

RESOLUTION NO. 2012-026
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RESOLUTION AUTHORIZING HIS HONOR, THE CITY MAYOR TO NEGOTIATE WITH MR. BERNARDO OLAÑO THROUGH MR. RAMON Q. OLAÑO, JR. AS COURT APPOINTED GUARDIAN, FOR THE POSSIBLE ACQUISITION OF HIS PROPERTY WITH TCT NO. 6361 LOCATED AT BARANGAY ABELLA, NAGA CITY, IN ACCORDANCE WITH SECTION 10 OF REPUBLIC ACT 7279, SUBJECT TO THE RATIFICATION BY THE SANGGUNIANG PANLUNGSOD:-

Sponsor: Hon. Raoul T. Rosales

WHEREAS, received by the Sangguniang Panlungsod for appropriate action is the letter dated January 7, 2012 of Mr. Sonny Boy S. Miranda, President of Our Lady of Assumption Homeowners Association (OLAHA) addressed to Mr. Ramon Q. Olaño, Jr., court appointed guardian, expressing the intent of the association to purchase the property of Mr. Bernardo Olaño with TCT No. 6361 located at Barangay Abella, this city, at the rate of P500.00 per square meter;

WHEREAS, such negotiation must be made in accordance with Section 10 of Republic Act 7279 that provides:

"Section 10. **Modes of Land Acquisition.**- The modes of acquiring lands for purposes of this Act shall include, among others, community mortgage, land swapping, land assembly or consolidation, land banking, donation to the Government, joint-venture agreement, negotiated purchase, and expropriation: Provided, however, That expropriation shall be resorted to only when other modes of acquisition have been exhausted. Provided, further, that where expropriation is resorted to, parcels of land owned by small property owners shall be exempted for purposes of this Act: Provided, finally, that abandoned property, as herein defined, shall be reverted and escheated to the State in a proceeding analogous to the procedure laid down in Rule 91 of the Rules of Court".

WHEREAS, finding the same to be in order and beneficial to the association to fully own the property they presently occupy, and in the furtherance of the city's Socialized Housing Program;

NOW, THEREFORE, on motion of Hon. Raoul T. Rosales, seconded by Hon. David Casper Nathan A. Sergio;

BE IT RESOLVED, as it is hereby resolved, to authorize His Honor, the City Mayor to negotiate with Mr. Bernardo Olaño through Mr. Ramon Q. Olaño, Jr. as court appointed guardian, for the possible acquisition of his property with TCT No. 6361 located at Barangay Abella, Naga City, in accordance with Section 10 of Republic Act 7279, subject to the ratification by the Sangguniang Panlungsod.

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LET COPIES of this resolution be furnished His Honor, the City Mayor for his information, Mr. Bernardo Olaño through Mr. Ramon Q. Olaño, Jr., the Our Lady of Assumption Homeowners Association (OLAHA) through its President, Mr. Sonny Boy S. Miranda and the Housing & Settlement Development Office for their information and guidance.

APPROVED.

Adopted: February 7, 2012

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WE HEREBY CERTIFY to the correctness of the foregoing resolution.

GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod

CECILIA VELUZ-DE ASIS
Acting City Vice Mayor &
Presiding Officer