

Republic of the Philippines
REGIONAL TRIAL COURT
5th Judicial Region
BRANCH 61, NAGA CITY

CITY OF NAGA,

Petitioner,

SPECIAL CIVIL ACTION No. 2017-0126
For: EXPROPRIATION

-- versus --

JUAN SARTO rep. by
NAPOLFEON SARTO,
Respondent

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COMPROMISE AGREEMENT

WHEREAS, the Petitioner City of Naga recognizes the cooperation of the Respondent's representative Napoleon Sarto in this expropriation action for a sanitary landfill access road project of the City, from his acknowledgement of its authority to expropriate, to his readily acceding to the issuance of a Writ of Possession in its favor, to likewise acceding to a resurvey and a corresponding amendment of the property sought to be expropriated, to coming into a compromise on the amount of just compensation thus facilitating its determination, up to patiently awaiting the necessary City government processes for this expropriation action;

WHEREAS, the Respondent's representative Napoleon Sarto has understandably pointed out certain likely safety and health impacts of the City's sanitary landfill access road project passing through his farmland property, unavoidably affecting his extended family therein, which expectedly include school children and the elderly, and so he has made certain corresponding assistance requests which are addressed below as a part of the expropriation compromise between the parties, which the City also treats as a part of this responsibilities to its to its citizens/constituents, especially cooperative and loyal ones like the Sarto family;

WHEREAS, let this Compromise Agreement be an example or even model for the kind of mutual understanding, cooperation and assistance that can be achieved between a local government and its citizens; particularly in the matter of road and other infrastructure projects and expropriation action for the public purpose, in the best interest of the local government and its affected citizens;

WHEREFORE, the parties hereby enter into this Compromise Agreement, under the following terms and conditions:

(1). Just Compensation. The parties agree on a just compensation for Respondent Sarto's expropriated property in the amount of **FIVE HUNDRED PESOS (P500.00) PER SQUARE METER**. The Petitioner City's Sangguniang Panlungsod, during its regular session on April 3, 2018, approved in principle the just compensation of P500.00 per square meter without deduction on the development cost, to which amount the Respondent interposes no objection. For the expropriated area of **EIGHT HUNDRED THIRTY (830) SQUARE METERS**, the agreed total just compensation amounts to **FOUR HUNDRED FIFTEEN THOUSAND PESOS (P415,000.00)**.

(2) Expropriated Property. Per the Court's March 15, 2018 Order of 15 March 2018, it ordered the Petitioner to have a geodetic validation survey made of the ACTUAL portion to be subject to expropriation in coordination with the Respondent Sarto, and subsequently the said geodetic validation survey, a copy of which is hereto attached as Annex "A", was recently conducted, and out of which the following technical description was generated:

Survey Plan No. :
Lot No. : Lot 1025-G-A
Survey for : City Government of Naga/
Napoleon Sarto
Location : Brgy. Cararayan, Naga City

Boundaries

| Line | Direction | Adjoining Lots/Features |
|------|-----------|-------------------------|
| 1-2 | SW | Lot 1025-G (portion) |
| 2-3 | NW | Lot 1025-G (portion) |
| 3-4 | NW | Lot 1025-G (portion) |
| 4-5 | NE | Lot 1025-H |
| 5-6 | NE | Lot 1025-G (portion) |
| 6-7 | NE | Lot 1025-G (portion) |
| 7-8 | SE | Lot 1025-G (portion) |
| 8-1 | SW | Lot 1025-G (portion) |

Tie Point : BLLM No. 1 Cad 290,
Naga Cadastre

Lot Description

| Line | Bearing | Distance |
|-------------|----------------|-----------|
| Tie Point-1 | N86 deg. 55'E | 7644.31 m |
| 1-2 | N 14 deg. 19'W | 39.51 m |