ORDINANCE NO. 19-025

AN ORDINANCE APPROPRIATING/ALLOCATING ONE AND A HALF PERCENT (1 AND 1/2%) OR THE AMOUNT OF ONE MILLION SIXTEEN THOUSAND FOUR HUNDRED SIXTY PESOS (PHP1,016,460.00) FOR THE PAYMENT OF THE DOCUMENTARY STAMP TAX (DST) IN THE BUREAU OF INTERNAL REVENUE (BIR) AND ONE PERCENT (1%) OR THE AMOUNT OF SIX HUNDRED SEVENTY SEVEN THOUSAND SIX HUNDRED FORTY PESOS (PHP677,640.00) FOR THE PAYMENT OF REGISTRATION FEE IN THE REGISTRY OF DEEDS OF THE TOTAL PURCHASE PRICE OF SIXTY SEVEN MILLION SEVEN HUNDRED SIXTY FOUR THOUSAND PESOS (PHP67,764,000.00) OF THE PARCEL OF LAND COVERED BY TCT. NO. -077285- (403539) WITH A TOTAL AREA OF FIVE THOUSAND SIX HUNDRED FORTY-SEVEN (5,647) SQUARE METERS, MORE OR LESS, LOCATED AT PUTATAN, MUNTINLUPA CITY BEING SOLD TO THE CITY GOVERNMENT OF MUNTINLUPA BY THE HEIRS OF FELIX G. PUNZALAN MARRIED TO CELERINA BAUTISTA WHICH AMOUNT SHALL BE TAKEN FROM THE 2019 EXECUTIVE BUDGET.

Sponsored by:
Hon. Coun. Engr. Marissa C. Rongavilla
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Ting Niejes
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ivey Rhia A. Tadefa
Hon. Coun Engr. Neptali S. Santiago
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez

WHEREAS, Section 22 (a) (4-5) of Republic Act 7160, otherwise known as the Local Government Code of 1991 states that "every Local Government Unit, as a corporation, shall have the following powers:

4. To acquire and convey real or personal property;
5. To enter into contract;

WHEREAS, Section 22 (c) of the same Code further provides that, "unless otherwise provided in this Code, no contract may be entered into by the Local Chief Executive in behalf of the local government unit without prior authorization by the Sanggunian concerned";
Ordinance No. 19-025

WHEREAS, the aforesaid parcel of land with a total area of 5,647 square meters shall be paid by the City Government of Muntinlupa in the amount of **PHP67,764,000.00**, the fund of which shall come from the 2019 Executive Budget;

WHEREAS, the 5,647 square meters will be a site for Land Banking Projects;

WHEREAS, the documentary stamp tax shall be paid to the Bureau of Internal Revenue and the registration fee shall be paid to the Registry of Deeds or checks shall be issued to the Disbursing Officer of the City Government and the same shall be encashed and the money together with the representative of the Seller shall immediately be brought and paid to the Registry of Deeds so that if there is excess amount the same shall be returned to the city treasurer for accounting and record purposes;

WHEREAS, in the Memorandum of Agreement, it is stipulated that the City Government shall pay the documentary stamp tax and registration fee in the transfer of title to the City Government and the owner/seller shall assume the payment of Estate Tax and other fees, Capital Gains Tax and all other fees and expenses;

WHEREAS, the seller/owner shall update the payment of the Real Property Tax (RPT) and other fees;

WHEREAS, the Metropolitan Manila Development Authority (MMDA)-City Appraisal Committee (Muntinlupa City), submitted Resolution No. 2019-02, dated October 24, 2019 which serves as the basis of the City Government and the City Council to purchase the subject property at the price of **PHP12,000.00** per square meter;

WHEREAS, there is a need to appropriate/allocate one and half percent (1 and 1/2%) for documentary stamp tax equivalent to **PHP1,016,460.00**, and one percent (1%) for registration fee equivalent to **PHP677,640.00** to be funded from the 2019 Executive Budget;

WHEREAS, there is a certification by the Treasurer's Office there is an available fund from the 2019 Executive Budget;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 9th Sangguniang Panlungsod of Muntinlupa, to appropriate/allocate one and a half percent (1 and 1/2%) or the amount of **PHP1,016,460.00** for the payment of the Documentary Stamp Tax (DST) in the Bureau of Internal Revenue (BIR) and one percent (1%) or the amount of **PHP677,640.00** for the payment of Registration Fee in the Registry of Deeds or the total purchase price of **PHP677,764,000.00** of the parcel of land covered by TCT. No. -077285- (403539) with a total area of 5,647 square meters, more or less, located at Putatan, Muntinlupa City being sold to the City Government of Muntinlupa by the Heirs of Felix G. Punzalan married to Celerina Bautista which amount shall be taken from the 2019 Executive Budget.
Ordinance No. 025

ENACTED, by the 9th Sanggunian Panlungsod of Muntinlupa this 11th day of November, 2019, on its 20th Regular Session.

DISTRICT 1:

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. CONCAYAO
Member

(ABSENT)

COUN. ALLAN REY A. CAMILON
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFIA
Member

DISTRICT 2

COUN. ENGR. NEPTALI S. SANTIAGO
Member

COUN. MARISSA C. RONGAVILLA
Member

(ABSENT)

COUN. FRANCIS IAN T. BAGATSING
Member

(ABSENT)

COUN. MA. DHERIEREE G. AREVALO
Member

(ABSENT)

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

COUN. ENGR. ARLENE D. HILAPAO
Member

COUN. CORNELIO M. MARTINEZ
Member
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(ABSENT)
COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

(ABSENT)
COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary to the Sangguniang

ATTESTED:
COUN. ATTY. RAUL R. CORRO
Acting City Vice-Mayor/Presiding Officer

APPROVED:
ARTEMIO A. SIMUNDAC
Acting City Mayor

Date: 12 NOV 2019

Norie/9th SP