

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

BEFORE THE 4TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 81ST REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON FEBRUARY 16, 2009 AT THE SP SESSION HALL.

PRESENT:

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

RESOLUTION NO. 658, S- 2009

“A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. REY T. UY , TO SIGN FOR AND IN BEHALF OF THE CITY GOVERNMENT, THE DEED OF CONDITIONAL SALE OF PARCELS OF LAND IDENTIFIED AS LOT 240-C-1, PSD-55132; LOT 9-G, PSD-82879 AND LOT 4, PSD-61752 REGISTERED IN THE NAME OF DAVAO RETIREE CORPORATION, SITUATED IN BARANGAY MAGUGPO EAST, TAGUM CITY FOR ANY DEVELOPMENT PROJECTS OF THE LOCAL GOVERNMENT”.

WHEREAS, the City Government of Tagum desires to purchase parcels of land which are strategically situated near the City Motorpool and Development Center and the City Employees' Village;

WHEREAS, the Davao Retiree Corporation, through its Chairman Mr. James P. Dumagan , Sr. has offered to the City Government to sell the properties mentioned above at P280.00 per square meter;

WHEREAS, the offered properties are considered potential to infrastructure projects of the LGU being located near the City Abattoir and the site of the new City Hall which is still undergoing construction;

WHEREAS, the present administration in its effort to transform the City of Tagum through infrastructure development in nearby barangays in pursuance to the vision for progress and prosperity, the city government is considering the amount of Four Million One Hundred Seventeen Thousand Six Hundred Eighty (P 4,117,680.00) Pesos for the said project;

WHEREAS, on December 8, 2008, the City Appraisal Committee submitted its appraisal report with the recommendation that the market value for Lot 240-C-1, PSD – 55132; Lot 9 G-, Psd- 82879 and lot 4, Psd – 61752 with an aggregate area of 14,706 square meters, more or less is Two Hundred Eighty (280. 00) pesos per square meter;

WHEREAS, funding of the intended project is already appropriated in the regular budget for 2009;

WHEREAS, considering that all the necessary supporting documents are already in place, it is just proper and appropriate that the purchase of the aforementioned property be now acted favorably with dispatch;

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 Conditional Sale of parcels of land identified as Lot 240-c-1, Psd-55132; Lot 9-G, Psd-82879 and Lot 4, Psd-61752 registered in the name of Davao Retiree Corporation, situated in Barangay Magugpo East, Tagum City for any development projects of the local government.

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

DEED OF CONDITIONAL SALE

KNOWN ALL MEN BY THESE PRESENTS:

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

DAVAORETIREE CORPORATION, a corporation, created and existing under the laws of the Republic of the Philippines with its Office address located at Purok Pine Tree, Mirafuentes District , Magugpo North , Tagum City, Davao del Norte, Philippines , represented herein by Mr. James P. Dumagan, Sr. by virtue of Board Resolution No. 8, S- 2006, hereinafter referred as the VENDOR;

- a n d -

The CITY GOVERNMENT OF TAGUM, a public corporation with office address at Rizal St., Tagum City, Philippines, represented herein by the City Mayor, Hon. Rey T. Uy, likewise of legal age, Filipino , married and a resident of Tagum City, hereinafter known and referred to as the VENDEE.

WITNESSETH: That

The VENDOR is the registered owner of a parcels of land situated in Barangay Magugpo East, Tagum City , Davao del Norte, Philippines and embraced by the Transfer Certificate of Title Nos. T- 159507; T- 164656 and T- 161788 and more particularly described as follows:

TRANSFER CERTIFICATE OF TITLE NO. T- 159507 Lot 240- C

A parcel of land (Lot 240 C of the subdivision plan (LRC) Psd – 55132, being a portion of Lot 420 –C (LRC) Psd – 50374, LRC (Record No. H. Pat) situated in the Barrio of Magugpo Municipality of Tagum, Province of Tagum, Island of Mindanao. Bounded on the Se., point 2 to 6 , by Lot 384, Tagum Cdastrre; on the SW, NW., and NE., points 6 to 8, 8 to 1 , by Lot 240 C- 3 of the subdivision plan; and on E., points 1 to 2, by Hijo river. Beginning at a point marked " 1 " on plan being N. 87 deg. 17 "E., 905.74 m. from BLLM 51, Tagum Cadastre, thence

- S. 24 deg. 52' W., 16.55 m. to point 2
- S. 87 deg. 17' W., 6.11 m. to point 3
- N. 69 deg. 41' W., 22.98 m. to point 4
- N. 89 deg. 09' W., 79.08 m to point 5
- S. 24 deg. 12' W., 28.00 m. to point 6
- N. 45 deg. 36' W., 65.22 m. to point 7
- N. 32 deg. 15' E. 94.97 m. to point 8
- S. 52 deg. 06' E., 153.42 m. to point of beginning

Containing an area of Ten Thousand (10,000) square meters, more or less.

XXXX

TRANSFER CERTIFICATE OF TITLE NO. T- 164356, LOT 9-G

A parcel of land (Lot 9-G, of the subdivision plan (LRC) psd – 82979, being a portion of Lot 9, (LRC) Psd- 61752, LRC (Record No. H. Pat.) situated in barrio of Magugpo , Municipality of Tagum , Province of Davao, Island of Mindano. Bounded on the NE., points 2 to 3 , by lot 385.,

-over-

Tagum Cad., on the Se., points 3 to 4 by lot 9-H, of the subdivision plan; and on the SW., points 4 to 1, by 240, C- 1, (LRC) Psd – 55132; and on the NW., point 1 to 2 by Lot 9-F, of the subdivision plan. Beginning at a point marked " 1 " on plan being N. 84 deg 01'E., 850.62 m. from BLLM 51, Tagum Cadastre, thence

- N. 34 deg. 46'E., 147.48 m to point 2
- S. 40 deg. 33' E., 27.76 m. to point 3
- S. 32 deg., 44'W., 142.28 m. to point 4
- N. 52 deg. 06'W., 31.95 m. to point of beginning

Containing an area of Four Thousand Two Hundred Forty – Four (4,244) square meters, more or less. xxxx

TRANSFER CERTIFICATE OF TITLE NO. T- 161788 LOT 4

A parcel of land (Lot 4 pf the subdivision plan (LRC) Psd – 61752, being a portion of Lot 240 C- 3 , (LRC) Psd 55132, LRC (Record No. H . Pat) situated in the Barrio of Magugpo, Municipality of Tagum, Province of Davao, Island of Mindanao. Bounded on the NE., points 2 to 3 , by Lot 5 of the subdivision plan; on the Se., points 3 to 4 by lot 240 C- 1 (LRC) PSD – 55132, on the SW ., points 4 to 1 , by 10 , and on the NW., points 1 and 2 by lot 3, both of the subdivision plan. Beginning at a point marked " 1 " on plan being N. 84 deg., 54' E., 727.60 m. from BLLM, Tagum Cad 276, thence . . .

- N. 32 deg 50'E., 41.73 m. to point 2
- S. 36 deg. 33'E., 11.02 m. to point 3
- S. 32 deg. 15'W., 42.00 m. to point 4
- N. 45 deg 15'W., 11.05 m. to point of beginning

Containing an area of Four Hundred sixty Two (462) square meters , more or less.xxxx

That the VENDOR has offered to sell and the VENDEE has agreed to buy the above-described properties containing an aggregate area of 14,706 square meters together with all the improvements found therein in the amount of Four Million One Hundred Seventeen Thousand Six Hundred Eighty (P 4,117,680.00) Pesos, Philippine currency, subject to the terms and conditions herein stipulated below:

1. That upon execution of this instrument, the VENDEE shall pay to the VENDOR the sum of Two Million (P2,000,000.00) Pesos and the remaining balance particularly the amount of Two Million One Hundred Seventeen Thousand Six Hundred Eighty (P2,117,680.00) Pesos shall be paid on or before the 2nd quarter of 2010;
2. That the payment of Capital Gains Tax, transfer fee, Documentary Stamps and Real Property Tax shall be in the account of the VENDOR which will be deducted automatically from the 2nd payment while Registration Fees shall be shouldered by the VENDEE;
3. That the VENDEE upon ratification of this instrument, shall now be allowed to enter the vicinity of the said property and be authorized and permitted to introduce improvements accordingly;
4. That upon full payment of the whole amount by the VENDEE, the VENDOR shall cause the preparation and execution of a Deed of Absolute Sale in favor of the herein VENDEE and likewise owner's duplicate copy of the TCT No. T- 159507, T- 164356 and T- 161788 shall be turned – over to the said VENDEE.

IN WITNESS WHEREOF, the Parties have hereunto set their hands this ____ day of _____, 2009 at Tagum City, Philippines.

DAVAO RETIREE CORPORATION
Vendor
Represented by

JAMES P. DUMAGAN

CITY GOVERNMENT OF TAGUM
Vendee
Represented by:

HON. REY T. UY,
City Mayor

RESOLUTION NO. 658, s-2009, cont'd:

CTC No. _____
Issued on _____
Issued at _____
TIN _____

CTC No. _____
Issued on _____
Issued at _____
TIN _____

Signed in the presence of :

_____ and _____

ACKNOWLEDGMENT

Republic of the Philippines)
Province of Davao del Norte) s.s
City of Tagum)
X ----- x

Before Me, this ____ day of _____, 2009 at Tagum City, personally appeared James P. Dumagan, Sr. Hon. Rey T. Uy with their Community Tax Certificate indicated below their names and signature, 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 deed.

This instrument consisting of three (3) pages, including this page on which this acknowledgment is written, all of which are signed by the parties and their instrumental witness on the day and place above-written.

WITNESS MY HAND AND SEAL at the place and on the date first above-written,
Doc. No. _____
Page No. _____
Book No. _____
Series of 2009

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)