EXCERPTS FROM THE MINUTES OF THE 100TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BACOOR, PROVINCE OF CAVITE, HELD ON THE 7TH DAY OF DECEMBER 2009 AT 9:45AM AT THE EXECUTIVE CONFERENCE ROOM OF THE MUNICIPAL MAYOR’S OFFICE.

PRESENT:

Hon. Rolando S. Remulla.................. Councilor/Acting Presiding Officer
Hon. Avelino B. Solis................... Councilor
Hon. Hubert V. Gervacio................ Councilor
Hon. Reynaldo M. Fabian............... Councilor
Hon. Normita D. Celestino............ Councilor
Hon. Avelino S. De Castro............... Councilor
Hon. Miguel N. Bautista............... Councilor
Hon. Bayani M. De Leon................ Councilor
Hon. Catherine H. Sarino............... Councilor/ABC President
Hon. Giinne Louise A. Olegario...... Councilor/ SK President

Hon. Rosette M. Fernando.............. Vice-Mayor

Vice Mayor Rosette M. Fernando inhibited herself due to possible conflict of interest.

MUNICIPAL RESOLUTION NO. 170
Series of 2009

A RESOLUTION GRANTING THE APPLICATION FOR DEVELOPMENT PERMIT UNDER BP 220 TO NGG PROPERTIES, INC., FOR ITS MONTERRA VILLAS LOCATED AT SINEGUELASAN, BACOOR, CAVITE.

WHEREAS, an application for Development Permit was filed by NGG Properties, Inc. for its subdivision project herein described as:

Name of Project: Monterra Villas
Location: Sineguelasan, Bacoor, Cavite
Total Land Area: 11,291.00 square meters
Net Developable Area: 11,291.00 square meters
Excluded Area: 0.00 square meters
TCT Number: T-1221554, T-31830
Project Classification: BP 220

WHEREAS, the Committee on Housing and Land Utilization through its Chairman, Hon. Bayani M. De Leon, after conducting an ocular inspection of the said project, and after review and evaluation of the pertinent documents submitted herewith, recommends the issuance of a Development Permit to NGG Properties, Inc. in accordance with the plans and specifications hereto attached and made an integral part hereof, for the project known as located at Sineguelasan, Bacoor, Cavite, subject to the prescribed guidelines and regulations under BP 220 and other government agencies;

Address: Evangelista St., Barangay Tibing Dagat, Bacoor, Cavite
Telefax No.: (046) 434-6716
WHEREAS, the developer manifested before the Sangguniang Bayan that NGG Properties, Inc. is the registered owner of the property subject of the application for the above-mentioned development permit, that its title over the same is free from any legal infirmity, that it has not received any order issued by any court in the Philippines restraining it from proceeding with the development of the above-mentioned project, that no tenant shall be adversely affected by the said development, and that the said corporation has complied and will continue to comply—with all the requirements for such a development project set under prevailing laws and under the various policies of the national government and its various instrumentalities;

WHEREAS, the Presiding Officer of the Sangguniang Bayan, Hon. Rosette M. Fernando, inhibited herself from the proceedings due to possible conflict of interest. Accordingly, Councilor Rolando S. Remulla was chosen by the Sangguniang Bayan to be its Acting Presiding Officer;

WHEREFORE, on motion of Honororable Councilor Bayani M. De Leon unanimously seconded by all members present, in its 100th regular session assembled, BE IT RESOLVED AS IT IS HEREBY RESOLVED by the Sangguniang Bayan of Bacoor, Province of Cavite to grant a Development Permit to NGG Properties, Inc. for the project known as “Monterra Villas” covering the herein described property, PROVIDED that;

1. The developer shall have paid the corresponding Municipal Fees equivalent to the areas affected by its development before the permit is issued;

2. The developer shall hold the municipal government, and all of its elected and appointed officials, free and harmless from any and all claims, demand, account or action arising out of any infirmity in its title/s to the above-mentioned property or to any person or tenant caused by the development or construction of the above-mentioned project;

3. Non-compliance with the requirements of Provincial Ordinance No. 2003-005, Municipal Resolution No. 35-S-96 and Municipal Ordinance No. 9-5-99 of the Sangguniang Bayan of Bacoor as well as with any of the conditions provided herein, or any misrepresentation committed by the developer in connection with its application for development permit, shall be deemed sufficient grounds for the revocation of any permit which may hereafter be issued in favor of the developer by virtue of this resolution;

4. The developer must devote at least thirty percent (30%) of the total lot area for roads and other open recreational spaces in accordance with RA 7279;
5. The developer must devote and develop a parcel of land within the above-described development project where a materials recovery facility (MRF) will be placed in accordance with the Republic Act No. 9003 also known as the "Ecological Solid Waste Management Act of 2000" within three (3) years after the issuance of the above-mentioned development permit.

6. For every hectare comprising the development project subject of this resolution, the developer shall construct a multi-purpose hall building, classroom building, daycare center, or health center at any place within the municipality of Bacoor the size, design, and location of which building shall be identified and approved by the Municipal Mayor. The said multi-purpose hall building, classroom building, daycare center or health center shall then be donated by the developer to the municipality within six (6) months after its completion.

7. The developer shall construct, within the development project subject of this resolution, a “catch basin or pond” based on the design approved by the Japan International Cooperation Agency (JICA) pursuant to the Flood Mitigation Project of the municipal government.

8. The developer shall require all its employees or the employees of its contractors or suppliers—who will be reporting for work within the territorial jurisdiction of Bacoor, Cavite—to obtain Work Permits from the Office of the Municipal Mayor.

9. The developer shall provide the municipal government through the Business Permits and Licensing Office (BPLO), with a list of the names and addresses of the various contractors/suppliers who will work on the above-mentioned development project for purposes of assessing the proper Business Permit Fees that the municipal government should charge to the said contractors/suppliers. Moreover, the developer should pay a business permit for the operation of any utility (water, telephone, cable television, etc.) to be operated by the developer.

10. The developer should construct the socialized housing projects required of it under the law within the territorial jurisdiction of Bacoor, Cavite.

11. The developer shall plant at least one hundred (100) trees within the territorial jurisdiction of Bacoor, Cavite for every one (1) hectare of the area consisting the development project subject of this Resolution. Provided, that the type of trees, the manner and schedule of the planting of such trees, and the exact location where the said trees shall be planted by the developer shall be subject to the prior approval of the Municipal Mayor. Provided, further, that the cost of planting and maintaining the said trees which shall include but shall not be limited to the watering and fertilizing of the said trees, shall be borne exclusively by the developer.
12. The developer shall design the road network located within the subdivision project mentioned above in such a way that it can be connected with the existing and planned road network/s of the municipal government;

13. The developer shall agree to place the entrance or exit gate/s of the subdivision project mentioned above at least thirty (30) meters away from the edge of the nearest national, provincial, or municipal road/s so that the vehicles entering or leaving the said subdivision project shall not impede the orderly flow of vehicular traffic on the said road/s;

14. The developer shall comply with other conditions that may be set forth by the Office of the Municipal Mayor in the Development Permit.

RESOLVED FURTHER, that copies of this Resolution be furnished to all concerned offices.

ADOPTED on December 7, 2009 at Bacoor, Cavite by the Sangguniang Bayan of Bacoor.

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

Certified by:

HON. ROLANDO S. REMULLA
Councilor / Acting Presiding Officer

Attested by:

HON. STRIKE B. REVILLA
Municipal Mayor

Address: Evangelista St., Barangay Tabing Dagat, Bacoor, Cavite
Telefax No.: (063) 434-6716