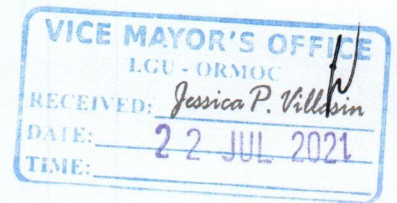


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 JULY 21, 2021 IN LIEU OF
JULY 20, 2021

PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member, Majority Floor Leader
Roiland H. Villasencio,	SP Member, 1 st Asst. Majority Floor Leader
Tomas R. Serafica,	SP Member, Presiding Officer "Pro-Tempore"
Nolito M. Quilang,	SP Member, 2 nd 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. 2021-202

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR RICHARD I. GOMEZ/ OIC CITY MAYOR/
ACTING CITY MAYOR TO ENTER INTO AND SIGN THE
CONTRACT TO BUY AND SELL, AND DEED OF
ABSOLUTE SALE FOR AND IN BEHALF OF THE LOCAL
GOVERNMENT UNIT OF ORMOC CITY, AS VENDEE,
WITH MR. JOSE LUIS D. TAN, AS VENDOR, OF A
PARCEL OF LAND IDENTIFIED AS LOT NO. 1-A,
SITUATED AT BARANGAY MABINI, THIS CITY.**

WHEREAS, the Fifteenth Sangguniang Panlungsod ng Ormoc received an endorsement letter from the Office of the City Mayor re: a request for the passage of a Resolution granting him or his representative the authority to enter into and sign the Contract to Buy and Sell, and Deed of Absolute Sale on the proposed acquisition of land, and further requesting that the matter be treated as urgent, a copy of the said letter is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, Section 17 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, mandates the local government units to exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provisions of the basic services and facilities;

WHEREAS, in the performance of such functions, the VENDEE has planned, programmed and funded projects in Barangay Mabini, this City;

WHEREAS, the VENDOR owns a parcel of land identified as Lot No. 1-A, containing an area of SIXTY-EIGHT THOUSAND SIX HUNDRED FORTY-FIVE (68,645) SQUARE METERS and covered by Transfer Certificate of Title (TCT for brevity) No. 50455, a photocopy of the TCT is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, in a Memorandum dated 24 May 2021 issued by the Appraisal Committee, the recommended appraised value of the aforesaid lot should not be more than NINE HUNDRED PHILIPPINE PESOS (Php900.00) per square meter, a copy of the said Memorandum is hereto attached as Annex "C" and made an integral part hereof;

WHEREAS, the VENDEE offered to purchase the lots of the VENDORS for a contract price of SIX HUNDRED PHILIPPINE PESOS (Php600.00) per sqm. subject to the terms and conditions set forth in the contract to buy and sell to which the latter accepted;

WHEREAS, the City Budget Officer and the City Accountant issued Statement of Supplemental Appropriation CY 2021 stating that the amount of TWELVE MILLION PHILIPPINE PESOS (Php12,000,000.00) is deemed available for the purchase of the abovementioned parcel of land, a copy of the Statements are hereto attached as Annexes "D" and "E" and made an integral part hereof;

WHEREAS, in a communication from the City Legal Office dated 2 June 2021, it stated therein that it finds nothing objectionable to the offer and recommends that a corresponding resolution be issued;

WHEREAS, the said property shall be considered as forming part of the City's properties for public use pursuant to the applicable provisions of the Civil Code;

WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor, in addition to finding that the price on the contract is just, fair and reasonable, additionally finds that: the same is not contrary to law, existing contract, public policy, customs and morals and that the same is entered into for the best interest of the City; and that the granting of the authority facilitates the ongoing developmental progress of the City and henceforth, deserving of this august Body's prompt and favorable consideration;

NOW THEREFORE, on motion of SP Member Roiland H. Villasencio, Chairman, Committee on Public Properties and SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Esteban V. Laurente, Peter M. Rodriguez, Lalaine A. Marcos, Eusebio Gerardo S. Penserga, Gregorio G. Yrastorza III, Vincent L. Rama, Tomas R. Serafica and Jasper M. Lucero; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ/ OIC CITY MAYOR/ ACTING CITY MAYOR TO ENTER INTO AND SIGN THE CONTRACT TO BUY AND SELL, AND DEED OF ABSOLUTE SALE FOR AND IN BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC CITY, AS VENDEE, WITH MR. JOSE LUIS D. TAN, AS VENDOR, OF A PARCEL OF LAND IDENTIFIED AS LOT NO. 1-A, SITUATED AT BARANGAY MABINI, THIS CITY;

ADOPTED, July 21, 2021.

RESOLVED, FURTHER, that a copy of the final notarized Contract to Buy and Sell be submitted to this Sanggunian for its information and file;

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 City Accountant; the City Budget Officer; the City Treasurer; the City Planning & Development Office the City Auditor; Mr. Jose Luis D. Tan; the City Local Government Operations Officer- DILG; and other offices concerned for their information and guidance;

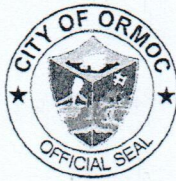
CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Paniungsod

ATTESTED:


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



Annex "A"

202

Republic of the Philippines
OFFICE OF THE CITY MAYOR
Ormoc City

14 JUN 2021
2:32 P.M.

2nd Endorsement

June 14, 2021

2:32 P.M.

This is to respectfully endorse to the Office of the Sangguniang Panlungsod, the herein request for an issuance of a Resolution granting the City/Mayor or his representative, the authority to enter into and sign the attached **CONTRACT TO BUY AND SELL** and the **DEED OF ABSOLUTE SALE** subsequent thereto, relative to the proposed acquisition of a parcel of land identified as Lot No. 1, covered by TCT No 50455 located in Brgy. Mabini, Ormoc City.

Further requesting that this matter be treated as Urgent.

For your appropriate action.

RICHARD I. GOMEZ, DPA

City Mayor

Attachments:

1. Machine copy of Transfer Certificate of title No. 50455 (certified copy on file with CLO)
2. Draft Contract to Buy and Sell
3. Machine Copy of the Appraisal Report dated May 24, 2021 (original file with CLO)
4. Aerial photograph of location of property
5. Machine copy of Tax Declaration No. 00051-00187

New Ormoc City Hall, Ormoc City, Leyte (053)-560-8145
www.ormoc.gov.ph
#GetOrmocMovingAhead
RIG/JAM/LPD/CPM

ORMOC CITY



Annex "B"

SN No. 9082596

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
Land Registration Authority
QUEZON CITY

REGISTRY OF DEEDS FOR THE ORMOC CITY

Transfer Certificate of Title

No. 50455

ORMOC CITY

IT IS HEREBY CERTIFIED that certain land situated in the

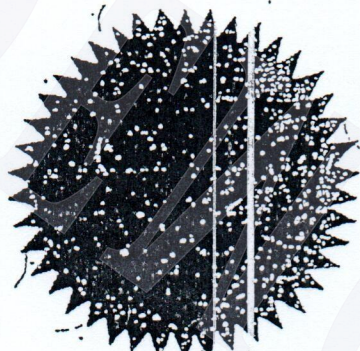
bounded and described as follows:

A parcel of land (Lot 1 of the consolidation and subdivision plan, Pcs-5788, being a portion of the consolidation of Lots 3541, 3542, 3544, 3545, 3546, 3548, 3549, 3550, 3552, 3553, 3558 and 6488 of the cadastral survey of Ormoc L.R.C. Cad. Rec. No. 1714, situated in the Barrio of San Antonio and Mabini, City of Ormoc. Bounded on the SE., S., and SW., along lines 1-2-3-4-5 by lot 7 of the consolidation and subdivision plan; on the SW., along lines 5-6-7 by lot 3540 of Ormoc Cad.; on the NE., along lines 7-8-9 by Aginbong River; on the NE., along lines 9-10-11-12 by lot 3 and on the SE., along line 12-1 by lot 7, both of the consolidation and subdivision plan. Beginning at a point marked "X" on plan; being S. 4 deg. 28' E., 1151.24 m. is registered in accordance with the provisions of the Property Registration Decree in the name of (owner) JOSE LUIS D. TAN, of legal age, Filipino, single, resident of and with postal address at Maria Cristina Extension, Cebu City, Philippines,

as owner thereof in fee simple, subject to such of the encumbrances mentioned in Section 44 of said Decree as may be subsisting, and to

IT IS FURTHER CERTIFIED that said land was originally registered on the 21st day of August in the year nineteen hundred and thirty-nine in the Registration Book of the Office of the Register of Deeds of Leyte, Volume 99, page 24498, etc., as Original Certificate of Title No. 24498, etc., pursuant to Decree No. 1714 issued in L.R.C. Cadastral Record No. 1714, in the name of JOSE LUIS D. TAN, which is cancelled by virtue hereof in so far as the above-described land is concerned.

This certificate is a transfer from Transfer Certificate of Title No. CLOA/T-147



Ormoc City, Philippines

(Owner's postal address)

Entered at Ormoc City
Philippines, on the 25th day of June
in the year two thousand and eight
at 8:00 a.m.

ATTEST:

ARTURO P. SUAREZ

(Register of Deeds)

*State the civil status, name of spouse if married, age if a minor, citizenship and residence of the registered owner. If the owner is a married woman, state also the citizenship of her husband. If the land is registered in the name of the conjugal partnership, state the citizenship of both spouses.

MEMORANDUM OF ENCUMBRANCES

(When necessary use this page for the continuation of the technical description)

(cont. of tech. description)

Entry No.

from B.L.L.M. 24, Ormoc Cad.; thence S. 68 deg, 33'W., 7.63 m. to point 2; thence N. 76 deg, 39'W., 302.26 m. to point 3; thence N. 76 deg, 38'W., 310.00 m. to point 4; thence S. 20 deg, 24'W., 154.92 m. to point 5; thence N. 65 deg, 55'W., 214.22 m. to point 6; thence N. 65 deg, 52'W., 7.17 m. to point 7; thence N. 30 deg, 03'E., 208.20 m. to point 8; thence N. 9 deg, 45'E., 136.17 m. to point 9; thence S. 64 deg, 30'E., 300.00 m. to point 10; thence S. 64 deg, 30'E., 250.00 m. to point 11; thence S. 64 deg, 29'E., 289.30 m. to point 12; thence S. 35 deg, 10'W., 45.06 m. to the point of beginning; containing an area of ONE HUNDRED THIRTY EIGHT THOUSAND TWO HUNDRED AND FIFTY EIGHT (138,258) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground as follows: points 6, 7 and 8 by old corners, and the rest by P.S. Cyl. Conc. Mons.; bearings true; date of the original survey, Aug. 1928 - Sept. 1934 and that of the consolidation and subdivision survey, May 20-24 and June 4-8, 1964. Approved Nov. 11, 1965.

ARTURO P. SUAREZ
Register of Deeds

(Memorandum of Encumbrances continued on Page -B)

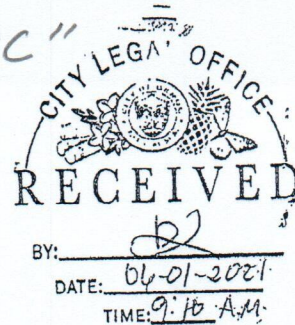
(Technical Description continued on Additional Sheet Page -)

Register of Deeds



REPUBLIC OF THE PHILIPPINES
ORMOC CITY

Annex "C"



MEMORANDUM:

FOR: **HON. RICHARD I. GOMEZ**
City Mayor
Ormoc City

FROM: **APPRAISAL COMMITTEE**
Composed of the City Assessor, City Engineer and City
Planning and Development Officer

SUBJECT: **APPRAISAL REPORT**
Lot 1-A, Pcs-5788, situated in Barangay Mabini (now), Ormoc City

DATE: May 24, 2021

I. GENERAL

The term **Fair Market Value** is defined as the estimated amount for which property should exchange on the date of valuation after proper marketing wherein the parties had each acted knowledgeably, prudently, and without compulsion.

In this definition it is assumed that any transaction shall be based on cash or its equivalent consideration. This price which the property would fetch if offered for sale in the open market would undoubtedly be affected, should the sale be on terms, whether favorable or unfavorable.

It is further assumed that the titles to the property is good, marketable and free from liens and encumbrances, and that fee simple ownership is transferable.

The rights appraised in this report are the property rights in fee simple, free and clear. Fee Simple is defined as the absolute fee without limitation to any particular class of heirs or restrictions but subject to the limitations of eminent domain, escheat, police power and taxation.

II. SCOPE AND PURPOSE OF APPRAISAL

This Appraisal Committee was constituted pursuant to Executive Order No. 56 dated December 10, 2018. It is tasked with the duty to determine the appraise value of a real property owned by Jose Luis D. Tan sought to be used by the LGU of Ormoc City for Future Housing Project.

III. PROPERTY IDENTIFICATION, LOCATION, AND OWNERSHIP

The above subject property has been surveyed and identified as follows:

"A parcel of land, Lot 1-A, Pcs-5788 situated in Barangay Mabini (now), Ormoc City, and covered by TCT No. 50455 of the Register of Deeds of Ormoc City. It is registered in the name of Jose Luis D. Tan."

IV. CLASSIFICATION, IMPROVEMENTS, AND GENERAL CONDITION

The above subject property is classified as Agricultural Land, near to the Leyte Golf and Country Club Golf Course and near to Barangay Mabini Proper. It accessible to land transportation as it is adjacent to a Barangay Road. The property is bounded as follows:

Lines 1-2-3-4-5	on the South and South East by Lot 7, Pcs-5788
Lines 5-6-7	on the South West by Lot 3540, Ormoc Cadastre
Lines 7-8-9	on the North West by Bagumbong River
Lines 9-10-11-12	on the North East by Lot 3, Pcs-5788
Line 12-1	on the South East by Lot 7, Pcs-5788

V. NEIGHBOURHOOD DATA

The property is located in the area where land development is agricultural, residential and industrial.

Generally, the road along the subject parcel of land is designed to accommodate medium to heavy vehicular traffic loads being along a Barangay Road and is connected to Ormoc-Albuera National Road.

VI. COMMUNITY FACILITIES AND UTILITIES

Electric and water supply facilities are available within the vicinity of the site.

Public transportation connecting to the City Proper is available along the Ormoc-Albuera National Road connecting to a Barangay Road which passes through the subject property. Mobile patrols of the PNP are maintained by the City Government with the Police Station No. 4 situated at Barangay Macabug.

VII. GOVERNMENT ASSESSMENT

Market Sales Data of Residential Land opposite this subject property in Barangay Mabini is at Php 1,000.00 per square meter.

BIR Zonal Valuation of Residential Land in Barangay Mabini is at Php 1,000.00 per square meter.

Market Value per approved schedule on Residential Land in Barangay Mabini is at Php 800.00 per square meter.


Considering the average value of the market sales data and the approved schedule of market value, the recommended value would be: (Php 800.00 + Php 1,000.00) divided by 2 is equal to Php 900.00 per square meter. Say, Php 900.00 per square meter.

VIII. RECOMMENDED APPRAISED VALUE


Based on the valuations gathered by the Appraisal Committee, it is recommended that the appraised value of the aforesaid lot should not be more than Nine Hundred Pesos (Php 900.00) per square meter.

Prepared by:

APPRAISAL COMMITTEE


ENGR. RAOUL E. CAM
City Planning and Development Officer


ENGR. RAMULFO D. OLIVEROS
City Engineer


ENGR. ARTHUR C. ARCUINO
City Assessor



Ammer "D"

STATEMENT OF SUPPLEMENTAL APPROPRIATION CY 2021
ORMOC CITY

Implementing Office (1)	Particulars/Purpose (2)	AIP Code (3)	Object of Expenditure (4)	Account Code (5)	Amount (6)
C G S O	acquisition of lot	9000-2-03-000 011-011	Land	1-07-01-010	P12,000,000.00
Total Supplemental Appropriation					P12,000,000.00

Prepared :

SABRINA P. DUERO
City Budget Officer

Approved:

RICHARD L. GOMEZ , DPA
City Mayor

STATEMENT OF FUNDING SOURCES
(SUPPLEMENTAL BUDGET No.)
FY 2021

ORMOC CITY
Province/ City/ Municipality

General Fund
Fund/Special Account

[illegible]

Certified Correct:

DELIA C. VILBAR
City Treasurer

ROSARIO G. SERAFICA
City Accountant