



Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

PR98-60

132nd Regular Session

RESOLUTION NO. ~~SP-967~~, S-98

A RESOLUTION AUTHORIZING THE CITY MAYOR, HONORABLE ISMAEL A. MATHAY, JR., TO AMEND THE LEASE CONTRACT AND BENEFICIAL USE OF THAT PARCEL OF LAND KNOWN AS LOT 1, BLOCK 3, PSD 39651 CONTAINING AN AREA OF ONE THOUSAND SEVEN HUNDRED SEVEN (1,707) SQUARE METERS COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 29733, OWNED BY THE CITY GOVERNMENT, IN FAVOR OF BOTH THE BARANGAY MARIANA AND THE MARIANA NEIGHBORHOOD ASSOCIATION FOR THEIR JOINT MANAGEMENT, MAINTENANCE AND DEVELOPMENT UNTIL JULY 4, 2023.

Introduced by Councilors NANETTE CASTELO DAZA, ALFREDO A. FRANCISCO (Fred Montilla), BAYANI V. HIPOL and HERMINIA C. ALTUNA.

Sponsored by Councilors ALBERTO M. GALARPE, ANTONIO L. SIOSON, MA. FRESCA M. BIGLANG-AWA, GODOFREDO T. LIBAN II, MARCIANO P. MEDALLA and EUFEMIO C. LAGUMBAY.

WHEREAS, Lot 1 (containing an area of 1,707 square meters) and Lot 9 (containing an area of 1,712 square meters), both of Block 3, covered by Transfer Certificate of Title No. 29733, located at the corner of East 3rd Street, East 4th Street and New Jersey Street, were donated by the Magdalena Estate, Inc., to the Quezon City government under a Deed of Donation signed on January 18, 1966, to serve as the open space/park of Barangay Mariana residents;

WHEREAS, Lot 1 was previously leased to the Lions Presidents League of the Philippines (LPL) on September 20, 1970, for a period of 20 years by virtue of Resolution No. 8126, S-70, as amended by Resolution No. 8870, S-71 of the Quezon City Council, with nominal fee of One Peso (P1.00) per annum by virtue of Resolution No. 9483, S-73 of the Quezon City Council;

WHEREAS, after the expiration of the lease contract with LPL over Lot 1 and with the aim of devoting said parcel of land to become the open space/park for Barangay Mariana residents, the Quezon City government granted the beneficial use, development and management of Lot 1 to the Mariana Neighborhood Association (MNA) for a period of 10 years by virtue of the Lease Contract dated July 5, 1993 at the nominal fee of One Peso (P1.00) per annum, authorized under Resolution No. SP-59, S-93 of the Quezon City Council, to expire on July 4, 2003;

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WHEREAS, despite of the lease granted to the MNA over Lot 1 since July 1993, the MNA was not able to secure possession of Lot 1 due to the protracted litigation caused by the refusal of LPL to vacate the premises; and it was only in 1996 when a compromise agreement was entered into between the MNA and LPL allowing LPL to continue holding its office and livelihood program at a designated area within Lot 1;

WHEREAS, under City Resolution No. SP-116, S-97, Women Lawyers Association of the Philippines (WLAP) was granted the renewal of the lease of Lot 9, Block 3 for another 25 years which will expire on July 18, 2023, subject to the Agreement entered into by the WLAP, the MNA and Barangay Mariana dated September 13, 1997, and in the event that the Association refuses to vacate the premises, the President, Vice President, and other officials shall be jointly and severally liable to pay a fine of One Thousand Pesos (P1,000.00) a day and/or imprisonment for not more than six (6) months;

WHEREAS, under said Agreement dated September 13, 1997, the open area beside the WLAP building shall be developed by the MNA which shall construct the Mariana multi-purpose covered court for the use of Bgy. Mariana, the MNA and its residents, and by the WLAP under the supervision and administration of the MNA, in line with the original purpose for which Lots 1 and 9 were donated to the Quezon City government, i.e. that Lots 1 and 9 shall serve as the open space/park of Barangay Mariana and its residents;

WHEREAS, the MNA has already spent and will be spending millions of pesos in order to develop Lot 1 and the open area within Lot 9, constructing a covered multi-purpose court and other infrastructure, which will be incorporated as part of the Mariana Community Center established thereat for the benefit of the Barangay Mariana residents, with access to all facilities by WLAP and LPL;

WHEREAS, the covered multi-purpose court will straddle both the open area within Lot 9 and also a portion of Lot 1;

WHEREAS, in developing and maintaining the Mariana Community Center, the MNA has committed to raise substantial financial investment infrastructure that will serve as the venue of sports/recreation center for the benefit of the residents of Barangay Mariana, not to mention the various civic and community-related activities of the MNA;

WHEREAS, considering that the MNA has only entered into possession of Lot 1 in 1997 with a few years to go before its lease expires in 2003 and despite of which the MNA has already poured substantial amounts for the development of the Mariana Community Center, while the lease to WLAP will still be expiring in 2023;

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WHEREAS, for the benefit of the residents of Barangay Mariana, there is a need to give the MNA sufficient time to actualize its envisioned goal to complete the master plan for the development of the whole Mariana Community Center and to achieve the dream of Barangay Mariana to have its own open space/park which was the very purpose for which Lots 1 and 9 were originally donated by the Magdalena Estate, Inc., to the Quezon City government;

WHEREAS, cognizant of this need, the Sangguniang Barangay of Bgy. Mariana wholeheartedly passed Resolution No. 092, S-97, urging the Quezon City Council to extend the Contract of Lease of the MNA for Lot 1, Block 3, under TCT No. 29733 for another 20 years from July 2003, or until July 2023, coinciding with the lease of WLAP over Lot 9, in order that the development of the Mariana Community Center will be materialized to the fullest;

WHEREAS, there is also a need to include the Barangay Government as joint-lessee of the said Lot 1 Block 3 to represent the public sector in the administration and management of the said Community Park and Center;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED, to authorize, as it does hereby authorize, the City Mayor, Honorable Ismael A. Mathay, Jr., to amend the Lease Contract and beneficial use of that parcel of land designated as Lot 1, Block 3, Psd-39651 covered by TCT No. 29733 to include both the Barangay Mariana Government and the Mariana Neighborhood Association as joint administrators of said Lot 1, Block 3, Psd-39651 up to July 4, 2023, to coincide with the lease renewal period granted recently by the Quezon City government to the Women Lawyers Association of the Philippines.


RESOLVED, FURTHER, that except for the inclusion of the Barangay Mariana as co-administrator together with the Mariana Neighborhood Association and the said extension of the Lease Contract until July 4, 2023, all other terms and conditions stated in the Lease Contract dated July 5, 1993 between the Quezon City government and the Mariana Neighborhood Association shall remain in force.

ADOPTED: June 23, 1998.

ATTESTED:


EUGENIO V. JURILLA
City Secretary

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JORGE L. BANAL
Vice Mayor
Presiding Officer