



Sangguniang Panglungsod

ORDINANCE NO. 06-079

AN ORDINANCE APPROVING THE REQUEST OF SAMAHANG MAGKAKAPITBAHAY NG BAYANAN PUROK 4, MUNTINLUPA HOMEOWNERS ASSOCIATION, INC., TO BORROW THREE MILLION PESOS (Php 3,000,000.00) FOR THE PURCHASE OF THE SIX THOUSAND FIVE HUNDRED THIRTEEN (6,513) SQUARE METERS LOT, MORE OR LESS, COVERED BY TCT NO. 148238 REGISTERED IN THE NAMES OF JOVITA CARLOS, SERGIO CARLOS, VICTORIA CARLOS, GREGORIO CARLOS AND QUIRICO CARLOS LOCATED AT PUROK 4, SAN GUILLERMO ST., BAYANAN, MUNTINLUPA CITY FOR ITS HOUSING PROJECT THROUGH THE NATIONAL HOME MORTGAGE FINANCE CORPORATION (NHMFC) WHICH AMOUNT SHALL BE TAKEN FROM 2006 EXECUTIVE BUDGET.

Sponsored by:

Hon. Atty. Raul R. Corro
Hon. Lucio B. Constantino
Hon. Atty. Icasiano M. dela Rea
Hon. Melchor R. Teves
Hon. Christian Glenn D. Lorica
Hon. Rene Carl S. Cayetano
Hon. Bal Niefes
Hon. Allan Rey A. Camilon
Hon. Ma. Luisa Babaran-Echavez, M.D.
Hon. Allen F. Ampaya
Hon. Elmer S. Espeleta
Hon. Francis Ian T. Bagatsing
Hon. Marissa Cole-Rongavilla
Hon. Joselito V. Arevalo
Hon. Mario E. Bulay, Jr.
Hon. Artemio A. Simundac

WHEREAS, the *Samahang Pinagpalang Magkakapitbahay ng Bayanan, Purok IV, Muntinlupa Homeowners Association, Inc.*, is seeking loan assistance from the City Government of Muntinlupa in the amount of **Three Million Pesos (Php3,000,000.00)** to purchase a lot in Bayanan for its housing project the release of the money from the NHMFC;

WHEREAS, the City Administrator endorsed to the City Council the application of *Samahang Pinagpalang Magkakapitbahay ng Bayanan, Purok IV, Muntinlupa Homeowners Association, Inc.*, for *Interim Financing Assistance* in the amount of **Three Million Pesos (Php3,000,000.00)**;

WHEREAS, the parcel of land is situated at *Purok 4, San Guillermo St., Bayanan, City of Muntinlupa* with TCT No. 148238 containing an area of Six Thousand Eight Hundred One (6,801) square meters;



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WHEREAS, the selling price of a parcel of land is *Two Thousand Pesos (Php 2,000.00) per square meters* in the total amount of *Thirteen Million Twenty Six Thousand Pesos (P13,026,000.00)*;

WHEREAS, the owner agrees to sell a portion of the subject property consisting of *(6,513) square meters* only, to **Samahang Pinagpalang Magkakapitbahay ng Bayanan, Purok 4, Muntinlupa Homeowners Association, Inc.**, which shall be paid through the *Community Mortgage Program (CMP)* of the *National Home Mortgage Finance Corporation (NHMFC)* for the purpose of subdividing the same as residential lots exclusively for its urban poor members;

WHEREAS, the land owner requested the association to pay additional advance payment of the total purchase price of the subject property in the amount of *Three Million Pesos (P3,000,000.00)*;

WHEREAS, the association has requested the *City Government of Muntinlupa* for a loan assistance in the amount of *Three Million Pesos (P3,000,000.00)* from the *City's Interim Financing Facility for Socialized Housing Program*;

WHEREAS, the association agreed to execute a *Deed of Assignment and Memorandum of Agreement* that once the *NHMFC* releases the check(s) in payment of the loan granted by the *City* for the purchase price of the lot, said payment shall be given to the *City Government* as payment of the loan granted to the association;

WHEREAS, the association agreed to directly pay the monthly amortization to the *City Government* and make the lot as security for the loan in the event that the *NHMFC* is unable to release the payment of the lot;

WHEREAS, there is a fund available under the *2006 Executive Budget* of the *City Government*;

NOW BE IT ORDAINED AS IT IS HEREBY ORDAINED, by the City Council of Muntinlupa in session assemble the following terms and conditions:

1. The **VENDOR** shall execute a **Deed of Absolute Sale** in favor of the ASSOCIATION, conveying an area of *Six Thousand Five Hundred Thirteen (6,513) square meters* of the subject property to the **Association** in the amount of *Two Thousand Pesos (Php2,000.00) per square meters* or in the aggregate amount of *Thirteen Million Twenty Six Thousand Pesos (Php13,026,000.00)* upon full payment thereof;



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2. The **VENDOR** shall execute a corresponding **Deed of Assignment** in favor of the *City Government* assigning a portion of the *CMP* proceeds of the **Association** as payment for the aggregate amount of *Three Million Pesos (Php3,000,000.00)* advanced by the *City* to the **Association** and paid by the latter to the **VENDOR**;
3. The **VENDOR** shall pay the corresponding amount of *transfer tax, documentary stamp tax on sale and other incidental expenses* such as *registration fees, documentary stamps and other payments* regarding the purchase of the said property;
4. The **ASSOCIATION** shall faithfully comply with the necessary documentary requirements on *CMP* set forth by the *NHMFC* with the assistance of the *City* as their originator;
5. The **ASSOCIATION** shall require the qualified beneficiaries/members to undertake the *Saving Mobilization Program* being implemented by the *City*;
6. The **ASSOCIATION** shall pay the real property tax and other expenses, apart from the amount committed by the landowner that may be incurred in the process of issuance of the new title;
7. The **ASSOCIATION** shall facilitate the exemption of the landowner from paying the *Capital Gains Tax* from the *Bureau of Internal Revenue* and *Transfer Tax* from the **VENDOR**;
8. The **CITY** shall advance the amount of **Three Million Pesos (P3,000,000.00)** to the **VENDOR**, representing the additional advance payment of the property being purchased by the **ASSOCIATION** for the later;
9. The **CITY** shall provide the necessary assistance to the **ASSOCIATION** in the resettlement of its members, in coordination with *Philippine Business for Social Progress (PBSP)* as partner funding institution.

RESOLVED, THEREFORE, AS IT IS HEREBY RESOLVED, to approve the request of the of **Samahang Magkakapitbahay ng Bayanan Purok 4, Muntinlupa Homeowners Association, Inc.**, to borrow **Three Million Pesos (Php 3,000,000.00)** for the purchase of the *six thousand five hundred thirteen (6,513) square meters* lot, more or less, covered by *TCT No. 148238* registered in the names of *Jovita Carlos, Sergio Carlos, Victoria Carlos, Gregorio Carlos* and *Quirico Carlos* located at *Purok 4, San Guillermo St., Bayanan, Muntinlupa City* for its housing project through the *National Home Mortgage Finance Corporation (NHMFC)* which amount shall be taken from the **2006 Executive Budget**.



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RESOLVED, FURTHER, that the **City Mayor Atty. Jaime R. Fresnedi**, be authorized to sign for and in behalf of the **City Government** a **Deed of Assignment** and **Memorandum of Agreement**, that may be executed relative to this loan.

ENACTED, by the **Fourth (4th) Sangguniang Panlungsod of Muntinlupa**, this **12th** day of **January 2006**, on its **63rd** Regular Session.

CONCURRED:

ATTY. RAUL R. CORRO
Councilor

BAL NIEFES
Councilor

ALLAN REY A. CAMILON
Councilor

MA. LUISA BABARAN-ECHAVEZ, M.D.
Councilor

MELCHOR R. TEVES
Councilor

ALLEN F. AMPAYA
Councilor

ATTY. IGASIANO M. DELA REA
Councilor

CHRISTIAN GLENN D. LORICA
Sectoral Representative
President, Federation of
Sangguniang Kabataan

RENE CARL S. CAYETANO
Councilor

ELMER S. ESPELETA
Councilor

FRANCIS IAN T. BAGATSING
Councilor

MARISSA COLE-RONGAVILLA
Councilor

JOSELITO V. AREVALO
Councilor

MARIO E. BULAY, JR.
Councilor

ARTEMIO A. SIMUNDAC
Sectoral Representative
President, Association of
Barangay Captains



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ABSENT:

KEVIN B. DELGADO
Councilor

MAMERTO T. SEVILLA, JR.
Councilor

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary
Sangguniang Panlungsod

ATTESTED:

LUCIO B. CONSTANTINO
Acting Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: _____

PBS, JR.