



Pamahalaang Bayan ng Taytay TANGGAPAN NG SANGGUNIAN BAYAN

EXCERPT FROM THE MINUTES OF THE 137TH REGULAR SESSION OF THE 9TH SANGGUNIANG BAYAN, HELD ON APRIL 26, 2016 AT THE SESSION HALL OF THE MUNICIPAL BUILDING, TAYTAY, RIZAL

PRESENT:

Hon. Carlito G. Gonzaga	-	Vice Mayor/Presiding Officer
Hon. Jan Victor V. Cabitac	-	Councilor
Hon. Archie L. Calderon	-	“
Hon. Sharon DL. Macabebe	-	“
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

ABSENT:

Hon. Michell B. Bermundo	-	Councilor
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Authored & Sponsored by: Coun. Kristofer Charls S. Esguerra
Co-Sponsored by: Vice Mayor Carlito G. Gonzaga
Coun. Jan Victor B. Cabitac
Coun. Archie L. Calderon
Coun. Sharon DL. Macabebe
Coun. Sophia Priscilla L. Cabral
Coun. Ceferino R. Resurreccion, Jr.
Coun. Philip Jeison J. Cruz
LnB Pres. Joseph Z. Valera

RESOLUTION NO. 412

A RESOLUTION RATIFYING THE MEMORANDUM OF AGREEMENT ENTER INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF TAYTAY REPRESENTED BY THE MUNICIPAL MAYOR HON. JANET DE LEON-MERCADO WITH MR. ROMEO NAVAL – REPRESENTING NAVAL FAMILY FOR THE PURCHASE OF A PORTION OF PROPERTY LOCATED AT SITIO BUROL, BARANGAY SAN JUAN, TAYTAY, RIZAL

Whereas, Res. 271 series of 2014 had authorized the Local Chief Executive Honorable Janet De Leon-Mercado to negotiate and enter into agreement/contract with Naval Family for the purchase of a portion of located at Sitio Burol, Barangay San Juan, Taytay, Rizal;

Whereas, the Municipal Government of Taytay finds it appropriate to provide the necessary access road to promote peace, order, convenience and commence entry of other government utility services beneficial to the constituents in the area;

Whereas, the Municipal Government of Taytay represented by Hon. Janet De Leon-Mercado and Mr. Romeo F. Naval had signed the Memorandum of Agreement on September 4, 2015 for the said purpose (herein attached);

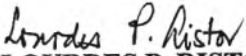
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NOW THEREFORE RESOLVED, as it is hereby resolved by the 9th Sangguniang Bayan in session hereby **RATIFIES THE MEMORANDUM OF AGREEMENT BETWEEN THE MUNICIPAL GOVERNMENT OF TAYTAY REPRESENTED BY HONORABLE JANET DE LEON-MERCADO WITH MR. ROMEO NAVAL-REPRESENTING NAVAL FAMILY FOR THE PURCHASE OF A PORTION OF PROPERTY LOCATED AT BARANGAY SAN JUAN, TAYTAY, RIZAL;**

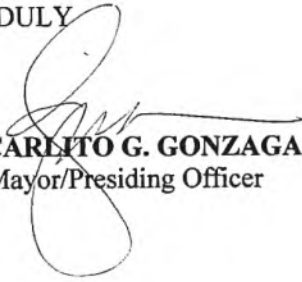
RESOLVED FURTHER, that the copy of this resolution be furnished to all concerned for their information and proper action.

APPROVED AND ADOPTED, this 26th day of April, 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 the 137th Regular Session held on April 26, 2016.


LOURDES P. DISTOR
Board Sec III – OIC

ATTESTED AND CERTIFY TO BE DULY
ADOPTED BY HIS HONOR


HON. CARLITO G. GONZAGA
Vice Mayor/Presiding Officer

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 SEP 04 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** and hereinafter called the **PARTY OF THE FIRST PART**.

-AND-

ROMEO F. NAVAL married to Rosalita Naval, **REBECCA N. GARCIA**, widow, **RHODORA N. CORTEZ** married to Serafin Cortez, Jr., **ROSALINA N. BUENAVENTURA** married to Generoso Buenaventura, Heirs of **ROMULO NAVAL** represented by **ANNA CONCEPCION N. NAVAL** and Heirs of **ROSARIO HALILI** represented by **RONAN N. HALILI**, all herein represented by **ROMEO NAVAL**, hereinafter called the **PARTY OF THE SECOND PART**.

WITNESSETH:

WHEREAS, the **SANGGUNIANG BAYAN OF TAYTAY** has passed a **Resolution No. 239 "A RESOLUTION AUTHORIZING THE LOCAL CHIEF EXECUTIVE HONORABLE MAYOR JANET DE LEON-MERCADO IN BEHALF OF THE MUNICIPALITY OF TAYTAY TO NEGOTIATE AND ENTER INTO AGREEMENT / CONTRACT WITH THE NAVAL FAMILY FOR THE PURCHASE OF A PORTION OF THEIR PROPERTY LOCATED AT SITIO BUROL, BARANGAY SAN JUAN, TAYTAY, RIZAL"**;

WHEREAS, in the pursuit of progress and development, the **PARTY OF THE FIRST PART** has intended to provide access road 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. 068-2014005253** consisting of **Four Hundred Nine Five (495) sq. m.** was chosen;

WHEREAS, the Municipal Appraisal Committee issued Resolution No. 2015-02 declaring **Three Thousand Five Hundred (Php 3,500.00) per Square Meters** relatively fair and reasonable;

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 redound to the benefit of the constituents of the Municipality of Taytay, the parties hereto have mutually agreed to enter into this Agreement;

Rosario Halili

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

1. The parcels of land measuring about **495 square meter** more or less at a price of **THREE THOUSAND FIVE HUNDRED (Php 3,500.00) PESOS**, which amounts to **ONE MILLION SEVEN HUNDRED THIRTY TWO THOUSAND FIVE HUNDRED PESOS (Php 1,732,500.00) PESOS**, which Land described respectively as follows:

Transfer Certificate of Title No. 068-2014005253

LOT NO: LOT 10
BOUNDARIES :

PLAN NO: (LRA) PSD - 427475

LINE	DIRECTION	ADJOINING LOT(S)
1-2	NW , NE	PROPERTY OF BRAULIO SANTOS (BEFORE), BIENVENIDO GOMEZ (NOW), LOT 1, PJU - 116419
2-3	NE	PROPERTY OF VALENTINE MAGNAO , PSU - 760305
3-4	NE	PROPERTY OF ANICETO DE LA ROSA , PSU - 101116
4-5	EAST	PROPERTY OF JUAN CRUZ, (IEA) PSD - 427475
5-6	SW	LOT 4, (LRA) PSD - 427475
6-7, 8, 10-11, 13-14-15, 18-19	SW , SE	LOT 9 (ROAD), (LRA) PSD-427475
8-9-10	SW	LOT 3, (LRA) PSD-427475
11-12-13	SW	LOT 2, (LRA) PSD-427475
15-16-17	SW , SE	LOT 1, (LRA) PSD - 427475
17-18	SW , SE	LOT 1, (LRA) PSD - 427475
19-20	SW	LOT 8, (LRA) PSD-427475
20-1	NW , NE	PROPERTY OF BRAULIO SANTOS (BEFORE) BIENVENIDO GOMEZ (NOW)

2. The payment of the aforesaid amount are as follows:

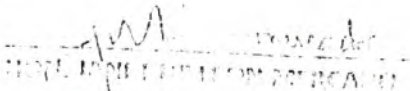
- a. The amount of **EIGHT HUNDRED THOUSAND PESOS (Php 800,000.00)** shall be given to the **PARTY OF THE SECOND PART** upon signing of this Memorandum of Agreement and Ratification by the Sangguniang Bayan.
- b. That the remaining **NINE HUNDRED THIRTY TWO THOUSAND FIVE HUNDRED PESOS (Php 932,500.00)** shall be given to the **PARTY OF THE SECOND PART** after the Transfer of the Title and Tax Declaration to the **PARTY OF THE FIRST PART**.

Payment of the Capital Gain Tax and documentary stamp tax shall be for the account of the **PARTY OF THE SECOND PART**, while payment for the relocation and survey of the portion of the said partial of the land, documentation 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 FIRST PART**.

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

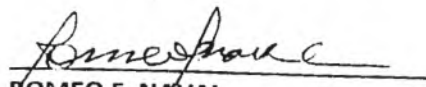
**PARTY OF THE FIRST PART:
MUNICIPALITY OF TAYTAY**

By:


Municipal Mayor

GSIS ID. NO. 006-0100-1895-0
Identification Card

PARTY OF THE SECOND PART:


ROMEO F. NAVAL
license no. D16-61-006625
Identification Card

Signed in the presence of:

Province of Rizal)


ACKNOWLEDGEMENT

BEFORE ME, a notary public for and in TAYTAY, RIZAL this SEP 04 2015 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

Doc.No. 312
Page No. 63
Book No. XI
Series of 2015.


R.Z. AGUIÑO
Notary public Until Dec.31,2016
Commission No. 28663
PTR No 3729001 / 01-05-15/Rizal
IRP No. 867135/Lifetime Member/Rizal
RF Compliance No. IV-0011332/1-09-13/Pasig City
ARC Place Bldg. # 2 Sumulong St.,Taytay Rizal

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

We, **REBECCA N. GARCIA, RHODORA N. CORTEZ, ROSALINA N. BUENAVENTURA** and **HEIRS of ROMULO NAVAL** Rep. by **ANNA CONCEPCION N. NAVAL AND HEIRS OF ROSARIO HALILI**, Rep. by **RONAN HALILI** of legal ages, Filipinos, and residing at 97 S. Mateo St. Taytay, Rizal do hereby constitute **ROMEO F. NAVAL** of legal age, Filipino citizen and residing at the same address and whose signature appears below, to be our true and lawful **ATTORNEY-IN-FACT** for us and in our name, place and stead, to do and perform the following acts and deeds to wit:

1. To deal, transact, negotiate and convey/sell with any government and private entity with respect to a property situated in Taytay, Rizal covered by TRANSFER CERTIFICATE OF TITLE NO. 068-2014005253;
2. To sign and execute documents, papers and instruments relative thereto;

HEREBY GIVING AND GRANTING unto our said attorney-in-fact, or his/her substitute full power and authority to do and perform every lawful act and thing whatsoever requisite or necessary or proper to be done in the premises, as fully to all intents and purposes as we ought or could lawfully do if personally present, and hereby ratifying and conforming all to our said **Attorney-in-fact** shall do or cause to be done under and by virtue of these presents.

IN WITNESS WHEREOF, we have here to set our hands this _____ at _____.

Principals

Rebecca N. Garcia
REBECCA NAVAL GARCIA

Rhodora N. Cortez
RHODORA NAVAL CORTEZ

Rosalina Naval Buenaventura
ROSALINA NAVAL BUENAVENTURA

Anna Concepcion N. Naval
HEIRS of ROMULO
NAVAL Rep. by ANNA
CONCEPCION N. NAVAL

Ronan Halili
HEIRS OF ROSARIO HALILI, Rep. by RONAN HALILI

Romeo F. Naval
ROMEO F. NAVAL
Attorney-in-fact

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in above jurisdiction this _____, personally appeared:

Name	ID NO.
REBECCA NAVAL GARCIA	<u>CS ID NO. 60258</u>
RHODORA NAVAL CORTEZ	<u>CS ID NO. 11049</u>
ROSALINA NAVAL BUENAVENTURA	<u>CS ID NO. 5991</u>
ROMEO NAVAL	<u>SSS ID NO. 03-1139321-5</u>
HEIRS OF ROMULO NAVAL Rep. by	
ANNA CONCEPCION N. NAVAL	<u>PRC ID. NO. 0449560</u>
HEIRS OF ROSARIO HALILI Rep. by RONAN HALILI	<u>DIC-93-070880/2017-2-17</u>

who has satisfactory identified their self to be the same person who authorized to me to sign the forgoing Special Power of Attorney on their behalf, consisting of only two (2) pages, which they acknowledged to me as their own free and voluntary act and deed.

Doc. No. 486;
Page No. 40;
Book No. XI;
Series of 2015



R.Z. AGUIAO

Notary public Until Dec.31,2016

Commission No. 28663

PTR No.3729001 / 01-05-15/Rizal

IBP No. 867135/Lifetime Member/Rizal

CLE Compliance No. IV-0011332/1-09-13/Pasig City

ARC Place Bldg. # 2 Sumulong St.,Taytay Rizal

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Rhodora Cortez
Rosalina Buenaventura
Romeo Naval
Anna Concepcion N. Naval
Ronan Halili
Notary Public
R.Z. Aguiao