



PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

RESOLUTION NO. 08-153

A RESOLUTION AUTHORIZING THE CITY MAYOR HON. ALDRIN L. SAN PEDRO TO SIGN AND EXECUTE FOR AND IN BEHALF OF THE CITY GOVERNMENT OF MUNTINLUPA THE DEED OF ABSOLUTE SALE WITH PERPETUAL RIGHT-OF-WAY WITH MA. FELICIDAD A. ESPELETA INVOLVING A PARCEL OF LAND SITUATED BESIDE/ADJACENT THE CITY HALL OF MUNTINLUPA, NATIONAL ROAD, PUTATAN, MUNTINLUPA CITY COVERED BY TRANSFER CERTIFICATE OF TITLE (TCT) NO. 206777), WITH A TOTAL AREA OF ONE THOUSAND FOUR HUNDRED THIRTY FOUR (1,434) SQUARE METERS MORE OR LESS IN THE AMOUNT OF FIFTEEN THOUSAND PESOS (PHP 15,000.00) PER SQUARE METER OR IN THE TOTAL AMOUNT OF TWENTY ONE MILLION FIVE HUNDRED TEN THOUSAND PESOS (Php 21,510,000.00) TO BE TAKEN FROM THE 2008 EXECUTIVE BUDGET UNDER THE LAND BANKING OF THE CITY.

Sponsored by: Hon. Coun. Icasiano M. dela Rea
Co-Sponsored: Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Margarita Amythyst Patdu-Labios, MD
Hon. Coun. Atty. Icasiano M. dela Rea
Hon. Coun. Melchor R. Teves
Hon. Coun. Marita Deang-Calalang, DMD
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Joselito V. Arevalo
Hon. Coun. Luvi P. Constantino
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Vergel C. Ulanday
Hon. Coun. Robert A. Abas
Hon. Coun. Atty. Rey E. Bulay
Hon. Coun. Cezar V. Pagkalinawan
Hon. Coun. Dann Henry G. Teves

WHEREAS, Section 15 of the Local Government Code of 1991, provides that, "every local government unit created or recognized under this Code is a body politic and corporate endowed with the powers to be exercised by it in conformity with law";

WHEREAS, Section 22 (a) of the same Code states that "every Local Government Unit, as a corporation, shall have the following powers:

1. To have continuous succession in its corporation name;
2. To sue and be sued;
3. To have and use a corporate seal;
4. To acquire and convey real or personal property;
5. To enter into contract;
6. To exercise such other power as are granted to corporation, subject to the limitation provided in this code and other laws;



PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

Page 2
Resolution No. 08-153

WHEREAS, Section 22 (c) of the same Code further stipulated 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, the landowner Mrs. Felicidad Espeleta, wrote a letter dated April 3, 2008 addressed to the City Mayor Hon. Aldrin L. San Pedro offering to sell her lot with an area of One Thousand Four Hundred Thirty Four (1,434) square meters located besides/adjacent the City Hall of Muntinlupa, National Road, Putatan, Muntinlupa City at the Fifteen Thousand Pesos (Php15,000.00) per square meter or the total amount of TWENTY ONE MILLION FIVE HUNDRED TEN THOUSAND PESOS (Php 21,510,000.00);

WHEREAS, that the area subject of the sale is the open space now being used as a parking space including that area where R and L Restaurant and the Police Station is located including the buildings and/or structures;

WHEREAS, the existing building and/or structure in front of the said lot is not included and the landowner assured that she will not close the existing right-of-way serving as ingress and egress/access to National road provided that the city government shoulder the security expenses over the said property;

WHEREAS, in the Deed of Absolute Sale shall be signed and to be executed between Hon. City Mayor Aldrin L. San Pedro and Mrs. Felicidad A. Espeleta there should be a provision to the effect that a perpetual right-of-way free of charge shall be granted by the seller to the City Government of Muntinlupa that perpetual right-of-way is the existing right-of-way that serve as the ingress and egress of the property going to the national road;

WHEREAS, the Assessor’s Office explained that the comparable land sale and prevailing market values, including the BIR Zonal Valuation of properties within the vicinity of the subject property ranges from Fifteen Thousand Pesos (Php15,000.00) per square meter to Eighteen Thousand Pesos (Ph18,000.00) per square meter;

WHEREAS, as per MMDA Resolution No. 08-02, as appraisal report submitted by the City Appraisal Committee of Muntinlupa City, the amount of Fifteen Thousand Pesos (Php15,000.00) per square meter, was recommended;

WHEREAS, the landowner shall shoulder the payment of the Capital Gain Tax and documentary stamp tax, while the City shall pay Transfer Tax and registration fees;

WHEREAS, the Budget Office certifies that there is a budget for the payment of the said property under the Land Banking of the City;

[Handwritten signatures on the left margin]

[Handwritten signatures on the right margin]

[Large handwritten signatures at the bottom of the page]



PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

Page 3
Resolution No. 08-153

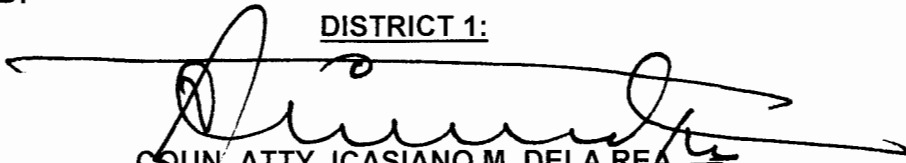
WHEREAS, the City Government has agreed to pay the total amount of Twenty One Million Five Hundred Ten Thousand Pesos (Php21,510,000.00) for the payment of the said property and the amount shall be taken from the 2008 Executive Budget under the Land Banking of the city. Sale and payment of the land is subject to the condition that seller shall cause the payment and cancellation of mortgage, otherwise same is null and void and therefore ineffective and unenforceable;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 5th Sangguniang Panlungsod, to authorize the City Mayor Hon. Aldrin L. San Pedro to sign and execute for and in behalf of the city government of Muntinlupa the Deed of Absolute Sale with *perpetual right-of-way* with Ma. Felicidad A. Espeleta involving a parcel of land situated beside/adjacent the City Hall of Muntinlupa, National Road, Putatan, Muntinlupa City covered by Transfer Certificate of Title (TCT) No. 206777), with a total area of One Thousand Four Hundred Thirty Four (1,434) square meters more or less in the amount of Fifteen Thousand Pesos (Php 15,000.00) per square meter or in the total amount of Twenty One Million Five Hundred Ten Thousand Pesos (Php 21,510,000.00) to be taken from the 2008 Executive Budget under the Land Banking of the city.

APPROVED, by the 5th *Sangguniang Panlungsod of Muntinlupa* this 23rd day of June, 2008 on its 37th Regular Session.

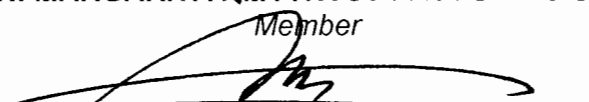
CONCURRED:

DISTRICT 1:


COUN. ATTY. ICASIANO M. DELA REA
Member


COUN. ALLAN REY A. CAMILON
Member

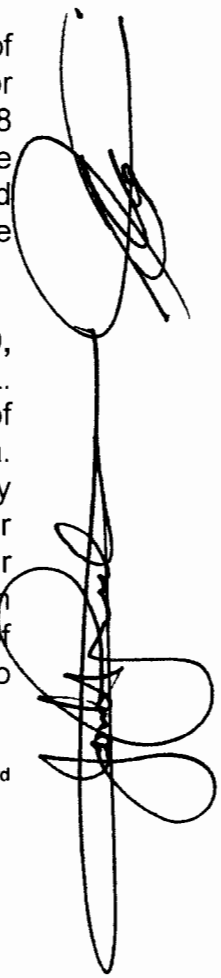

COUN. MARGARITA AMYTHYST PATDU-LABIOS, M.D.
Member


COUN. MELCHOR R. TEVES
Member


COUN. MARITA DEANG-CALALANG, DMD
Member



Handwritten signature







PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA




Sangguniang Panglungsod

Page
Resolution No. 08-153

DISTRICT 2:


COUN. FRANCIS IAM T. BAGATSING
Member


COUN. JOSELITO V. AREVALO
Member


COUN. LUV P. CONSTANTINO
Member

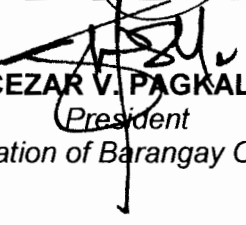

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member


COUN. VERGEL C. ULANDAY
Member


COUN. ROBERT A. ABAS
Member


COUN. ATTY. REY E. BULAY
Member

Sectoral Representatives:


COUN. CEZAR V. PAGKALINAWAN
President
Association of Barangay Captains

COUN. DANN HENRY G. TEVES
President
Federation of Sangguniang Kabataan

ABSENT:

COUN. ALLEN F. AMPAYA
Member

COUN. MA. LUISA BABARAN-ECHAVEZ, M.D
Member

COUN. ERMIE S. ESPELETA
Member


COUN. MARISSA COLE-RONGAVILLA
Member









**PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA**



Sangguniang Panglungsod

**Page 5
Resolution No. 08-153**

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance approved by the 5th Sangguniang Panlungsod this 23rd day of June 2008.

LEONORA M. MARCELO
Legislative Staff Officer IV

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice Mayor/Presiding Officer

APPROVED:

ALDRIN L. SAN PEDRO
City Mayor
Date: _____

Norie/