

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

**BEFORE THE 4<sup>TH</sup> CITY COUNCIL**

**EXCERPT FROM THE MINUTES OF THE 87<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON MARCH 30, 2009 AT THE SP SESSION HALL.**

**PRESENT:**

Hon. ALLAN L. RELLON, MPA,	City Vice Mayor (Presiding Officer)
Hon. ROBERT L. SO,	Member
Hon. DE CARLO L. UY,	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. MARIA LINA F. BAURA, Member

**ON OFFICIAL BUSINESS:**

Hon. RAYMOND JOEY D. MILLAN, Member

**RESOLUTION NO. 712, 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 ABSOLUTE SALE OF A PARCEL OF LAND REGISTERED IN THE NAME OF HERMINIGILDO BALOYO AND ROSARIO LANUZA BALOYO PARTICULARLY IDENTIFIED AS LOT 383-B-9, PSD-11-086322 SITUATED IN BARANGAY MAGUGPO EAST, TAGUM CITY TO BE UTILIZED AS EXPANSION TO THE EXISTING MOTORPOOL AND TRAINING CENTER”.**

**WHEREAS**, the City Government of Tagum desires to purchase a certain parcel of land with an area of 3,434 square meters declared and registered in the name of Herminigildo Baloyo married to Rosario Lanuza Baloyo and particularly identified as Lot 383-B-9, Psd-11-086322 covered and embraced by Transfer Certificate of Title No. T-193165, situated at Barangay Magugpo East;

**WHEREAS**, the Heirs of Herminigildo Baloyo and Rosario Lanuza Baloyo through their authorized representative, the Davao Board of Realtors Foundation, Inc., offered to sell the subject property to the City Government of Tagum;

**WHEREAS**, it can be noted that the present area occupied by the LGU's asphalt plant is no longer capable of accommodating heavy equipments due to some infrastructures being erected within the motor pool compound;

**WHEREAS**, the present Administration, in its effort of providing adequate space for our motorpool and training center in pursuance to the continuing development and progress of the City, is considering the amount of ONE MILLION SEVEN HUNDRED SEVENTEEN THOUSAND (P1,717,000.00) PESOS for land acquisition for the proposed expansion of the motorpool and development center particularly the asphalt plant.

**WHEREAS**, on February 12, 2008, the City Appraisal Committee submitted its appraisal report with the recommendation that the market value for Lot 383-B-9, Psd-11-086322 is Five Hundred (P 500.00) Pesos per square meter;

**WHEREAS**, by virtue of Sangguniang Panlungsod Resolution No. 286, s-2008, a Deed of Conditional Sale was executed by the parties mentioned in this instrument;

**WHEREAS**, as stipulated in the Contract, a Deed of Absolute Sale shall be executed by the VENDOR upon full payment of the whole amount by the VENDEE for the purpose of consummating and bring to perfection the previous transaction entered into by the herein parties;

**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 parcel of land registered in the name of Herminigildo Baloyo and Rosario Lanuza Baloyo particularly identified as Lot 383-B-9, Psd-11-086322 situated in Barangay Magugpo East, Tagum City to be utilized as expansion to the Existing Motorpool and Training Center".

**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, made and executed in Tagum City, Philippines, by and among:

**VIRGILIO LANUZA SANTIAGO**, of legal age, Filipino, married to Florentina Santiago and a resident of La Playa Village, Bonot, Legaspi City, Philippines, represented herein by **ANNA HERMIROSA R. BALOYO-VILLEGAS**, Attorney-in-Fact;

**DOLORES L. S. FERNANDEZ**, of legal age, Filipino, married to Godofredo Fernandez and a resident of Blk. 1 Lot 14, Spratly St., Better Living Subdivision, Parañaque City, Philippines, represented herein by **ANNA HERMIROSA R. BALOYO-VILLEGAS**, Attorney-in-Fact;

**ANNA HERMIROSA BALOYO-VILLEGAS**, of legal age, Filipino, married to Archimedes Jordan J. Villegas and a resident of 25 Lilac St., Phase 4-A, EL Rio Vista Village, Davao City, Philippines;

**JAIME DULALAS BALOYO**, of legal age, Filipino, married to Evangilina D. Dulalas and a resident of 146 Sampaloc St., Libtong, Meycauayan, Bulacan, Philippines represented herein by **ANNA HERMIROSA BALOYO-VILLEGAS**, Attorney-in-Fact;

**EMMA BALOYO-SICAM**, of legal age, Filipino, married to Ross Sicam and a resident of 2692 Cunard St., Los Angeles, California, represented by **MIRIAM R. BALOYO**, Attorney-in-Fact, hereinafter known and referred to as the **HEIRS-VENDORS**;

-and-

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 **HEIRS-VENDORS** by virtue of an Extra-Judicial Settlement of Estate and Judgment for Petition for Letters of Administration, they being the compulsory heirs of the late Herminigildo Baloyo and Rosario Lanuza Baloyo, are the registered owners of the parcel of land situated at Barangay Magugpo East, Tagum City, Province of Davao del Norte and embraced by Transfer Certificate of Title No. T-193165 of the Registry of Deeds for the Province of Davao del Norte which land is particularly described as follows:

-over-

**TRANSFER CERTIFICATE OF TITLE NO. T-193165**

A parcel of land (Lot 383-B-9, Psd-11-086322) being a portion of Lot 383-B, Psd-11-007461, situated in the Barrio of Magugpo East, City of Tagum, Province of Davao del Norte, Island of Mindanao. Bounded as follows: on the NE., along line 3-4-5 by Lot 383-B-10 (Road); on the SE., along line 5-1 by Lot 383-B-13 (Road); on the SW., along line 1-2 by Lot 383-B-8, all of the subd. plan: on the NW., along line 2-3 by Lot 382, Cad. 276. Beginning at a point marked "1" on plan being N. 63 deg. 51' E., 699.50 m. from BLLM No. 51, Cad. 276. T h e n c e . . . . .

N. 51 deg 34'W.,            91.28 m. to point 2;  
N. 24 deg 39'E.,         35.71 m. to point 3;  
S. 52 deg 54'E.,         98.01 m. to point 4;  
S. 06 deg 53'E.,         3.00 m. to point 5;  
S. 38 deg 58'W.,         34.85 m. to point of beginning and

Containing an area of **THREE THOUSAND FOUR HUNDRED THIRTY FOUR (3,434) SQUARE METERS**, more or less. xxx

That the HEIRS-VENDORS have offered to sell and the VENDEE has agreed to buy the above-described property together with all the improvements found therein.

NOW THEREFORE, for and in consideration of the sum of **ONE MILLION SEVEN HUNDRED SEVENTEEN THOUSAND (P 1,717,000.00) PESOS**, Philippine Currency, receipt of which is hereby acknowledged by the HEIRS-VENDORS, to their entire satisfaction, by these presents do hereby SELL, TRANSFER, and CONVEY in a manner absolutely and irrevocably unto the said VENDEE their assignees and successors-in-interest of the above-described parcel of land together with all the improvements from thereon free from all liens and encumbrances.

The HEIRS-VENDORS now warrant the peaceful possession of the property by the VENDEE or his duly authorized representative.

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

**VIRGILIO LANUZA SANTIAGO**  
Heir-Vendor  
Represented by:

**DOLORES L. S. FERNANDEZ**  
Heir-Vendor  
Represented by:

**ANNA HERMIROSA BALOYO VILLEGAS**  
Attorney-In-Fact  
CTC No. \_\_\_\_\_  
Issued on \_\_\_\_\_  
Issued at \_\_\_\_\_

**ANNA HERMIROSA BALOYO VILLEGAS**  
Heir-Vendor  
CTC No. \_\_\_\_\_  
Issued on \_\_\_\_\_  
Issued at \_\_\_\_\_

**EMMA BALOYO-SICAM**  
Heir-Vendor  
Represented by:

**JAIME DULALAS BALOYO**  
Heir-Vendor  
Represented by:

**MIRIAM R. BALOYO**  
Attorney-In-Fact  
CTC No. \_\_\_\_\_  
Issued on \_\_\_\_\_  
Issued at \_\_\_\_\_

**ANNA HERMIROSA BALOYO VILLEGAS**  
Attorney-In-Fact  
CTC No. \_\_\_\_\_  
Issued on \_\_\_\_\_  
Issued at \_\_\_\_\_

**ANNA HERMIROSA BALOYO VILLEGAS**  
Heir-Vendor  
Represented by:

**CITY GOVERNMENT OF TAGUM**  
Vendee  
TIN : \_\_\_\_\_  
Represented by:

**REY T. UY**  
City Mayor  
CTC No. \_\_\_\_\_  
Issued on \_\_\_\_\_  
Issued at \_\_\_\_\_

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, Philippines personally appeared Anna Hermirosa Baloyo-Villegas, Miriam R. Baloyo and Hon. REY T. UY with their Community Tax Certificates 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 and voluntary act and deed.

This instrument consisting \_\_\_\_ (\_\_) pages including this page on which this acknowledgment is written, all of which are signed by the parties and their instrumental witnesses with my notarial seal.

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)**

*fname: RN71209*  
*ffm\*\**