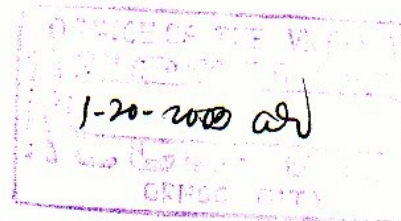


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



NIANG PANLUNGSOD
DATE OUT
DATE 01-17-03
BY [Signature]
SOD NG ORMOC

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE NINTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON JANUARY 16, 2003

PRESENT:

NIANG PANLUNGSOD
RECEIVED
TE: 01-27-03
Y: [Signature]
SOD NG ORMOC

Hon. Fernando P. Parrilla, City Councilor, Acting Presiding Officer
Hon. Nepomuceno P. Aparis I, City Councilor, Majority Floor Leader
Hon. Jose S. Serafica, City Councilor, Minority Floor Leader
Hon. Ruviniu E. Mendola, City Councilor, Assist. Maj. Floor Leader
Hon. Demosthenes F. Tugonon, City Councilor
Hon. Eduardo P. Tan, City Councilor
Hon. Rafael C. Omega, Jr. City Councilor
Hon. Jovencio A. Laurente, City Councilor
Hon. Fe. S. Lladoc, City Councilor
Hon. Emeterio Y. Larrazabal, Jr., Ex-Officio City Councilor,
Chapter President, Liga ng mga Barangay ng Ormoc

ABSENT:

Hon. Celso P. Adolfo, (O.B. - Cebu), Vice Mayor & Presiding Officer
Hon. Gregorio A. Yrastorza, Jr., (O.B. - Tacloban), City Councilor,
Assist. Minority Floor Leader
Hon. Cheryl L. Alfar, (O.B. - Manila), Ex-Officio City Councilor,
SK Federation President

PREFATORY STATEMENT

PRESENTED to this august Body for consideration is a CERTIFICATION from HADRIAN V. ARROYO, Corporate Secretary of Pacific Broadcasting System, Inc. (PBSI), a corporation duly organized and existing under and by virtue of Philippine laws with principal office at MBC Bldg., Star City CCP Complex, Roxas Boulevard, Pasay City, Metro Manila.

Said Certification has authorized to appoint ARRA PATRICIA LAM-LIM to apply for all local permits necessary and required for the operation of a radio station in Ormoc City, Leyte in accordance with Par. 4 of the Memorandum of Agreement dated 13 December 2002, to sign for and execute such application forms as may be required to secure the permits and pay whatever fees necessary therefore for its issuance.

Under Republic Act 7160, otherwise known as the Local Government Code of 1991, particularly Sec. 458, par. (a) sub-par (3) (vii) thereof, empowers the Sangguniang Panlungsod to enact ordinances granting franchise to any person, partnership, corporation or cooperative to do business within the city.

The said FM Radio Station is operated by PACIFIC BROADCASTING SYSTEM, INC. (PBSI).

Foregoing premises considered, on motion of City Councilor Jovencio A. Laurente, Chairman, Committee on Transportation & Communications, duly seconded by City Councilor Fe S. Lladoc; be it

RESOLVED, to adopt:

ORDINANCE NO. 099

AN ORDINANCE GRANTING FRANCHISE TO PACIFIC BROADCASTING SYSTEM, INC. (PBSI) REPRESENTED BY ARRA PATRICIA LAM-LIM TO OPERATE AND MAINTAIN AN FM RADIO STATION IN ORMOC CITY.

BE IT ORDAINED, by the NINTH SANGGUNIANG PANLUNGSOD NG ORMOC, That:

SECTION 1. Subject to the provisions of the Philippine Constitution and applicable laws, rules and regulations on radio operations and broadcasting, there is hereby granted to PACIFIC BROADCASTING SYSTEM, INC. (PBSI), a franchise to install, operate and maintain an FM Radio Station in Ormoc City represented by MS. ARRA PATRICIA LAM-LIM.

SECTION 2. Said applicant hereinafter referred to as the GRANTEE shall provide radio operations public address system with music and broadcasting services in Ormoc City and shall maintain its station, systems and equipment for operation & broadcasting in a satisfactory manner at all times, and modify, improve or change such systems and equipments to keep abreast with the advances in science and technology.

SECTION 3. The grantee shall not lease, transfer, grant the usufruct of, sell or assign this franchise or the rights and privileges acquired thereunder to any person, firm, company, corporation, or entity, nor merge with other corporation or entity without the prior approval of the Sangguniang Panlungsod ng Ormoc. Any person or entity to which this franchise is validly sold, transferred or assigned, shall be subject to all the same conditions, terms, restrictions and limitations of this Ordinance.

SECTION 4. In the event of war, rebellion, insurrection or similar national crises and the government shall find it necessary to operate and maintain for itself any or all of its apparatus and system herein authorized, the grantee shall temporarily turnover such facilities or apparatus to the government in exchange for payment of just and reasonable compensation for the use thereof.

SECTION 5. The grantee shall be liable to pay the same taxes on their real estate, buildings and personal properties exclusive of this franchise, as other persons or broadcasting entities are now or hereafter may be required by law to pay. In addition thereto, the grantee shall pay to the City Government of Ormoc the franchise tax as provided for in the local tax ordinance, and such other fees and charges that may be imposed by the City Government of Ormoc.

SECTION 6. The franchise shall be for a term of 25 years from the date of effectivity of this Ordinance unless sooner revoked or cancelled. In the event that the grantee fails to operate continuously for two (2) years, this franchise shall be deemed ipso facto revoked.

SECTION 7. Within sixty (60) days after the effectivity of this Ordinance, the grantee shall file with the Secretary to the Sangguniang Panlungsod ng Ormoc its written acceptance of this franchise and of all the terms and conditions thereof. In default of such acceptance within the said period, this franchise shall become null and void.

SECTION 8. Within six (6) months after the effectivity of this Ordinance the grantee shall file an application with the National Telecommunications Commission for a certificate of public convenience and necessity authorizing it to construct, operate and maintain a FM station in the City of Ormoc.

Failure to file such an application for any reason other than force majeure or acts of God shall render this franchise void.

SECTION 9. The grantee shall hold the City Government of Ormoc harmless from all claims, accounts, demands or actions arising out of the accidents or injuries, whether to property or to persons, caused by the installation and operation of the said radio Station of the grantee.

SECTION 10. The books of the grantee shall always be open to inspection by the City Treasurer or by a deputy designated by him for that purpose, it shall be the duty of the grantee to submit to the City Treasurer quarterly reports in duplicate showing the gross receipts and net receipts for the quarter past and the general conditions of the business, one copy of which shall be forwarded by the City Treasurer to the Auditor General, Commission on Audit who shall keep the same on file.

SECTION 11. If any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions not affected thereby shall continue to be in force and effect.

SECTION 12. This Ordinance shall take effect immediately upon its approval.

ENACTED, January 16, 2003.

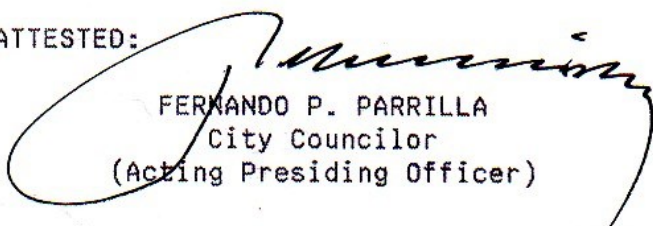
RESOLVED, FURTHER, to furnish copies of this Ordinance one each to His Honor, the City Mayor of Ormoc Carmelo J. Locsin, the City Administrator, the City Legal Officer, the City Treasurer, the City Permits & Licensing Office, Ms. Arra Patricia Lam-Lim, applicant and others concerned, -all in Ormoc City;

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the foregoing ordinance.

OSCAR P. LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:


FERNANDO P. PARRILLA
City Councilor
(Acting Presiding Officer)

APPROVED:


CARMELO J. LOCSIN
City Mayor

01-27-03
(Date)