



Pamahalaang Bayan ng Taytay TANGGAPAN NG SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE 126TH REGULAR SESSION OF THE
9TH SANGGUNIANG BAYAN, HELD ON FEBRUARY 9, 2016 AT THE SESSION
HALL OF THE MUNICIPAL BUILDING, TAYTAY, RIZAL**

PRESENT:

Hon. Carlito G. Gonzaga	-	Vice Mayor/Presiding Officer
Hon. Jan Victor B. Cabitac	-	Councilor
Hon. Archie L. Calderon	-	"
Hon. Sharon DL. Macabebe	-	"
Hon. Michell B. Bermundo	-	"
Hon. Sophia Priscilla L. Cabral	-	"
Hon. Ceferino R. Resurreccion, Jr.	-	"
Hon. Kristofer Charls S. Esguerra	-	"
Hon. Philip Jeison J. Cruz	-	"
Hon. Joseph Z. Valera	-	LnB President

Authored by: Coun. Kristofer Charls S. Esguerra

Co-Authored and Co-Sponsored by:

Vice Mayor Carlito G. Gonzaga
Coun. Jan Victor B. Cabitac
Coun. Archie L. Calderon
Coun. Sharon DL. Macabebe
Coun. Michell B. Bermundo
Coun. Sophia Priscilla L. Cabral
Coun. Ceferino R. Resurreccion, Jr.
Coun. Philip Jeison J. Cruz
LnB Pres. Joseph Z. Valera

RESOLUTION NO. 394

**A SANGGUNIANG BAYAN RESOLUTION RATIFYING THE MEMORANDUM
OF AGREEMENT BETWEEN THE MUNICIPAL GOVERNMENT OF TAYTAY
REPRESENTED BY MUNICIPAL MAYOR HON. JANET DE LEON MERCADO
IN BEHALF OF BENJAMIN ESGUERRA MEMORIAL HIGH SCHOOL
(BEMHS) AND MS. TERESITA DELA CRUZ-GUADALUPE REPRESENTED
BY ENGR. GABRIEL H.ABAD REGARDING PURCHASE OF THE
PROPERTY THAT WAS ENCROACHED BY THE BUILDING OF BEMHS
LOCATED AT HIGHWAY 2000, BARANGAY STA. ANA, TAYTAY, RIZAL**

WHEREAS, the encroached property has a total area of One Hundred Thirty Five
(135) Square Meters under Tax Declaration No. 15-TY-005-01031;

Rizal

WHEREAS, the Sta Lucia Incorporated, developer of Cainta Greenland Phase 4-C had submitted Lot Data Computation Sheet with a Map (attached herein) describing the portion of Lot 1, 2,3,4,&5 of Block 1, portion of Lot 4,3,2,1 of Block 4 & portion of road in between Block 1 and Block 4 as being stated;

WHEREAS, the 9th Sangguniang Bayan had passed Resolution No. 247 series of 2014 entitled "Authorizing the Local Chief Executive, Honorable Mayor Janet De Leon Mercado in behalf of Benjamin Esguerra Memorial High School to negotiate with Mr. Gabriel H. Abad, attorney-in-fact of Ms. Teresita Dela Cruz-Guadalupe, owner of the adjacent lot that was encroached by the building located at Highway 2000, Barangay Sta. Ana, Taytay Rizal".

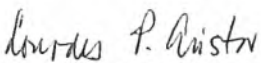
WHEREAS, the vital concern of ratifying the Memorandum of Agreement is for the full implementation of the purpose;

NOW THEREFORE BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 9th Sangguniang Bayan, duly assembled in session hereby ratifies the Memorandum of Agreement between the Municipal Government of Taytay represented by the Municipal Mayor Hon. Janet De Leon- Mercado in behalf of Benjamin Esguerra Memorial High School (BEMHS) and Ms. Teresita Dela Cruz-Guadalupe represented by Engr. Gabriel H. Abad, Attorney-in-Fact for the purchase of the property encroached by the building of BEMHS located at Highway 2000, Barangay Sta. Ana, Taytay Rizal.

RESOLVED FURTHER, that copies of this Resolution be submitted to the higher authorities and duly constituted bodies for appropriate action pursuant to the existing rules and regulations.

APPROVED this 9th day of February, 2016 at the Session Hall of the Municipal Building, Taytay Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Resolution which was duly adopted by the Sangguniang Bayan of Taytay during its 126th Regular Session held on February 9, 2016.


LOURDES P. DISTOR
Board Sec. III-OIC

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HIS HONOR


HON. CARLITO G. GONZAGA
Vice Mayor/Presiding Officer

LOT DATA COMPUTATION

Lot No.: Lot 24, Block 2
(OVERLAP)

Date Prepared: APRIL 1, 2015 Sheet 1/2

Owner : CAINTA GREENLAND PHASE 4-C-1

GODOFREDO T. TALEON
Geometric Engineer

Location : San Juan, Cainta, Rizal

Surv. Sym. & No.:

L.R.C. No.:

STATION / CORNER	AZIMUTH / DISTANCE	COORDINATES		LINE / DESC	BEARING / DISTANCE
		NORTHING	EASTING		
Reference: B/LM No. 1, Cad. 688-D, Cainta-Taytay Cadastre		1,611,629.2700	514,643.1100	TP-1	S 70-36 W 1,611.16
1/Block 2 1	1°38' 13.50	1,611,093.9900	513,123.4700	1-2 P.S.	N 88-20 W 90.04
2/Block 2 2	91°40' 90.04	1,611,096.6073	513,033.4699	2-3 P.S.	N 01-32 E 1.50
2/ this 3	181°32' 1.50	1,611,098.1100	513,033.5100	3-4 P.S.	S 88-20 E 10.01
3/ this 4	271°40' 10.01	1,611,097.8187	513,043.5167	4-5 P.S.	S 88-20 E 10.01
4/ this 5	271°40' 10.01	1,611,097.5274	513,053.5214	5-6 P.S.	S 88-20 E 10.00
5/ this 6	271°40' 10.00	1,611,097.2365	513,063.5171	6-7 P.S.	S 88-20 E 10.00
6/ this 7	271°40' 10.00	1,611,096.9455	513,073.5129	7-8 P.S.	S 88-20 E 10.00
7/ this 8	271°40' 10.00	1,611,096.6545	513,083.5086	8-9 P.S.	S 88-20 E 10.00

Prepared by: PBJL-DIGITAL DATA SERVICES Email us: pbjl.dds@gmail.com 04/01/2015

Plus. 394

LOT DATA COMPUTATION

Lot No.: Lot 24, Block 2
(OVERLAP)

Date Prepared: APRIL 1, 2015 Sheet 1/2

Owner : CAINTA GREENLAND PHASE 4-C-1

GODOFREDO T. TALEON
Geodetic Engineer

Location : San Juan, Cainta, Rizal
Surv. Sym. & No.:

L.R.C. No.:

STATION / CORNER	AZIMUTH/ DISTANCE	COORDINATES		LINE/ DESC	BEARING/ DISTANCE
		NORTHING	EASTING		
Reference: BLM No. 1, Cad. 688-D, Cainta-Taytay Cadastre		1,611,629.2700	514,643.1100	TP-1	S 70-36 W 1,611.10
1/Block 2 1	1°38' 13.50	1,611,093.9900	513,123.4700	1-2 P.S.	N 88-20 W 90.04
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5/this 6	271°40' 10.00	1,611,097.2365	513,063.5171	6-7 P.S.	S 88-20 E 10.00
6/this 7	271°40' 10.00	1,611,096.9455	513,073.5129	7-8 P.S.	S 88-20 E 10.00
7/this 8	271°40' 10.00	1,611,096.6545	513,083.5086	8-9 P.S.	S 88-20 E 10.00

Created by: PBJL-DIGITAL DATA SERVICES Email us: pbjl.dds@gmail.com 04/01/2015

Res. 394

LOI DATA COMPUTATION

Lot No.: Lot 24, Block 2
(OVERLAP)

Date Prepared: APRIL 1, 2015 Sheet 2/2

Owner: CAINTA GREENLAND PHASE 4-C-1

GODOFREDO T. TALEON
Geodetic Engineer

Location: San Juan, Cainta, Rizal

Inv. Sym. & No.:

L.R.C. No.:

STATION / CORNER	AZIMUTH/ DISTANCE	COORDINATES		LINE/ DESC	BEARING/ DISTANCE
		NORTHING	EASTING		
9	271°40' 10.00	1,611,096.3635	513,093.5044	9-10 P.S.	S 88-20 E 10.00
10	271°40' 10.00	1,611,096.0725	513,103.5002	10-11 P.S.	S 88-20 E 10.00
11	271°40' 10.00	1,611,095.7815	513,113.4959	11-12 P.S.	S 88-20 E 10.00
Block 2 12	1°38' 12.00	1,611,095.4899	513,123.5128	12-1 P.S.	S 01 18 W 12.50

Area (Sq.m.) 135

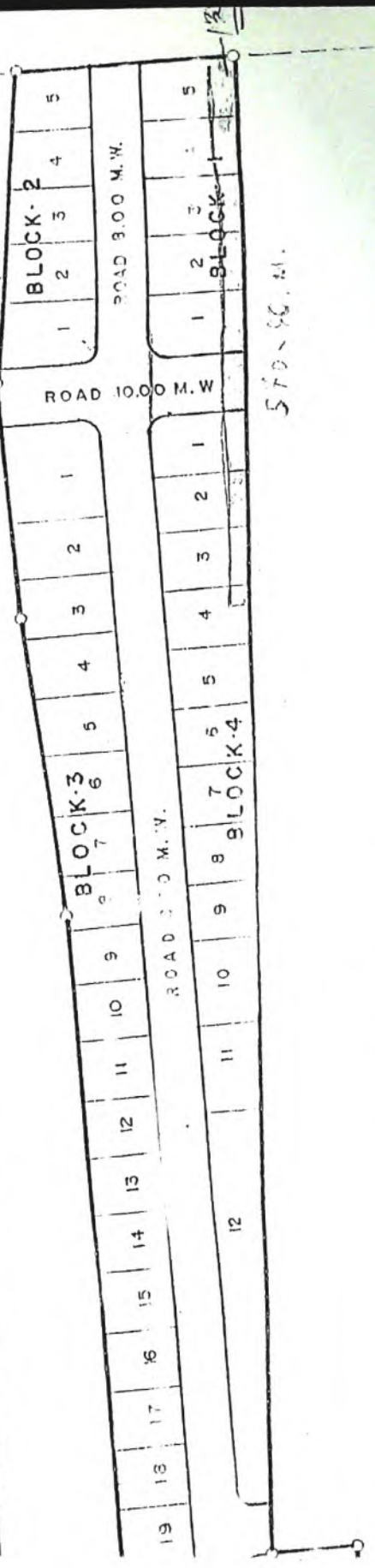
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SPECIFICATIO.

AREA OF DEVELOPMENT	3,697	SQ. M.	
AREA OF SALEABLE LOTS	6,167	" "	70.91%
AREA OF ROADS	2,530	" "	29.09%
NO. OF SALEABLE LOTS	43		

CAINTA GREENLAND, PHASE 4.C

EXISTING ROAD



Block 4 Lot 12 3 + 4
 Block 1 Lot 12 3 4 + 5 and Road consisting 135
 square mts of Cainta Greenland Phase 4.C

MEMORANDUM OF AGREEMENT

KNOWN ALL MEN BY THESE PRESENTS:

This **Memorandum of Agreement** (hereinafter referred to as "Agreement" for brevity), made and executed this _____ day of OCT 05 2015, at Taytay, Province of Rizal, by and between:

The **MUNICIPAL GOVERNMENT OF TAYTAY**, a local government unit, with seat of government at the Municipal Building, Taytay, Rizal and herein represented by its incumbent Municipal Mayor, **Hon. JANET DE LEON MERCADO**, in behalf of **BENJAMIN ESGUERRA MEMORIAL SCHOOL** as per **Resolution No. 247, Series of 2014** and hereinafter called the **PARTY OF THE FIRST PART**.

-AND-

MS. TERESITA DELA CRUZ – GUADALUPE, as herein represented by her Attorney-in-Fact, **ENGR. GABRIEL H. ABAD**, hereinafter called the **PARTY OF THE SECOND PART**.

WITNESSETH:

WHEREAS, The Sangguniang Bayan of Taytay has passed a **Resolution No. 247** Authorizing the Municipal Mayor, **Hon. Janet De Leon Mercado** to negotiate with **ENGR. GABRIEL H. ABAD**, Attorney-in-Fact of **MS. TERESITA DELA CRUZ – GUADALUPE**, to include the purchase of a portion of their property that was encroached by the building of **BENJAMIN ESGUERRA MEMORIAL HIGH SCHOOL (BEMHS)** located at Highway 2000, Barangay Sta. Ana, Taytay, Rizal;

WHEREAS, in the pursuit of progress and development, the **PARTY OF THE FIRST PART** has intended to provide better educational programs beneficial to the constituents of Taytay, Rizal;

WHEREAS, in so doing the property owned by the **PARTY OF THE SECOND PART** covered by TCT No. 1991 with **Tax Declaration No. 15-TY-005-01031** portion of the said property consisting of One Hundred Thirty Five (135) Square Meters was needed for the **school (BEMHS)**;

WHEREAS, considering the mutual concern of the parties hereto; in order not to impede the implementation of the aforesaid project/program; and that said project/program will ultimately rebound to the benefit of the constituents of the Municipality of Taytay, the parties hereto have mutually agreed to enter into this Agreement;

NOW THEREFORE, for and in consideration of the foregoing, parties hereby agree as follows;

Janet De Leon Mercado

Engr. Gabriel H. Abad

Pub. Secy

1. The Parcels of land measuring about **One Hundred Thirty Five (135) Square Meters**, more or less at a price of **FIVE THOUSAND (Php 5,000.00) PESOS**, which amounts to Six Hundred Seventy Five Thousand (Php 675,000.00) Pesos.

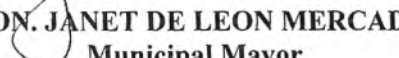
2. The payment of the aforesaid amount are as follows:
 - a. The amount of **Three Hundred Thirty Seven Thousand Five Hundred Pesos (Php 337,500.00)** given to the **PARTY OF THE SECOND PART** upon signing of this Memorandum of Agreement and Ratification by the Sangguniang Bayan.
 - b. That the remaining **Three Hundred Thirty Seven Thousand Five Hundred Pesos (Php 337,500.00)** shall be given to the **PARTY OF THE SECOND PART** after the Transfer of the Title and the Tax Declaration to the **PARTY OF THE FIRST PART**.
 - c. Payment of the Capital Gain Tax, documentary stamp, registration and transfer's fee and other incidental expenses for registration and transfer of the said sale, shall be for the account of the **PARTY OF THE SECOND PART**.

IN WITNESS WHEREOF, the parties hereto have affixed their signature hereunder on the date and place above written.

MUNICIPALITY OF TAYTAY

Party of the First Part:

By:

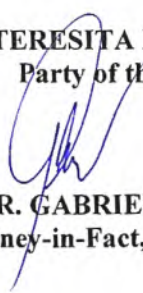

HON. JANET DE LEON MERCADO
Municipal Mayor

Identification Card / TIN. No.

MS. TERESITA DELA CRUZ – GUADALUPE

Party of the Second Part:

By:


ENGR. GABRIEL H. ABAD
Attorney-in-Fact,

Identification Card / TIN. No.

Signed in the presence of:



Republic of the Philippines)

Republic of the Philippines)
Municipality of Taytay) S.S.
Province of Rizal

ACKNOWLEDGEMENT

BEFORE ME, a notary public for and in **TAYTAY, RIZAL** this OCT 05 day of 2015, who are personally known to me and identified by me through competent evidence of identify to be the same persons described in the foregoing instrument, who acknowledge before me that their respective signatures on the instrument were voluntarily affixed by them for the purposes stated therein, and who declared to me that they have executed the instrument as their free and voluntarily act and deed.

WITNESS MY SIGNATURE AND SEAL, on the date, year and place first above written.

Notary Public



R.Z. AGUIAS

Notary Public until Dec. 31, 2016
Commission No. 14-63/Roll No. 28663
PTR No. 3729001/01/05/15/Rizal
IBP No. 867135/Lifetime Member/Rizal
MCLE Compliance No. IV-0011332/1-09-13/Pasig
ARC Place Bldg. #2 Sumulong St. Taytay, Rizal

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