Republic of the Philippines  
Province of Cavite  
MUNICIPALITY OF BACOOR  
Office of the Sangguniang Bayan

MUNICIPAL RESOLUTION NO. 71  
Series of 2011

A RESOLUTION AUTHORIZING THE MUNICIPAL MAYOR,  
HON. STRIKE B. REVILLA, TO SIGN THE MEMORANDUM OF  
AGREEMENT AMONG THE BAHAYANG PAG-ASA  
HOMEOWNERS’ ASSOCIATION INC., BARANGAY MOLINO  
V, BACOOR, CAVITE, AND THE MUNICIPAL GOVERNMENT  
OF BACOOR, CAVITE REGARDING THE USE AND  
MANAGEMENT OF CERTAIN GOVERNMENT OWNED  
RECREATIONAL FACILITIES WITHIN BAHAYANG PAG-ASA,  
MOLINO V, BACOOR, CAVITE.

Sponsored by Hon. Bayani de Leon, Hon. Jaime Sapanghila, and  
Hon. Reynaldo Palabrica

WHEREAS, the first Bahayang Pag-Asa Homeowners’  
Association, Inc. (FBPHAI) is duly registered homeowners’  
association of Phase I, Bahayang Pag-Asa, Molino V, Bacoor, Cavite.

WHEREAS, in compliance with Presidential Decree No.  
1216, the developer of Bahayang Pag-Asa Subdivision reserved  
open spaces in Phase I thereof for the purpose of creating parks,  
playgrounds, recreational areas, roads, places of worship and other  
similar facilities and amenities that would benefit its residents and  
homemakers.

WHEREAS, the developer of Bahayang Pag-Asa executed in  
favor of the Municipal Government a Deed of Donation dated  
February 16, 2009 which, having been duly accepted by the donee,  
effectively converted the Phase I open spaces and all facilities and  
improvements found thereon into public property under the  
exclusive ownership of Municipal Government.

WHEREAS, through the FBPHAI, the residents and  
homemakers of Phase I Bahayang Pag-Asa, through their officers,  
expressed their desire to remain actively involved in the management and  
maintenance of the Phase I open space facilities averted to above.  
To this end, the FBPHAI and the Office of the Municipal Mayor  
submitted to the Sangguniang Bayan for its review a draft  
Memorandum of Agreement between FBPHAI and the Municipal  
Government regarding the management and operation of the open  
space facilities mentioned above.

NOW, THEREFORE, upon joint motion of Councilors Bayani  
M. De Leon, Jaime Sapanghila, and Reynaldo D. Palabrica in regular  
session assembled, unanimously passed by the council, BE IT

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RESOLVED AS IT IS HEREBY RESOLVED to authorize the Municipal Mayor, to sign the Memorandum of Agreement mentioned above provided that the following changes are made thereon:

1. Ownership of open spaces and recreational facilities located within Phase 1 of Bahayang Pag-Asa Subdivision shall be retained by the Municipal Government of Bacoor, Cavite despite the execution of the said Memorandum of Agreement;

2. The Barangay Council of Barangay Molino V, to be represented by its Punong Barangay, shall be made a party to the said Memorandum of Agreement.

3. The FBPHAI shall be allowed by the Municipal Government to operate and manage the said recreational spaces PROVIDED that any rates, fees, and charges that its officers may impose upon the general public for the use of the said facilities shall be subject to the written approval of the Barangay Council of Barangay Molino V before they can be implemented. PROVIDED FURTHER that the said rates, fees, and charges which have been approved by the Barangay Council shall also be approved by the Sangguniang Bayan before the FBPHAI can implement the same. PROVIDED MOREOVER, that the Memorandum of Agreement between the parties shall only be for one (1) year subject to renewal by mutual consent of the parties therein. PROVIDED LASTLY, that the day-to-day operation of the said facilities shall be under the control of the duly-elected officers of the FBPHAI which means that, in case, the FBPHAI fails to elect a set of officers during the effectivity of the Memorandum of Agreement, the operation and management of the said open spaces and facilities shall automatically revert to the Municipal Government;

4. The FBPHAI shall submit a detailed accounting report to the Office of the Municipal Accountant once every quarter on the fiscal status of the said facilities with particular emphasis on the rates, fees, and charges collected, how it was used, and the savings or income realized by the FBPHAI through its operation and management of the said facilities;

5. Considering that the Municipal Government is the rightful owner of the open spaces mentioned above and the facilities found thereon, any activities and events sponsored by the Municipal Government shall take precedence in the use of the facilities. Any maintenance work that shall be done on the same should strictly conform to all prevailing legal

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requirements with regard bidding and procurement. Provided that: in case the Municipal Government needs to use the said facilities for a public purpose, it may unilaterally terminate the said Memorandum of Agreement and take over the possession and use of the same even without the consent of the FBPHAI.

6. Any provision of the draft Memorandum of Agreement that is in conflict with this resolution or which is contrary to law are hereby amended, modified and/or repealed.

RESOLVED LASTLY, to furnish all government agencies and offices concerned with copies of this Resolution.

ADOPTED this 18th day of April 2011 at Bacoor, Cavite.

This is to certify that the foregoing Resolution is true and correct to the best of my knowledge and based on authentic records at hand.

Certified by:

HON. EDWIN G. GAWARAN
Acting Vice Mayor/ Acting Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA, JR.
Secretary to the Sangguniang

Certified by:

ROSETE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:

STRIKE REVILLA
Municipal Mayor

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