

Ms. Elvira Marcillana-Lerner

(

Dear Ms. Marcillana-Lerner,

Street, Sitio Ubos, Poblacion I, Tagbilaran City, Bohol, for the total gross price of Twenty-27,027,027.03), pursuant to Section 22 of Republic Act No. 11333. Seven Million Twenty-Seven Thousand Twenty-Seven Pesos and Three Centavos (PhP National Museum in Bohol, including applicable taxes, located at Lot 67 Franklin Tagbilaran City, Bohol, a declared Important Cultural Property, as an extension of the to you the amount for the Acquisition of Rocha House and its lot in Sitio Ubos in The National Museum of the Philippines accepts your offer and hereby awards

Please affix your signature on the space below to signify your confirmation.

Done this 23 day of september 2021.

Thank you.

Director-General



RESOLUTION No. 2021 – 51

declared Important Cultural Property, as an extension of the National Acquisition of Rocha House in Sitio Ubos in Tagbilaran City, Bohol, a Museum in Bohol, including applicable taxes

of direct negotiation with the owners of such items, or their duly designated Museum, as a general rule, shall be allowed to procure collections items by means agents or representatives, in the Philippines and abroad, as follows: WHEREAS, it is provided for in Sec. 22 of RA 11333 that "the National

- A written and signed quotation for the sale of the item(s), shall be issued or representative; and addressed to the National Museum by the owner, or his or her agent
- 0 significance to the National Museum and of importance to the heritage has not been illegally acquired or trafficked, shall be issued by the Head prevailing laws, rules and regulations exist, and that the item in question reasonable and fair, that no conflicts of interest as may be defined by and patrimony of the Filipino people, that the negotiated price is certification that the item to be acquired is of appropriate
- 0 regulations; upon the sole authority of the Head of Agency provided that there is no principle of the transaction; items under this amount may be procured writing to the Board the issuance of a resolution for the approval in currency equivalent in price, the Head of Agency shall recommend in For items above One million pesos (PhP 1,000,000.00) or its foreign as defined in pertinent procurement laws, rules
- 0 000,000.00) or its foreign currency equivalent in price; transaction shall be issued for items above One million pesos (PhP 1, Head of Agency of a Deed of Sale as well as all other documents to the concerned item by the National Museum and authorizing the signing by A resolution of the Board approving in principle the purchase of the
- Φ the issuance of a Notice been produced, certifying as to the availability of funds, and authorizing item(s) for the signature of the Head of Agency, shall be issued"; verifying that the aforementioned documents, where applicable, have A resolution of the Bids and Awards Committee of the National Museum of Award pertaining to the purchase of the

Tagbilaran City, Bohol; which the same is built, located at Lot 67 Franklin Street, Sitio Ubos, Poblacion I, House, a declared important Cultural Property (ICP), and the parcel of land over WHEREAS, the National Museum of the Philippines intends to acquire Rocha

sell the same thru her Attorney-in-fact, Atty. Nerio D. Zamora II, to the National Museum based on the following breakdown of the acquisition costs: WHEREAS, Ms. Elvira Marcillana Lerner, owner of Rocha House, offered to

PhP 25,000,000.00

Add: Taxes Net Acquisition cost

Capital Gains Tax (6%)

Documentary Stamp Tax (1.5%) PhP PhP 1,621,621.62 405,405.41

PhP 2,027,027.03

TOTAL GROSS SALE PRICE:

PhP 27,027,027.03

of interest as may be defined by prevailing laws, rules and regulations exist, and Filipino people, that the negotiated price is reasonable and fair, that no conflicts the National Museum and of importance to the heritage and patrimony of the September 8, 2021, certifying that Rocha House is of appropriate significance to attached certificate); that the item in question has not been illegally acquired or trafficked (Please see WHEREAS, Ω certificate was issued by the Director-General dated

approval in principle the acquisition of Rocha House. (Please see 2021, recommended to the Board of Trustees the issuance of resolution for the Memorandum); WHEREAS, the Director-General, thru a Memorandum dated September 8, attached

Procurement Plan; Act of FY 2021 and indicated in the National Museum Approved WHEREAS, funds for this purpose is included in the General Appropriations Annual

approving in principle the acquisition of Rocha House by the National Museum documents pertaining thereto; authorizing the Director-General to sign the Deed of Sale as well as all other WHEREAS, a Board Resolution dated September 21, 2021 was issued

Rocha House, the Committee finds that said documents are in order; WHEREAS, after verification of all documents required for the acquisition of

Sale for the total gross price of Twenty-Seven Million Twenty-Seven Thousand Ms. Elvira Marcillana Lerner by means of Contract to Sell and Deed of Absolute 67 Franklin Street, Sitio Ubos, Poblacion I, Tagbilaran City, Bohol, be awarded to Rocha House and the parcel of land over which the same is built, located at Lot recommend as we hereby recommend that the amount for the acquisition of Twenty-Seven Pesos and Three Centavos (PhP 27,027,027.03), Philippine currency; NOW, THEREFORE, the members of the Bids and Awards Committee hereby

Done this 22nd day of September, 2021, at the City of Manila, Philippines

ATTY. MA. ROSENNE M. FLORES-AVILA Chairperson, NMPBAC

ATTY. EDWARD L. CONSOLACION

Vice-Chairperson

LAUROB. INOVERO

Marianathe Kay F. MISA Member

AR. NELSON L. AQUINO

Provisional Member

Approved by

EREMY BARNS, CESO III

Director – General

NMPBAC RESOLUTION No. 2021-57



NOTICE TO PROCEED

Pursuant to Sec. 22 of Republic Act 11333 and in accordance with the Deed of Sale dated 24 SEP 2021 entered into by and between the National Museum of the entered into by and between the National Museum of the

Nerio D. Zamora II, NOTICE is hereby given to: Philippines and Ms. Elvira Marcillana Lerner represented by her Attorney-in-fact, Atty.

Ms. Elvira Marcillana Lerner

Owner

Name of Project . .

an extension of the National Museum in Bohol, Acquisition of Rocha House in Sitio Ubos in Tagbilaran City, Bohol, a declared Important Cultural Property, as

including applicable taxes

Location Tagbilaran City, Bohol Lot 67 Franklin Street, Sitio Ubos, Poblacion I,

Contract Amount PhP 27,027,027.03

Contract Effectivity Upon the Receipt of this Notice

Philippines This Notice to Proceed is issued this _24_ day of Jeplember, 2021 at the City of Manila,

EREMY BARNS, CESO III Director - General

KNOW ALL MEN BY THESE PRESENTS

This Contract to Sell is executed by and between:

Philippines, per the Special Power of Attorney hereto attached and made an integral part hereof, Filipino, of legal age, married and a resident of Taloto District, City of Tagbilaran, National and herein represented by her Attorney-In-Fact, ATTY. NERIO D. ZAMORA II, likewise and hereinafter referred to as FIRST PARTY VENDOR; ELVIRA MARCILLANA LERNER, Filipino, of legal age, married to Marc Lerner, an American

-- and --

the Philippines, with office address at the Old Legislative Building, National Museum Complex, R. BARNS, hereinafter referred to as SECOND PARTY VENDEE Rizal Park, Manila, herein represented by its Director-General and Head of Agency, Mr. JEREMY NATIONAL MUSEUM OF THE PHILIPPINES, a government institution of the Republic of

WITNESSETH

Tagbilaran, Bohol, Philippines and are more particularly described as follows: parcel of land over which the same is built, situated at Sitio Ubos, Barangay Poblacion I, City of WHEREAS, the FIRST PARTY VENDOR is the lawful owner of the Rocha House and the

TRANSFER CERTIFICATE OF TITLE NO. 112-T-47768

"A parcel of land (lot no. 67 of the Cadastral Survey of Tagbilaran), with the a points marked "1 on plan, being S, 23 deg. 37'W., 199.29 n. from BLLM No 69; on the SW., by Calle Franklin and on the NW., by Lot No.64. Beginning at of Bohol. Bounded on the NE., by Lots Nos. 66 and 69; on the SE., by Lot No improvements thereon situated in the Municipality of Tagbilaran, Province

thence N. 35 deg. 15′E., 8.44 m. to point 5; thence S. 60 deg. 34′E., 11.28 m. to point 6; thence N. 42 deg. 57′E., 10.36 m. to point 7; thence S. 42 deg. 23′E., 11.74 m. to point 8; thence S. 13 deg. 02′W., 9.58 m. to point 9; thence S. 39 deg. 41′E., 6.41 m. to point 10; thence S. 36 deg. 31′W., 25.17 m. to the point of beginning; thence S. 36 deg. 31′W., 25.17 m. to the point of beginning; thence S. 36 deg. 31′W., 25.17 m. to the point of beginning; NATIONAL Manila, Philippines Centrified TRUE COPY OF THE ORIGINAL Manila, Philippines Signature Copy of The Original Copy thence N thence N . 36 deg. 46 deg. 31'W., . 50 deg. 59'W., 30.03 m. to point 2 27'E., 15.93 m. to point 3; 3.72 m. to point 4;

declination 1 deg. 37'E, date of the original survey, September 1, 1926-Oct less. All points referred to are indicated on the plan; bearings 30, 1928."

TAX DECLARATION NO. 1B-0365

of Tagbilaran, Bohol, containing a floor area of 219.90 square meters, more "A residential building situated on Cadastral Lot No. 67, situated in the City

of Notary Public Atty. Nerio D. Zamora II; on January 28, 2009, and duly entered as Doc. No. 212; Page No. 44, Book No. X, Series of 2009 described properties is evidenced by the Deed of Absolute Sale executed by Osmundo Esguerra WHEREAS, the transfer of ownership of the FIRST PARTY VENDOR over the above-

described properties from the FIRST PARTY VENDOR and the latter is willing to sell the same to the former. WHEREAS, the SECOND PARTY VENDEE expressed interest to acquire above-

to the following terms and conditions: agrees to buy the above-described parcel of land and the residential house built thereon, subject Philippine currency, the FIRST PARTY VENDOR agrees to sell and the SECOND PARTY VENDEE MILLION PESOS (PHP 25,000,000.00), NOW, THEREFORE, for and in consideration of the total amount of TWENTY-FIVE net of capital gains and documentary stamp

- Initial payment in the amount of SIX MILLION PESOS ONLY (Php6,000,000.00)
- 5 0 Upon signing of the DEED OF ABSOLUTE SALE by both parties;
- the processing of the transfer of title to the name of the National Museum of the Philippines; It is hereby understood and agreed that the FIRST PARTY VENDOR shall undertaken the processing of the transfer of the processing of
- 2. Final payment in the amount of NINETEEN MILLION PESOS ONLY (Php19,000,000,000,000)

 upon delivery by the FIRST PARTY VENDOR of the original owner's copy of the Transfer Certificate of Title in the name of National Museum of the Philippines, Tax Declar specific for both the land and the improvement and all relevant documents.

 3. The SECOND PARTY VENDEE shall shoulder the capital gains and documentary taxes, transfer tax, registration fee and miscellaneous expenses pertaining to the transfer of the subject property to its name, National Museum of the Philippines while the FIRET CERTIFICATION CAPPED TO SIGNATURE COPY SIGNATURE N
- 4 w documentary stamp taxes, transfer tax, registration fee and miscellaneous fees, including FIRST PARTY VENDOR shall shoulder all the taxes and fees such as capital gains and PARTY VENDOR shall shoulder any and all unpaid real property tax.
- S the FIRST PARTY VENDOR to the SECOND PARTY VENDEE before or upon full payment of Ownership and possession to the subject property shall be transferred and delivered by property from Mr. Esguerra to Mrs. Lerner. penalties and surcharges for late registration relative to the transfer of the subject real
- O subject property is not leased or tenanted and that the peaceful possession of the encumbrances whatsoever and further warrants to the peaceful possession of the SECOND PARTY VENDEE and will defend the latter against all judicial or administrative actions for eviction. The FIRST PARTY VENDOR, her heirs, assigns, and successors-in-interest warrant that the the total consideration

ROCHA HOUSE, TAGBILARAN CITY, BOHOL - CONTRACT TO SELL

PAGE 2 OF 4

N WITNESS WHEREOF, the parties hereto have hereunto set their hands this 202 day 2021, in the City of Tagbilaran, Philippines.

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ELVIRA MARCILLANA LERNER First Party Vendor

NATIONAL MUSEUM OF THE PHILIPPINES Second Party Vendee

Herein represented by:

ATTY. NERIOD Attorney-ANJORA II

JEREMY R. BARNS Director General

Signed in the presence of:

CHARLEMEIN R. TANTINGCO Museum Researcher II NMP - Bohol

Administrative Officer V and Head AUDREY/DAWN M. TOMADA NMP -- Bohol

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REPUBLIC OF THE PHILIPPINES) OF TAGBILARAN, BOHOL

SS

BEFORE ME,

THIS

day Stop

2021

3 the

City

Tagbilaran, Bohol, Philippines, personally came and appeared: 2021,

Name

Proof of Identification

NERIO D. ZAMIORA II

Unified Multi-Purpose ID; CRN-006-0080-6397-5

JEREMY R. BARNS

Philippine Passport No. P5076851B; issued March 12, 2020 at DFA Manila

acknowledged to me that the same are their free ac all known to me to be the same persons who executed th S C

Designation

Division/Section

WITNESS MY HAND AND SEAL.

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Manila, Philippines
CERTIFIED TRUE COPY OF THE ORIGINAL
Name & Signature

Warner

Series of 2021 Book No. Page No. Doc. No.

ROCHA HOUSE, TAGBILARAN CITY, BOHOL - CONTRACT TO SELL PAGE 3 OF 4

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NATIONAL MUSEUM
Manila, Philippines
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/Division/Section

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ROCHA HOUSE, TAGBILARAN CITY, BOHOL - CONTRACT TO SELL PAGE a OF a

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11 MAR 2030

DEED OF ABSOLUTE SALE

KNOW ALL MEN BY THESE PRESENTS

This Deed of Absolute Sale is executed by and between:

and hereinafter referred to as FIRST PARTY VENDOR; Philippines, per the Special Power of Attorney hereto attached and made an integral part hereof National and herein represented by her Attorney-In-Fact, ATTY. NERIO D. ZAMORA II, likewise ELVIRA MARCILLANA LERNER, Filipino, of legal age, married to Marc Lerner, an American of legal age, married and a resident of Taloto District, City of Tagbilaran,

-- and

R. BARNS, hereinafter referred to as SECOND PARTY VENDEE. Rizal Park, Manila, herein represented by its Director-General and Head of Agency, Mr. JEREMY the Philippines, with office address at the Old Legislative Building, National Museum Complex, NATIONAL MUSEUM OF THE PHILIPPINES, a government institution of the Republic of

WITNESSETH

City of Tagbilaran, Bohol, Philippines and are more particularly described as follows: and the parcel of land over which the same is built, situated at Sitio Ubos, Barangay Pobl WHEREAS, the FIRST PARTY VENDOR is the true and lawful owner of the RochalHouse cion i,

"A parcel of land (lot no. 67 of the Cadastral Survey of Tagbilaran), whereast of Bohol. Bounded on the NE., by Lots Nos. 66 and 69; on the SW., by Calle Franklin and on the NW., by Lot No.64. Beging the appoints marked on plan, being S, 23 deg. 37'W., 199.29 n. from BLLNER 2; thence N 50 deg. 50'W. 30.03 m. to noist?

thence S. 60 deg. thence N. 46 deg. 31'W., thence S. 36 deg. thence S. 39 deg. thence S. 13 deg. thence S. 42 deg. thence N. 42 deg. thence N. 35 deg. thence N. 36 deg. 27'E., 15.93 m. to point 3; thence N. 50 deg. 59'W., 30.03 m. to point 2; 34'E., . 15'E., 31'W., 25.17 m. to the point of beginning. 41'E., 6.41 m. to point 10; 02'W., 9.58 m. to point 9; 23'E., 11.74 m. to point 8; 57'E., 10.36 m. to point 7; 11.28 m. to point 6; 8.44 m. to point 5; 3.72 m. to point 4;

declination 1 deg. 37'E, date of the original survey, September 1, 1926-Oct more or less. All points referred to are indicated on the plan; bearings true; containing an area of NINE HUNDRED FIFTY-ONE (951) Square meters,

ROCHA HOUSE, TAGBILARAN CITY, BOHOL - DEED PAGE 1 OF 4 OF ABSOLUTE S

TAX DECLARATION NO. 1B-0365

of Tagbilaran, Bohol, containing a floor area of 219.90 square meters, more "A residential building situated on Cadastral Lot No. 67, situated in the City

on January 28, 2009, and duly entered as Doc. No. 212; Page No. 44, Book No. X, Series of 2009 described properties is evidenced by the Deed of Absolute Sale executed by Osmundo Esguerra of Notary Public Atty. Nerio D. Zamora II; WHEREAS, the transfer of ownership of the FIRST PARTY VENDOR over the above-

described properties from the FIRST PARTY VENDOR and the latter is willing to sell the same to 25,000,000.00), Philippine currency. WHEREAS, the for the NET ACQUISITION SECOND PARTY VENDEE COST expressed interest to acquire the above OF TWENTY-FIVE MILLON PESOS PH

The breakdown of the acquisition costs is herein stated as follows: Documentary Stamp Tax (1.5%) Capital Gains Tax (6%) Net Acquisition cost Total Taxes TOTAL GROSS SALE PRICE 1,621,621.62 405,405.41 Php27,027,027.03

including real estate taxes as of the date of this sale the improvements found thereon, free from all liens and encumbrances of whatever nature Absolute Sale unto the said SECOND PARTY VENDEE, the certain parcel of land together with all VENDOR, the FIRST PARTY VENDOR DO HEREBY SELL, TRANSFER, and CONVEY by way of 27,027,027.03), Philippine Currency, paid by the SECOND PARTY VENDEE to the FIRST PARTY NOW THEREFORE, for and in consideration of the sum of TWENTY-SEVEN MILLION THOUSAND AND TWENTY-SEVEN PESOS AND 3/100 CENTAVOS

ELVIRA MARCILLANA LERNER

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands this

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Veb

2021 in the City of Tagbilaran, Philippines.

First Party Vendor

NATIONAL MUSEUM OF THE PHILIPPINES Second Party Vendee

Herein represented by:

Attorney-in-Fact NERIOD MORA I

B

JEREMY R. BARNS Director General

ROCHA HOUSE, TAGBILARAN CITY, BOHOL -- DEED OF ABSOLUTE SAL PAGE 2 OF 4

Signed in the presence of:

CHARLENE Museum Researcher II NMP - Bohol ONE R. TANTINGCO

Administrative Officer V and Head AUDREY DAWN M. TOMADA NMP - Bohol

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CITY OF TAGBILARAN, BOHOL) SS REPUBLIC OF THE PHILIPPINES)

BEFORE ME, this

Tagbilaran, Bohol, Philippines, personally came and appeared:

Name

Proof of Identification

2021,

3 the

NERIO D. ZAMORA II

Unified Multi-Purpose ID; CRN-006-0080-6397-5

JEREMY R. BARNS

Philippine Passport No. P5076851B; issued on March 12, 2020 at DFA Manila

acknowledged to me that the same are their free acf an all known to me to be the same persons who executed the for egoing instrumer deed NATIONAL MUSEUM
Manita, Philippines
CERTIFIED TRUE COPY OF THE ORIGINAL

WITNESS MY HAND AND SEAL

PIBLIC FOR No. ANPORTY BOW

TOMMA. EXPIRES IN DISTANDAS BLUB. J. N. MANDAS DINS TA SUBTI A N. MALL ND. 53192 IBP 08 898. LE COMPL NO WI-0006672. ANDITY BOOK , FIN 232-79/ 31, 262

Page No. XVIII

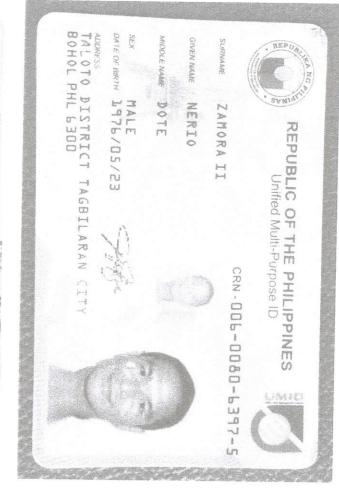
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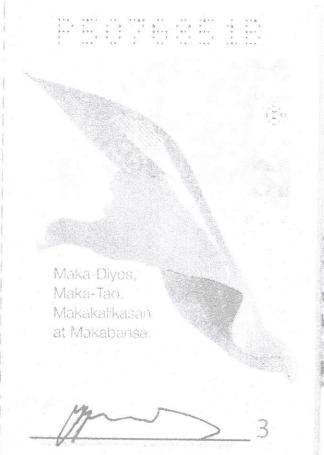
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REPUBLIKA NG PILIPINAS | REPUBLIC OF

THE PHILIPPINES

NATIONAL MUSEUM
Manila, Philippines
CERTIFIED TRUE COPY OF THE ORIGINAL

Annual Company
Name & Signature

Designation Section

Adm

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SPECIAL POWER OF ATTORNEY

KNOW BY ALL MEN BY THESE PRESENTS

stead, to do and perform all or any of the following acts and things and under the following terms and conditions, to wit: Tagbilaran City, Philippines, to be my true and lawful Attorney-In-Fact, for me and in my name, place and constitute and appoint GEMINIA BALUCA CUERING, Filipino, of legal age, married and a resident of National Museum of the Philippines and a resident of Makati City, Philippines, do hereby name, I, JEREMY R. BARNS, Filipino, of legal age, single, the Director-General and Head of Agency of the

- covered by Tax Declaration No. 18-0365, under the name of NATIONAL MUSEUM OF City, Bohol, which property covered by TCT No. T-47768, and that building on said parcel of land Revenue, City Assessor's Office and Register of Deeds of the City of Tagbilaran, Bohol, in the To act for and represent in my behalf in all government offices, including the Bureau of Internal PHILIPPINES; processing of the registration of that certain parcel of land located at Poblacion I, Tagbilaran
- Ni necessary and in relation to the foregoing purpose To coordinate and/or follow-up with the different government agencies in furtherance and/or
- w in relation with the foregoing purpose, including the To make, sign, execute, receive and deliver papers, instruments or documents necessary to or MUSEUM OF THE PHILIPPINES TCT issued in the name 9 NATIONAL
- 12 This Special Power of Authority automatically expires within SIX (6) MONTHS
- S authority given has not been terminated or expired by operation of law regarding the powers granted to her. No person who acts in reliance on the representations of Third parties may rely upon the representations of the Attorney-In-Fact as to all matters Agent shall incur any liability to the National Museum of the Philippines provided the

about the premises as to fully and to all intents and purposes as I might or could do if personally present that my said Attorney-In-Fact shall lawfully do or cause to be done under and by virtue of these presents and acting in person, with full power of substitution and revocation; and HEREBY AND CONFIRMING all and perform any and every act and thing whatspever requisite, necessary and proper to be done in and HEREBY GIVING AND GRANTING unto my said Attorney-In-Fact full power and authority to do

in the City of Tagbilaran, Bohol, Philippines IN WITNESS WHEREOF, I have hereunto set my hand this 24年2021

Conforme:

GEMMA BALUCA CUERING Attorney-In-Fact NOW YORKER

> JEREMY R. BARNS Principal

MATIONAL MUSEUM Manila, Philippines D TRUE COPY OF THE ORIGIN

ROCHA HOUSE, TAGBILARAN CITY, BOHOL - SPECIAL POWER OF ATTORNEY PAGE 1 OF 3

Signed in the presence of

CHARLEMEIN R. TANTINGCO

Museum Researcher II, NMP-Bohol

Administrative Officer V, NMP-Bohol AUDREY DAWN M. TOMADA

D CKNOWLEDGMENT

CITY OF TAGBILARAN REPUBLIC OF THE PHILIPPINES) in in

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instrument and he acknowledged to me that the same is his free act and deed March 12, personally came and appeared **JEREMY R. BARNS** with his Philippine Passport No. P5076851B issued on BEFORE ME, this 2020 at DFA Manila known to me to be the same person who executed the foregoing 2021, in the City of Tagbilaran, Philippines,

Folaller

WITNESS MY HAND AND SEAL

ATTY, ADAM RELSON L. JALA SOMAL EXPIRES DIN DEC. 34, 2021

3 F PANUGAS BLUG, J.A. CLANN SIREFT TAMPAS INST 14 GET ARAN OF Y , BOHOL AND NO. 53197 ISP 08893, TIN 232-794-746

WALE COMPL NO. U-0002672, WALD JULIE 4-14-20

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NATIONAL MUSEUM
Manila, Philippines
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Maka-Diyos,

at Makabansa.

Maka-Tao

REPUBLIC OF THE PHILIPPINES
Unified Multi-Purpose ID

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BOHOL



BALUCA





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REPUBLIKA NG PILIPINAS | REPUBLIC OF THE PHILIPPINES P5076851B

BARNS

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AUSTRALIA

FILIPINO

NATIONAL MUSEUM
Manila, Philippines
CERTIFIED TRUE COPY OF THE ORIGINAL

Name & Signature

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11 MAR 2030

12 MAR 2020