

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 DECEMBER 20, 2021 IN LIEU OF
DECEMBER 21, 2021

PRESENT:

Tomas R. Serafica,	(Temporary Presiding Officer)
	SP Member, Presiding Officer "Pro-Tempore"
Benjamin S. Pongos, Jr.,	(Acting City Vice Mayor)
	SP Member 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

ON LEAVE:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Roiland H. Villasencio,	SP Member, 1 st Asst. Majority Floor Leader
Nolito M. Quilang,	SP Member, 2 nd Asst. Majority Floor Leader
Joan Marbie C. Simbajon,	Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2021-356

**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, RELATIVE TO
THE PROPOSED ACQUISITION OF PARCELS OF LAND
AFFECTED BY THE ROAD CONCRETING PROJECT
TRAVERSING BARANGAYS MILAGRO, CABAON-AN,
DOLORES AND HIBUNAON, THIS CITY.**

WHEREAS, the Fifteenth Sangguniang Panlungsod ng Ormoc received an endorsement letter dated November 12, 2021 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 subsequent thereto and upon compliance with all of the conditions set forth, upon submission of needed documents, and subject to the availability of funds. This is relative to the acquisition of lots for the abovementioned purpose, 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 (LGC for brevity), 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, the LGC further states that among such basic facilities are those intended primarily to service the needs of the residents of the city x x x including but not limited to, municipal roads and bridges; x x x"

WHEREAS, in the performance of such functions, the City Government of Ormoc has planned and programmed a road concreting project traversing Barangays Milagro, Cabaon-an, Dolores and Hibunaon, this city;

WHEREAS, the VENDORS own parcels of land that can be devoted to the pursuit by the City Government of its mandate and as part of the City's Developmental Plan, there is a need to open a road traversing Brgys. Milagro, Cabaon-an, Dolores and Hibunaon, which would traverse the varying properties of the following persons as indicated in the table below, a copy of the properties affected by the proposed project together with its relevant information as well as a copy of the Parcellary Map of the Proposed Milagro-Hibunaon Road are hereto attached as ANNEXES "B" and "C", respectively, and made integral part hereof;

NO.	OWNER	LOT NO.	TRANSFER OF CERTIFICATE OF TITLE NO. (TCT NO.)	AREA (IN SQM.)
1	Chua, Carmencita/ Virginia	9078	12234	2,670
2	Melchor Rita Enterprises, Inc.	9084	22911	1,729
3	Larrazabal, Melchor	9085	10580 (Partially Cancelled Issuing TCT No. 121- 2021000221)	8,647
4	Melchor Rita Enterprises, Inc.	9090	22897	4,155
5	Melchor Rita Enterprises, Inc.	9089	9593	719
6	Melchor Rita Enterprises, Inc.	9091	22895	5,163
7	Cabalde, Emerita	9095-A	12797	718
8	Melchor Rita Enterprises, Inc.	9094	22930	6,904
9	Casiban, Teotima	9102	23626	558
10	Casiban, Teotima	9101	23404	5,070
11	Casiban, Teotima	9108	23149	1,152
12	Nuevo, Candido / Piquerra, Remedios	9107	13315	1,888
13	Chua, Ernesto / Sabenorio, Ana	11097	121-2013000482	1,106
14	Amparo Alcorido	9227	7412	1,027
15	Cimafranca, Wilfredo / Ma. Luisa Larrazabal	9228	12974	8,689
16	Ida Cañedo	7537 -A-2	121-CARP2021000048	347
17	Cale, Hermogena	7537 -A-1	14752-Part	2,333
18	Langres, Martinito	7	16641	1,780
19	Langres, Dominador	6	16649	1,694
20	Potoy, Clara	8098	T-242	311
21	Potoy, Clara	7580	7767	458
22	Potoy, Clara	7579	7766	9,080
23	PAL	7581	17511	1,234
24	Albarido, Marcelino Et. Al.	6	OCT No. 244539	1,294
25	Albarido, Editha O.	5	49342	987
26	Daga, Wilfreda	2	49339	1,156
27	Nastor, Emiliana Langres	4	15020	222
28	Albarida, Rodolfo	3	49340	1,812
29	Melchor Rita Larrazabal Enterprises, Inc.	7661	22934	2,637
30	Melchor Rita Larrazabal Enterprises, Inc.	7587	23288	579

31	Potoy, Marcos & Cenon, Salud	7588	9600	807
32	Diaz, Angelo	7657-A	TH-395	257
33	Salud Cenon	7660	3699	1,021
34	George Montes	7662	25480	5,287
35	Larrazabal, Melchor	7659	OCT No. 24435	175
36	Melchor Rita Larrazabal Enterprises, Inc.	7658	22932	182
37	Bacala, Cirila	7656	12432	342
38	Tomambid, Francisco & Oliveros, Osita	7665	6080	1,163
39	Tomambid, Francisco & Oliveros, Osita	7666	7666	1,288
40	Toribia Lamoc, Et. Al.	7667	OCT No. 24717	210
41	Bensig, Hermogenes & Acuin, Socorro	7668	22469	892
42	Iñaki Larrazabal Enterprises, Inc.	7669	10854	1,168
43	Iñaki Larrazabal (CLOA ARB Virgilio A. Villanueva)	7670	34087 (CLOA Title TCT No. 700)	703

WHEREAS, in a Memorandum dated October 28, 2021 issued by the Appraisal Committee, it is recommended that the appraised value of the aforesaid lots should not be more than SEVENTY-FIVE PHILIPPINE PESOS (Php75.00) per square meter (per sqm), a copy of the said Memorandum is hereto attached as ANNEX "D" and made an integral part hereof;

WHEREAS, in a communication letter from the City Legal Office dated November 12, 2021, it recommends that the draft Contract to Buy and Sell be referred to the Sangguniang Panglungsod for the issuance of a Resolution authorizing the City Mayor to sign the instruments and further stated that should the proposed sale be acceptable to the city, payment thereon will be subject to the availability of funds, appropriation ordinance(s), and submission of needed document(s) as directed by sound accounting practices;

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 joint motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances and SP Member Jasper M. Lucero, Vice-Chairman, Committee on Public Properties, jointly seconded by SP Members Vincent L. Rama and Esteban V. Laurente; 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, RELATIVE TO THE PROPOSED ACQUISITION OF PARCELS OF LAND AFFECTED BY THE ROAD CONCRETING PROJECT TRAVERSING BARANGAYS MILAGRO, CABAON-AN, DOLORES AND HIBUNAON, THIS CITY;

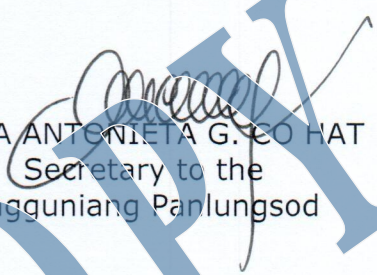
ADOPTED, December 20, 2021.

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

RESOLVED FURTHERMORE, to furnish copies of this resolution each to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the City Planning & Development Coordinator; the City Assessor; the City Engineer; the City Budget Officer; the City Accountant; the City Treasurer; CGSO; the City Local Government Operations Officer-DILG; and others concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


TOMAS R. SERAFICA
(Temporary Presiding Officer)
SP Member
Presiding Officer "Pro-Tempore"



Republic of the Philippines
OFFICE OF THE CITY MAYOR
Ormoc City

Res. # 2021 - 356
"Annex A"



2nd Endorsement

November 12, 2021

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 draft **CONTRACT TO BUY AND SELL and DEED OF ABSOLUTE SALE** Subsequent thereto and upon compliance with all of the conditions set forth, upon submission of needed documents, and subject to the availability of funds. This is pertaining to the acquisition of properties affected by the road concreting project from Barangays Milagro to Hibunawon.

For your appropriate action.

RICHARD I. GOMEZ, DPA
City Mayor



Amex B"

INVENTORY OF AFFECTED LOTS FOR THE PROPOSED MILAGRO-HIBUNAON ROAD (TOTAL LENGTH 4+680)

NO.	BRGY_NAME	PIN	LOT NO.	PLAN NO.	TOTAL AREA	AREA FOR ROW	AFFECTED AREA (IN PERCENT)	TD No.	TCT NO.	OWNER
1	MILAGRO	155-04-0088-009-11	9078	CAD. 256	65,517	2,670	4.07%	00060-00029	12234	CHUA, CARMENCITA/VIRGINIA
2	CABAON-AN	155-04-0039-014-14	9084	CAD. 256	18,113	1,729	10.73%	00011-00086	22911	MELCHOR RITA ENTERPRISES, INC.
3	CABAON-AN	155-04-0039-014-11	9085	CAD. 256	125,894	8,647	6.87%	00011-00031	10580 (PARTIALLY CANCELLED ISSUING TCT No. 121-2012000221)	LARRAZABAL, MELCHOR
4	MILAGRO	155-04-0088-003-03	9090	CAD. 256	126,216	4,155	3.29%	00060-00111	22897	MELCHOR RITA ENTERPRISES, INC.
5	MILAGRO	155-04-0088-003-02	9089	CAD. 256	50,737	719	1.42%	00060-00094	9593	MELCHOR RITA ENTERPRISES, INC.
6	MILAGRO	155-04-0088-003-04	9091	CAD. 256	29,407	5,163	17.56%	00060-00112	22895	MELCHOR RITA ENTERPRISES, INC.
7	MILAGRO	155-04-0088-002-05	9095-A	(LRC) Psd-194201	37,478	715	1.92%	00060-00019	12797	CABALDE, EMERITA
8	MILAGRO		9094	CAD. 256	56,946	6,904	12.12%	00060-00113	22930	MELCHOR RITA ENTERPRISES, INC.
9	MILAGRO	155-04-0088-004-04	9102	CAD. 256	25,991	558	2.15%	00060-00026	23526	CASIBAN, TEOTIMA
10	MILAGRO	155-04-0088-004-01	9101	CAD. 256	29,308	5,070	17.30%	00060-00025	23404	CASIBAN, TEOTIMA
11	DOLORES	155-04-0054-003-03	9108	CAD. 256	91,269	1,152	1.26%	00026-00056	23149	CASIBAN, TEOTIMA
12	DOLORES	155-04-0054-003-04	9107	CAD. 256	89,291	1,888	2.11%	00026-00055	13315	NUEVO, CANDIDO/PIQUERRA, REMEDIOS
13	DOLORES	155-04-0054-003-05	11097	CAD. 256	10,592	1,106	10.44%	00026-01191	121-2013000482	CHUA, ERNESTO/SABENORIO, ANA
14	DOLORES	155-04-0054-005-04	9227	CAD. 256	14,583	1,027	7.04%	00026-00009	7412	AMPARO ALCORDO
15	DOLORES	155-04-0054-005-06	9228	CAD. 256	87,383	8,689	9.94%	00026-00091	12974	CIMA FRANCA, WILFREDO/MA. LUISA LARRAZABAL
16	DOLORES	155-04-0054-006-03	7537-A-2	Psd-08-038298 (AR)	13,605	347	2.55%	00026-00047	121-CARP2021000048	IDA CAÑEDO
17	DOLORES	155-04-0054-006-03	7537-A-1	Psd-08-038298 (AR)	50,000	2,333	4.67%	00026-00047	14752-Part	CALE, HERMOGENA
18	DOLORES	155-04-0054-006-02	7	(LRC) Pcs-15874	34,599	1,780	5.14%	00026-10174	16641	LANGRES, MARTINITO
19	DOLORES	155-04-0054-006-01	6	(LRC) Pcs-15874	34,603	1,694	4.90%	00026-00172	16649	LANGRES, DOMINADOR
20	HIBUNA-ON	155-04-0064-006-04	8098	CAD. 256	12,451	311	2.50%	00036-000191	T-242	POTOY, CLARA
21	HIBUNA-ON	155-04-0064-014-04	7580	CAD. 256	44,903	458	1.02%	00036-00192	7767	POTOY, CLARA
22	HIBUNA-ON	155-04-0064-014-05	7579	CAD. 256	70,889	9,080	12.81%	00036-00193	7766	POTOY, CLARA
23	HIBUNA-ON	155-04-0064-014-11	7581	CAD. 256	7,648	1,234	16.13%	00036-00004	17511	PAL
24	HIBUNA-ON	155-04-0064-014-21	6	Pcs-08-000866-D		1,294	#DIV/0!	00036-00239	OCT No. 241539	ALBARIDO, MARCELINO ET. AL.
25	HIBUNA-ON	155-04-0064-013-03	5	Pcs-08-000864-D	11,416	987	8.65%	00036-00233	49342	ALBARIDO, EDITHA O.
26	HIBUNA-ON	155-04-0064-013-05	2	Pcs-08-000864-D	11,417	1,156	10.13%	00036-00230	49339	DAGA, WILFREDA
27	HIBUNA-ON	155-04-0064-014-06	4	Pcs-08-000864-D	11,417	222	1.94%	00036-00171	15020	NASTOR, EMILIANA LANGRES
28	HIBUNA-ON	155-04-0064-013-04	3	Pcs-08-000864-D	11,417	1,812	15.87%	00036-00231	49340	ALBARIDO, RODOLFO
29	HIBUNA-ON	155-04-0064-013-01	7661	CAD. 256	109,056	2,637	2.42%	00036-00140	22934	MELCHOR RITA LARRAZABAL ENTERPRISES, INC.
30	HIBUNA-ON	155-04-0064-016-05	7587	CAD. 256	36,663	579	1.58%	00036-00141	23288	MELCHOR RITA LARRAZABAL ENTERPRISES, INC.
31	HIBUNA-ON	155-04-0064-016-04	7588	CAD. 256	35,692	807	2.26%	00036-00197	9803	POTOY, MARCOS & CENON, SALUD
32	HIBUNA-ON	155-04-0064-016-02	7657-A	Csd-1127	16,719	257	1.54%	00036-00077	74-395	DIAZ, ANGELO
33	HIBUNA-ON	155-04-0064-016-01	7660	CAD. 256	7,428	1,021	13.75%	00036-00205	3699	SALUD, CENON
34	HIBUNA-ON	155-04-0064-012-13	7662	CAD. 256	30,896	5,287	17.11%	00036-00165	25480	GEORGE MONTES
35	HIBUNA-ON	155-04-0064-017-03	7659	CAD. 256	4,306	175	4.06%	00036-00120	OCT No. 24435	LARRAZABAL, MELCHOR

INVENTORY OF AFFECTED LOTS FOR THE PROPOSED MILAGRO-HIBUNAON ROAD (TOTAL LENGTH 4+680)										
NO.	BRGY_NAME	PIN	LOT NO.	PLAN NO.	TOTAL AREA	AREA FOR PROW	AFFECTED AREA (IN PERCENT)	TD No.	TCT NO.	OWNER
36	HIBUNA-ON	155-04-0064-017-04	7658	CAD. 256	11,762	182	1.54%	00036-00148	22932	MELCHOR RITA LARRAZABAL ENTERPRISES, INC.
37	HIBUNA-ON	155-04-0064-017-02	7656	CAD. 256	45,999	342	0.74%	00036-00030	12432	BACALA, CIRILA
38	HIBUNA-ON	155-04-0064-012-15	7665	CAD. 256	12,139	1,163	9.58%	00036-00211	6080	TOMAMBID, FRANCISCO & OLIVEROS, OSITA
39	HIBUNA-ON	155-04-0064-012-17	7666	CAD. 256	15,255	1,288	8.44%	00036-00212	2071	TOMAMBID, FRANCISCO & OLIVEROS, OSITA
40	HIBUNA-ON	155-04-0064-012-19	7667	CAD. 256	6,017	210	3.49%	00036-00049	OCT No.24717	TORIBIA LAMOC, ET. AL.
41	HIBUNA-ON	155-04-0064-012-18	7668	CAD. 256	12,801	932	6.97%	00036-00041	22469	BENSIG, HERMOGENES & ACUIN, SOCORRO
42	HIBUNA-ON	155-04-0064-011-07	7669	CAD. 256	6,232	1,198	18.74%	00036-00044	10854	INAKI LARRAZABAL ENTERPRISES, INC.
43	HIBUNA-ON	155-04-0064-011-08	7670	CAD. 256	19,247	703	3.65%	00036-00094	34087 (CLOA TITLE TCT No. 700)	INAKI LARRAZABAL (CLOA ARB VIRGLIO A. VILLANUEVA)

PREPARED BY:

MARY ANN L. COYOCA, GE
Administrative Aide I

CHECKED BY:

ISIDRO C. LUSANTA JR., GE
Engineer II

Milagro
HUK

11/2/2021



"Annex D"

REPUBLIC OF THE PHILIPPINES
ORMOC CITY

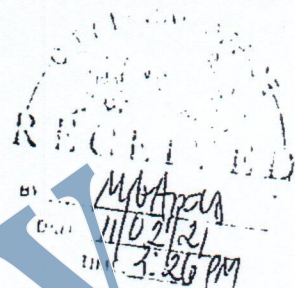
MEMORANDUM:

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
For Proposed Road Right of Way
Barangay Milagro to Barangay Hibunaon, Ormoc City

DATE: October 26, 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 appraised value of portions of a real property sought to be used by the LGU of Ormoc City for the Proposed Milagro-Hibunaon Proposed Road Right of Way (20.00 meter wide)

III. PROPERTY IDENTIFICATION, LOCATION, AND OWNERSHIP

The above subject properties are identified per attached document (Possible Affected Lots for the Proposed Milagro-Hibunaon Road) prepared by Geodetic Engineer Mary Ann L. Coyoca and checked by Geodetic Engineer Isidro C. Lusanta, Jr.

IV. CLASSIFICATION, IMPROVEMENTS, AND GENERAL CONDITION

The above subject properties is classified as Agricultural Land and accessible to land transportation as it is adjoining the Ormoc-Milagro-Tungonan Provincial Road and Hibunaon-Cabulihan Barangay Road

V. NEIGHBOURHOOD DATA

The property is located in an area where land development is Agricultural.

Generally, the roads which adjoins the subject parcels of land are designed to accommodate light to heavy vehicular traffic loads being Provincial Road and Barangay Road.

VI. COMMUNITY FACILITIES AND UTILITIES

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

Public transportations connecting to the City Proper are available along the Ormoc-Milagro-Tungonan Provincial Road and Hibunaon-Cabulihan Barangay Road. Mobile patrols of the PNP are maintained by the City Government with the Police Precinct No. 2 situated at Barangay Cagbuhangan

VII. GOVERNMENT ASSESSMENT

Market Sales Data of Agricultural Land at Barangay Hibunaon is at Php 100.00 per square meter

Zonal Valuation of Agricultural Land at Barangay Milagro and Hibunaon is at Php 55.00 per square meter

Market Valuation of Agricultural Lands per Approved Schedule of Market Value is at Php 70.00 per square meter

Thus, the Average Value would be. $(\text{Php } 100.00 + \text{Php } 55.00 + \text{Php } 70.00)$ divided by 3 is equal to Php 75.00 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 Seventy Five Pesos (Php 75.00) per square meter

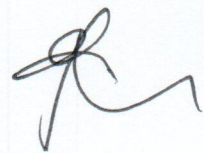
Prepared by:

APPRAISAL COMMITTEE

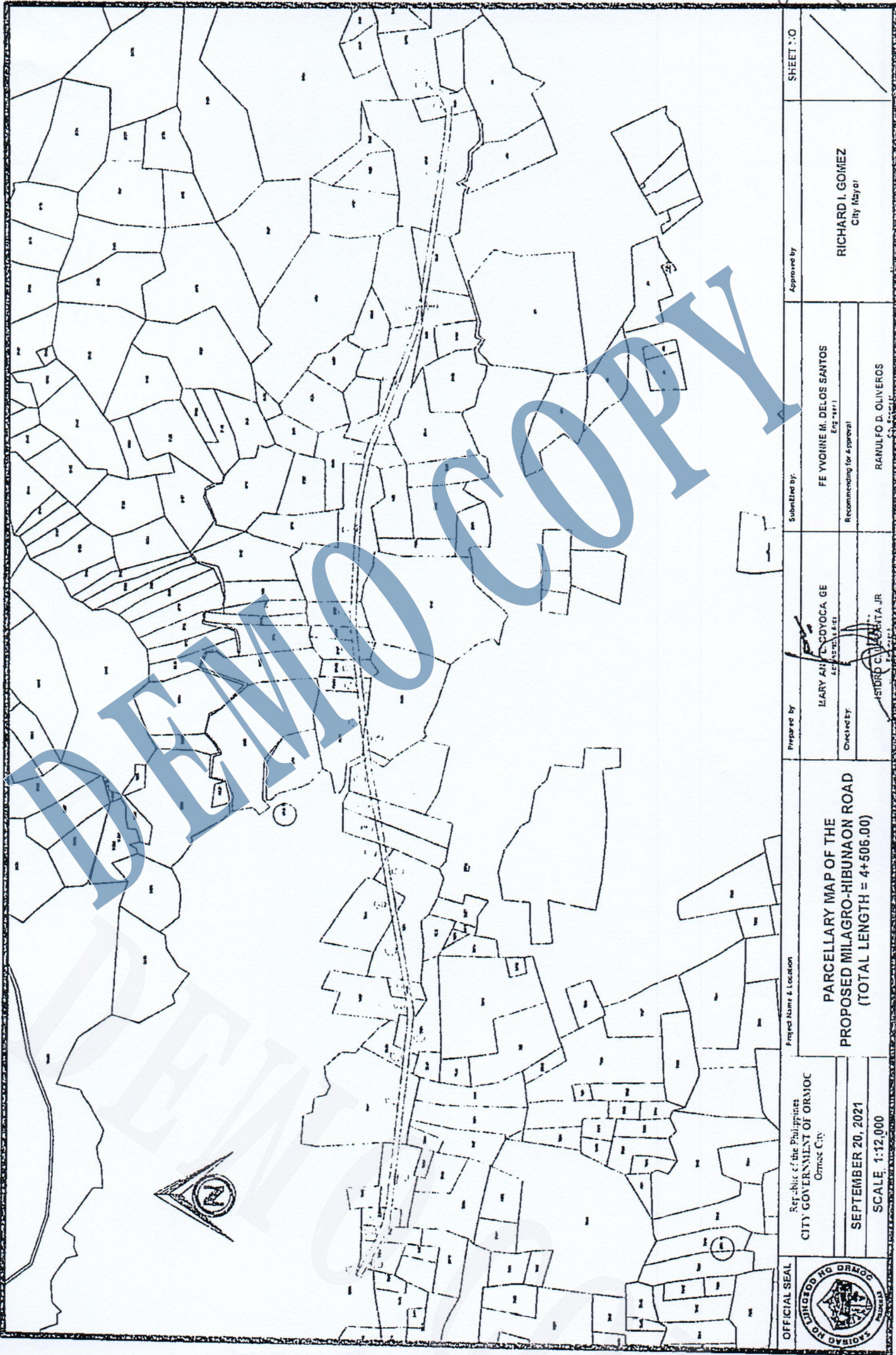
ENGR. PAOUL E. CAM
City Planning and Development Officer

ENGR. RANDOLFO D. OLIVEROS
City Engineer

ENGR. ARTHUR C. ARCUINO
City Assessor



"Annex C"



Republic of the Philippines
CITY GOVERNMENT OF ORMOC
Ormoc City
SEPTEMBER 20, 2021
SCALE 1:12,000

Project Name & Location
**PARCELLARY MAP OF THE
PROPOSED MILAGRO-HIBUNAON ROAD
(TOTAL LENGTH = 4+506.00)**

Prepared by
MARY ANN C. COYOCA GE
Assistant Engineer
Checked by
ESTRO C. MONTA JR.
Assistant Engineer

Submitted by
FE YVONNE M. DELOS SANTOS
Engineer I
Recommending for Approval
RANULFO D. OLIVEROS
Engineer II

Approved by
RICHARD I. GOMEZ
City Mayor

SHEET NO.