



**PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA**



Sangguniang Panglungsod

**RESOLUTION NO. 08-140**

**A RESOLUTION AUTHORIZING THE CITY MAYOR HON. ALDRIN L. SAN PEDRO TO SIGN FOR AND IN BEHALF OF THE CITY GOVERNMENT OF MUNTINLUPA THE LEASE CONTRACT FOR A PARCEL OF LAND WITH BUILDING AND STRUCTURES OWNED BY THE CITY GOVERNMENT LOCATED AT ALABANG JUNCTION, ALABANG-ZAPOTE ROAD, MUNTINLUPA CITY WITH CAVDEAL (CAVITE IDEAL INTERNATIONAL CONSTRUCTION AND DEVELOPMENT CORPORATION).**

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- Sponsored by:**
- Hon. Coun. Atty. Rey E. Bulay*
  - Hon. Coun. Allan Rey A. Camilon*
  - Hon. Coun. Ma. Luisa Babaran-Echavez, M.D.*
  - Hon. Coun. Margarita Amythyst Patdu-Labios, M.D.*
  - Hon. Coun. Melchor R. Teves*
  - Hon. Coun. Atty. Icasiano M. dela Rea*
  - Hon. Coun. Marita Deang-Calalang, DMD*
  - Hon. Coun. Francis Ian T. Bagatsing*
  - Hon. Coun. Luvi P. Constantino*
  - Hon. Coun. Engr. Mamerto T. Sevilla, Jr.*
  - Hon. Coun. Vergel C. Ulanday*
  - Hon. Coun. Robert A. Abas*
  - Hon. Coun. Cezar V. Pagkalinawan*

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**WHEREAS**, Section 15 of the Local Government Code of 1991 provides that, every local government unit created or recognized under this Code is a body politic and corporate endowed with the powers to be exercised by it in conformity with law”;

**WHEREAS**, Section 22(a) of the same Code states that “every Local Government Unit, as a corporation, shall have the following powers:

1. To have continuous succession in its corporation name;
2. To sue and be sued;
3. To have and use a corporate seal;
4. To acquire and convey real or personal property;
5. *To enter into contract;*
6. *To exercise such other power as are granted to corporation, subject to the limitation provided in this code and other laws;*

**WHEREAS**, Section 22 (c) of the same Code further stipulated 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*”;

**WHEREAS**, under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that, “*the City Government is authorized to create its own sources of revenues to defray the expenses of government*”;



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**WHEREAS**, one source of revenue for the city government is to enter into an agreement with individuals, company and/or corporation regarding the lease of certain properties of the government;

**WHEREAS**, on 26 February 2008, the 5<sup>th</sup> Sangguniang Panglungsod approved Resolution No. 08-076, entitled, ***"a resolution authorizing the City Mayor to take over the Alabang Flea Market Area in accordance with law and/or to go into contract in behalf of the City Government with respect to the lease or development of the same"***;

**WHEREAS**, the contract of lease with respect to the land only between the City Government of Muntinlupa and Alabang Flea Market expired on August 14, 2007;

**WHEREAS**, the land area with all its seven thousand one hundred eighty nine square meters (7,189) in Barangay Alabang is owned by the local government of Muntinlupa City;

**WHEREAS**, the subject of the lease from the aggregate size of 7189 square meter to be occupied by the CAVDEAL consist of two thousand five hundred ninety three (2,593) square meters, more or less and all the structures appurtant to it is located at Alabang Junction, Alabang-Zapote Road, Muntinlupa City;

**WHEREAS**, the term of the lease contract shall be for a period of twenty (20) years to commence May 1, 2008 and shall expire at midnight on April 30, 2028 with the option to renew for another twenty years;

**WHEREAS**, the CAVDEAL shall pay the City Government the following monthly rental on or before the fifteenth (15<sup>th</sup>) day of each month:

Rental Rate - Php350,000.00/month

**WHEREAS**, the escalation clause shall be implemented with a five (5) percent (5%) increase every two (2) years;

**WHEREAS**, the CAVDEAL shall have the right to sub-lease or rent its stalls, space and other properties to third parties whether in part or in whole at such rental, fee, charge or impost which it (CAVDEAL) may deem proper, necessary and indispensable to the recovery of its investments, interest thereon and such other costs for operation, maintenance, management, control and supervision of the commercial center;

**WHEREAS**, the CAVDEAL shall be responsible for the payment of all fees charges, taxes and imposts in relation to the operation of its business and the use of the land and structures subject of the lease;



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**WHEREAS**, in case of developmental projects affecting the area subject of the lease, **CAVDEAL** undertakes to grant full cooperation with the City Government to the extent of altering its very own land development respecting the "leased premises" to conform to the planned development of the area by the City Government of Muntinlupa;

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, by the 5<sup>th</sup> Sangguniang Panlungsod, to authorize the City Mayor Hon. Aldrin L. San Pedro to sign for and in behalf of the City Government of Muntinlupa the lease contract for a parcel of land with building and structures owned by the City Government located at Alabang Junction, Alabang-Zapote Road, Muntinlupa City with CAVDEAL (Cavite Ideal International Construction and Development Corporation).

**APPROVED**, by the 5<sup>th</sup> *Sangguniang Panlungsod* this 12<sup>th</sup> day of May, 2008, on its 34<sup>th</sup> *Regular Session*.

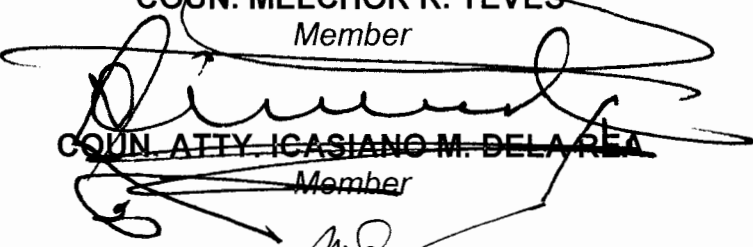
**CONCURRED:**

  
COUN. ALLAN REY CAMILON  
Member


  
COUN. MA. LUISA BABARAN-ECHAVEZ, M.D  
Member


  
COUN. MARGARITA AMYTHYST PATDU-LABIOS, M.D  
Member

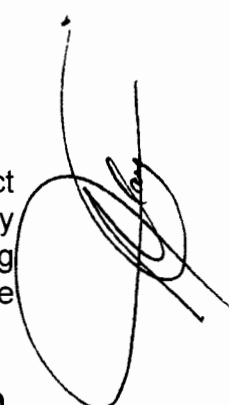
  
COUN. MELCHOR R. TEVES  
Member

  
COUN. ATTY. ICASIANO M. DELA RUA  
Member

  
COUN. MARITA DEANG-CALALANG, DMD  
Member

  
COUN. FRANCIS IAN T. BAGATSING  
Member

  
COUN. LUVI P. CONSTANTINO  
Member

  
*Aldrin San Pedro*





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

**COUN. VERGEL C. ULANDAY**  
Member

**COUN. ROBERT A. ABAS**  
Member

**COUN. ATTY. REY E. BULAY**  
Member

**CEZAR V. PAGKALINAWAN**  
Sectoral Representative  
President

Association of Barangay Captains

**ABSTAIN:**

**COUN. ALLEN F. AMPAYA**  
Member

**COUN. ERMIE S. ESPELETA**  
Member

**ABSENT:**

**COUN. ENGR. MARISSA COLE-RONGAVILLA**  
Member

**COUN. JOSELITO V. AREVALO**  
Member

**COUN. DANN HENRY G. TEVES**  
Sectoral Representative  
President

**I HEREBY CERTIFY, as to the correctness of the foregoing resolution.**

**LEONORA M. MARCELO**  
Legislative Staff Officer IV

**ATTESTED:**

**ARTEMIO A. SIMUNDAC**  
City Vice-Mayor/Presiding Officer

**APPROVED:**

**ALDRIN L. SAN PEDRO**  
City Mayor

Date: \_\_\_\_\_

Norie/