

RESOLUTION RATIFYING THE DEED OF EXCHANGE ENTERED INTO BY AND BETWEEN THE CITY GOVERNMENT OF NAGA AND ENJOY REALTY & DEVELOPMENT CORPORATION WITH RESPECT TO A PROPERTY OF THE CITY GOVERNMENT COVERING AN AREA OF 1,079 SQUARE METERS WITH TCT NO. 2014002828 LOCATED IN THE MIDDLE OF PALM VILLAGE SUBDIVISION, AND A PROPERTY OF ENJOY REALTY & DEVELOPMENT CORPORATION COVERING AN AREA OF 1,079 SQUARE METERS WITH TCT NO. 54560 LOCATED AT THE CORNER OF FAUSTO DRIVE GOING TO AEROVILLE SUBDIVISION, ALL LOCATED IN BARANGAY SAN FELIPE, NAGA CITY:-

Sponsor: Hon. Mila S.D. Raquid-Arroyo 

**WHEREAS**, received by the Sangguniang Panlungsod for appropriate action is the 1<sup>st</sup> Indorsement dated December 19, 2016 endorsing the Deed of Exchange executed by and between the city Government of Naga and Enjoy Realty & Development Corporation with respect to a property of the city government covering an area of 1,079 square meters with TCT No. 2014002828 located in the middle of Palm Village Subdivision, and a property of Enjoy Realty & Development Corporation covering an area of 1,079 square meters with TCT No. 54560 located at the corner of Fausto Drive going to Aeroville Subdivision, all located in Barangay San Felipe, Naga City;

**WHEREAS**, on March 11, 2016, the Sangguniang Panlungsod through SP Resolution No. 2016-090, authorized His Honor, the City Mayor, to enter into the said Deed of Exchange with Enjoy Realty & Development corporation;

**WHEREAS**, copy of the said Deed of Exchange is hereto attached as integral part of this resolution;

**WHEREAS**, finding the same to be in order and beneficial to both parties;

**NOW, THEREFORE,** on motion of Hon. Mila S.D. Raquid-Arroyo, seconded by Hon. Julian C. Lavadia Jr., Hon. Elmer S. Baldemoro and Hon. Joselito S.A. del Rosario;

**BE IT RESOLVED**, as it is hereby resolved, to ratify the Deed of Exchange executed by and between the city Government of Naga and Enjoy Realty & Development Corporation with respect to a property of the city government covering an area of 1,079 square meters with TCT No. 2014002828 located in the middle of Palm Village Subdivision, and a property of Enjoy Realty & Development Corporation covering an area of 1,079 square meters with TCT No. 54560 located at the corner of Fausto Drive going to Aeroville Subdivision, all located in Barangay San Felipe, Naga City.

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**LET COPIES** of this resolution be furnished His Honor, the City Mayor, Engr. Emeterio L. Aman, President and Chairman of the Board, Enjoy Realty & Development Corporation, for their information; the City Assessor, the Housing and Settlements Development Office, and the City Legal Officer, for their information and guidance.

APPROVED.

Adopted: August 14, 2018

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**WE HEREBY CERTIFY** to the correctness of the foregoing resolution.



**GIL A. DE LA TORRE**  
Secretary to the  
Sangguniang Panlungsod



**NELSON S. LEGACION**  
City Vice Mayor  
& Presiding Officer

## DEED OF EXCHANGE

KNOW ALL MEN BY THESE PRESENTS:

This DEED, made and executed in the City of Naga, Philippines, by and between:

ENJOY REALTY AND DEVELOPMENT CORPORATION (ERDC), a corporation duly organized and existing under and by virtue of the laws of the Philippines, with office address at No. 21, Zone 5, San Felipe, Naga City, duly represented in this act by its President and Chairman of the Board, Engr. Emeterio L. Aman, hereinafter called the FIRST PARTY

- and -

The GOVERNMENT OF THE CITY OF NAGA with office address at J. Miranda St., Magsaysay Avenue, Naga City and hereinafter referred to as the SECOND PARTY,

WITNESSETH: THAT -

WHEREAS, the FIRST PARTY by virtue of the Joint Venture Agreement with Edgar Jose F. Badiola, et. al. that was entered into the Notarial Book of Atty. Arlene Alangco being Doc. No. 204; Page No. 41; Book No. 2, Series of 2004, with confirmation of the JVA as entered in to the Notarial Registry of Atty. Eufonio K. Maristela on March 21, 2011 as Doc. No. 24, Page No. 6, Book No. VI Series of 2011 is the owner of certain real property with all the improvements thereon, situated at Brgy. San Felipe, Naga City, which is an excluded area of the subdivision plan of Palm Village-Parkview Communities covered by Joint Venture Agreement and Confirmation of JVA by and between Enjoy Realty and Development Corporation and Edgar Jose F. Badiola, et. al., with all the improvements thereon more particularly described by Transfer Certificate of Title No. 086-2016002697 issued by the Register of Deeds of Naga City, more particularly described as:

**TCT No. 086-2016002697**

(Under the name of Edgardo Jose F. Badiola et. al.,  
which is previously a portion TCT No. 086-2010001699  
from TCT No. 54560)

"A PARCEL OF LAND (Lot 3-B-1-B, of the subdivision survey No. (LRA) PSD-E2016002795, being a portion of Lot 3-B-1, Psd-05-021834), situated in the Brgy. Of San Felipe, City of Naga, Island of Luzon. Bounded on the NW, along line 1-2, by Lot 3-A, PSD-05021150; on the NE, along line 2-3, by Lot 3-B-1-A, (LRA) PSD-E2016002795; on the SE, SW, along line 3-4-5 by Prop. of Damian Ravago and on the SW along line 5-1, by Prop. Of Cu Tangco and Ramon B. Felipe, containing an area of ONE THOUSAND SEVENTY NINE (1,079) SQUARE METERS.

WHEREAS, the above described property is still under the name of the landowners, Edgar Jose F. Badiola, et. al. and said landowners have manifested their agreement to this Deed of Exchange by affixing their signatures in this agreement in order to carry out the Joint Venture Agreement (JVA) that they have entered into with Enjoy Realty and Development Corporation in which the later, by virtue of the JVA is now the owner of the particular portion of the above described property.

WHEREAS, the SECOND PARTY is likewise the owner in of certain other real property with all the improvements thereon, both situated at Brgy. San Felipe, Naga City and more particularly described in original Transfer Certificate of Title No. 086-2014002828 issued by the Register of Deeds of Naga City as follows:

**TCT No. 086-2014002828**  
**(Under the name of City Government of Naga)**

"A parcel of land (Lot 8-B-8 of the subdivision survey Psd-05-017710, being a portion of Lot-8-B, Psd-051724-013948), situated in the Barangay of San Felipe, City of Naga, Island of Luzon, Bounded on the S., along lines 5-6-1-2; by Lot-8-B-7, Psd-05-017710, on the NW., NE., & SE., along lines 2-3-4-5; by prop. of Damian Ravago beginning at a point marked "1" on the plan being N. 31 Deg. 24'E. 516.45 M. from BBM No. 15, Cad-290, Naga Cadastre, thence N. 71 Deg. 32"W. 1.71 M. to point 2; Thence N. 32 Deg. 18"E 41.25 M. to point 3; Thence S. 49 Deg. 23' E. 36.08 M to point 4; Thence S. 30 Deg. 37'W. 19.00 M. to point 5; Thence 82 Deg. 09'W. 32.43 M. to point 6; Thence West 6.00 M to point of beginning containing an area of ONE THOUSAND SEVENTY NINE (1,079) SQUARE METERS.

WHEREAS, both parties hereto have voluntarily agreed by and between themselves to exchange their respective properties as above described;

NOW, THEREFORE, for and in consideration of the above premises, FIRST PARTY waives its bundle of rights over their property above mentioned in favor of the SECOND PARTY the real property including the improvements existing thereon mentioned and described under the first WHEREAS clause above, and by simultaneous act the SECOND PARTY likewise waives its rights within the Bundle of Rights under Land Ownership over their property unto the FIRST PARTY the other real property including the improvements existing thereon mentioned and described in the third WHEREAS clause above;

That both parties hereto do hereby warrant validity of ownership and peaceful possession of their respective properties which they have mutually ceded, transferred and conveyed, and further declare that the same are free and clear of all liens and encumbrances of any kind whatsoever.

IN WITNESS WHEREOF, the parties hereto have hereunto caused these presents to be signed at the place first above written, on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

First Party:


Second Party:

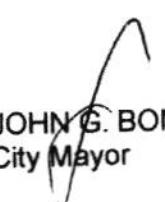
**ENJOY REALTY AND  
DEVELOPMENT CORP.**  
TIN: 005-532-294

**LOCAL GOVERNMENT OF  
NAGA CITY**  
TIN: 123-407-380

Represented by:

Represented by:

  
**EMETERIO L. AMAN**  
Chairman of the Board /President

  
**JOHN G. BONGAT**  
City Mayor



EDGAR JOSE F. BADIOLA (deceased)  
Registered Co-Owner of  
TCT No. 086-2016002697

Represented by  
Attorney-In-Fact of Heirs:

*Melinda Badiola-Dejesus*  
MELINDA BADIOLA-DEJESUS  
Registered Co-Owner of  
TCT No. 086-2016002697  
TIN: 132-079-670

*Marjorie Eve Penolio-Badiola*  
MARJORIE EVE PENOLIO-BADIOLA  
Registered Co-Owner of  
TCT No. 086-2016002697  
TIN: 112-534-242

TERESITA BADIOLA-HARASHIMA  
Registered Co-Owner of  
TCT No. 086-2016002697  
TIN: 933-833-666

Represented by:

*Melinda Badiola-Dejesus*  
MELINDA BADIOLA-DEJESUS  
Attorney-In-Fact

*Ma. Melba F. Badiola*  
MA. MELBA F. BADIOLA  
Registered Co-Owner of  
TCT No. 086-2016002697  
TIN: 148-887-447

SIGNED IN THE PRESENCE OF:

*Melba V. Botor*  
MELBA V. BOTOR

*Florencio T. Mongoso, Jr.*  
FLORENCIO T. MONGOSO, JR., CSEE  
City Administrator

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES ) S.S.  
CITY OF NAGA )

BEFORE ME, a Notary Public in and for the said jurisdiction this 9<sup>th</sup> of December, 2016 personally appeared EMETERIO L. AMAN and JOHN G. BONGAT with their corresponding Tax Identification Numbers known to me to be the same persons who executed the foregoing document and acknowledged to me that the same is their free and voluntary act and deed This document consisting of three (3) pages including this page on which this acknowledgement is written has been signed by the parties executing and their witnesses at the foot of the instrument and on the left hand margin of the other pages.

WITNESS MY HAND AND SEAL, this 9<sup>th</sup> day of December, 2016, in Naga City, Philippines.

*[Signature]*

Doc. No. 209  
Page No. 98  
Book No. VIII  
Series of 2016.

NOTARY PUBLIC



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Drive going to Aeroville Subdivision, subject to the ratification by the Sangguniang Panlungsod.

**LET COPIES** of this resolution be furnished His Honor, the City Mayor for his information, Engr. Emeterio L. Aman, President and Chairman of the Board, Enjoy Realty & Development Corporation, and the City Legal Officer for their information and guidance.

APPROVED.

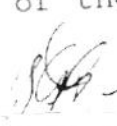
Adopted: March 11, 2016

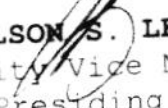
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**WE HEREBY CERTIFY** to the correctness of the foregoing resolution.

  
**GIL A. DE LA TORRE**  
Secretary to the  
Sangguniang Panlungsod

  
**NELSON S. LEGACION**  
City Vice Mayor  
& Presiding Officer