

RESOLUTION NO. 2012-364  
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RESOLUTION AUTHORIZING HIS HONOR, THE CITY MAYOR TO ENTER INTO A CONTRACT OF LEASE WITH SMART COMMUNICATIONS, INC. RELATIVE TO A PARCEL OF LAND OWNED BY THE CITY GOVERNMENT COVERING AN AREA OF 705 SQUARE METERS, MORE OR LESS, LOCATED AT GREENLAND, BARANGAY CONCEPCION PEQUEÑA, THIS CITY, PROVIDED THAT THE AMOUNT OF P85,310.55 REPRESENTING INTEREST/PENALTY SHALL BE PAID BY SMART COMMUNICATIONS, INC., TO SUBMIT CERTIFIED TRUE COPY OR ORIGINAL COPY OF SECRETARY'S CERTIFICATE, AND SUBJECT TO THE RATIFICATION BY THE SANGGUNIANG PANLUNGSOD:-

Sponsor: Hon. Nelson S. Legacion

**WHEREAS**, received by the Sangguniang Panlungsod for appropriate action is the 1<sup>st</sup> Indorsement dated August 30. 2012 from His Honor, the City Mayor, endorsing the letter dated August 29, 2012 of Atty. Imme M. Abardo-Estrada, seeking authorization for the City Mayor to enter into a Contract of Lease with SMART Communications, Inc. with respect to the parcel of land owned by the city government located at Barangay Concepcion Pequeña, this city;

**WHEREAS**, the SMART Communications, Inc. has already paid its outstanding rental fee in the amount of P568,737.00 based on the old Contract and will still pay the interest of 15% due to delayed payment;

**WHEREAS**, waiving the amount of P85,310.55 representing interest/penalty due to delayed payment is deemed inappropriate given the existing COA rules and regulations, and therefore payment should be made by SMART Communications, Inc. prior to the ratification of the said Contract of Lease;

**WHEREAS**, finding the same to be in order;

**NOW, THEREFORE**, on motion of Hon. Nelson S. Legacion, seconded by Hon. Cecilia Veluz-De Asis and Hon. David Casper Nathan A. Sergio;

**BE IT RESOLVED**, as it is hereby resolved, to authorize His Honor, the City Mayor to enter into a Contract of Lease with SMART Communications, Inc. relative to a parcel of land owned by the city government covering an area of 705 square meters, more or less, located at Greenland, Barangay Concepcion Pequeña, this city, provided that the amount of P85,310.55 representing interest/penalty shall be paid by SMART Communications, Inc., to submit certified true copy or original copy of Secretary's Certificate, and subject to the ratification by the Sangguniang Panlungsod.

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**LET COPIES** of this resolution be furnished His Honor, the City Mayor, the SMART Communications, Inc. through Mr. June Carlo T. Villos, Department Head-Property and Facilities Management, and Atty. Imme M. Abardo-Estrada, Legal Officer IV, for their information.

APPROVED.

Adopted: September 18, 2012

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**WE HEREBY CERTIFY** to the correctness of the foregoing resolution.

**GIL A. DE LA TORRE**  
Secretary to the  
Sangguniang Panlungsod

**GABRIEL H. BORDADO, JR.**  
City Vice Mayor &  
Presiding Officer