



**RESOLUTION EXPRESSING THE CITY GOVERNMENT OF NAGA’S CONTINUING AND UNEQUIVOCAL COMMITMENT TO ASSIST THE FAMILIES OCCUPYING THE LAND TITLED IN THE NAME OF SPS. MARCELINO AND ESTRELLA LA TORRE, KNOWN AS THE TAPAS COMPOUND, LOCATED IN BARANGAY BALATAS, NAGA CITY, IN THEIR DESIRE TO PURCHASE THE SAME IN ORDER TO BE SECURE IN THEIR TENURE THEREIN AND FURTHER REQUESTING ATTORNEY FRANCES JEANNE SARMIENTO TO FURNISH THE CITY GOVERNMENT A COPY OF HER SPECIAL POWER OF ATTORNEY FROM ITS LANDOWNERS TO FACILITATE THE FINALIZATION OF THE NEGOTIATIONS IN FURTHERANCE THEREOF**

Author: Honorable City Councilor Mila Raquid Arroyo *[Signature]*  
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**WHEREAS**, Spouses Marcelino and Estrella La Torre are registered owners of that parcel of land, measuring 5.9817 Hectares, located in Barangay Balatas, Naga City and commonly known as the “Tapas Compound”;

**WHEREAS**, the said parcel of land, which was later on subdivided into seven parcels, is now occupied by some three hundred (300) families most of whom were borne therein;

**WHEREAS**, sometime in the year 1989, a certain Engr. Sid de Leon, representing himself to be the Attorney-in-fact of Spouses Marcelino and Estrella la Torre met with the late then Naga City Mayor Jesse Robredo offering to sell the property but the latter had reservations because of a court decision ordering the annotation of a Definite Certificate of Sale dated December 28, 1972 in favor of the Republic of the Philippines on the title of the property;

**WHEREAS**, on March 4, 2008, with the issue on ownership having been finally resolved in favor of the Spouses la Torre, the City Government of Naga, through the late then City Mayor Jesse M. Robredo wrote SPS. Marcelino and Estrella LaTorre offering to buy the property at P700.00 per square meter under the National Government’s Community Mortgage Program (CMP).

**WHEREAS**, on May 19, 2009, in response to the letter of the City Mayor, Engr. Sid de Leon submitted his Special Power of Attorney together with the Survey Plan of the subject property offering the 5.0 hectares, net of the portions already utilized as roads, alleys, and patwalks, at P2,000 per square meter.

**WHEREAS**, in response to an earlier emailed communication by the Mr. Marcelino la Torre to the City Mayor, the latter I formed that in the meeting conducted by the latter with the families occupying the subject property, the occupants are willing to buy the property at P1,620.00 per square meter and further informing that the City and the occupants are looking for a government financing agency which will assist in the acquisition of the property;

**WHEREAS**, on August 8, 2009, Engr. Sid de Leon, informed the City Mayor that the P2,000.00 per square meter offered price of the landowners is final.

**WHEREAS**, after a series of meetings between Mr. la Torre and then City Mayor Jesse Robredo and the occupants of the property, it was agreed that once a thirty percent (30%) down payment on the price of P2,000 per square meter have been paid to the landowner,  
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the latter will lend the TCTs in order that a collateralized loan may be secured to fully pay the landowner;

**WHEREAS**, on February 26, 2010, Engr. Rolando Campillos, in a letter to the Sangguniang Panlungsod, requested for an authority to the City Mayor, Jesse M. Robredo, to negotiate and enter into contract of Sale with SPS. MARCELINO and ESTRELLA La TORRE;

**WHEREAS**, on March 18, 2010, in a letter to the Sangguniang Panlungsod, Engr. Campillos submitted the list of occupants who committed to join the program of acquiring the property occupied by them;

**WHEREAS**, January 10, 2011, Engr. Rolando Campillos informed Mr. Marcelino la Torre that the list of the occupants of the property who have decided to join the community mortgage program have already been finalized;

**WHEREAS**, on April 13, 2011, Mr. Marcelino la Torre and Atty. Frances Jeanne Sarmiento, the new attorney-in-fact of Spouses la Torre, met with City Mayor John Bongat, Engr. Rolando Campillos and some officers of the occupants who have already organized themselves onto a Homeowners Association headed by its then President, Mr. Rodolfo Serillano, at the Crown Hotel, Naga City. In this meeting, it was agreed that the City will draft the Conditional Deed of Sale for the approval of the parties.

**WHEREAS**, in an exchange of letters, Atty. Frances Jeanne Sarmiento and City Mayor John G. Bongat failed to agree on the final terms of the Conditional Deed of Sale;

**WHEREAS**, on June 1, 2011, in a letter of Atty. Frances Jeanne Sarmiento, the occupants of the subject property were given two (2) months to vacate the property.

**WHEREAS**, on July 12, 2011, in a letter to the Sangguniang Panlungsod, Engr. Rolando Campillos submitting the Plan of Action with respect to the acquisition of the property. The report considers the possible way of funding the remaining P65 million balance of the purchase price;

**WHEREAS**, on September 21, 2011, in a letter from Atty. Frances Jeanne L. Sarmiento to City Mayor John G. Bongat, it was informed that although a Second Notice to Vacate had already been sent out to the occupants, the La Torre's are still willing to sell the property consisting of 59,818 square meters for the price of Ninety-Five Million (P95,000,000.00) net of all taxes, Fees and Charges and that the down payment of 27.1 million should be transferred to the account of the La Torre's immediately upon the execution of the Conditional Deed of Sale and the balance of P67.9 M be paid within six (6) months from the execution of the final DOS, otherwise the sale shall be rescinded and the down payment shall be forfeited in favor of the landowners. The letter further informed that the landowners are committed to execute a SPA in favor of the City to use the property in securing a loan after the Conditional Deed of Sale has been signed and the initial down payment of P27.1 M has been deposited and that this offer of the landowners is only good until October 15, 2011.

**WHEREAS**, in order to assist the occupant families acquire the lot occupied by them, the City undertook to advance the amount of P22,000,000.00 if the occupant families will be