

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

BEFORE THE 4TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 131ST REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON FEBRUARY 15, 2010 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. 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. ALFREDO R. PAGDILAO,	Member (ABC Representative)

ON OFFICIAL BUSINESS:

Hon. RAYMOND JOEY D. MILLAN,	Member
Hon. VICENTE C. ELIOT, SR.,	Member
Hon. CYRIL LEONARD L. MURING,	Member (SKF Representative)

ON SICK LEAVE:

Hon. DE CARLO L. UY,	Member
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RESOLUTION NO. 1055, s-2010

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 DEED OF DONATION INTER VIVOS OF PARCELS OF LAND REGISTERED IN THE NAME OF GRESILDA S. DALISAY LOCATED AT BARANGAY MAGDUM, TAGUM CITY, DAVAO DEL NORTE.

WHEREAS, Ms. Gresilda S. Dalisay intends to donate parcels of land at Barangay Magdum to the City Government of Tagum in order that the same be maintained and sustained for purposes of future development;

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, in behalf of the City Government of Tagum, the Deed of Donation of Lot No. 377-A, Lot No. 377-B, Lot No. 377-C and Lot No. 377-D containing an area of 1,743 sq. meters, 10,000 sq. meters, 10,000 sq. meters and 20,001 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 Deed of Donation Inter Vivos of parcels of land registered in the name of Gresilda S. Dalisay located at Barangay Magdum, Tagum City, Davao del Norte Province.

RESOLVED FURTHER, that the full text of the Deed of Donation Inter Vivos shall be read as follows:

DEED OF DONATION INTER VIVOS

KNOW ALL MEN BY THESE PRESENTS:

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

GRESILDA S. DALISAY, of legal age, Filipino, married and a resident of 53 Virgo Street, GSIS Subdivision, Matina, Davao City, hereinafter known and referred to as the **DONOR**; 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, hereinafter known and referred to as the **DONEE**.

WITNESSETH

That the DONOR is the registered owner of a parcel of land situated in the Barrio of Magdum, City of Tagum, Province of Davao del Norte, Island of Mindanao, Philippines, by virtue of the last Will and Testament of the late Desiderio F. Dalisay Sr., duly probated and confirmed in a decision of the Court of Appeals dated July 29, 1994, a copy of which is hereto attached as Annex "A" and made an integral part hereof and particularly described as follows:

a) **TRANSFER CERTIFICATE OF TITLE NO. T-189847**

A parcel of land (Lot 377-A, Psd-11-078935), being a portion of Lot 377, Cad 276, situated in the Barrio of Magdum, City of Tagum, Province of Davao del Norte, Island of Mindanao. x x x x x

x x x x x

Containing an area of **ONE THOUSAND SEVEN HUNDRED FORTY THREE (1,743) SQUARE METERS**, more or less.

b) **TRANSFER CERTIFICATE OF TITLE NO. T-189848**

A parcel of land (Lot 377-B, Psd-11-078935), being a portion of Lot 377, Cad 276, situated in the Barrio of Magdum, City of Tagum, Province of Davao del Norte, Island of Mindanao. x x x x x

x x x x x

Containing an area of **TEN THOUSAND (10,000) SQUARE METERS**, more or less.

c) **TRANSFER CERTIFICATE OF TITLE NO. T-189849**

A parcel of land (Lot 377-B, Psd-11-078935), being a portion of Lot 377, Cad 276, situated in the Barrio of Magdum, City of Tagum, Province of Davao del Norte, Island of Mindanao. x x x x x

x x x x x

Containing an area of **TEN THOUSAND (10,000) SQUARE METERS**, more or less.

d) **TRANSFER CERTIFICATE OF TITLE NO. T-189850**

A parcel of land (Lot 377-B, Psd-11-078935), being a portion of Lot 377, Cad 276, situated in the Barrio of Magdum, City of Tagum, Province of Davao del Norte, Island of Mindanao. x x x x x

x x x x x

Containing an area of **TWENTY THOUSAND AND ONE (20,001) SQUARE METERS**, more or less.

That the DONOR offered to donate portion of the above-described property in favor of the City Government of Tagum, which portion is more particularly described as follows:

**Advanced Technical Description
Lot 377-A-1, Psd-New**

S. 67 deg. 47'W.,	47.44 m. to point 2;
S. 34 deg. 28'W.,	36.04 m. to point 3;
N. 53 deg. 03'W.,	45.21 m. to point 4;
N. 53 deg. 03'W.,	24.04 m. to point of beginning; and

-over-

Containing an area of **ONE THOUSAND THREE HUNDRED SEVENTY SIX (1,376) SQUARE METERS**, more or less.

**Advanced Technical Description
Lot 377-A-2 Psd-New (Road)**

N. 31 deg. 38'E., 7.80 m. to point 2;
S. 67 deg. 47'E., 47.83 m. to point 3;
S. 34 deg. 28'W., 7.87 m. to point 4;
N. 67 deg. 47'E., 47.44 m. to point of beginning; and

Containing an area of **THREE HUNDRED SIXTY SIX (366) SQUARE METERS**, more or less.

**Advanced Technical Description
Lot 377-B-1, Psd-New**

N. 36 deg. 48'E., 62.98 m. to point 2;
S. 66 deg. 11'E., 43.36 m. to point 3;
S. 34 deg. 28'W., 62.44 m. to point 4;
N. 66 deg. 11'W., 45.97 m. to point of beginning; and

Containing an area of **TWO THOUSAND SEVEN HUNDRED FORTY ONE (2,741) SQUARE METERS**, more or less.

**Advanced Technical Description
Lot 377-B-2, Psd-New**

S. 66 deg. 11'E., 42.72 m. to point 2;
S. 34 deg. 28'W., 15.26 m. to point 3;
N. 66 deg. 11'W., 43.36 m. to point 4;
N. 36 deg. 48'E., 15.39 m. to point of beginning; and

Containing an area of **SIX HUNDRED FORTY FIVE (645) SQUARE METERS**, more or less.

**Advanced Technical Description
Lot 377-B-3, Psd-New**

N. 36 deg. 48'E., 26.63 m. to point 2;
N. 31 deg. 38'E., 86.31 m. to point 3;
S. 53 deg. 03'E., 45.21 m. to point 4;
S. 34 deg. 28'W., 102.96 m. to point 5
N. 66 deg. 11'W., 42.72 m. to point of beginning; and

Containing an area of **FOUR THOUSAND SEVEN HUNDRED TWO (4,702) SQUARE METERS**, more or less.

**Advanced Technical Description
Lot 377-C-1, Psd-New**

S. 34 deg. 28'E., 62.44 m. to point 2;
S. 66 deg. 11'E., 31.06 m. to point 3;
S. 23 deg. 51'W., 29.22 m. to point 4;
S. 34 deg. 28'W., 32.72 m. to point 5;
N. 66 deg. 11'W., 36.54 m. to point of beginning; and

Containing an area of **TWO THOUSAND ONE HUNDRED SIXTY THREE (2,163) SQUARE METERS**, more or less.

**Advanced Technical Description
Lot 377-C-2, Psd-New (Road)**

S. 66 deg. 11'E., 28.25 m. to point 2;
N. 23 deg. 51'E., 136.68 m. to point 3;

N.67 deg. 47'W.,	2.65 m. to point 4;
S. 34 deg. 28'W.,	7.87 m. to point 5;
S. 67 deg. 47'E.,	16.21 m. to point 6;
S. 23 deg. 51'W.,	9.79 m. to point 7;
S. 66 deg. 11'E',	18.59 m. to point 8;
S. 34 deg. 28'W.,	15.26 m. to point 9;
N.66 deg. 11'W.,	15.78 m. to point 10;
S. 23 deg. 51'W.,	84.21 m. to point 11;
S. 34 deg. 28'W.,	81.41 m. to point 12;
N. 23 deg. 51'E.,	29.22 m. to point 13;
N. 66 deg. 11'W.,	31.06 m. to point 14;
N. 34 deg. 28'E.,	15.26 m. to point of beginning; and

Containing an area of **TWO THOUSAND NINE HUNDRED FORTY NINE (2,949) SQUARE METERS**, more or less.

**Advanced Technical Description
Lot 377-C-3, Psd-New**

N. 34 deg. 28'E.,	102.96 m. to point 2;
N. 34 deg. 28'E.,	36.04 m. to point 3;
S. 67 deg. 47'E.,	2.65 m. to point 4;
S. 23 deg. 51'W.,	136.68 m. to point 5;
N. 66 deg. 11'W.,	28.25 m. to point of beginning; and

Containing an area of **TWO THOUSAND ONE HUNDRED EIGHT (2,108) SQUARE METERS**, more or less.

**Advanced Technical Description
Lot 377-D-1, Psd-New**

S. 23 deg. 51'W.,	32.15 m. to point 2;
N. 66 deg. 11'W.,	6.03 m. to point 3;
N. 36 deg. 28'E.,	32.72 m. to point of beginning; and

Containing an area of **NINETY SEVEN (97) SQUARE METERS**, more or less.

**Advanced Technical Description
Lot 377-D-2, Psd-New**

N. 34 deg. 28'E.,	81.41 m. to point 2;
S. 23 deg. 51'W.,	35.79 m. to point 3;
S. 23 deg. 51'W.,	15.00 m. to point 4;
S. 23 deg. 51'W.,	120.00 m. to point 5;
S. 66 deg. 10'E.,	38.06 m. to point 6;
S. 34 deg. 28'W.,	13.69 m. to point 7;
N. 53 deg. 03'W.,	51.81 m. to point 8;
N. 23 deg. 52'E.,	60.30 m. to point 9;
N. 23 deg. 51'E.,	32.15 m. to point of beginning; and

Containing an area of **TWO THOUSAND THREE HUNDRED SIXTY (2,360) 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 the PHILIPPINE NATIONAL POLICE STATION, LAND TRANSPORTATION OFFICE, and any Government Office, Agencies or Facilities, and, as an act of cooperation, liberality and generosity, the DONOR, hereby voluntarily and freely gives, transfers and conveys unto the said DONEE, his executors and administrators, all of the rights, title and interest which the DONOR has over the portion of the above-described real properties, subject to the outcome or termination of the estate proceedings of Desiderio Dalisay, Sr., entitled "In the Matter of the Petition to Approve the Will of Desiderio Dalisay, Sr.", containing an area of NINETEEN THOUSAND FOUR HUNDRED SEVEN (19,407) square meters, more or less, together with all the

improvements found therein, free from all liens and encumbrances. Said portion is indicated in the sketch a copy of which is attached hereto as Annex "B" and made an integral part hereof. Provided, however, that:

1. No other business like restaurants, canteen, cooperatives or any commercial or private establishments be constructed therein;
2. DONEE shall not mortgage, encumber, sell, alienate, transfer or convey the property subject of this Donation Inter Vivos unless such transfer or conveyance is necessary to carry out the purpose of this Donation;
3. It is understood by the DONEE that the properties subject of this instrument shall be used for the above-mentioned purpose only. Should the same cease to be used for said purpose or should this condition not be complied with, this donation inter vivos shall be automatically revoked and all rights which the DONEE may have acquired under it shall be deemed lost and extinguished and the property herein shall revert to the DONOR or her heirs;
4. DONEE should:
 - a) commence construction of the aforesaid Offices within a reasonable period not exceeding two (2) years from the time of execution hereof;
 - b) said construction should be finished on or before the TENTH (10th) year from execution hereof; and
 - c) operations of the said Offices should commence within ONE (1) YEAR from the time the construction of the same has been finished;

and should DONEE fail to satisfy the said conditions, this donation inter vivos shall be revoked, all rights which the DONEE may have acquired under it shall be deemed lost and extinguished and the property herein shall revert to the DONOR or her heirs;

That the **DONOR** herein states, for the purpose of giving full effect and validity to this donation, that she has reserved for herself sufficient property sufficient property, in full ownership or in usufruct, which is necessary and adequate for her support in consonance with her standing in the community;

That the **DONOR** further states, that this donation is not made for the purpose of defrauding her creditors, having reserved for herself enough and sufficient property to meet her just obligation;

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

That the **DONOR** hereby acknowledges 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 _____, at Tagum City, Philippines.

GRESILDA S. DALISAY
DONOR

GOVERNMENT OF TAGUM
DONEE

Represented by:

REY T. UY
City Mayor

Signed in the presence of:

ACKNOWLEDGEMENT

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

BEFORE ME, this ____ day of _____, 2009, at Tagum City, personally appeared the following persons, to wit:

NAME	CTC NO.	PLACE ISSUED	DATE ISSUED
GRESILDA S. DALISAY	QQ0552426	Manila	6/15/05
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 this page where the acknowledgement is written and 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: RN105510
*ffm***