LUNGSOD NG BACOOR
2012
LALAWIGAN NG CAVITE

District I:

HON. ROWENA BAUTISTA - MENDIOLA
City Councilor

HON. MIGUEL N. BAUTISTA
City Councilor

HON. EDWIN G. GAWARAN
City Councilor

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City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor - ABC Pres.

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

HON. LANI MERCADO - REVILLA
City Mayor

Republic of the Philippines
Province of Cavite
City of Bacoor

OFFICE OF THE SANGGUNIANG PANLUNGSOD

CITY RESOLUTION NO. CR 2017-014
Series of 2017

A RESOLUTION GRANTING THE APPLICATION FOR DEVELOPMENT PERMIT UNDER CITY ORDINANCE NO. CO 3-2016 (OTHERWISE KNOWN AS THE "EXPANDED REAL PROPERTY DEVELOPMENT ORDINANCE) OF MK REAL ESTATE, INC. FOR ITS MK MARITIME TRAINING CENTER PROJECT LOCATED AT BAYANAN, BACOOR CITY, CAVITE.

Sponsored by: **Hon. Apolonio I. Advincula, Jr., Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Leandro A. De Leon, Hon. Edwin G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Hernando C. Gutierrez, Hon. Alejandro F. Gutierrez, Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, Hon. Reynaldo D. Palabrica and Hon. Michael E. Solis.**

WHEREAS, an application for Development Permit was filed by **MK Real Estate, Inc.** (the "developer") for a commercial project herein described as:

Name of Project	: MK Maritime Training Center Project
Location	: Bayanan, City of Bacoor, Cavite
Land Area	: 17,928.00 Square Meters

Transfer Certificate of Title : No. 167-2016034419

Project Classification : City Ordinance No. CO 3-2016

WHEREAS, the Committee on Housing and Land Utilization through its Chairman, Hon. Edwin G. Gawaran, 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 **MK Real Estate, Inc.** in accordance with the plans and specification hereto attached and made an integral part hereof, for the project known as **MK Maritime Training Center Project** located at **Bayanan, City of Bacoor, Province of Cavite**, subject to the prescribed guidelines and regulations under City Ordinance No. CO 3-2016 and that of other government agencies;

WHEREAS, the developer manifested before the Sangguniang Panlungsod that **MK Real Estate, Inc.** leases the property subject of the application for the above-mentioned development permit from its registered owner, MK Property Holding and Management Inc. (hereinafter referred to as "the lessor"), that the lessor's title over the same is free from any legal infirmity, that neither the developer nor the lessor has 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 developer 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.

WHEREFORE, on motion of Honorable Councilor Edwin G. Gawaran unanimously seconded by all members present, in its regular session assembled, **BE IT RESOLVED AS IT IS HEREBY RESOLVED** by the Sangguniang Panlungsod of the City of Bacoor, Province of Cavite to grant a Development Permit to **MK Real Estate, Inc.** for the project to be known as **"MK Maritime Training Center Project"** covering the herein described property, **PROVIDED** that;

1. The Developer manifests that **MK Real Estate, Inc.** leased the property subject of the above-mentioned application for a Development Permit from its registered owner, (MK Property Holding and Management Inc.) by virtue of a Contract of Lease dated 30 September 2016, that the lessor's 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;

2. The Developer hereby undertakes to pay all corresponding government fees and taxes equivalent to the area/s covered by its application for a development permit before such permit is issued;

3. The Developer undertakes to hold the City Government, and all of its elected and appointed officials, free and blameless 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;

4. The Developer undertakes that its non-compliance with the requirements of **Provincial Ordinance No. 2003-005** (entitled:"*An ordinance Requiring All Subdivision Developers Doing Business In The Province Of Cavite To Provide Slope Protection, A One-Meter Path Walk And Two-Meter Plant Strip, To Be Placed At The Edge Of The Property Line Of The Three-Meter Easement Before Commencing Construction Of Any Housing Unit, And Providing Penalties For Violation Thereof.*") **Municipal Resolution No. 82-S-95** (entitled:"*Resolution Increasing The Payment Of Development Permit Fee From Its Present Rate Of P0.50 Per Square Meter To P10.00 Per Square Meter In Accordance With The General Guidelines, Rules, Regulations, And Standards Being Implemented By The Housing And Land Use Regulatory Board In The Processing And Approval Of Subdivision Plan.*"), **Municipal Ordinance No. 4-S-2011** (entitled: "*An Ordinance Mandating The Establishment Of A Water Impounding*

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City Mayor

System In All Land Development Projects In Bacoor, Cavite") and **Municipal Ordinance No. 5-S-2011** (entitled: "*An Ordinance Requiring The Installation Of A "Grease And Used Oil Waste Disposal System" In All Business Establishments Operating In Bacoor, Cavite*") and other pertinent ordinances or resolutions approved by the Sangguniang Panlungsod of Bacoor, or any misrepresentation committed by the Developer in connection with its application for a Development Permit, shall be deemed sufficient grounds for the revocation of any development permit or non-issuance of an Occupancy Permit in its favor;

5. The Developer undertakes to 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 Republic Act 9003 also known as the "Ecological Solid waste Management Act of 2000" within one (1) year after the issuance of the above-mentioned development permit;

6. The Developer hereby undertakes to require all its employees—or the employees of its contractors of suppliers—who will be reporting for work within the territorial jurisdiction of City of Bacoor, Cavite to obtain Work Permits from the Office of the City Mayor;

7. The Developer undertakes to provide the City 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 City Government should charge to the said contractors/suppliers. Moreover, the Developer hereby undertakes to secure a business permit for the operation of any utility (water, cable TV, etc.) to be operated by the Developer—or its affiliates—within its development project;

8. The Developer hereby undertakes to plant at least one hundred (100) trees within the territorial jurisdiction of City of Bacoor, Cavite for every one (1) hectare of the area consisting the development project subject of the above-mentioned application within one (1) year from the date of approval of the Development Permit. Provided: that the type of trees, the manner and schedule of planting of such trees, and the exact location where such trees shall be planted by the Developer shall be subject to the prior approval of the City Mayor. Provided further, that types of trees to be planted by the Developer shall be subject to the recommendation of the Department of Environment and Natural Resources (DENR). 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 for the entire duration of one(1) year following its planting;

9. The Developer undertakes to design its subdivision project in such a way that its entrance/exit gates are at least ten (10) meters away from the edge of the nearest national, provincial, or city road so that motor vehicles entering or exiting the said subdivision shall not impede the orderly flow of traffic;

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City Mayor

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10. The Developer undertakes to design the roads inside its development project in such a way that they may be interconnected with the road network of the City Government and with that of adjoining residential subdivisions, if any;

11. The Developer undertakes to install closed circuit television cameras at the entrance or exit gates of its project within one (1) year after the approval of its Development Permit in compliance with the Municipal Government's crime prevention program pursuant to **Municipal Ordinance No. 18-S-2009** which was passed by the Sangguniang Bayan on 22 October 2009 (entitled: *"An Ordinance Requiring Business Establishments And Residential Subdivisions Operating In Bacoor, Cavite To Install Closed Circuit TV Cameras."*);

12. The Developer undertakes to require any security agency that it will hire to guard the residential subdivision to register with the Office of the City Mayor and to pay the corresponding Business Permit Fee before it can operate;

13. The Developer undertakes to complete the perimeter fence of the residential subdivision covered by its application for a Development Permit within one (1) year from the date of approval of the said permit;

14. The Developer undertakes to finish the development of the said project within one (1) year from the date of issuance of a development permit by the City Government. Provided that, if the developer cannot complete the Project for any justifiable reason, the said Developer shall request the Mayor for an extension of the afore-mentioned period before the same expires; and

15. The Developer shall comply with all the foregoing and with other conditions that maybe set forth by the City Mayor in accordance with law. Otherwise, the City Government shall not approve the Developer's application for a Development Permit and/or shall not grant the Developer an Occupancy Permit.

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

ADOPTED UNANIMOUSLY, by the 3rd Sangguniang Panlungsod this 9th day of January 2017 at the City of Bacoor, Cavite.

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I hereby certify that the foregoing Resolution was approved in accordance with law and that the contents hereof are true and correct.

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

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