

favor of the City Government of Naga for want of bidder to determine their present value which will serve as the selling price for each real property. The assessment and appraisal report shall be in the form of a Naga City Appraisal Committee Resolution and shall be made available and transmitted to the City Treasurer's Office within three (3) months from the enactment of this ordinance.

Section 4. Publication. Within five (5) working days from receipt of the City Treasurer's Office of the Naga City Appraisal Committee Resolution mentioned in Section 3, the City Treasurer's Office shall cause the publication of the List of Real Properties subject of this ordinance, together with the selling price as determined through the Naga City Appraisal Committee Resolution, in a newspaper of general circulation in the City of Naga once a week for three (3) consecutive weeks. In addition, the same shall also be posted in at least two (2) conspicuous places of the City Hall Building, and of each Barangay, with respect to real properties situated within the pertinent Barangay. The list to be published and posted must also contain a notice that a chance to recover the properties listed is being granted to concerned landowners pursuant to Section 5 of this ordinance following the terms, conditions, and procedures hereunder mandated.

Section 5. Redemption Period. The previous landowners concerned, registered or otherwise, are given a period one (1) year commencing from the last publication in the newspaper as provided in Section 4 above within which to avail of the privilege granted under this ordinance.

Section 6. Terms and Conditions. Previous owners of real properties forfeited in favor of the City Government of Naga may recover such real properties, subject to the following terms and conditions:

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- a. Submission of a duly signed and notarized letter of intent addressed to the City Mayor, copy furnished the City Treasurer's Office, manifesting their intention to recover specific property/s forfeited in favor of the City Government of Naga for want of bidder.
 - b. Should recovery be availed of through a representative or any other person who is not the previous registered owner, said representative or person shall be fully equipped with a Special Power of Attorney duly acknowledged before a person authorized to administer oaths;
 - c. In case the property is sought to be recovered by a Buyer, Donee, or Transferee, the pertinent VALID Deed of Conveyance shall be sufficient provided that the pertinent taxes, local or national, such as but
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not limited to Transfer Taxes, due thereon has been fully settled;

- d. Payment of the selling price as determined by the Naga City Appraisal Committee in accordance with Section 3 above, by way of any of the modes of payment provided in Section 7 below; and
- e. Settlement of all taxes and fees due the conveyance, if any.

For purposes of verification, the original copy of the applicable document as above-indicated must be produced.

Section 7. Modes of Payment. Payment of the selling price may either be made One-Time or on instalments. One-time payment shall be made by paying the selling price in full by way of cash, Manager's Check, and Certified Check.

For those who are unable to pay the selling price in full, payment may be made on instalment by (1) paying fifty percent (50%) of the selling price, as initial settlement of the total consideration, in cash, Manager's Check or Certified Check, and (2) paying the balance within a period of one (1) year commencing from the date of execution of the contract referred to below, in twelve equal monthly instalments. In case of instalment payment, the City, through the City Legal Office, shall prepare the pertinent Contract laying down the terms and conditions herein mandated as well as the amounts to be paid and schedules of its payment. The costs of its notarization shall be shouldered by the applicant and a notarized original duplicate copy thereof shall be furnished by the applicant to the City Treasurer's Office within fifteen (15) days from its signing.

For this purpose, the City Mayor or the City Treasurer is hereby authorized to represent the City Government of Naga in the execution of said contract/s with power to sign said contract/s, for and in behalf of, and binding upon, the City Government of Naga.

Section 8. Procedure. Within thirty (30) days from receipt by the City Treasurer's Office of the letter manifesting the intention to recover as stated in Section 6(a) above, the City Treasurer shall evaluate the same for the purpose of determining the signatory's eligibility to avail of the benefits of this ordinance. The signatory shall then be considered as an applicant.

① If the City Treasurer, upon evaluation of the letter of intent and its supporting attachments, if any, is satisfied that the applicant is eligible, the City Treasurer shall respond, in writing, to the applicant by informing the applicant of the fact of eligibility to avail of the benefits of this ordinance, with instruction to the applicant to pay

the selling price within sixty (60) days from receipt of the written response through the mode of payment selected pursuant to Section 9(d) in relation to Section 7 both of this ordinance.

If the applicant fails to pay within said period, the City Treasurer is hereby granted the authority to allow extensions of time provided that no extension shall exceed or go beyond the expiration of one (1) year period contemplated in Section 5 above.

Should the City Treasurer be unsatisfied with the applicant's eligibility to avail of the benefits of this ordinance, the City Treasurer shall require the applicant to submit additional documents to support the applicant's eligibility to be granted the benefits of this ordinance. If after being required to submit additional documents, no such documents are provided or if provided, the same are insufficient to lead to a finding of eligibility, the City Treasurer shall deny the application and inform the applicant of such denial, in writing, providing for the justifications for such denial.

Section 9. Contents of the Letter of Intent to Recover.

The letter manifesting the intention to recover provided in Section 6(a) above must contain the following details:

- a. Complete name of the applicant and his representative, if availing of this ordinance through an Attorney-in-Fact;
- b. Complete address and contact information of the applicant and representative, if any;
- c. Identification of the property or properties sought to be recovered i.e. Certificate of Title, and/or Tax Declaration;
- d. Mode of Payment to be availed of;
- e. Supporting attachments:
 - i. Duly Notarized Special Power of Attorney, if applying through an Attorney in Fact;
 - ii. Valid I.D. of the applicant and his representative, if any;
 - iii. Clear Copy of the Certificate of Title and Tax Declaration;
 - iv. A clear copy of the pertinent Deed of Conveyance complete with necessary attachments, if any, if the applicant is availing of this ordinance as a Buyer, Donee, or Transferee; and

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- v. Proof of filiation of the applicant to the Previous Owner, Buyer, Donee, or Transferee, if the Previous Owner, Buyer, Donee, or Transferee is already deceased. For this purpose, the Heirs of the Previous Owner, Buyer, Donee, or Transferee may avail of this ordinance collectively, or individually. In case of dispute between the heirs, individually or as group/s, the City Treasurer may resolve the same by taking into consideration the actual possessor/s of the subject property and the capacity of the applicant/s to settle and pay, in full, the selling price of the pertinent property.

Section 10. Effect of Failure to Recover. Previous landowners granted the chance to recover forfeited real property under this ordinance who fails to recover the same by submitting a letter of intent referred to in this ordinance, within the period provided for under Section 5 hereof, shall be deemed to have waived the same. Properties not recovered under and pursuant to this ordinance shall be made open for sale via public auction in accordance with the provisions of Ordinance No. 2018-047.

Section 11. Effect of failure to Pay. If within the one (1) year period contemplated under Section 5 of this ordinance the applicant fails to pay the fifty percent (50%) initial settlement, in the case of those who availed of the instalment mode of payment, or the full selling price, in the case of those who opted to avail of the one-time payment, the provisions Section 10 of this ordinance shall apply and the applicant shall be deemed to have waived the chance to recover the pertinent forfeited property.

Applicants who opted to avail of the instalment mode of payment and were able to pay the fifty percent (50%) initial settlement within the one (1) year period mentioned in Section 5 of this ordinance but failed to settle their monthly instalment payments due for two (2) consecutive months shall also be deemed to have waived the chance to recover the pertinent forfeited property and the provisions of Section 10 of this ordinance shall likewise apply. In such a case, the amount paid by the applicant shall be returned less costs of sale, if any.

Section 12. Full Payment. Upon full payment by the applicant of the selling price, the City Treasurer shall cause the cancellation of annotations in the pertinent certificate of title and/or tax declaration of the property recovered pertaining to its levy and/or forfeiture, if any.

Section 13. Separability Clause. If, for any reason, any part or provision of this ordinance is held unconstitutional

or invalid, other parts hereof not affected shall continue to be in full force and effect.

Section 14. Effectivity. The ordinance shall take effect fifteen (15) days after publication in a newspaper of general circulation in the City of Naga.

ENACTED: August 13, 2024

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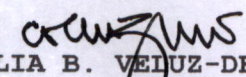
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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

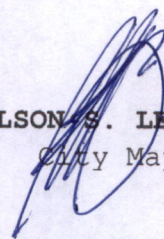


GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod



CECILIA B. VELUZ-DE ASIS
City Vice Mayor
& Presiding Officer

APPROVED:



NELSON S. LEGACION
City Mayor 8/27/24