
RESOLUTION NO. 177-8-93

Submitted by Atty. Arturo T. de Guia, for consideration and approval by the Honorable Members of the Sangguniang Bayan, in the request for the extension for another 25 years of his lease contract with the Municipality covering the portion of the creek running along the boundary of his property from E. Aguinaldo Highway to Zapote-Talaba Provincial Road Junction. Likewise submitted in support of the request are the following documents, to wit:

1. A sketch of Atty. de Guia's lot in Zapote and the leased portion of the creek, marked as "Annex A";

2. The present Contract of Lease made and executed by and between the Municipality and Atty. de Guia on July 16, 1967, marked as "Annex B"; and

3. A copy of Resolution No. 103, series of 1967, by the Municipal Council of Racaoor, approving the lease applied for by Atty. de Guia and authorizing them Mayor Pablo G. Sarine to enter into the necessary lease contract with the said applicant, marked as "Annex C";

under and by virtue of which, particularly sub-paragraph No. 1 of the fourth paragraph of the Contract of Lease, marked as "Annex B", providing that "the term of this lease shall be xxxxxxxx renewable for another twenty-five (25) years under such terms and conditions decided by the council", Atty. de Guia's letter is anchored. (Underlining supplied.)

After due and careful deliberation on the request and concluding said creek to be of the nature of public property which is beyond the commerce of men and, consequently, cannot be the subject of any lease or other contractual undertaking, the Body, therefore, on motion of Kagawad Rafine A. Herrera and seconded unanimously by all the Members present, RESOLVED, AS IT IS HEREBY RESOLVED, to deny the same;

RESOLVED, FURTHER, to furnish with copies of this Resolution the applicant Atty. Arturo T. de Guia, the Honorable Municipal Mayor, the Honorable Provincial Governor, the Honorable Members of the Sangguniang Panalisan of Cavite, the Department of Public Works and Highways, and others concerned, for their respective information, guidance and approval.

ADOPTED UNANIMOUSLY.

I hereby certify to the truth and correctness of the above-quoted Resolution.

CELENA R. BULAO
Presiding Officer

ATTACHED

JUANITO O. OCAMPO
Secretary to the Sanggunian

APPROVED:

VICTOR R. MNTAMIN