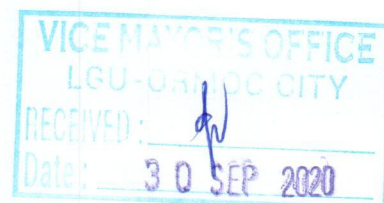


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON SEPTEMBER 29, 2020

PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member
Roiland H. Villasencio,	SP Member, Majority Floor Leader
Tomas R. Serafica,	SP Member
Nolito M. Quilang,	SP Member, Asst. Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member
Jasper M. Lucero,	SP Member
Peter M. Rodriguez,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Lalaine A. Marcos,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Joan Marbie C. Simbajon,	Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2020-315

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR RICHARD I. GOMEZ OR THE ACTING CITY
MAYOR TO ACCEPT AND SIGN THE DEED OF
DONATION (DOD) TO BE MADE AND EXECUTED BY
AND BETWEEN LORENZO BALTONADO, HEREIN
REFERRED TO AS "DONOR" IN FAVOR OF THE CITY
GOVERNMENT OF ORMOC, HEREIN REFERRED TO AS
"DONEE", FOR A PARCEL OF LAND SITUATED AT
BARANGAY DOMONAR.**

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated September 23, 2020 from the Office of the City Mayor, endorsing a request for the issuance of an authority for the City Mayor to accept and sign the Deed of Donation (DOD) to be made and executed by and between Lorenzo Baltonado, herein referred to as "Donor" in favor of the City Government of Ormoc, herein referred to as "Donee", for a parcel of land situated at Barangay Domonar, a copy of the Deed of Donation is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, in an Opinion dated January 14, 2020, the City Legal Office finds nothing legally objectionable in the said DOD and that the same is not contrary to law, morals, public order, or public policy much less detrimental to the best interest of Ormoc City, a copy of the Opinion is hereto attached as "ANNEX B" and made an integral part hereof;

WHEREAS, the DONOR is the owner in fee simple of a certain parcel of land consisting of an area of One Hundred Sixteen Thousand Three Hundred and Thirty-Four (116,334) Square Meters, more or less, together with all the improvements thereon situated at Brgy. Domonar, and covered by Original Certificate of Title No. 0-388 of the Office of Register of Deeds for the City of Ormoc;

WHEREAS, other individuals who may hold an interest over the property have expressed that they interpose no objection to the donation in a Joint Affidavit of No Opposition/Objection dated September 25, 2020, a copy of which is attached as ANNEX "C" and made an integral; part hereof;

WHEREAS, the Office of the Clerk of Court RTC 8th Judicial Region has issued a Certification that the subject land is not subject to any Land Registration Proceedings or any Civil Case or used as bond in any Criminal Case pending before the Court, a copy of the Certification is hereto attached as "ANNEX D" and made an integral part hereof;

WHEREAS, the DONOR recognizes and supports the noble tasks, duties, and functions of the DONEE in promoting the welfare of the community in Ormoc City;

WHEREAS, the DONOR desires to assist the DONEE and give further impetus to its programs, projects, and activities for the benefit and welfare of the people of Ormoc City;

WHEREAS, the DONOR hereby voluntarily and freely transfers and conveys absolutely by way of DONATION unto the DONEE, his successors and assigns, a portion of the rights, title, participation, and interest which DONOR has on the above-described real property, equivalent to Eight Thousand Eight Hundred Forty-Three (8,843) Square Meters, together with all improvements found therein, free from all liens, encumbrances and charges whatsoever, for the general welfare programs of the DONEE, including for the construction of a road;

WHEREAS, the Office of the City Engineer has forwarded a copy of the Sketch Plan of the aforementioned parcel of land which is the subject matter of the Deed of Donation located at Barangay Domonar, Ormoc City, a copy of the said Sketch Plan is hereto attached as Annex "E" and made an integral part hereof;

WHEREAS, the DONEE hereby accepts the donation of the described parcel of land and the improvement found therein and hereby expresses its gratitude and appreciation for the support, kindness, and liberality of the DONOR;

WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor, finds that: the same is not contrary to law, existing contract, public policy, customs and morals; is reasonable and in order; the same is entered into for the best interests of the City; and, finally, that the granting of the authority to sign and accept the Deed of Donation, among other lawful purposes, facilitates the ongoing developmental progress of the City and henceforth, deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on joint motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances and SP Member Roiland H. Villasencio, Chairman, Committee on Public Properties, severally seconded by SP Members Nolito M. Quilang, Lalaine A. Marcos, Vincent L. Rama, Peter M. Rodriguez and Tomas R. Serafica; 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 TO ACCEPT AND SIGN THE DEED OF DONATION (DOD) TO BE MADE AND EXECUTED BETWEEN LORENZO BALTONADO, HEREIN REFERRED TO AS "DONOR" IN FAVOR OF THE CITY GOVERNMENT OF ORMOC, HEREIN REFERRED TO AS "DONEE", FOR A PARCEL OF LAND SITUATED AT BARANGAY DOMONAR;

ADOPTED, September 29, 2020.

Res. No. 2020-315

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; Mr. Lorenzo Baltonado; the City Engineer; the City Assessor; the City Treasurer; the CPDO; the City Local Government Operations Officer-DILG; and other offices concerned 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:


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

NEW

Res. # 2020 - 315

"Annex A"

DEED OF DONATION

KNOW ALL MEN BY THESE PRESENTS:

This Deed of Donation made and executed by and between:

LORENZO BALTONADO, of legal age, Filipino citizen, married to **VIOLETA M. BALTONADO** and a resident of #184 London St., Dona Feliza Mejia Subdivision, Brgy. Feliza Mejia, Ormoc City, hereinafter referred to as the "**DONOR**"

— and —

The **CITY GOVERNMENT OF ORMOC**, a municipal corporation existing under the laws of the Republic of the Philippines, represented herein by **RICHARD I. GOMEZ**, City Mayor of Ormoc City, likewise of legal age, Filipino citizen, married with office/business address at City Mayor's Office, New Ormoc City Hall, Aunubing St., Brgy. Cogon, Ormoc City, hereinafter referred to as the "**DONEE**";

WITNESSETH:

That the **DONOR** is the absolute owner in fee simple of a certain parcel of land consisting of an area of **ONE HUNDRED SIXTEEN THOUSAND THREE HUNDRED AND THIRTY FOUR (116,334) SQUARE METERS**, more or less, together with all the improvements thereon situated at Barangay Domonar, and covered by Original certificate of Title NO. 0-388 of the Office of the Register Deeds for the City of Ormoc, more particularly described as follows:

OCT NO. 0-388

A certain parcel of land (Lot 6495 of the Cadastral Survey of Ormoc, Cadastral Case No. 33, LRC Cadastral Record No. 1788), with the improvements thereon, situated in the City of Ormoc. Bounded on the N. points 10-12, by Lot No. 6549; on the NE., point 12-1, by Lot No. 10004; points 1-4, by Lot No. 6494; and points 4-5, by Lot No. 6491; on the SE., points 5-6, by Lot No. 6492; on the SW., points 6-7, by Lot No. 11226; on points 7-9, by Lot No. 6642; and on the NW., points 9-10, by Lot No. 6549. Beginning a point marker "I" on plan being S. 13 deg. 45' W., 889.88 m. from BLLM No. 177:

S. 2 deg. 19' W., 183.51 m. to point 2; S. 63 deg. 31' E., 95.12 m. to point 3; N. 47 deg. 09' E., 247.01 m. to point 4; S. 15 deg. 54' E., 175.89 m. to point 5; S. 40 deg. 14' W., 276.40 m. to point 6; N. 45 deg. 17' W., 367.62 m. to point 7; N. 24 deg. 48' W., 55.45 m. to point 8; N. 34 deg. 57' W., 70.84 m. to point 9; N. 19 deg. 03' E., 165.06 m. to point 10; S. 59 deg. 33' E., 73.84 m. to point 11; N. 84 deg. 39' E., 52.85 m. to point 12; S. 26 deg. 47' E., 58.42 m. to the point of beginning; containing an area of **ONE HUNDRED SIXTEEN THOUSAND THREE HUNDRED AND THIRTY FOUR (116,334) SQUARE METERS**, more or less. All points referred to are indicated on the plan and marked on the ground; bearing true; date of the Cadastral Survey August, 1928 - June, 1935."

That the above-described parcel of land was also declared in the name of the **DONOR** under Tax Declaration No. 00027-00013 R-10 of the Office of the City Assessor of Ormoc City;

That the **DONOR** recognizes and supports the noble tasks, duties and functions of the **DONEE** in promoting the welfare of the community in Ormoc City;

That the **DONOR** desires to assist the **DONEE** and give further impetus to its numerous programs, project and activities for the benefit and welfare of the people of Ormoc City;

That for and in consideration of the foregoing premises and as an act of liberality, magnanimity and generosity of the **DONOR**, the **DONOR** hereby voluntarily and freely **TRANSFERS** and **CONVEYS ABSOLUTELY** by way of **DONATION** unto the **DONEE**, his successors and assigns, a portion of the rights, title, participation and interest which said **DONOR** has on the above-described real property, equivalent to **EIGHT THOUSAND EIGHT HUNDRED FORTY THREE (8,843) SQUARE METERS**, together with all the improvements found therein free from all liens, encumbrances and charges whatsoever, for the general welfare programs of the **DONEE**, including for the construction of a road;

The area donated is indicated in the sketch plan attached as Annex "A" and made an integral part of this instrument;

That the **DONEE** hereby accepts the donation of the described parcel of land and improvement found therein and hereby expresses its gratitude and appreciation for the support, kindness and liberality of the **DONOR**.

IN WITNESS WHEREOF, we have hereunto set our hands, this _____ at Ormoc City, Leyte, Philippines

With my marital consent:

LORENZO BALTONADO
DONOR

VIOLETA M. BALTONADO
DONOR'S WIFE

CITY GOVERNMENT OF ORMOC
DONEE

By:

RICHARD I. GOMEZ
CITY MAYOR

SIGNED IN THE PRESENCE OF:

Witness

Witness

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
ORMOC CITY.....) S. S.

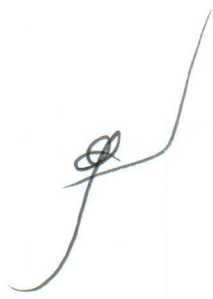
BEFORE ME, NOTARY PUBLIC, this ____ day of September 2020. Personally appeared before me the parties:

Name	CTC No./ID No.	Date and Place Issued
LORENZO BALTONADO		
RICHARD I GOMEZ		

who are known to me to be the same persons who executed the foregoing instrument, consisting of three (3) pages including this page on which this acknowledgement is written and signed by the parties and their instrumental witnesses, and they both acknowledged to me that the same is their free and voluntary act and deed.

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

Doc. No.: _____
Page No.: _____
Book No.: _____
Series of 2020



" Annex B "

OFFICE OF THE CITY LEGAL OFFICER

Ormoc City, Leyte

January 14, 2020

MAYOR RICHARD I. GOMEZ

Ormoc City

Mayor Gomez:

Forwarding to your office, the proposed Deed of Donation that was referred to this office for drafting and preparation (portion of Lot 6495). This office certifies that the same is not contrary to laws, customs or public policy.

Attached to this letter are the following documents:

1. Machine copy of OCT No. O- 388 (Certified copy of title with the City Legal Office);
2. Machine copy of the Tax Declaration (original on file with City Legal Office);
3. Sketch of the proposed site to be donated;
4. Machine copy of the Certification dated March 5, 2019 by the Clerk of Court of the RTC Branch 12 (machine copy on file with the City Legal Office);
5. Machine copy of the Certification from the Clerk of Court dated March 5, 2019 that Lot 6195 is not the subject of any Land Registration Proceeding/ Civil Case (original on file with the City Legal Office); and
6. Draft Deed of Donation.

It is the recommendation of this office that the same be referred to the Sangguniang Panlungsod to request for the issuance of a Resolution authorizing the City Mayor to accept the mentioned donation.

For your consideration.

Most Respectfully,

JOSEPHINE A. MEJIA-ROMERO
City Legal Officer

New Ormoc City Hall, Aunubing St., Cogon, Ormoc City
(053)255-7395 loc. 1010 ++ clo.ormoc@gmail.com

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

Annex "C"

JOINT AFFIDAVIT OF NO OPPOSITION/OBJECTION

We, JESSIE BALTONADO, LUZ B. LARRAZABAL AND REYNALDO BALTONADO, Filipinos, of legal ages, and residents of Ormoc City, after being sworn in accordance with law, hereby depose and say, THAT:

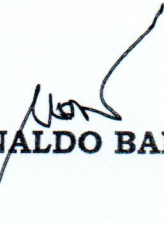
1. We were informed about the donation made by our brother Lorenzo Baltonado over a portion of Lot 6495, located in Brgy. Domonar, Ormoc City, in favor of the City of Ormoc to be used as barangay site of Brgy. Domonar.
2. We have a claim over the aforesaid parcel of land as it belongs to the estate of our late mother Eugenia Baltonado and subject of a case pending before RTC 12, Ormoc City docketed as SP. Proc. No. 1042-O.
3. However, we fully support to the programs of the City therefore we have NO OPPOSITION/OBJECTION to the aforesaid donation without prejudice to our claims to the rest of the estate of our deceased mother Eugenia Baltonado.
4. We execute this affidavit in order to attest the truth of the foregoing and for any legal purpose this may serve.

IN WITNESS WHEREOF, I have hereunto set my hands this September 25, 2020, at Ormoc City, Philippines.

Affiants:



JESSIE BALTONADO


LUZ B. LARRAZABAL


REYNALDO BALTONADO

SUBSCRIBE AND SWORN to before me this September 25, 2020 at Ormoc City, Philippines. Affiant exhibited to me their competent identifications to wit:

Doc. No. 1047
Page No. 28
Book No. 54
Series of 2020


ATTY. JASPER M. LUCERO
Notary Public for the City of Ormoc
Municipalities of Kananga, Matagob, Merida,
Isabel, Leyte under NC No. DRM-19-12-16
My commission expires on Dec. 31, 2021
PTR No. 6245829 / Ormoc City / 01-13-2020
IBP No. 111623 / Leyte / 01-22-2020
Roll No. 45391, May 8, 2000

Annex D

Republic of the Philippines
REGIONAL TRIAL COURT
8th Judicial Region
Ormoc City


OFFICE OF THE CLERK OF COURT

CERTIFICATION


THIS IS TO CERTIFY that Lot No./Survey No. 6496 under ARP/Tax Deed (affor No. 00027-00013 situated at Brgy. DOMONAR, ORMOC CITY, LEYTE and registered in the name of LORENZO BALONADO of Mabini St., Ormoc City, Leyte, is NOT subject to any Land Registration Proceedings or any Civil Case or used as bond in any Criminal Case pending before this Court.


This certification is issued upon the request of Mr. Lorenzo Balonado.


Issued this 5th day of March, 2019, at Ormoc City, Leyte, Philippines

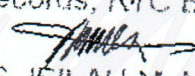

MARIA PAMELA S. OLIVER
Clerk of Court VI

Verified by:


CECILIA S. ACEBEDO
Civil Records, RTC Branch 12


GAY M. BORREL
Criminal Records, RTC Branch 12


MILANI M. BODIONGAN
Civil Records, RTC Branch 35


JANIES JEILAN M. NUEVO
Criminal Records, RTC Branch 35


CAROLINE P. COSTELO
Criminal & Civil Records, RTC Branch 47

Paid under G.R. No. 9684674C/9683982C

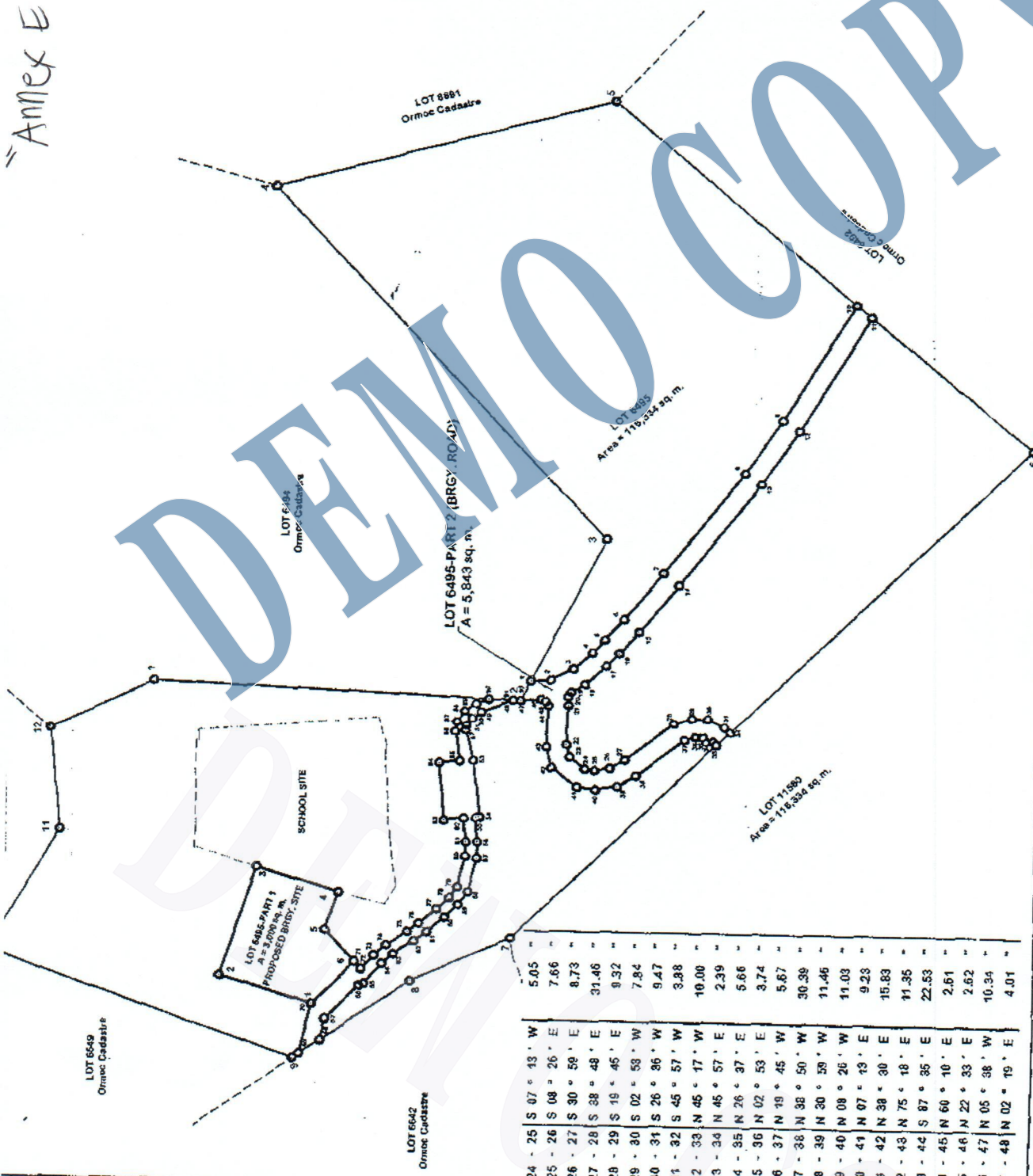
Issued on : March 5, 2019

Amount Paid

Annex E

49 - 50	N 31°	34°	W
50 - 51	N 56°	21°	W
51 - 52	N 80°	30°	W
52 - 53	S 76°	22°	W
53 - 54	S 83°	04°	W
54 - 55	N 12°	27°	W
55 - 56	S 85°	46°	W
56 - 57	S 89°	60°	W
57 - 58	N 76°	09°	W
58 - 59	N 56°	14°	W
59 - 60	N 44°	58°	W
60 - 61	N 41°	36°	W
61 - 62	N 38°	00°	W
62 - 63	N 33°	39°	W
63 - 64	N 42°	58°	W
64 - 65	N 48°	40°	W
65 - 66	N 24°	09°	W
66 - 67	N 48°	35°	W
67 - 68	N 77°	27°	W
68 - 69	N 34°	57°	W
69 - 70	S 76°	44°	E
70 - 71	S 46°	35°	E
71 - 72	S 48°	04°	W
72 - 73	S 48°	41°	E
73 - 74	S 42°	58°	E
74 - 75	S 33°	41°	E
75 - 76	S 38°	01°	E
76 - 77	S 41°	36°	E
77 - 78	S 44°	50°	E
78 - 79	S 56°	14°	E
79 - 80	S 78°	09°	E
80 - 81	N 89°	60°	E
81 - 82	N 85°	47°	E
82 - 83	N 05°	02°	W
83 - 84	N 84°	58°	E
84 - 85	S 04°	45°	E
85 - 86	N 82°	19°	E
86 - 87	S 83°	44°	E
87 - 88	S 56°	22°	E
88 - 89	S 37°	34°	E
89 - 90	S 22°	57°	E
90 - 91	S 02°	19°	W
91 - 92	S 02°	19°	W
92 - 1	S 63°	31°	E

TIE LINE FROM BLIM # 177 TO
"1", ORMOC CADASTRE # 258.



LOT 6495	S 13° 45' W	889.91 M.
	S 02° 19' W	183.51 "
	S 83° 31' E	95.13 "
	N 47° 09' E	247.03 "
	S 15° 54' E	175.89 "
	S 40° 14' W	278.51 "
	N 45° 17' W	887.62 "
	N 24° 48' W	55.45 "
	N 34° 57' W	70.84 "
	N 19° 03' E	165.05 "
	S 59° 38' E	73.83 "
	N 84° 39' E	52.85 "
	S 26° 47' E	58.93 "
LOT 6495-PART-1 (BRGY. SITE)	S 21° 57' W	1018.23 M.
	N 17° 24' E	45.42 "
	S 72° 36' E	60.32 "
	S 17° 24' W	50.14 "
	N 46° 35' W	18.29 "
	S 48° 04' W	7.21 "
	N 46° 35' W	5.40 "
	S 48° 04' W	15.07 "
	N 46° 35' W	30.80 "
LOT 6495-PART-2 (BRGY. ROAD)	S 11° 11' W	1078.49 M.
	S 08° 40' E	10.00 "
	S 28° 11' E	12.50 "
	S 43° 00' E	12.75 "
	S 46° 44' E	8.75 "
	S 48° 34' E	14.87 "
	S 51° 29' E	31.14 "
	S 53° 02' E	66.87 "
	S 56° 46' E	33.71 "
	S 59° 54' E	71.48 "
	S 40° 14' W	10.16 "
	N 59° 54' W	69.96 "
	N 56° 46' W	34.31 "
	N 53° 02' W	67.92 "
	N 51° 29' W	31.54 "
	N 48° 34' W	15.28 "
	N 46° 44' W	9.24 "
	I 42° 60' W	14.18 "
	S 0° 23' W	8.44 "
	S 60° 55' W	2.74 "
	S 86° 27' W	4.69 "
	S 17° 35' W	21.54 "
	S 5° 18' W	6.52 "
	I 30° 30' W	9.71 "

Project Name & Location: **LOT 6495
PROPOSED DOMONAR BRGY. SITE
Brgy. Domonar, Ormoc City**

Republic of the Philippines
OFFICE OF THE CITY ENGINEER
Ormoc City

Submitted by: _____
Surveyed by: _____
Plotted by: _____
Recommended for Approval: _____
Administrative Assistant II

Approved by: _____
RICHARD I. GOMEZ
City Mayor

SHEET NO. _____

SCALE 1:3000 M.