

Republic of the Philippines
Quezon City
13th CITY COUNCIL

P096-185

63rd Regular Session

ORDINANCE NO. SP-437, S-96

AN ORDINANCE RATIFYING THE AGREEMENT ENTERED INTO BY AND BETWEEN THE QUEZON CITY GOVERNMENT, THRU THE CITY MAYOR, HONORABLE ISMAEL A. MATHAY, JR., AND THE MANILA ELECTRIC COMPANY (MERALCO), WHEREBY THE FORMER, IN CONSIDERATION OF THE SUM OF FIFTY-SIX MILLION SIX HUNDRED SIXTY-FIVE THOUSAND THIRTY SIX PESOS AND THIRTY FIVE CENTAVOS (P56,665,036.35), TO BE REIMBURSED TO IT, DONATES/TRANSFERS TO THE LATTER CERTAIN STREETLIGHTS AND FACILITIES LISTED IN ANNEX "B" OF THE COMPROMISE AGREEMENT ENTERED INTO BY THE SAME PARTIES WITH THE COURT'S APPROVAL IN SCA NO. 522 OF THE REGIONAL TRIAL COURT, NATIONAL CAPITAL JUDICIAL REGION, BRANCH 164, PASIG CITY, METROPOLITAN MANILA.

Introduced by Councilors GODOFREDO T. LIBAN II, BAYANI V. HIPOL, CESAR A. DARIO, JR., WINSTON "Winnie" T. CASTELO, EUFEMIO C. LAGUMBAY, JORGE L. BANAL and ENRICO S. SERRANO.

Co-Introduced by Councilors Moises S. Samson, Alberto M. Galarpe, Emilio G. Tamayo, Marciano P. Medalla, Connie S. Angeles, Joseph Peter S. Sison, Nanette Castelo-Daza, Bayani V. Hipol and Alfredo A. Francisco (Fred Montilla).

WHEREAS, MERALCO filed SCA No. 552 against the City Treasurer and City Assessor, both of Quezon City, relative to the notices of assessment for real estate taxes on MERALCO posts and transformers installed in Quezon City and the collection letters sent to MERALCO by the City Treasurer;

WHEREAS, the parties to the said case, entered into a Compromise Agreement on September 7, 1995 which was approved by the Regional Trial Court on September 12, 1996;

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WHEREAS, one of the principal provisions of said Compromise Agreement is for the Quezon City government to donate and turn-over to the MERALCO the streetlights and facilities listed in Annex "B" of the Agreement in consideration of which the MERALCO agreed to reimburse the sum of Fifty-Six Million Six Hundred Sixty-Five Thousand Thirty Six Pesos and Thirty Five Centavos (P56,665,036.35) to the Quezon City government which amount is set-off/compensated against the unpaid bills of Quezon City for the month of December, 1994 and from January, 1995 to December 1995 or a total of Fifty-Six Million Six Hundred Sixty-Five Thousand Thirty Six Pesos and Thirty Five Centavos (P56,665,036.35);

WHEREAS, in the implementation of the next preceding paragraph hereof, the Quezon City government, thru the City Mayor, Honorable Ismael A. Mathay, Jr., donated to the MERALCO the said streetlights and facilities under an Agreement executed by the parties on July 30, 1996 at Pasig City, Metropolitan Manila;

WHEREAS, to become binding and effective, the said Agreement has to be ratified by the Quezon City Council pursuant to the provisions of Sections 22 (c) and 455 (b) (1) (vi) of the Local Government Code of 1991;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED:

SECTION 1. The Agreement entered into by and between the Quezon City government, thru the City Mayor, Honorable Ismael A. Mathay, Jr., and the Manila Electric Co. (MERALCO), is hereby ratified, whereby the former, in consideration of the sum of Fifty-Six Million Six Hundred Sixty-Five Thousand Thirty Six Pesos and Thirty Five Centavos (P56,665,036.35), to be reimbursed to it, donates/transfers to the latter certain streetlights and facilities listed in Annex "B" of the Compromise Agreement entered into by the same parties and approved by the Court in SCA No. 552 of the Regional Trial Court, National Capital Judicial Region, Pasig City, Metropolitan Manila.

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SECTION 2. This Ordinance shall take effect upon its approval.

ENACTED: August 27, 1996.

(SGD.) HERBERT M. BAUTISTA
Vice-Mayor
Presiding Officer

ATTESTED:

(SGD.) EUGENIO V. JURILLA
City Secretary

APPROVED:

(SGD.) HERBERT M. BAUTISTA
Acting City Mayor

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