OF IDENTITY
FRANCIS LLOYD T. CHUA	
RICHARD I. GOMEZ	

known to me to be the same persons who executed the foregoing Deed of Donation of a portion of one parcel of land consisting of three (3) pages including the pages on which this Acknowledgment and the acceptance of the DONEE is written, and they acknowledged to me that the same is their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, on the date and place above- written.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2019.



LAND CLASSIFICATION
MAP

PRIME HOLDINGS
Sito Quinto Limbo
Barangay Naungan, Ormoc City



LEGEND

- CLASSIFICATION**
- Alienable and Disposable
 - Forestland
 - Fishpond
 - Lot Parcel
 - National Road
 - Road
 - Rivers, Creeks, Streams
 - Sito Quinto Limbo
 - Municipal Boundary
 - Waterbodies
 - Airport

Data Sources:

Road & River Network from Digital Aerial Orthophoto Map of Ormoc City 1997 (Geo Survey & Mapping Inc.), Bay Boundary : Tax Map, City Mapping Division (CWD), Municipal Boundary from

670000 m



LAND USE MAP
2017-2027

PRIME HOLDINGS
Sito Quinto Limbo
Barangay Naungan, Ormoc City



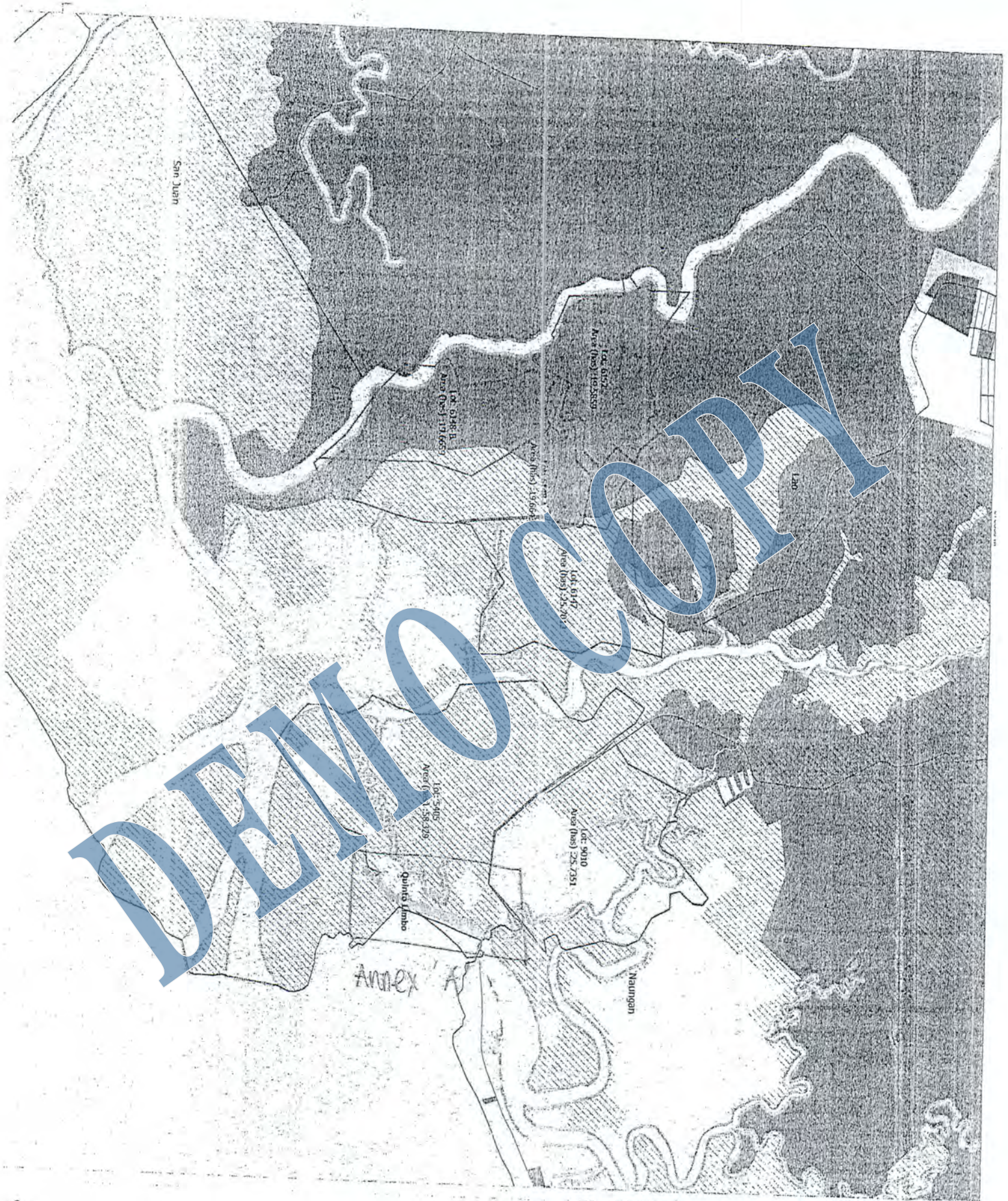
Projection : Universal Transverse Mercator (Zone 51)
Datum : Luzon (Philippines - Philippine)

LEGEND

- CLASSIFICATION**
- Residential
 - Commercial
 - Institutional
 - Agricultural - Production
 - Agricultural - Protection
 - Buffer
 - Mangrove Sub-Zone
 - Fishpond
 - Lot Parcel
 - National Road
 - Road
 - Rivers, Creeks, Streams
 - Sito Quinto Limbo
 - Municipal Boundary
 - Waterbodies
 - Airport

Data Sources:

Road & River Network from Digital Coast Orthophoto Mosaic of Ormoc City 1997 (Geosurvey & Mapping Inc.) City Boundary : Tax Map, City Planning Division CAD, Municipal Boundary from



Annex B

