

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

BEFORE THE 4TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 88th REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON APRIL 7, 2009 AT THE SP SESSION HALL.

PRESENT:

Hon. ALLAN L. RELLON, MPA,	City Vice Mayor (Presiding Officer)
Hon. MARIA LINA F. BAURA,	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)

ON LEAVE:

Hon. ROBERT L. SO,	Member
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RESOLUTION NO. 660, 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 A PARCEL OF LAND INTENDED AS ROAD LOT REGISTERED IN THE NAME OF EFREN S. BUAYA LOCATED AT BARANGAY APOKON, TAGUM CITY, DAVAO DEL NORTE.

WHEREAS, the legitimate and compulsory heirs of the late Efren S. Buaya namely Jose Jefren L. Buaya, Dindo John L. Buaya, Maria Farah L. Buaya-Fernando, Maria Irene L. Buaya-Miyamoto and Ma. Susan L. Buaya-Gantuangco, intend to donate parcel of land to the City Government of Tagum covered by Transfer Certificate of Title No. T-255653 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 Efren S. Buaya executed a Special Power of Attorney appointing Jose Jefren L. Buaya to sign for and in their behalf the Deed of Donation of a parcel 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. 4923-A-3, Bsd-11-007053 (AR) portion of Lot 4923-A, (LRC) Psd-23592, Road containing an area of 5,405 sq. meters;

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 a parcel of land intended as Road Lot registered in the name of Efren S. Buaya, 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-

JOSE JEFREN BUAYA, of legal age, Filipino, and a resident of Tagum City, Philippines;

DINDO JOHN L. BUAYA, of legal age, Filipino, married to Mary Jane Buaya and a resident of Maco, Compostela Valley, represented by his Attorney-In-Fact, JOSE JEFREN BUAYA;

MARIA FARAH B. FERNANDO, of legal age, Filipino, married to Don Fernando and a resident of Maco, Compostela Valley, represented by his Attorney-In-Fact, JOSE JEFREN BUAYA;

MA. SUSAN BUAYA-GANTUANGCO, of legal age, Filipino, married to Floro Gantuangco, Jr. and a resident of New Jersey, represented by his Attorney-In-Fact, JOSE JEFREN BUAYA;

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 EFREN S. BUAYA who died on January 13, 2001 at Davao City and JOCELYN BUAYA who died on July 11, 2007 at Tagum City, Davao del Norte.

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

That at the time of their death, they left real properties covered by Transfer Certificate of Title Nos. T-255653, 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:

Transfer Certificate of Title No. T-255653

Lot and Survey Nos. : 4923-A-3, Bsd-11-007053 (AR) portion of Lot 4923-A, (LRC) Psd-23592, Road

Location : Apokon, Tagum City, Davao del Norte

Boundaries : NE., along lines 10-11-12-13-14 by Lot 388, Cad. 276; SE., along lines 14-15-1 by Lot 4923-BM (LRC) Psd-23592; SW., along line 1-2 by Lot 4923-B, (LRC) Psd-23592; along lines 2-3-4-5-6-7 by Lot 4923-A-2, along lines 7-8-9 by Lot 4923-A-1, both of the subd. Plan; NW., along line 9-10 by Lot 392-A, Psd-33143 (lot 4922, Tagum Cad.)

Tie Line : S. 20 deg. 10'W., 741.32 m. from BLLM No. 51, Cad. 276, thence.....

x x x x x

Containing an area of FIVE THOUSAND FOUR HUNDRED FIVE (5,405) SQUARE METERS, more or less.

That for and in consideration of the improvements to be made by the DONEE in the premises needed by the government for Road Right-of Way Purposes, and as an act of cooperation, liberality and generosity, the HEIRS-DONORS, hereby voluntarily and freely give, transfer and convey unto the said DONEE, their 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;

-over-

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;

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

JOSE JEFREN BUAYA
heir-Donor

DINDO JOHN L. BUAYA
Heir-Donor

MARIA FARAH B. TRINIDAD
Heir-Donor

MARIA IRENE BUAYA MIYAMOTO
Heir-Donor

MA. SUSAN BUAYA-GANTUANGCO
Heir-Donor

Represented by:

JOSE JEFREN BUAYA
Attorney-In-Fact

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
JOSE JEFREN BUAYA			
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 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.

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:RN66009
*ffm***