


Item No: 25
Date: 07 FEB 2023

Pls include in our agenda
Thanks!


February 2, 2023

HON. LEONARDO M. JAVIER JR.
Vice Governor
Province of Leyte

SP Records
SANGGUNIANG PANLALAWIGAN
FEB 03 2023
2:10 p.m.
Divine 2-02-23
PROVINCE OF LEYTE

THRU: FLORENDA JILL S. UYVICO
SP Secretary

Sir,

Respectfully forwarding the attached "Deed of Assignment of Contract of Usufruct" from the Federation of Senior Citizens Association of Region VIII, for the RATIFICATION of the Sangguniang Panlalawigan.

Thank you.


ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City
-oOo-



PROVINCIAL LEGAL OFFICE

MEMORANDUM FOR THE GOVERNOR:

SUBJECT: LEGAL REVIEW OF THE DEED OF ASSIGNMENT OF CONTRACT OF USUFRUCT FROM FEDERATION OF SENIOR CITIZENS ASSOCIATION OF REGION VIII TO NATIONAL COMMISSION OF SENIOR CITIZENS.

DATE: January 30, 2023

SALIENT FEATURES OF THE AGREEMENT

SENIOR CITIZENS RO8

1. To **ASSIGN** its usufructuary rights over the parcel of land, its rights, and interest including the improvements thereon covered by Contract of Usufruct dated August 31, 2018.

NCSC

1. To **VOLUNTARILY ASSUME** all the rights and obligations of the assignor- SC RO8.

PROVINCE

1. To **CONFORM** the assignment.

RECOMMENDATION: Proposed agreement is a transfer of rights under the same Contract of Usufruct granted by the Province. Upon review, the proposed MOA not being contrary to law, morals, public order, and public policy, the execution thereof is hereby **RECOMMENDED** subject to the **RAFFICATION** by the Sangguniang Panlalawigan.

For the Governor's information and consideration.

OF CONTRACT OF USUFRUCT

KNOW ALL MEN BY THESE PRESENTS:

This Deed of Assignment of Usufructuary Rights (the "Deed"), made and executed on this _____ day of _____ at _____ in Tacloban City, Leyte, by and between:

The **FEDERATION OF SENIOR CITIZENS ASSOCIATION OF REGION VIII**, a duly organized organization of senior citizens' associations in Region VII, Philippines, with office address at Palo, Leyte, represented herein by its President, **TERESA A. MONTUBIG**, hereinafter referred to as **ASSIGNOR**

-And-

The **NATIONAL COMMISSION OF SENIOR CITIZENS**, a government agency created under Republic Act No. 11350, otherwise known as "*The National Commission of Senior Citizens Act*", with principal office address at Room GD 106 Mabini Hall, Malacañang, City of Manila, represented herein by its Chairperson and Chief Executive Officer (CEO), **ATTY. FRANKLIN M. QUIJANO**, hereinafter referred to as **ASSIGNEE**;

WITNESSETH THAT:

WHEREAS, the **ASSIGNOR**, is the holder of usufructuary rights over a certain parcel of land, more particularly described as a portion of Lot No. 10950-C with an area of more or less Six Hundred Eighty-Four (684) square meters, located at Barangay Pawing, Palo, Leyte following a Contract of Usufruct dated 31 August 2018 between the **ASSIGNOR** and the Province of Leyte, duly notarized by Atty. Tyrone B. Tutaan, a Notary Public for and in the City of Tacloban, as Doc. No. 53, Page No. 11, Book No. XXIII, Series of 2018;

WHEREAS, the **ASSIGNOR** already has constructed improvements on the property subject of usufruct consisting of an unfinished structure;

WHEREAS, the **ASSIGNOR** intends to assign its usufructuary rights over the subject property as well as all its rights and interests over its unfinished structure thereon to the **ASSIGNEE** without cost to the latter;

WHEREAS, the Province of Leyte had manifested its consent to such assignment and assumption of rights and obligation;

NOW, THEREFORE, for and in consideration of the foregoing premises, the **ASSIGNOR** hereby assigns, transfers, and conveys its usufructuary rights over the above-described portion of the land of the Province of Leyte, including its rights and interests over its unfinished structure therein, in favor of the **ASSIGNEE**.

Accordingly, the **ASSIGNEE** hereby voluntarily assumes all the rights and obligations of the **ASSIGNOR** by virtue of the aforesaid Contract of Usufruct with the Province of Leyte.

l

J. Montubig
Terese A. Montubig
Franklin M. Quijano

affixed their signatures, on the date and place above-stated.

FEDERATION OF SENIOR CITIZENS
ASSOCIATION OF REGION VIII
(ASSIGNOR)

NATIONAL COMMISSION OF
SENIOR CITIZENS
(ASSIGNEE)

By:


TERESA A. MONTUBIG
President

By:



ATTY. FRANKLIN M. QUIJANO
Chairperson and CEO

With our conformity:

FOR THE PROVINCE OF LEYTE


CARLOS JERICO L. PETILLA
Governor

Signed in the presence of:


ENRIQUETA R. RODELES
Commissioner, IV NCSC
Eastern Samar


ENGR. R. BATISTAS

Republic of the Philippines)
Province of Leyte)
City of Tacloban) S.S.

ACKNOWLEDGMENT

BEFORE ME, this 31 JAN 2023 at Tacloban City, personally appeared:

Name

ID/Passport/License details

TERESA A. MONTUBIG
ATTY. FRANKLIN M. QUIJANO


OSCA ID # 0554
OSCA ID # 21949

Both are known to me and to me known to be the same person who executed and signed the foregoing Deed of Assignment of Usufructuary Rights and they acknowledge to me that the same is their free act and deed of the entities they represented in this instance.

This instrument, consisting of three (3) pages including this page on which this acknowledgment is written, has been signed on each and every page thereof by the parties and their instrumental witnesses and sealed with my notarial seal.

WITNESS MY HAND AND SEAL on the date and in the place first above written.

Doc. No. 5912
Page No. 131
Book No. 1
Series of 2023


ATTY. AMOR MARIE C. VELOSO
NOTARY PUBLIC
N.C. No. 2022-10-113 until December 31, 2023
PTR No. 8302734; September 23, 2022; Tacloban City / PTR No. 8354070; 01/26/23
IBP No. 243369; June 17, 2022 / IBP No. 305998; 01/27/23
MCLE EXEMPT pursuant to MCLE G.B.O. No. 1, S. 2008
Roll No. 84043
Room 107, G/F, Joamar Bldg., M.H. Del Pilar St. Tacloban City