

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 OCTOBER 27, 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
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

ON LEAVE:

Vincent L. Rama,	SP Member
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RESOLUTION NO. 2020-349

A RESOLUTION RATIFYING THE DEED OF ABSOLUTE SALE DATED OCTOBER 6, 2020 MADE AND EXECUTED BY AND BETWEEN THE HEIRS OF SPOUSES MAMERTO ESPINA AND FLOR PEÑARANDA IN FAVOR OF THE LOCAL GOVERNMENT UNIT OF ORMOC.

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated October 21, 2020 from the Office of the City Mayor, requesting for issuance of a resolution ratifying the Deed of Absolute Sale dated October 6, 2020 made and executed by and between the Heirs of Spouses Mamerto Espina and Flor Peñaranda in favor of the Local Government Unit of Ormoc. Further requesting that this matter be treated as EXTREMELY URGENT, a copy of the Deed of Absolute Sale is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, the Heirs of Spouses Mamerto Espina and Flor Peñaranda, the Vendors, are the absolute and registered owner of one (1) parcel of land located in Ormoc City, Philippines, identified as Lot No. PSU-137086 and covered by Transfer Certificate of Title (TCT) No. TH-246 containing an area of One Hundred Ninety-Seven Thousand Two Hundred and Ninety-Six (197,296) Square Meters;

WHEREAS, the City Government of Ormoc, the Vendee, has offered to purchase the rights and interests of the Vendors over a portion of above-described property equivalent to Fifty Thousand (50,000) Square Meters and the Vendor has agreed to sell the same;

WHEREAS, the portion to be conveyed to the Vendee is used as Relocation Site for the socialized housing project of its intended beneficiaries affected by the July 6, 2017 earthquake;

WHEREAS, for and in consideration of the sum of Eleven Million Philippine Pesos (Php11,000,000.00) for Fifty Thousand (50,000) Square Meters, which amount the Vendors acknowledge to have received in full, the Vendors sell, transfer, and convey, absolutely and unconditionally, unto the Vendee, its successors-in-interests and assigns, a portion of the above-mentioned property equivalent to Fifty Thousand (50,000) Square Meters of the above-described parcel of land, with all the improvements existing thereon;

WHEREAS this Sanggunian, after thorough examination of the aforementioned request by the City Mayor, in addition to finding the price on the Deed of Absolute Sale as just, fair and reasonable, additionally 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 for the purchase of the portion of the parcel of land, 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, Esteban V. Laurente, Joan Marbie C. Simbajon, Lalaine A. Marcos, Peter M. Rodriguez and Tomas R. Serafica; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION RATIFYING THE DEED OF ABSOLUTE SALE DATED OCTOBER 6, 2020 MADE AND EXECUTED BY AND BETWEEN THE HEIRS OF SPOUSES MAMERTO ESPINA AND FLOR PEÑARANDA IN FAVOR OF THE LOCAL GOVERNMENT UNIT OF ORMOC;

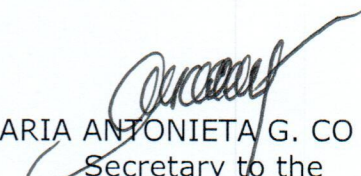
ADOPTED, October 27, 2020.

RESOLVED, FURTHER, that a copy of the final notarized Deed of Absolute Sale 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; Heirs of Spouses Mamerto Espina and Flor Peñaranda; the City Assessor; the City Treasurer's Office; 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

DEED OF ABSOLUTE SALE

KNOW ALL MEN BY THESE PRESENTS:

This Deed of Absolute Sale made and executed by and between:

THE HEIRS OF SPOUSES MAMERTO ESPINA AND FLOR PEÑARANDA, namely: LEYMINDA ESPINA MANNING, MUTYA LUZ ESPINA GLOVER, SEFAMAR P. ESPINA, MARTIN P. ESPINA, GRACE ORMA ESPINA YPIL, MAMERTO P. ESPINA JR. and FLORA MAY P. ESPINA, HEREIN REPRESENTED BY WINSTON RIZCENTE P. ESPINA (for himself and as their Attorney-in-Fact by virtue of a Special Power of Attorney, a copy of which is hereto attached and made part of this contract), Filipino, of legal age and resident of Cavite City, hereinafter referred to as the VENDORS;

-IN FAVOR OF-

THE LOCAL GOVERNMENT UNIT OF ORMOC, a public corporation created and existing under Philippine laws, with address at Aunubing Streer, Brgy. Cogon, Ormoc City, represented by Mayor RICHARD I. GOMEZ, hereunder referred to as the VENDEE;

WITNESSETH: That

WHEREAS, VENDORS are the absolute and registered owners of ONE (1) parcel of land located in Ormoc City, Philippines, identified as Lot No. PSU-137086 and covered by Transfer Certificate of Title (TCT) No. TH-246;

WHEREAS, the above-described property is more particularly described as follows:

TRANSFER CERTIFICATE OF TITLE NO. TH-246

"A parcel of land (lot shown on Plan Psu-137086), situated in the City of Ormoc. Bounded on the SW., along line 1-2 by Lot 9051, Ormoc Cadastre; along line 2-3 by property of Simplicio Graciano along lines 4-6 by Lot 10851, Ormoc Cadastre; and along the line 6-1 by property of Felipe Delgado. Beginning at a point marked "I" on plan, being S.79 deg. 52' E., 1678.08 m. from B.L.L.M. 64 Ormoc Cadastre thence W. 1 deg. 56' E., 193.04m. to point 2; thence N. 23 deg. 47' E., 436.55m. to point 3; thence S. 64 deg. 54' E., 341.82m. to point 4; thence S. 24 deg. 55' W., 156.55m. to point 5; thence S. 24 deg. 38' W., 434.48m. to point 6; thence N. 69 deg. 56' W., 260.90m. to the point of beginning; containing an area of ONE HUNDRED NINETY SEVEN THOUSAND TWO HUNDRED AND NINETY SIX (197,296) Square Meters. All points referred to are indicated on the plan and are marked on the ground as follows: points 1 and 2 by Old Corners; points 2 and 6 by G.I.S. on trees, and the rest by P.L.S. Cyl. Conc. Mons.; bearing true; date of the survey, July 6-16, 1950, executed by Jesus B. Basas, Private Land Surveyor and approved on November 24, 1953.

WHEREAS, The VENDEE has offered to purchase the rights and interests of the VENDOR over A PORTION of above-described property equivalent to FIFTY THOUSAND (50,000) SQUARE METERS and the VENDOR has agreed to sell the same;

WHEREAS, the portion to be conveyed to the VENDEE is that used as RELOCATION SITE for the socialized housing project of its intended beneficiaries affected by the 6 July 2017 earthquake;

NOW, THEREFORE, for and in consideration of the sum of ELEVEN MILLION PESOS (PHP 11,000,000.00) for FIFTY THOUSAND (50,000) SQUARE METERS, which amount the VENDORS hereby acknowledge to have received in full, the VENDORS hereby sell, transfer and convey, absolutely and unconditionally, unto the VENDEES, its successors -in- interests and

assigns, a portion of the above-mentioned property equivalent to FIFTY THOUSAND (50,000) square meters of the above –described parcel of land, with all the improvements existing thereon.

VENDORS hereby warrant valid title to and peaceful possession of the property herein sold and conveyed and further declare that the same is free and clear of all liens and encumbrances of any kind whatsoever.

VENDOR further declares that all conveyances issued with hereto is/are rendered of no effect.

IN WITNESS WHEREOF, Parties have hereunto affixed their signatures this 06 OCT 2020 day of 06 OCT 2020 at Ormoc City, Leyte, Philippines.

THE HEIRS OF SPOUSES MAMERTO ESPINA AND FLOR PEÑARANDA
REPRESENTED BY: WINSTON RIZCENTE P. ESPINA

[Signature]

[Signature: WINSTON RIZCENTE P. ESPINA]

ACKNOWLEDGEMENT

Republic of the Philippines)

City of Ormoc) S.S

Before me, this 06 OCT 2020 at Ormoc City, Philippines, VENDOR personally appeared with competent evidence identity: _____ known to me to be the same person who executed the foregoing Deed of Absolute Sale consisting of TWO (2) pages, including the page on which this acknowledgement is written and he acknowledged to me that the same is his 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. 13 ;
Page No. 04 ;
Book No. 70 ;
Series of 2020.

[Signature]

ACKNOWLEDGEMENT RECEIPT

This to acknowledgement receipt of the sum of ELEVEN MILLION PESOS (Php 11,000,000.00) from THE LOCAL GOVERNMENT UNIT OF ORMOC as payment for the transfer and sale of a portion of a parcel of land identified as Lot No. PSU-137086 and covered by Transfer Certificates of Title No. TH-246, equivalent to Fifty Thousand(50,000) square meters, which amount pertains to me and To my siblings namely: Leyminda Espina Manning, Mutya Luz Espina Glover, Sefamar P. Espina, Martin P. Espina, Grace Orma Espina Ypil, Mamerto P. Espina Jr. and Flora May P. Espina, share and share alike _____, Ormoc City.

[Signature]
WINSTON RIZCENTE P. ESPINA

SUBSCRIBED AND SWORN to before me this 06 OCT 2020 in Ormoc City, Philippines, affiant exhibiting competent evidence of identity: _____

Doc No. 14 ;
Page No. 04 ;
Book No. 70 ;
Series of 2020.

[Signature]

DEED OF ABSOLUTE SALE

KNOW ALL MEN BY THESE PRESENTS:

This Deed of Absolute Sale made and executed by and between:

THE HEIRS OF SPOUSES MAMERTO ESPINA AND FLOR PEÑARANDA, namely: LEYMINDA ESPINA MANNING, MUTYA LUZ ESPINA GLOVER, SEFAMAR P. ESPINA, MARTIN P. ESPINA, GRACE ORMA ESPINA YPIL, MAMERTO P. ESPINA JR. and FLORA MAY P. ESPINA, HEREIN REPRESENTED BY WINSTON RIZCENTE P. ESPINA (for himself and as their Attorney-in-Fact by virtue of a Special Power of Attorney, a copy of which is hereto attached and made part of this contract), Filipino, of legal age and resident of Cavite City, hereinafter referred to as the VENDORS;

-IN FAVOR OF-

THE LOCAL GOVERNMENT UNIT OF ORMOC, a public corporation created and existing under Philippine laws, with address at Aunubing Streer, Brgy. Cogon, Ormoc City, represented by Mayor RICHARD I. GOMEZ, hereunder referred to as the VENDEE;

WITNESSETH: That

WHEREAS, VENDORS are the absolute and registered owners of ONE (1) parcel of land located in Ormoc City, Philippines, identified as Lot No. PSU-137086 and covered by Transfer Certificate of Title (TCT) No. TH-246;

WHEREAS, the above-described property is more particularly described as follows:

TRANSFER CERTIFICATE OF TITLE NO. TH-246

A parcel of land (lot shown on Plan Psu-137086), situated in the City of Ormoc. Bounded on the SW., along line 1-2 by Lot 9051, Ormoc Cadastre; along line 2-3 by property of Simplicio Graciano along lines 4-6 by Lot 10851, Ormoc Cadastre; and along the line 6-1 by property of Felipe Delgado. Beginning at a point marked "I" on plan, being S.79 deg. 52'E., 1678.08 m. from B.L.L.M. 64 Ormoc Cadastre thence W. 1 deg. 56'E., 193.04m. to point 2; thence N. 23 deg. 47'E., 436.55m. to point 3; thence S. 64 deg. 54'E., 341.82m. to point 4; thence S. 24 deg. 55'W., 156.55m. to point 5; thence S. 24 deg. 38' W., 434.48m. to point 6; thence N.69 deg. 56'W., 260.90m. to the point of beginning; containing an area of ONE HUNDRED NINETY SEVEN THOUSAND TWO HUNDRED AND NINETY SIX (197,296) Square Meters. All points referred to are indicated on the plan and are marked on the ground as follows: points 1 and 2 by Old Corners; points 2 and 6 by G.I.S. on trees, and the rest by P.L.S. Cyl. Conc. Mons.; bearing true; date of the survey, July 6-16, 1950, executed by Jesus B. Basas, Private Land Surveyor and approved on November 24, 1953.

WHEREAS, The VENDEE has offered to purchase the rights and interests of the VENDOR over A PORTION of above-described property equivalent to FIFTY THOUSAND (50,000) SQUARE METERS and the VENDOR has agreed to sell the same;

WHEREAS, the portion to be conveyed to the VENDEE is that used as RELOCATION SITE for the socialized housing project of its intended beneficiaries affected by the 6 July 2017 earthquake;

NOW, THEREFORE, for and in consideration of the sum of ELEVEN MILLION PESOS (PHP 11,000,000.00) for FIFTY THOUSAND (50,000) SQUARE METERS, which amount the VENDORS hereby acknowledge to have received in full, the VENDORS hereby sell, transfer and convey, absolutely and unconditionally, unto the VENDEES, its successors -in- interests and

assigns, a portion of the above-mentioned property equivalent to FIFTY THOUSAND (50,000) square meters of the above –described parcel of land, with all the improvements existing thereon.

VENDORS hereby warrant valid title to and peaceful possession of the property herein sold and conveyed and further declare that the same is free and clear of all liens and encumbrances of any kind whatsoever.

VENDOR further declares that all conveyances issued with hereto is/are rendered of no effect.

IN WITNESS WHEREOF, Parties have hereunto affixed their signatures this 06 OCT 2020 day of CEBU CITY at Ormoc City, Leyte, Philippines.

THE HEIRS OF SPOUSES MAMERTO ESPINA AND FLOR PENARANDA
REPRESENTED BY: WINSTON RIZCENTE P. ESPINA

WINSTON RIZCENTE P. ESPINA

ACKNOWLEDGEMENT

Republic of the Philippines)

City of Ormoc) S.S

Before me, this 06 OCT 2020 at CEBU CITY Ormoc City, Philippines, VENDOR personally appeared with competent evidence identity: _____ known to me to be the same person who executed the foregoing Deed of Absolute Sale consisting of TWO (2) pages, including the page on which this acknowledgement is written and he acknowledged to me that the same is his 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. 13 ;
Page No. 04 ;
Book No. 70 ;
Series of 2020.

ACKNOWLEDGEMENT RECEIPT
SUNTA G. GO PLANI
Notary Public in Cebu City
Until December 31, 2021
Notarial Commission No. 10-10
Villa Armar, Lapulapu City, Cebu
(Roll of Not. 10074-10100)
P.O. No. 09149-10100
Cebu City, Cebu, Philippines



This to acknowledgement receipt of the sum of ELEVEN MILLION PESOS (Php 11,000,000.00) from THE LOCAL GOVERNMENT UNIT OF ORMOC as payment for the transfer and sale of a portion of a parcel of land identified as Lot No. PSU-137086 and covered by Transfer Certificates of Title No. TH-246, equivalent to Fifty Thousand(50,000) square meters, which amount pertains to me and To my siblings namely: Leymindia Espina Manning, Mutya Luz Espina Glover, Sefamar P. Espina, Martin P. Espina, Grace Orma Espina Ypil, Mamerto P. Espina Jr. and Flora May P. Espina, share and share alike _____, Ormoc City.

WINSTON RIZCENTE P. ESPINA

SUBSCRIBED AND SWORN to before me this 06 OCT 2020 in CEBU CITY Philippines, affiant exhibiting competent evidence of identity: _____

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