

**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. 659, s-2009

“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 EXTRA-JUDICIAL SETTLEMENT OF ESTATE WITH DEED OF DONATION OF PARCELS OF LAND INTENDED AS ROAD LOT REGISTERED IN THE NAME OF NICASIO L. BRIONES LOCATED AT BARANGAY APOKON, TAGUM CITY, DAVAO DEL NORTE”.

WHEREAS, the legitimate and compulsory heirs of the late Nicasio L. Briones intend to donate parcels of land to the City Government of Tagum covered by Transfer Certificate of Titles No. T-138278 and T-132081 in order that the same be maintained and sustained and for purposes of future development;

WHEREAS, the above-mentioned legitimate and compulsory heirs of the late Nicasio L. Briones 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 No. 5178-E-9 and Lot No. 5178-D-8, containing an area of 1,218 sq. meters and 1,247 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 Nicasio L. Briones, 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:

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 among:

-over-

DULCISIMA N. BRIONES, widow;
JOSEPH NELSON N. BRIONES, married to Marilou T. Briones;
JACQUELINE KAREN BRIONES-TRINIDAD, married to Philbert U. Trinidad
JOHN FERDINAND N. BRIONES, single
JENNIFER KARLA N. BRIONES, single; all of legal age, 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, Filipino, married and a resident of Tagum City, herein after known and referred to as the DONEE.

WITNESSETH

That the HEIRS-DONORS are the legitimate and compulsory heirs of the late NICASIO L. BRIONES who died on July 17, 2008 at Tagum.

That the said deceased died intestate, without Testament and without leaving any debts whatsoever;

That the time of his death, he left real properties covered by Transfer Certificate of Title Nos. T-138278 and T-132081, all situated in the Barrio of Apokon, City of Tagum, Province of Davao del Norte;

That pursuant to Rule 74, Sec. 1 of the Revised Rules of Court of the Philippines, and all being with full capacity to contract, the above-named parties do hereby adjudicate unto themselves the aforesaid properties which are particularly described as follows:

a) Transfer Certificate of Title No. T-138278

A parcel of land (Lot 5178-E-9, Psd-11-058687 (Road), being a portion of Lot 5178-E, (LRC) Psd-138530), situated in the Barrio of Apokon, Mun. (now City) of Tagum, Province of Davao (now Davao del Norte); Island of Mindanao. xxx

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Containing an area of ONE THOUSAND TWO HUNDRED EIGHTEEN (1,218) SQUARE METERS.

b) Transfer Certificate of Title No. T-132081

A parcel of land (Lot 5178-D-8, Psd-11-054432 Amd.), being a portion of Lot 5178-D, Psd-138530, situated in the barrio of Magugpo, Mun. (now city) of Tagum, Province of Davao (now Davao del Norte); Island of Mindanao. xxx

xxxx

Containing an area of ONE THOUSAND TWO HUNDRED FORTY SEVEN (1,247) 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 can act of cooperation, liberality and generosity, the HEIRS-DONORS, hereby voluntarily and freely give, transfer and convey unto the said DONEE, his executors and administrators, all of the rights, title and interest which the HEIRS-DONORS have 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 their support in consonance with their standing in the community;

-over-

That the HEIRS-DONORS further states, 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 HEIRS-DONORS and the DONEE have hereunto affixed their signatures this _____ day of _____ Tagum City, Philippines.

DULCISIMA N. BRIONES
Heir-Donor

JOSEPH NELSON N. BRIONES
Heir-Donor

JACQUELENE KAREN BRIONES-TRINIDAD
Heir-Donor

JOHN FERDINAND N. BRIONES
Heir-Donor

JENNIFER KARLA N. BRIONES
Heir-Donor

CITY GOVERNMENT OF TAGUM
Donee
Represented by:

REY T. UY
City Mayor

Signed in the presence:

_____ and _____

ACKNOWLEDGEMENT

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

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

NAME	COMMUNITY TAX CERTIFICATE NO.	PLACED ISSUED	DATE ISSUE
DULCISIMA N. BRIONES	<u>04961389</u>	<u>Tagum City</u>	<u>Jan.08, 2008</u>
JOSEPH NELSON N. BRIONES	<u>10378566</u>	<u>Tagum City</u>	<u>July 25, 2008</u>
JACQUELINE KAREN BRIONES-TRINIDAD	<u>04966285</u>	<u>Tagum City</u>	<u>Jan. 24, 2008</u>
JOHN FERDINAND N. BRIONES	<u>10378587</u>	<u>Tagum City</u>	<u>July 28, 2008</u>
JENNIFER KARLA N. BRIONES	<u>10378539</u>	<u>Tagum City</u>	<u>July 25, 2008</u>
REY T. UY		<u>Tagum City</u>	_____

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

This instrument consisting of three (3) pages including the page on which this acknowledgement is written has been signed by the parties and their instrumental witnesses.

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

-over-

RESOLUTION NO. 659, s-2009, cont'd:

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:RN65909
*ffm***