

Republic of the Philippines
Province of Davao del Norte
City of Tagum

BEFORE THE "4th CITY COUNCIL"

EXCERPT FROM THE MINUTES OF THE 69TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON NOVEMBER 17, 2008 AT THE SP SESSION HALL.

PRESENT:

Hon. ALLAN L. RELLON, MPA	City Vice Mayor (Presiding Officer)
Hon. MARIA LINA F. BAURA, CPA	Member
Hon. ROBERT L. SO,	Member
Hon. DE CARLO L. UY,	Member
Hon. RAYMOND JOEY D. MILLAN,	Member
Hon. VICENTE C. ELIOT, SR.,	Member
Hon. JOEDEL T. CAASI,	Member
Hon. ALAN D. ZULUETA,	Member
Hon. NICANDRO T. SUAYBAGUIO, JR.,	Member
Hon. REYNALDO T. SALVE, CPA	Member
Hon. FRANCISCO C. REMITAR,	Member
Hon. CYRIL LEONARD L. MURING	Member (SKF Representative)

ON OFFICIAL BUSINESS:

Hon. ALFREDO R. PAGDILAO	Member	(ABC Representative)
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RESOLUTION NO. 545, s-2008

"A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. REY T. UY, TO SIGN FOR AND IN BEHALF OF THE CITY GOVERNMENT, THE DEED OF ABSOLUTE SALE OF A CERTAIN PARCEL OF LAND IDENTIFIED AS LOT 4176-44, CSD-6890 (OLD CEMETERY SITE) OF TAGUM PLANTATION OWNED BY THE REPUBLIC OF THE PHILIPPINES SITUATED IN BARANGAY SAN MIGUEL, TAGUM CITY WHERE THE OFFICES OF THE CITY HEALTH; CITY NURSERY OF THE CITY AGRICULTURE; BARANGAY HALL OF MAGUGPO SOUTH; PHILIPPINE POSTAL SERVICE AND THE BUREAU OF TELECOMMUNICATIONS ARE IN PLACE."

WHEREAS, the Board of Liquidators, a government agency under the Office of the President created under Executive Order No. 372, dated November 24, 1950 of the President of the Philippines, is entrusted with the administration and disposition of all the lands which have been transferred by the United States of America in accordance with the Philippine Property Act of 1946;

WHEREAS, among the properties under the administration and disposition of the Board of Liquidators is a parcel of land **COVERED BY** Subdivision Plan CSD-6890 of Tagum Plantation duly approved by the Land Management Services (LMS) of the Department of Environment and Natural Resources (DENR) which portion is being identified as Lot 44, Csd-6890 containing an area of SEVEN THOUSAND FOUR HUNDRED NINETY SIX (7,496) SQUARE METERS, more or less, located in the Barangay of San Miguel, Tagum City;

WHEREAS, the City Government of Tagum has fully paid Lot 4176-44, CSD-6890 of Tagum Plantation containing an area of Seven Thousand Four Hundred Ninety Six (7,496) Square Meters, as can be gleaned from the Certification of Full Payment issued by the Board of Liquidators in the amount of : **SEVENTY EIGHT THOUSAND SEVEN HUNDRED THIRTY TWO AND 49/100 (P 78,732.49);**

WHEREAS, the Privatization and Management Office (PMO) Manila, has caused the preparation of the necessary Deed of Absolute Sale involving the aforementioned parcel of land;

WHEREAS, in as much as the Local Government of Tagum has fully satisfied all the documentary requirements set forth by Republic Act 477, as amended, as well as the monetary consideration, it is but proper and appropriate that the Hon. City Mayor, REY T. UY be authorized to sign the Deed of Absolute Sale for and in behalf of the City Government of Tagum in order that processing and issuance of the corresponding Original Certificate of Title in the name of the City Government can be effected.

NOW THEREFORE, be it resolved by the Sangguniang Panlungsod of Tagum to authorize the City Mayor, Hon. Rey T. Uy, to sign for and in behalf of the city government the Deed of Absolute Sale of a certain parcel of land identified as Lot 4176-44, Csd-6890 (old cemetery site) of Tagum Plantation owned by the Republic of the Philippines situated in Barangay San Miguel, Tagum City where the offices of the City Health; City Nursery of the City Agriculture; Barangay Hall of Magugpo South; Philippine Postal Service and the Bureau of Telecommunications are in placed."

RESOLVED FURTHER, that the full text of the Deed of Absolute Sale shall be read as follows:

DEED OF ABSOLUTE SALE

KNOW ALL MEN BY THESE PRESENTS:

This Deed of Absolute Sale made and entered into by and between:

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES through the **PRIVATIZATION AND MANAGEMENT OFFICE (PMO)**, a government agency established under Executive Order No. 323, dated December 6, 2000, with principal office at 104 Gamboa Street, Legaspi Village, Makati City, represented herein by its Chief Privatization Officer, **GUILLERMO N. HERNANDEZ**, hereinafter referred to as the "**VENDOR**";

-and-

CITY GOVERNMENT OF TAGUM (formerly Municipality of Tagum), a public corporation with office address at Rizal Street, Tagum City, Philippines **represented by Mayor REY T. UY**, of legal age, Filipino, married and a resident of Tagum City and with postal address at Tagum City, hereinafter referred to as the "**VENDEE**".

WHEREAS, the **REPUBLIC OF THE PHILIPPINES** is the owner of all lands which have been transferred by the United States of America in accordance with the Philippine Property Act of 1946 and Republic Act No. 8, and all public lands under the provisions of Executive Order No. 29, dated October 25, 1946, and Executive Order No. 99, dated October 22, 1947;

WHEREAS, the **BOARD OF LIQUIDATORS**, a government agency under the Office of the President created under Executive Order No. 372, dated November 24, 1950, of the President of the Philippines, is entrusted with the administration and disposition of the above-mentioned properties, subject to the provisions of Republic Act. No. 477, as amended;

WHEREAS, among the properties under the administration and disposition of the **BOARD OF LIQUIDATORS**, is a parcel of land together with all the improvements thereon, covered by Subdivision Plan Csd-6890 of Tagum Plantation, (hereinafter referred to as the "PROPERTY") duly approved by the Land Management Services (LMS) of the Department of Environment and Natural Resources (DENR), which portion is more particularly described, as follows:

"A parcel of land (Lot 44, Csd-6890), being a portion of Lot 4176, Tagum Cadastre, situated in the Barrio of Magugpo, City of Tagum, Province of Davao, Island of Mindanao. Bounded on the E., along line 2-3 by Lot 719, Tagum Cadastre; on the S., along line 3-4 by Road; on the W., and NW., along lines 4-1-2 by Lot 43 of the subd. plan. Beginning at a point marked "1" on plan being N. 82 deg. 45'E., 4402.51 m. from B.B.M. No. 111, Tagum Cadastre. T h e n c e

- N. 83 deg. 31'E., 61.50 m. to point 2;
- S. 0 deg. 52'W., 121.62 m. to point 3;
- N. 89 deg. 48'W., 66.37 m. to point 4;
- N. 3 deg. 39'E., 114.70 m. to point of

Beginning. Containing an area of **SEVEN THOUSAND FOUR HUNDRED NINETY SIX (7,496) SQUARE METERS**, more or less. Points referred to are indicated on the plan and are marked on the ground as follows: All points by Old BL cyl. conc. mons. Bearings True. Date of original survey April 1935-May 1938, and that of the subdivision survey Aug. 4-Sept. 2, 1961executed by Geodetic Engineer Antonio L. Hernandez and approved on Aug. 29, 1962.

-over-

WHEREAS, by virtue of Board Resolution No. 172, dated May 15, 1991, the Board of Liquidators approved the application and disposal through negotiated sale under Presidential Decree No. 967 of the Property in favor of the VENDEE, subject to the provisions of Republic Act No. 477, as amended, for the total amount of SEVENTY-EIGHT THOUSAND SEVEN HUNDRED THIRTY-TWO PESOS & 49/100 (PHP 78,732.49), Philippine Currency (hereinafter referred to as the Purchase price).

WHEREAS, the VENDEE has complied with all the requirements set forth in Republic Act. No. 477, as amended, including the payment in full of the Purchase Price, as evidenced by the Certification of Full Payment, issued and certified to by the Accounting Division of the Board of Liquidators.

WHEREAS, pursuant to Executive Order (E.O.) No. 471, dated November 17, 2005, the functions, rights, personnel, properties, assets, resources, technologies, materials and records as well as the obligations and liabilities of the Board of Liquidators were merged with the PMO, with the latter as the surviving entity.

WHEREAS, as provided in Section 6 of E.O. 471, the Privatization Council approved the issuance of the deed of absolute sale covering the sale transaction of the property in favor of the VENDEE, and further designated the Chief Privatization Officer of the PMO as the authorized signatory therein.

NOW THEREFORE, for and in consideration of the sum of SEVENTY-EIGHT THOUSAND SEVEN HUNDRED THIRTY TWO PESOS & 49/100 (Php 78,732.49) and compliance by the VENDEE of the requirements of law, the VENDOR by these presents SELLS, TRANSFERS AND CONVEYS unto said VENDEE, the above-described property, together with all the improvements thereon subject to the provisions of Republic Act 477, as amended by Presidential Decree Nos. 967 and 1304, under the following terms and conditions, to wit:

1. The VENDEE is the actual occupant of the lot and in actual possession of the same;
2. The use of the lot is for exclusive benefit of the VENDEE, and not either directly or indirectly for the use of other person, corporation or partnership;
3. The payment of realty tax (including back taxes), capital gains tax, registration fees, transfer tax due or might become due and all other incidental expenses to be incurred in the registration of the lot in the name of the VENDEE shall be borne by and paid for By the VENDEE;
4. The VENDOR, in any manner whatsoever is not responsible and/or accountable in any litigation or court action that may arise involving the lot after this Deed of Absolute Sale has been finally executed in favor of the VENDEE, except for the question of ownership.
5. That the PROPERTY subject of this sale has been partitioned/subdivided and that the issuance of the corresponding original/transfer certificate of title by the office of the Register of Deeds shall be the sole responsibility of the VENDEE and that all expenses relative thereto shall be for the exclusive account of the VENDEE.

IN WITNESS WHEREOF, the parties have caused these presents to be signed by them or their duly authorized representative on this ____ day of _____, 2008 by the VENDOR and by the VENDEE on this ____ day of _____, 2008, on the respective localities stated in separate acknowledgements herein being made and integral part hereof.

**PRIVATIZATION and MANAGEMENT
OFFICE (PMO)**
For and in behalf of the Government of the
Republic of the Philippines
(VENDOR)

CITY OF TAGUM
(Formerly Municipality of Tagum)
(VENDEE)

By:

GUILLERMO N. HERNANDEZ
Chief Privatization Officer

MAYOR REY T. UY
Representative

Signed in the presence of:

Signed in the presence of:

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF)S.S.
MUNICIPALITY OF)

BEFORE ME, a Notary Public for and in the Province of _____ on this day of _____, 2008, personally appeared the herein party, namely:

REY T. UY, with Community Tax Certificate No. _____ issued at _____ on _____ known to me and to me known to be same person who executed the foregoing instrument and acknowledged to me that the same is his/her own free and voluntary act and deed.

This instrument refers to a Deed of Absolute Sale for a parcel of land known as Lot No. 44 of the Subdivision Plan Csd-6890 (old Cemetery Site) of Tagum Plantation located in Tagum City, Davao del Norte and consists of five (5) pages, including the separate pages on which the acknowledgements are written, all of which are signed by the parties and their instrumental witnesses on the spaces indicated and on the left hand margin of every page hereof.

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

NOTARY PUBLIC
Until December 31, _____
PTR No. _____
Issued at _____
On _____
TIN _____

Doc. No. _____
Page No. _____
Book No. _____
Series of 200 _____

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF)S.S.
MUNICIPALITY OF)

BEFORE ME, a Notary Public for and in the City of Makati, Metro Manila on this _____ day of _____, 2008, personally appeared **GUILLERMO N. HERNANDEZ** in his capacity as Chief Privatization Officer of the Privatization and Management Office (PMO), with Community Tax Certificate No. 07783827 issued at Manila on January 07, 2008 known to me and to me known to be same person who executed the foregoing instrument and acknowledged to me that the same is his/her own free and voluntary act and deed, and that of the Privatization and Management Office which he represents.

This instrument refers to a Deed of Absolute Sale for a parcel of land known as Lot No. 44 of the Subdivision Plan Csd-6890 (old Cemetery Site) of Tagum Plantation located in Tagum City, Davao del Norte and consists of ____ (__) pages, including the separate pages on which the acknowledgments are written, all of which are signed by the parties and their instrumental witnesses on the spaces indicated and on the left hand margin of every page hereof.

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

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Issued at _____
On _____
TIN _____

Doc. No. _____
Page No. _____
Book No. _____
Series of 200_____

RESOLVED FURTHERMORE, that copies of this resolution be furnished to all offices concerned for their information and guidance.

CARRIED AND APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing.

(Sgd) REY A. BUHION
Secretary to the Sanggunian

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

(Sgd) ALLAN L. RELLON, MPA
City Vice Mayor
(Presiding Officer)

fname: RN54508
*ffm****