

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON JANUARY 25, 1996



Hon. Benjamin F. Tugonon,	Vice-Mayor & Presiding Officer
Hon. Celso P. Adolfo,	Majority Floor Leader, Kagawad
Hon. Claudio P. Larrazabal,	Asst. Majority Floor Leader, Kagawad
Hon. Benjamin B. Lladoc,	Kagawad
Hon. Sotero M. Pepito,	Kagawad
Hon. Alfredo F. Capahi,	Kagawad
Hon. Manuel T. Fiel,	Kagawad
Hon. Jose C. Alfaro, Jr.,	Kagawad
Hon. Gregorio A. Yrastorza, Jr.,	Kagawad
Hon. Mariano Y. Corro,	Minority Floor Leader, Kagawad
Hon. Angelyn R. Paca,	SK Federation President, Ex-Officio, Kagawad

ABSENT:

Hon. Jose B. Conejos, (Resigned as of December 7, 1995), Kagawad
Hon. Fernando P. Parrilla, (O.B. - Manila), Chapter Pres., Liga
ng mga Barangay ng Ormoc, Ex-Officio, Kagawad

RESOLUTION NO. 96-12

A RESOLUTION APPROVING AND RATIFYING THE ATTACHED SIDE-
LETTER DATED DECEMBER 14, 1995, DENOMINATED AS DOC. NO.
78; PAGE NO. 16; BOOK NO. VI; SERIES OF 1995; IN THE
NOTARIAL REGISTER OF NOTARY PUBLIC CLETO L.
EVANGELISTA, JR., WHICH SHALL FORM AN INTEGRAL PART OF
THE MEMORANDUM OF AGREEMENT FOR THE OPERATION OF THE
ORMOC CITY SHOPPING MALL WHICH WAS APPROVED AND
RATIFIED BY THIS SANGGUNIAN ON DECEMBER 21, 1995 PER
RESOLUTION NO. 95-156.

WHEREAS, this august Body is in receipt of a letter dated January
15, 1996 of City Legal Officer Cleto L. Evangelista, Jr. requesting for
the approval and ratification of the Side-Letter to the Memorandum of
Agreement for the operation of the Ormoc City Shopping Mall;

WHEREAS, it will be remembered that this Sanggunian in its session
of December 21, 1995, adopted Resolution No. 95-156 approving and
ratifying the Memorandum of Agreement for the operation of the Ormoc
City Shopping Mall;

WHEREAS, subject Side-Letter shall form as an integral part of the
aforementioned Memorandum of Agreement, hence it needs the approval and
ratification of this august Body;

FOREGOING PREMISES CONSIDERED, on motion of Kagawad Mariano Y.
Corro, Chairman, Committee on Public Properties, and Laws and
Ordinances, severally seconded by mga Kagawad Alfredo F. Capahi, Sotero
M. Pepito and Benjamin B. Lladoc; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution APPROVING
AND RATIFYING THE ATTACHED SIDE-LETTER DATED DECEMBER 14, 1995,
DENOMINATED AS DOC. NO. 78; PAGE NO. 16; BOOK NO. VI; SERIES OF 1995; IN

THE NOTARIAL REGISTER OF NOTARY PUBLIC CLETO L. EVANGELISTA, JR., WHICH SHALL FORM AN INTEGRAL PART OF THE MEMORANDUM OF AGREEMENT FOR THE OPERATION OF THE ORMOC CITY SHOPPING MALL WHICH WAS APPROVED AND RATIFIED BY THIS SANGGUNIAN ON DECEMBER 21, 1995 PER RESOLUTION NO. 95-156;

RESOLVED, FURTHER, to furnish copies of this resolution, one each, to: The Honorable City Mayor Eufrocino M. Codilla, Sr.; Mr. Edmund S. Gaisano, President/Operator of Taipan Development, Inc., Cebu City; City Legal Officer Atty. Cleto L. Evangelista, Jr., and all other offices concerned.


ENACTED, January 25, 1996.

CARRIED by Majority Votes of Nine (9) Affirmative votes and One (1) Abstention registered by Kagawad Gregorio A. Yrastorza, Jr.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


BENJAMIN P. TUGONON
Vice-Mayor & Presiding Officer

ATTESTED:


HERIOGENA P. SUMALINOG
Secretary to the
Sangguniang Panlungsod

Republic of the Philippines
OFFICE OF THE CITY MAYOR
Ormoc City

December 14, 1995

Mr. Edmund S. Gaisano
President/Manager
TAIPAN Development Inc.
Cebu City

Dear Mr. Gaisano,

This is to formalize what was previously agreed upon prior to the signing of the Memorandum of Agreement last December 8, 1995 and which shall become an integral part of the Memorandum of Agreement.

A. Building and Reimbursement

The ownership of the building shall remain with the City Government of Ormoc but TAIPAN Development Inc. shall have usufructuary rights over the building and its facilities for a period of twenty four (24) years. The amount of P 73,478,679.59 shall be deemed the significant consideration for the maintenance, operation and utilization of the Shopping Mall by the Operator.

B. Land Lease and Rent

Considering that the Operator has already paid an advance rental of five (5) years for the lot in the amount of P 3,916,771.20, the rentals for the 6th year up to the 24th year of the term of the MOA with an escalation rate of ten percent (10%) per annum will be as follows:

YEAR	ANNUAL RENTAL
6	1,261,599.84
7	1,387,759.82
8	1,526,535.81
9	1,679,189.39
10	1,847,108.33
11	2,031,819.16
12	2,235,001.07
13	2,458,501.18
14	2,704,351.30
15	2,974,786.43
16	3,272,265.07
17	3,599,491.58
18	3,959,440.74
19	4,355,384.81
20	4,790,923.29
21	5,270,015.62
22	5,797,017.18
23	6,376,718.90
24	7,014,390.79

A. Payment of all Business Taxes and Income Taxes

The payment of the corporate income tax shall be paid at Tai-pan Development Inc.'s principal place of business as provided for in the National Internal Revenue Code (NIRC).

All local taxes due to the City of Ormoc shall be as specified in the Local Tax Code, Local Government Code and other laws and ordinances.

IN VIEW OF THE FOREGOING premises and considerations, kindly affix your signature to signify your conformity thereof.



EUFROCINO M. CODILLA, SR.
City Mayor
City Government of Ormoc
Owner

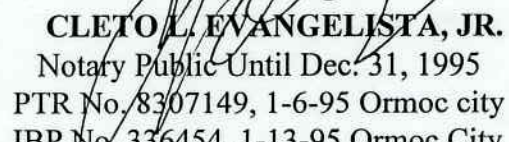
WITH MY CONFORMITY:



MR. EDMUND S. GAISANO
President/Operator

Republic of the Philippines)
City of Ormoc) S. S

SUBSCRIBED AND SWORN to before me this 14th day of December, 1995.
EUFROCINO M. CODILLA, SR. with C. T. C. No. 4963901-B issued on January. 10, 1995 at Ormoc City and **EDMUND S. GAISANO** with C. T. C. No. 4491703 issued on February 7, 1995 at Cebu City, personally appeared.



CLETO L. EVANGELISTA, JR.
Notary Public Until Dec. 31, 1995
PTR No. 8307149, 1-6-95 Ormoc city
IBP No. 336454, 1-13-95 Ormoc City

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