

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

BEFORE THE 5TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 36TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON MARCH 21, 2011 AT THE SP SESSION HALL.

PRESENT:

Hon. ALLAN L. RELLON, MPA,	City Vice Mayor (Presiding Officer)
Hon. DE CARLO L. UY,	Member
Hon. MARIA LINA F. BAURA,	Member
Hon. ROBERT L. SO,	Member
Hon. JOEDEL T. CAASI,	Member
Hon. OSCAR M. BERMUDEZ,	Member
Hon. ALAN D. ZULUETA,	Member
Hon. GETERITO T. GEMENTIZA,	Member
Hon. TRISTAN ROYCE R. AALA,	Member
Hon. FRANCISCO C. REMITAR,	Member
Hon. ALFREDO R. PAGDILAO,	Member (ABC Representative)

ON OFFICIAL BUSINESS:

Hon. NICANDRO T. SUAYBAGUIO, JR.,	Member
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ABSENT:

Hon. JACQUELINE GRACE Q. EDULLANTES,	Member (SKF Representative)
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RESOLUTION NO. 306, S- 2011

“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 A PARCEL OF LAND IDENTIFIED AS LOT 16154 –A, CSD 11-012534 CONTAINING AN AREA OF FOUR THOUSAND TWO HUNDRED NINETY SEVEN (4,297) SQUARE METERS REGISTERED IN THE NAME OF ROMEO CUÑA, SR. SITUATED IN BARANGAY MAGUGPO POBLACION, TAGUM CITY FOR THE EXPANSION OF THE EXISTING MULTI-PURPOSE GYM AND OTHER DEVELOPMENT PROJECTS OF THE CITY GOVERNMENT LOCATED AT THE PARK AND PLAZA (FORMERLY ROTARY PARK).”

WHEREAS, the City Government of Tagum desires to purchase parcels of land adjoining the existing site of the multi-purpose gym within the park and plaza vicinity (formerly Rotary Park) for the purpose of increasing its land area;

WHEREAS, Romeo Cuña, Sr. in his letter of 11 January, 2010 addressed to the Hon. Mayor, signified his intention of selling to the City government his parcel of land embraced by Original Certificate of Title No. P-29483 and particularly identified as Lot 16154-A, Csd 11-012534 with an area of 4,297 square maters, more or less;

WHEREAS, the existing area at the park and plaza (formerly Rotary Park) can no longer accommodate the increasing park-goers and visitors who are amused by the beautiful and enticing sceneries of the park especially so during night time;

WHEREAS, this administration has seen the urgent need to provide the constituents of this City a place where they can relax and enjoy with their children;

WHEREAS, RA 7160 otherwise known as the Local Government Code, provides Local Government Units to exercise the powers necessary, appropriate or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare and preserve the comfort and convenience of their inhabitants, hence the City Government is considering the amount of Fifteen Million Thirty Nine Thousand Five Hundred (P 15,039,500.00) Pesos for land acquisition;

WHEREAS, on January 25, 2010, the City Appraisal Committee submitted its appraisal report with the recommendation of the market value of Three Thousand Five Hundred Pesos (P 3,500.00) per square meter;

WHEREAS, funding of the project is already appropriated and the same is chargeable against the 20% Development Fund on Acquisition of Lands for 2011 Annual Budget;

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 parcel of land identified as lot 16154-A, Csd-11-012534 containing an area of Four thousand Two Hundred Ninety Seven (4,297) square meters registered in the name of Romeo Cuña, Sr. situated in Barangay Magugpo Poblacion, Tagum City for the expansion of the existing multi-purpose gym and other development projects of the city government located at the Park and Plaza (formerly Rotary Park).

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:

ROMEO CUÑA, SR. of legal age, Filipino, married to Elena Cuña and a resident of Quirante II St., Poblacion, Tagum City, Davao del Norte, Philippines, hereinafter known and referred to as the **VENDOR**;

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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 Poblacion, Tagum City, Davao del Norte Philippines particularly known as Lot 16154-A, CSD 11-012534 containing an area of 4,297 square meters and the same is covered and embraced by Original Transfer Certificate of Title Nos.P 29483 and more particularly described as follows:

TRANSFER CERTIFICATE OF TITLE NO. P – 29483
Lot No. 16154-A, Csd 11-012534

A parcel of land (Lot 16154 –A, CSD 11-012534 situated in the Barangay Poblacion, Tagum City, Province of Davao del Norte, Island of Mindanao. Bounded on the NE along line 2-3 by lot 16154-B (lot 16286, Csd 11-012534; on the SE along line 3.4; SW along line 4-5-6-1 both of lot 14938-B, Csd 11-012323; and NW along line 1-2 by lot 396, CDs 276. Beginning at a point marked " 1 " on plan being N. 78 deg. 09 "E., 645.68 m. from BLLM No. 2 Cad 276 Tagum Cadastre thence

1-2 N. 69 deg. 15 E	77.13m
2-3 S, 26 deg. 38 E	37.90 m.
3-4 S 46 deg. 36W	75.05 m.
4-5 N 28 deg.09 W	5.00 m.
5-6 N. 66 deg. 13 W	20.71 m.
6-1 N 16 deg. 18 W	47.26 m.

Containing an area of Four Thousand Two Hundred Ninety-Seven (4,297) square meters, more or less.

That the VENDOR has offered to sell and the VENDEE has agreed to buy the above-described property together with all the improvements found thereon.

NOW THEREFORE, for and in consideration of the sum of fifteen Million Thirty Nine Thousand Five Hundred (P 15,039,500.00) 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 Five Million (P5,000,000.00) Pesos and the remaining balance particularly the amount of Ten Million Thirty Nine Thousand Five Hundred (P10,039,500.00) Pesos shall be paid within three (3) years to commence on the 1st quarter of 2012 at Three Million three Hundred Forty Six Thousand Five Hundred Pesos (P 3,346,500.00,) per annum until the whole amount is fully paid. ;
2. That the payment of Capital Gains Tax, transfer fee, and Real Property Tax shall be in the account of the VENDOR which will be deducted automatically from the last 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 TCT No. P- 29483 shall be turned – over to the said VENDEE.

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IN WITNESS WHEREOF, the Parties have hereunto set their hands this ____ day of _____, 2011 at Tagum City, Philippines.

ROMEO CUÑA, SR.

Vendor
CTC No.
Issued on
Issued at
TIN

CITY GOVERNMENT OF TAGUM

Vendee
Represented by:

REY T. UY

City Mayor

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 _____, 2011 at Tagum City, personally appeared Romeo Cuña, Sr. and 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 (__) page/s, 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 2011

CARRIED AND APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing.

REY A. BUHION
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:**

ALLAN L. RELLON, MPA
City Vice Mayor
(Presiding Officer)