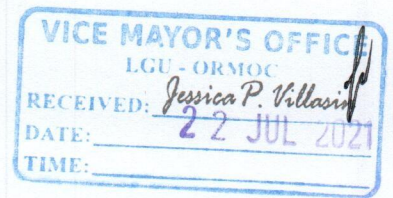


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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.
Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
Tomas R. Serafica,
Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Jasper M. Lucero,
Peter M. Rodriguez,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Lalaine A. Marcos,
Esteban V. Laurente,

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member, 1st Asst. Majority Floor Leader
SP Member, Presiding Officer "Pro-Tempore"
SP Member, 2nd Asst. Majority Floor Leader
SP Member
SP Member
SP Member
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

RESOLUTION NO. 2021-203

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR RICHARD I. GOMEZ/ OIC CITY MAYOR/ACTING
CITY MAYOR TO ENTER INTO AND SIGN THE DEED OF
EXCHANGE TO BE MADE AND EXECUTED BY AND
BETWEEN MR. JONATHAN A. AVILES AND THE CITY
GOVERNMENT OF ORMOC FOR THE PROPOSED
EXCHANGE OF COMMERCIAL LOT SITUATED ALONG
REAL ST., ORMOC CITY.**

WHEREAS, the Fifteenth Sangguniang Panlungsod ng Ormoc received an endorsement letter dated 9 June 2021 from the Office of the City Mayor requesting for the passage of a Resolution granting him or his representative the authority to enter into and sign the Deed of Exchange to be made and executed by the aforementioned parties;

WHEREAS, the City Government of Ormoc (City Government for brevity) is the absolute and registered owner of a parcel of land situated in Ormoc City, identified as Lot No. 1, covered by Original Certificate of Title No. 475 (OCT for brevity), a copy of the OCT is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, Mr. Jonathan A. Aviles (Mr. Aviles for brevity) is the absolute and registered owner of a parcel of land, situated in Ormoc City, identified as Lot No. 563, covered by Transfer Certificate of Title No. 43444 (TCT for brevity), a copy of the said TCT is hereto attached as Annex "B" and made integral part hereof;

WHEREAS, the subject Deed of Exchange clearly encapsulates the terms and conditions of the parties thereto, stating that Mr. Aviles agrees to transfer and convey by way of exchange a portion of the parcel of land covered by TCT No. 43444 equivalent to six (6) square meters to the City Government and in the same manner the latter transfers and conveys by way of exchange a portion of the parcel of land covered by OCT No. 475 equivalent to five (5) square meters to the former, a copy of the Deed is hereto attached as Annex "C" and made an integral part hereof;

WHEREAS, in two (2) communications dated 25 May 2021 from the Office of the Building Official and Office of the City Engineer, both have stated that they do not interpose any objection to the exchange;

WHEREAS, in a communication from the City Legal Office dated 7 June 2021, it stated therein that it finds nothing objectionable to the offer and recommends the issuance of the resolution;

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 and that the same is entered into for the best interest of the City, hence, 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 Nolito M. Quilang, Peter M. Rodriguez, Esteban V. Laurente, Tomas R. Serafica, Lalaine A. Marcos, Jasper M. Lucero, Gregorio G. Yrastorza III and Vincent L. Rama; 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 DEED OF EXCHANGE TO BE MADE AND EXECUTED BY AND BETWEEN MR. JONATHAN A. AVILES AND THE CITY GOVERNMENT OF ORMOC FOR THE PROPOSED EXCHANGE OF COMMERCIAL LOT SITUATED ALONG REAL ST., ORMOC CITY;

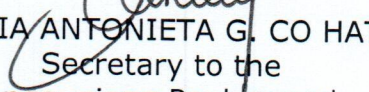
ADOPTED, July 21, 2021.

RESOLVED, FURTHER, that a copy of the final notarized Deed of Exchange be submitted to this Sangguniang for its information and file;


RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor Richard I. Gomez, the City Administrator; the City Legal Officer; Mr. Jonathan A. Aviles; the City Assessor; the City Treasurer; the OBO; CEO; CPDO; the City Local Government Operations Officer-DILG; and other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


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

Annex "A"

202

ORIGINAL CERTIFICATE OF TITLE

CERTIFICADO ORIGINAL DE TITULO

No. 475

OFFICE OF THE REGISTER OF DEEDS FOR THE PROVINCE OF
OFICINA DEL REGISTRADOR DE TITULOS DE LA PROVINCIA DE

Entered pursuant to the following Decree:
Escribiase por virtud del siguiente Decreto:

"Decree No. 12043
"Decreto No.

United States of America

Estados Unidos de America

Philippine Islands
Islas Filipinas

Court of First Instance, Province of

Tribunal de Primera Instancia, Provincia de

Case No.

G. I. R. O.

Record No.

having been duly and regularly heard, in accordance

with the provisions of law, it is hereby decreed that

the owner in fee simple of certain land situated in said Province of

more particularly bounded and described as follows:

THE LAND OWNER IS REMINDED TO UPGRADE THIS PAPER TITLE TO A COMPUTERIZED TITLE OR TITLE (PREVIOUSLY CALLED E-TITLE) TO ENABLE THE COMPUTERIZATION OF HIS/HER REGISTRY TRANSACTIONS.

"Therefore, it is ordered by the Court that said land be registered in accordance with the provisions of the Land Registration Act in the name of

subject, however, to such of the incumbrances mentioned in article 39 of said Law as may be subsisting, and to

"Witness: the Honorable

Verdugo Ruiz

Judge of said Court

this day of

A. D. nineteen hundred and

"Issued at Manila, P. I., the

day of

A. D. 191

at

ATTEST:

Chief of the General Land Registration Office

Received for transcription at the office of the Register of Deeds for the Province of

this day of

nineteen hundred and

at

Register of Deeds

THE LAND OWNER IS REMINDED TO UPGRADE THIS PAPER TITLE TO A COMPUTERIZED TITLE OR eTITLE (PREVIOUSLY CALLED eTITLE) TO ENABLE THE COMPUTERIZATION OF HIS/HER REGISTRY TRANSACTIONS.

THIS IS A CERTIFIED TRUE COPY OF THE GOVERNMENT COPY OF THIS TITLE.

MEMORANDUM of the Incumbrances Affecting the Property Described in this Certificate.
MEMORANDUM de las cargas y gravámenes a que está afecto el inmueble que se describe en este Certificado.

CITE

ENCLOSURE IS REMOVED BY

CONDITIONAL

DATE OF THE INSTRUMENT

DATE OF THE INSTRUMENT

TOTAL AND
RENTAL
PER
M2

REGISTERED IN

DATE OF
CANCELLATION

No. 7080588

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

REGISTRY OF DEEDS FOR THE ORMOC CITY

Transfer Certificate of Title

No. 43444 - 43444

IT IS HEREBY CERTIFIED that certain land situated in the ORMOC CITY

bounded and described as follows:

A parcel of land (Lot 563 of the Cadastral Survey of Ormoc) with the improvements thereon, situated in the Poblacion, City of Ormoc. Bounded on the NE., by Lot No. 564; on the SE., by Lot 569; on the S., by a creek; and on the NW., by Lot 562. Beginning at a point marked "1" on plan, being N.75 deg. 37'W., 217.89 m. from BLIM No. 1; thence S.71 deg. 34'E., 35.82 m. to point 2; thence S.19 deg. 05'W., 3.09 m. to point 3; thence S.87 deg. 43'W., 37.24 m. to point 4; thence N.15 deg. 06'E., 16.28 m. to the point of beginning; containing an area of THREE HUNDRED FORTY FIVE (345) SQUARE METERS, more or less. All points referred to are indicated on the plan; bearings true., decl. 1deg. 09'E., date of survey, Aug. 20, 1929 - Sept. 11, 1929. is registered in accordance with the provisions of the Property Registration Decree in the name of*

JONATHAN A. AVILES, of legal age, filipino, married, - - - -

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 18th day of January in the year nineteen hundred and thirty-six in the Registration Book of the Office of the Register of Deeds of Leyte, Volume 576607, page 13688, as Original Certificate of Title No. 13688, pursuant to Decree No. 576607 issued in L. R. C. Cadastral Record No. 1456, in the name of Teodoro Aviles. This certificate is a transfer from Transfer Certificate of Title No. 43443, which is cancelled by virtue hereof in so far as the above-described land is concerned.

Entered) at ORMOC CITY
Philippines, on the 29th day of October
in the year two thousand and three
at 9:25 a.m.

ATTEST:

Ormoc City, Philippines

pe

(Owner's postal address)

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.

Annex "C"

DEED OF EXCHANGE

KNOW ALL MEN BY THESE PRESENTS:

This AGREEMENT made and executed by and between:

JONATHAN A. AVILES, Filipino, of legal age, married to Jovie A. Aviles and a resident of Barangay Can- Adieng, Ormoc city hereinafter referred to as the **FIRST PARTY; AND**

THE CITY GOVERNMENT OF ORMOC, a local government unit organized and existing under and by virtue of Philippine laws, with postal address at the Ormoc City Hall, Barangay Cogon, Ormoc City, represented herein by the City Mayor, **RICHARD I. GOMEZ**, hereinafter referred to as the **SECOND PARTY;**

WITNESSETH, That:

WHEREAS, the **FIRST PARTY** is absolute and registered owner of a parcel of land, situated in Ormoc City, identified as Lot No. 563, covered by Transfer Certificate of Title No. 43444, more particularly described as follows:

Transfer Certificate of Title No. 43444

"A parcel of land (Lot 563 of the Cadastral Survey of Ormoc) with the improvements thereon, situated in the Poblacion, City of Ormoc. Bounded on the NE., by Lot No. 564; on the SE., by Lot 569; on the S., by a creek; and on the NW., by Lot 562. Beginning at a point marked "1" on plan, being N.75 deg. 37'W., 217.89 m. from BLLM No. 1; thence S. 71 deg. 34'E., 35.82 m. to point 2; thence S. 19 deg. 05'W., 3.09 m. to point 3; thence S. 87 deg. 43'W., 37.24 m. to point 4; thence N.15 deg. 06'E., 16.28 m. to the point of beginning; containing an area of **THREE HUNDRED FORTY FIVE (345) SQUARE METERS**, more or less. All point referred to are indicated on the plan; bearings true., decl. ldeg.09'E., date of survey, Aug 20, 1929-Sept 11, 1929."

WHEREAS, the **SECOND PARTY** is the absolute and registered owner of a parcel of land, situated in Ormoc City, identified as Lot No. 1, covered by Original Certificate of Title No. 475, more particularly described as follows:

Original Certificate of Title No. 475

"A parcel of land (Lot No. 1-a, plan II-11074-Amd), with all buildings and improvements, except those herein expressly noted as belonging to other persons, situated in the Barrio of Central, Municipality of Ormoc. Bounded on the NE. by Calle Jura Cadellia; on the SE. by Calle Rizal; on the SW. by property of Angel Tan and Lot No. 1-b; and on the NW; by the Provincial Road to Dolores. Beginning at a point marked "1" on plan, being N. 47 deg. 37' W., 245.26 m. from B. L.B.M. No. 1, Ormoc; thence N. 16 deg. 15' E., 27.97 m. to point "5-b"; thence N. 53 deg. 41' W., 16.21 m. to point "5-c"; thence N. 73 deg. 04'W., 37.70 m. to point "5-d"; thence N. 14 deg. 59'E., 79.60 m. to the point of beginning ; containing an area of four thousand nine hundred and thirty square meters (4, 930), more or less. All points referred to are indicated on the plan and on the ground points "1" and "2" are marked by B. L. monuments, point "3" by a P. L. S. / B. L. monument, point "4" by a stake and point "5" by a fence post; bearings true; declination 1 deg. 32' E., date of survey, April 19, 1915."

WHEREAS, the **FIRST PARTY** and the **SECOND PARTY** have agreed to transfer and convey by way of exchange PORTIONS of the above- described parcels of land in favor of each other, as indicated in the survey plan attached as Annex "A" and made an integral part hereof;

NOW THEREFORE, for and in consideration of the foregoing premises, the FIRST PARTY by these presents hereby CEDES, TRANSFERS and CONVEYS BY WAY OF EXCHANGE a portion of the parcel of land covered by Transfer Certificate of Title No. T-43444 equivalent to six (6) square meters to the SECOND PARTY, including all the improvements existing thereon, and in the same manner, the SECOND PARTY by these presents hereby CEDES, TRANSFERS and CONVEYS BY WAY OF EXCHANGE a portion of the parcel of land covered by Original Certificate of Title No. 475, equivalent to five (5) square meters to the FIRST PARTY including all the improvements existing thereon.

The costs for the transfer of titles from the parties to one another, shall be for the account of the FIRST PARTY.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures this _____ in Ormoc City, Leyte, Philippines

JONATHAN A. AVILES

JOVIE A. AVILES

THE CITY GOVERNMENT OF ORMOC
represented by: RICHARD I. GOMEZ, DPA

Signed in the presence of:

Please print name and sign

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

BEFORE ME, a Notary Public for and in the City of Ormoc, this _____ in Ormoc City, Leyte, personally appeared the abovementioned the parties with respective competent evidences of their identity:

PARTY	COMPETENT EVIDENCE OF IDENTITY
Jonathan Aviles	
Jovie A. Aviles	
Richard I. Gomez	

known to me to be the same persons who had executed the foregoing Deed of Exchange which consists of ____ pages including the one on which this acknowledgment is written and who acknowledged to me that the same is their voluntary act and deed.

WITNESS MY HAND AND NOTARIAL SEAL on the date and at the place first above written.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2021.

