



SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 38TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC HELD ON THE 22ND DAY OF OCTOBER 2018 AT THE SB SESSION HALL, LEGISLATIVE BUILDING

PRESENT:

HON. JAIME O. DUQUE	.. VICE MAYOR/PRESIDING OFFICER
HON. RODOLFO A. ESPEJO	.. PRO - TEMPORE
HON. ALBERTO C. MARZAN, JR. , MD	.. MEMBER
HON. EDWARD V. TOLENTINO	.. MEMBER
HON. JANIUS M. YASAY	.. MEMBER
HON. THELMAFLOR A. ESPEJO	.. MEMBER
HON. RUBEN V. GAMBOA, JR	.. MEMBER
HON. CLEOFE D. FAVIS	.. MEMBER
HON. GEORGE R. CUCHAPIN , MD	.. LnB PRESIDENT

ABSENT:

HON. GEORGE MICHAEL P. AGUILAR	.. MEMBER
HON. EZEKIEL C. RIVERA	.. SKF PRESIDENT (Official Business)

RESOLUTION NO. 83

Series of 2018

Proponent: Coun. Cleofe D. Favis
Chairperson, Committee on Trade and Industry and Cooperatives

RESOLUTION AFFIRMING THE AGREEMENT BY VIRTUE OF A CONTRACT OF LEASE ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF MONCADA AND THE MONCADA WOMEN'S CREDIT COOPERATIVE ON THE USE OF A REAL PROPERTY OWNED BY THE LOCAL GOVERNMENT UNIT OF MONCADA

WHEREAS, presented to the Sangguniang Bayan for legislative consideration and review is the contract of lease entered into by and between the Municipal Government of Moncada represented by Mayor Estelita M. Aquino, Local Chief Executive and the Moncada Women's Credit Cooperative represented by Ms. Fe M. Cuchapin, Chairman of the Board of Directors;

WHEREAS, the foregoing contract of lease refers to the real property of the Local Government Unit of Moncada located at the municipal compound in Barangay Poblacion 1, this Municipality, and is presently being occupied by the MWCC on a rental rate that was mutually agreed upon by both parties;

WHEREAS, by virtue of Sangguniang Bayan Resolution No. 72, series of 2018, the Local Government Unit of Moncada, through its Local Chief Executive, Mayor Estelita M. Aquino was authorized by this Body to enter into a new contract of lease with the Moncada Women's Credit Cooperative;

NOW, THEREFORE, on motion by Coun. Cleofe D. Favis and unanimously seconded;



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RESOLVED, TO AFFIRM AS IT IS HEREBY AFFIRMED BY THIS SANGGUNIAN, THE AGREEMENT BY VIRTUE OF A CONTRACT OF LEASE ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF MONCADA AND THE MONCADA WOMEN'S CREDIT COOPERATIVE ON THE USE OF A REAL PROPERTY OWNED BY THE LOCAL GOVERNMENT UNIT OF MONCADA;

RESOLVED FURTHER, that under the Contract of Lease, the following terms and conditions therein stipulated are hereby affirmed IN-TOTO by this Body;

TERMS AND CONDITIONS UNDER THE CONTRACT OF LEASE

1. That the FIRST PARTY (LGU of Moncada, Tarlac) owns several lots, one of which is the area wherein the MWCC is located.
2. That the SECOND PARTY (MWCC) as LESSEE has been renting the same area since February 1996, the latest rental fee which is P3,797.50 monthly as of December 2017;
3. That aforesaid rental fee as agreed upon by both parties shall be increased by 10% every after five (5) years starting January 2018;
4. That all resolutions emanating from the FIRST PARTY and SECOND PARTY relative to Lease and BOT agreement by both parties are now rescinded to wit:

LGU

1. SB Resolution No. 08 -1996
2. SB Resolution No. 75 - 1997
3. SB Resolution No. 70 - 2003
4. SB Resolution No. 73 - 2003
5. SB Resolution No. 49 - 2011

MWCC

1. BR # 49 - 2003
2. BR # 67 - 2011
3. BR # 112 - 2017
4. BR # 33 - 2018

5. That out of the long standing harmonious relationship between the FIRST and SECOND Parties, the FIRST PARTY now granted the SECOND PARTY use of the lot area they are presently occupying by way of USUFRUCT;
6. That the MWCC building as well as the lot it occupies shall solely be used for COOPERATIVE endeavors and could not sublease any part of the whole thereof to third party;
7. That it could be expected that the care, maintenance and improvement of the MWCC building and immediate environs shall be borne by the SECOND PARTY;
8. That if and when the time comes that the SECOND PARTY leaves, vacate or transfer for whatever reasons, the MWCC building should be surrendered to the FIRST PARTY;



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9. That the SECOND PARTY commits to be an active partner of the FIRST PARTY in the implementation of relevant projects;
10. That this LEASE CONTRACT shall take effect upon signing of signatures by both parties.

NOTHING FOLLOWS

RESOLVED FINALLY, that copies of this Resolution be furnished all concerned parties for their information and guidance;

CARRIED.

I HEREBY CERTIFY to the correctness of the foregoing Resolution


VICTOR SANDINO S. MOLINA, MPA
SB Secretary- designate

ATTESTED:


HON. JAIME O. DUQUE
Vice-Mayor & Presiding Officer