

Republic of the Philippines
Province of Davao del Norte
CITY OF TAGUM

BEFORE THE 4TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 71ST REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON DECEMBER 2, 2008 AT THE SP SESSION HALL.

PRESENT:

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| Hon. ALLAN L. RELLON, MPA, | City Vice Mayor (Presiding Officer) |
| Hon. MARIA LINA F. BAURA, | 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. REYNALDO T. SALVE, | Member |
| Hon. FRANCISCO C. REMITAR, | Member |
| Hon. CYRIL LEONARD L. MURING, | Member (SKF Representative) |
| Hon. ALFREDO R. PAGDILAO, | Member (ABC Representative) |

ON OFFICIAL BUSINESS:

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| Hon. ALAN D. ZULUETA, | Member |
| Hon. NICANDRO T. SUAYBAGUIO, JR., | Member |
| Hon. JOEDEL T. CAASI, | Member |

RESOLUTION NO. 565, s-2008

“A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. REY T. UY, TO SIGN AND ACCEPT FOR AND IN BEHALF OF THE CITY GOVERNMENT OF TAGUM, THE EXTRAJUDICIAL SETTLEMENT OF ESTATE WITH DEED OF DONATION OF PARCELS OF LAND INTENDED AS ROAD LOT REGISTERED IN THE NAME OF ELVIRA P. ARAÑAS LOCATED AT BARANGAY APOKON, TAGUM CITY, DAVAO DEL NORTE.”

WHEREAS, the legitimate and compulsory heirs of the late Cesar V. Arañas namely Elvira P. Arañas, Michael P. Arañas, Teresita A. Feliciano, Marilou P. Arañas, Nanette P. Arañas, Mary Ann A. Espina, Marietta P. Arañas, Peter P. Arañas, Paul P. Arañas, Jo Ann A. Domingo, Irene A. Mendoza intend to donate parcels of land to the City Government of Tagum covered by Transfer Certificate of Title T-3598 in order that the same be maintained and sustained for purposes of future development;

WHEREAS, the above-mentioned legitimate and compulsory heirs of the late Cesar V. Arañas executed an Extra-Judicial Settlement of Estate with Deed of Donation of parcels of land located at Barangay Apokon, Tagum City;

WHEREAS, it is the concern of the City Government of Tagum to accept donations such as open spaces, road lots and community facilities to complete and maintain the development of all facilities for the use of its constituents;

WHEREAS, this august body deems it proper to authorize the City Mayor to sign and accept for and in behalf of the City Government of Tagum, the Deed of Donation of Lot 36 and 37 of TCT T-3598, containing an area of 1,777 sq. meters and 1,817 sq. meters, respectively;

NOW THEREFORE, be it resolved by the Sangguniang Panlungsod of Tagum to authorize the City Mayor, Hon. Rey T. Uy, to sign and accept for and in behalf of the City Government of Tagum, the Extra-Judicial Settlement of Estate with Deed of Donation of Parcels of Land intended as Road Lot registered in the name of Elvira P. Arañas, located at Barangay Apokon, Tagum City, Davao del Norte.

RESOLVED FURTHER, that the full text of the Extra-Judicial Settlement of Estate with Deed of Donation shall be read as follows:

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EXTRA-JUDICIAL SETTLEMENT OF ESTATE WITH DEED OF DONATION

KNOW ALL MEN BY THESE PRESENTS:

This DEED, made and executed in Tagum City, Philippines, by and between:

- ELVIRA P. ARAÑAS, widow;
- MICHAEL P. ARAÑAS, married to Milagros H. Arañas;
- TERESITA A. FELICIANO, married to Rogelio D. Feliciano;
- MARILOU P. ARAÑAS, single;
- NANETTE P. ARAÑAS, single;
- MARY ANN A. ESPINA, married to Christopher Espina;
- MARIETTA P. ARAÑAS, single;
- PETER P. ARAÑAS, married to Vivian O. Arañas;
- PAUL P. ARAÑAS, single;
- JO ANN A. DOMINGO, married to Severino Domingo;
- IRENE A. MENDOZA, married to Wilsor Mendoza;

all of legal ages, Filipinos, and a resident of Tagum City, Philippines, hereinafter known and referred to as the HEIRS-DONORS;

-and-

CITY GOVERNMENT OF TAGUM, a public corporation with office address at Rizal St., Tagum City, Philippines, represented in this act by its City Mayor, REY T. UY, who is of legal age, married and a resident of Tagum City, hereinafter known and referred to as the DONEE.

WITNESSETH:

That the above stated names are the legitimate and compulsory Heirs of the late CESAR V. ARAÑAS who died on March 14, 2003 at Davao Doctors Hospital, Davao City.

That the HEIRS-DONORS are the registered owners of a parcel of land situated in the Barrio of Apokon, City of Tagum, Province of Davao del Norte, Island of Mindanao, Philippines, and particularly described as follows

TRANSFER CERTIFICATE OF TITLE NO. T-3598

1. A parcel of land (Lot 36 of the subdivision 58034), being a portion of Lot 388 of the Cadastral Survey of Tagum, L.R.C. Record No.) situated in the Barrio of Apokon, Municipality (now City) of Tagum, Province of Davao (now Davao del Norte). Bounded on the SE., along line 1-2 by Lot 19; along line 2-3 by Lot 20; along line 3-4 by Lot 21; along line 4-5 by Lot 22; along line 5-6 by Lot 23; along line 6-7 by Lot 24; along line 7-8 by Lot 25; along 8-9 by Lot 26; all of the subdivision plan; on the SW., along 9-10 by Lot 392 of Tagum Cad., on the NW., along line 10-11 by Lot 34; along line 11-12 by Lot 33; along line 12-13 by Lot 32; along line 13-14 by Lot 31; along line 14-15 by Lot 30; along line 15-16 by Lot 29; along line 16-17 by Lot 28; and along line 17-18 by Lot 27, all of the subdivision plan; on the NE., along line 18-19 by Lot 1023 of Tagum Cadastre; and along line 19-1 by Lot 18 of the subdivision plan. Beginning at a point marked "1" on plan, being S. 39 deg. 12'W., 294.69 m. from B.L.L.M. 51, Tagum Cad., thence

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| S. 16 deg. 11'W., 19.95 m. to point 2; | S. 16 deg. 11'W., 19.96 m. to point 3; |
| S. 16 deg. 11'W., 19.96 m. to point 4; | S. 16 deg. 11'W., 19.96 m. to point 5; |
| S. 16 deg. 11'W., 19.94 m. to point 6; | S. 16 deg. 11'W., 19.94 m. to point 7; |
| S. 16 deg. 11'W., 19.94 m. to point 8; | S. 16 deg. 11'W., 18.93 m. to point 9; |
| N. 75 deg. 52'W., 9.99 m. to point 10; | S. 16 deg. 11'E., 22.92 m. to point 11; |
| N. 16 deg. 11'E., 22.02 m. to point 12; | N. 16 deg. 11'E., 22.06 m. to point 13; |
| N. 16 deg. 11'E., 22.08 m. to point 14; | N. 16 deg. 11'E., 22.12 m. to point 15; |
| N. 16 deg. 11'E., 22.14 m. to point 16; | N. 16 deg. 11'E., 22.16 m. to point 17; |
| N. 16 deg. 11'E., 22.20 m. to point 18; | S. 80 deg. 32'E., 10.04 m. to point 19; |
- Thence

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RESOLUTION NO. 565, s-2008, cont'd:

Containing an area of ONE THOUSAND SEVEN HUNDRED AND SEVENTY SEVEN (1,777) square meters.

2. A parcel of land (Lot 37 of the subdivision 58034), being a portion of Lot 388 of the Cadastral Survey of Tagum, L.R.C. Record No.) situated in the Barrio of Apokon, Municipality (now City) of Tagum, Province of Davao (now Davao del Norte). Bounded on the SE., along line 1-2 by Lot 1; along line 2-3 by Lot 2; along line 3-4 by Lot 3; along line 4-5 by Lot 4; along line 5-6 by Lot 5; along line 6-7 by Lot 6; along line 7-8 by Lot 7; along 8-9 by Lot 8; along line 9-10 by Lot 9, all of the subdivision plan; on the SW., along lines 10-11-12 by Lot 392 of Tagum Cad.; on the NW., along line 12-13 by Lot 17; along line 13-14 by Lot 16; along line 14-15 by Lot 15; along line 15-16 by Lot 14; along line 16-17 by Lot 13; along line 17-18 by Lot 12; along line 18-19 by Lot 11; and along line 19-20 by Lot 10, all of the subdivision plan; and on the NE., along line 20-1 by Lot 1023 of Tagum Cad. Beginning at a point marked "1" on plan, being S. 29 deg. 54'W., 251.94 m. from B.L.L.M. 51, Tagum Cad., thence S. 16 deg. 11'W., 20.17 m. to point 2; thence

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| S. 16 deg. 11'W., 20.17 m. to point 2; | S. 16 deg. 11'W., 20.26 m. to point 3; |
| S. 16 deg. 11'W., 20.26 m. to point 4; | S. 16 deg. 11'W., 20.26 m. to point 5; |
| S. 16 deg. 11'W., 20.26 m. to point 6; | S. 16 deg. 11'W., 20.26 m. to point 7; |
| S. 16 deg. 11'W., 20.26 m. to point 8; | S. 16 deg. 11'W., 20.26 m. to point 9; |
| S. 16 deg. 11'W., 20.40 m. to point 10; | N. 80 deg. 58'W 7.45 m. to point 11; |
| N. 75 deg. 52'W., 2.57 m. to point 12; | N. 16 deg. 11'E., 23.57 m. to point 13; |
| N. 16 deg. 11'E., 22.67 m. to point 14; | N. 16 deg. 11'E., 22.67 m. to point 15; |
| N. 16 deg. 11'E., 22.67 m. to point 16; | N. 16 deg. 11'E., 22.67 m. to point 17; |
| N. 16 deg. 11'E., 22.67 m. to point 20; | S. 80 deg. 32'E., 10.03 m. to point of |
| beginning. | |

Containing an area of One Thousand Eight Hundred Seventeen (1,817) square meters.

That for and in consideration of the improvements to be made by the **DONEE** in the premises needed by the government for the **Road Right-of Way purposes**, and, as an act of cooperation, liberality and generosity, the **DONOR**, hereby voluntarily and freely gives, transfers and conveys unto the said **DONEE**, her executors and administrators, all of the rights, title and interest which the **HEIRS-DONORS** has in the above-described real property together with all the improvements found therein, free from all liens and encumbrances;

That the **HEIRS-DONORS** herein state, for the purpose of giving full effect and validity to this donation, that they have reserved for themselves sufficient property, in full ownership or in usufruct, which is necessary and adequate for support in consonance with their standing in the community;

That the **HEIRS-DONORS** further state, that this donation is not made for the purpose of defrauding their creditors, having reserved for themselves enough and sufficient property to meet their just obligation;

That the **DONEE** hereby receives and accepts this donation made in favor of the City Government of Tagum and expresses his appreciation and gratefulness for the generosity and civic-mindedness of the **HEIRS-DONORS**;

That the **HEIRS-DONORS** hereby acknowledge notice of acceptance of this donation by the **DONEE**.

IN WITNESS WHEREOF, the **DONOR** and the **DONEE** have hereunto affixed their signatures this ____ day of _____ Tagum City, Philippines.

MICHAEL P. ARAÑAS
Heir-Donor

TERESITA A. FELICIANO
Heir-Donor

ELVIRA P. ARAÑAS
Heir-Donor

-over-

RESOLUTION NO. 565, s-2008, cont'd:

With my full marital consent:

MILAGROS H. ARAÑAS
Spouse

ROGELIO D. FELICIANO
Spouse

MARILOU P. ARAÑAS
Heir-Donor

NANETTE P. ARAÑAS
Heir-Donor

MARIETTA P. ARAÑAS
Heir-Donor

PAUL P. ARAÑAS
Heir-Donor

PETER P. ARAÑAS
Heir-Donor

JO ANN A. DOMINGO
Heir-Donor

IRENE A. MENDOZA
Heir-Donor

MARY ANN A. ESPINA
Heir-Donor

With my full marital consent:

VIVIAN O. ARAÑAS
Spouse

SEVERINO DOMINGO
Spouse

WILSOR MENDOZA
Spouse

CHRISTOPHER ESPINA
Spouse

CITY GOVERNMENT OF TAGUM
DONE

Represented by:

REY T. UY
City Mayor

Signed in the presence of :

_____ and _____

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF DAVAO DEL NORTE)
CITY OF TAGUM)
X-----X

BEFORE ME, this ____ day of _____, 2008, at Tagum City, personally appeared the following persons to wit:

| NAME | CTC NO. | PLACE ISSUED | DATE ISSUED |
|-----------------------|---------|--------------|-------------|
| ELVIRA P. ARAÑAS | _____ | _____ | _____ |
| MICHAEL P. ARAÑAS | _____ | _____ | _____ |
| TERESITA A. FELICIANO | _____ | _____ | _____ |
| MARILOU P. ARAÑAS | _____ | _____ | _____ |
| NANETTE P. ARAÑAS | _____ | _____ | _____ |
| MARY ANN A. ESPINA | _____ | _____ | _____ |
| MARIETTA P. ARAÑAS | _____ | _____ | _____ |
| PETER P. ARAÑAS | _____ | _____ | _____ |
| PAUL P. ARAÑAS | _____ | _____ | _____ |
| JO ANN A. DOMINGO | _____ | _____ | _____ |
| IRENE A. MENDOZA | _____ | _____ | _____ |
| REY T. UY | _____ | _____ | _____ |

Known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free act and deed.

This instrument consisting of ___ (__) pages, including the page on which this acknowledgement is written and has been signed by the parties together with their instrumental witnesses.

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

-over-

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

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:RN56508
*ffm***