



REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Telephone no. 861-0181/ Fax: 862-6473  
Email address: sangguniangpanlungsod2k16@gmail.com



RESOLUTION NO. 18-305

A RESOLUTION AUTHORIZING THE CITY MAYOR HON. ATTY. JAIME R. FRESNEDI TO SIGN FOR IN BEHALF OF THE CITY GOVERNMENT THE DEED OF ABSOLUTE SALE AND MEMORANDUM OF AGREEMENT (MOA) WITH MR. EDUARDO DEL FIERRO IN THE PURCHASE OF A PORTION EQUIVALENT TO 260 SQUARE METERS OF THE PARCEL OF LAND CONSISTING OF A TOTAL AREA 2,256 SQUARE METERS LOCATED AT BUENDIA STREET, BARANGAY TUNASAN, MUNTINLUPA CITY COVERED BY TRANSFER CERTIFICATE OF TITLE (TCT) NO. 014-2016000520 IN THE AMOUNT OF SIX THOUSAND PESOS (PHP6,000.00) PER SQUARE METER OR A TOTAL AMOUNT OF ONE MILLION FIVE HUNDRED SIXTY THOUSAND PESOS (PHP1,560,000.00).

Sponsored by: *Hon. Coun. Atty. Patricio L. Boncayao, Jr.*  
*Hon. Coun. Bal Niefes*  
*Hon. Coun. Stephanie G. Teves*  
*Hon. Coun. Allan Rey A. Camilon*  
*Hon. Coun. Ringo A. Teves*  
*Hon. Coun. Louisito A. Arciaga*  
*Hon. Coun. Ivey Rhia Arciaga-Tadefa*  
*Hon. Coun. Ma. Dhesiree G. Arevalo*  
*Hon. Coun. Marissa Cole-Rongavilla*  
*Hon. Coun. Mark Lester M. Baes*  
*Hon. Coun. Lucio B. Constantino*  
*Hon. Coun. Rafael T. Sevilla*  
*Hon. Coun. Victor L. Ulanday*  
*Hon. Coun. Grace B. Gonzaga*

WHEREAS, Section 22 (a) (4-5) of Republic Act 7160, otherwise known as the Local Government Code of 1991 states that "every Local Government Unit, as a corporation, shall have the following powers:

- 4. To acquire and convey real or personal property;
- 5. To enter into contract;

WHEREAS, Section 22 (c) of the same Code further provides that, "unless otherwise provided in this Code, no contract may be entered into by the Local Chief Executive in behalf of the local government unit without prior authorization by the Sanggunian concerned";

WHEREAS, on **October 27, 2017**, the **Hon. City Mayor Atty. Jaime R. Fresnedi** wrote a letter addressed to the **City Vice-Mayor Celso C. Dioko** requesting the City Council for an authority to enter into a Memorandum of Agreement/Deed of Absolute Sale with the land owner for the purchase of parcel of land with an area of 261 square meters, more or less in the amount of Six Thousand Pesos (Php6,000.00) per square meter located at Buendia St., Barangay Tunasan, **Muntinlupa City**;



*Jaime R. Fresnedi*  
*[Signature]*  
*[Signature]*

*[Signature]*  
*[Signature]*

*[Signature]*  
*[Signature]*

*[Signature]*

*[Signature]*

*Victor L. Ulanday*

*[Signature]*



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**WHEREAS**, on **October 11, 2017**, the landowner wrote a letter of intent to sell to the City Government of Muntinlupa thru the Hon. City Mayor Atty. Jaime R. Fresnedi, a portion equivalent to 261 square meters of the parcel of land with **TCT No. 014-2016000520**, consisting of **2,256** square meters more or less for **Ten Thousand Five Hundred Pesos (Php10,500.00)** per square meter located at Buendia St., Barangay Tunasan, **Muntinlupa City**;

**WHEREAS**, the City Government intends to buy the parcel of land with a total area of 261 square meters, more or less because it is needed for expansion of Buendia Road but a price of **Six Thousand Pesos (Php6,000.00)** per square meter only. The Seller shall assume the payment of 6% capital gains tax and 1½% documentary stamp tax;

**WHEREAS**, the Seller shall also shoulder the expense of more or less **Twenty Thousand Pesos (Php20,000.00)** for partition and segregation of the purchased portion of 260 square meters from the total area of 2,256 square meters;

**WHEREAS**, pending the processing of the partition/transfer/processing of the title, the City Government can already use the 261 square meters to expand the Buendia Road;

**WHEREAS**, the BIR Zonal Valuation of the said property is Six Thousand Pesos (**Php6,000.00**) per square meter for residential;

**WHEREAS**, the **Metropolitan Development Authority/City Appraisal Committee** after evaluation of all attendant factors and after careful study of the subject parcel of land recommended the amount of Six Thousand Pesos (Php6,000.00) per square meter as a reasonable and fair market value for the affected parcel of land (Appraisal Report dated March 21, 2018);

**WHEREAS**, the landowner requested for a down payment of One Million Five Hundred Sixteen Thousand Pesos (Php1,516,000.00) because he is already old and needed money, and to be used in paying the taxes/fees and other expenses in the partition and to transfer the title in the name of the City Government of Muntinlupa. **However**, due to the reduction of one square meter in the area to be purchased from 261 to 260 the down payment shall be come **Php1,510,000.00**;

**WHEREAS**, the remaining balance of **Fifty Thousand Pesos (Php50,000.00)** of the total cost shall be paid by the City Government of Muntinlupa after the title is transferred under the name of the City Government;

**WHEREAS**, as certified by the representative from the budget office, there is an available fund from the 2018 Executive Budget;

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**WHEREAS**, after final survey of the portion to be purchased and used to expand the Buendia Road, the total area is only 260 square meters more or less and not 261 square meters. So, the total purchase price is **One Million Five Hundred Sixty Thousand Pesos (Php1,560,000.00)** (and not anymore Php1,566,000.00);

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, by the 8<sup>th</sup> Sangguniang Panlungsod, to authorize the **City Mayor Atty. Jaime R. Fresnedi** to sign for and in behalf of the City Government the **Deed Absolute Sale** and **Memorandum of Agreement (MOA)** with **Mr. Eduardo Del Fierro** in the purchase of a portion equivalent to 260 square meters of the parcel of land consisting of a total area 2,256 Square Meters located at Buendia Street, Barangay Tunasan, Muntinlupa City covered by Transfer Certificate of Title (TCT) No. 014-2016000520 in the amount of Six Thousand Pesos (Php6,000.00) per square meter or a total amount of One Million Five Hundred Sixty Thousand Pesos (Php1,560,000.00).

*Fresnedi*

**APPROVED**, by the 8<sup>th</sup> Sangguniang Panlungsod of Muntinlupa this 21<sup>st</sup> day of **May 2018**, on its **73<sup>rd</sup> Regular Session**.

**CONCURRED:**

**DISTRICT I:**

**COUN. ATTY. PATRICIO L. BONCAYAO, JR.**  
Member

**COUN. BAL NIEFES**  
Member

**COUN. STEPHANIE G. TEVES**  
Member

**COUN. ALLAN REY A. CAMILON**  
Member

**COUN. RINGO A. TEVES**  
Member

**COUN. LOUISITO A. ARCIAGA**  
Member

**COUN. IVEE RHIA A. TADEFA**  
Member

**DISTRICT II:**

**COUN. MA. DHEEJREE G. AREVALO**  
Member

**COUN. CHRISTINE MAY A. ABAS**  
Member

**COUN. MARISSA C. RONGAVILLA**  
Member

**COUN. MARK LESTER M. BAES**  
Member



**YAN ANG TAMA  
YAN ANG MUNTINLUPA!**





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*[Signature]*  
COUN. LUCIO B. CONSTANTINO  
Member

COUN. RAFAEL T. SEVILLA  
Member

*[Signature]*  
COUN. VICTOR L. ULANDAY  
Member

*[Signature]*  
COUN. GRACE B. GONZAGA  
Member

ABSENT:

COUN. ALEXANDER B. DIAZ  
Member

COUN. CHRISTINE MAY A. ABAS  
Member

COUN. WALTER A. ARCILLA  
Sectoral Representative  
President  
League of Barangay Captains

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

*[Signature]*  
CECILIA C. LAZARTE  
Secretary to the Sanggunian

ATTESTED:

*[Signature]*  
CELSO C. DIOKO  
City Vice-Mayor/Presiding Officer

APPROVED:

*[Signature]*  
ATTY. JAIME R. FRESNEDI  
City Mayor

Date: 10 JUL 2018

*[Signature]*  
Norie/8<sup>th</sup> SP

