



Republic of the Philippines  
 Province of Cavite  
**City of Bacoor**  
**OFFICE OF THE SANGGUNIANG PANLUNGSOD**



DISTRICT I

HON. ROWENA BAUTISTA - MENDIOLA  
 City Councilor

HON. MIGUEL N. BAUTISTA  
 City Councilor

HON. EDWIN G. GAWARAN  
 City Councilor

HON. MICHAEL E. SOLIS  
 City Councilor

HON. VENUS D. DE CASTRO  
 City Councilor

HON. ALEJANDRO F. GUTIERREZ  
 City Councilor

DISTRICT II

HON. APOLONIO I. ADVINCULA JR.  
 City Councilor

HON. REYNALDO DC. PALABRICA  
 City Councilor

HON. HERNANDO C. GUTIERREZ  
 City Councilor

HON. GAUDENCIO P. NOLASCO  
 City Councilor

HON. LEANDRO A. DE LEON  
 City Councilor

HON. ROBERTO R. JAVIER  
 City Councilor

**ON-LEAVE**

HON. VICTORIO L. GUERRERO, JR.  
 City Councilor / ABC President

Attended by:

ATTY. KHALID A. ATEGA, JR.  
 Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO  
 City Vice Mayor / Presiding Officer

Approved by:

HON. LANI MERCADO - REVILLA  
 City Mayor

**CITY RESOLUTION NO. 098**  
 Series of 2017

A RESOLUTION (A) CONFORMING WITH, AND APPROVING, THE "DEED OF ASSIGNMENT WITH ABSOLUTE WAIVER OF RIGHTS, INTERESTS AND PARTICIPATIONS" EXECUTED BY THE SPOUSES HENRY DEL ROSARIO AND FLAVIANA M. DEL ROSARIO AND CAVITE MERCHANTS PROPERTY MANAGEMENT AND DEVELOPMENT CORPORATION ON 21 JULY 2017, (B) AUTHORIZING THE CITY MAYOR, THE HONORABLE LANI MERCADO-REVILLA, TO ENTER, FOR AND ON BEHALF OF THE CITY OF BACOR, CAVITE, INTO A COMPROMISE AGREEMENT IN CIVIL CASE NO. BCV-2013-245 AND CIVIL CASE NO. 13-3923, PENDING BEFORE THE REGIONAL TRIAL COURT, BACOR CITY, CAVITE, AND THE MUNICIPAL TRIAL COURT, BACOR CITY CAVITE, RESPECTIVELY, FOR THE SETTLEMENT OF THE CONTROVERSIES THEREIN, AND (C) AUTHORIZING THE CITY LEGAL OFFICER, ATTY. MARIA BERNADETTE CARRASCO, AND ATTY. ROY CHENG, COUNSEL ON RECORD, TO FILE WITH THE SAID COURTS THE NECESSARY PLEADING OR MOTION, ON BEHALF OF THE CITY OF BACOR, CAVITE, IN SUPPORT OF THE SAID COMPROMISE AGREEMENT.

Sponsored by: *Hon. Apolonio I. Advincula, Jr., Hon. Rowena Bautista-Mendiola, Hon. Miguel N. Bautista, Hon. Venus D. De Castro, Hon. Leandro A. De Leon, Hon. Edwin G. Gawaran, Hon. Victorio L. Guerrero, Jr. Hon. Alejandro F. Gutierrez, Hon. Hernando C. Gutierrez, Hon. Robert R. Javier and Hon. Gaudencio P. Nolasco Hon. Reynaldo D. Palabrica and Hon. Michael Solis.*

**WHEREAS**, the City is in receipt of a "DEED OF ASSIGNMENT With ABSOLUTE WAIVER OF RIGHTS, INTERESTS AND PARTICIPATIONS" executed between the Spouses HENRY DEL ROSARIO and FLAVIANA M. DEL ROSARIO (Assignors) and Cavite Merchants Property Management and Development Corporation (Assignee) in relation to the management, operation and maintenance in relation to the Bacoor Public Market.

**WHEREAS**, it must be recalled that Spouses Del Rosario filed a civil action for Specific Performance with prayer for injunctive reliefs against the City, asserting their claims and interests in the Bacoor Public Market under the "Lease Agreement with Management, Operation and Maintenance Provisions" executed on December 18, 2009, which civil case is pending before the Regional Trial Court, Bacoor City, Cavite, Branch 89, and docketed as Civil Case No. BCV- 2013-245:

**WHEREAS**, aside from the above-mentioned case, several other cases, criminal and civil, have been instituted against each party and involving third parties that have escalated the hostile relationship among the stakeholders, and have prejudiced the smooth operations and delivery of public service inside the Public Market:

**WHEREAS**, the City aims to restore the peaceful and harmonious delivery of public service at the Bacoor Public Market and advance the best interests of the constituents and the market-going public;

**NOW THEREFORE**, on Motion duly seconded, and upon unanimous vote, be it **RESOLVED**, to conform with and approve the "DEED OF ASSIGNMENT With



Republic of the Philippines

Province of Cavite

City of Bacoor

OFFICE OF THE SANGGUNIANG PANLUNGSOD



DISTRICT I

HON. ROWENA BAUTISTA - MENDIOLA  
City Councilor

HON. MIGUEL N. BAUTISTA  
City Councilor

HON. EDWIN G. GAWARAN  
City Councilor

HON. MICHAEL E. SOLIS  
City Councilor

HON. VENUS D. DE CASTRO  
City Councilor

HON. ALEJANDRO F. GUTIERREZ  
City Councilor

DISTRICT II

HON. APOLONIO ADVINCULA, JR.  
City Councilor

HON. REYNALDO DC. PALABRICA  
City Councilor

HON. HERNANDO C. GUTIERREZ  
City Councilor

HON. GAUDENCIO P. NOLASCO  
City Councilor

HON. LEANDRO A. DE LEON  
City Councilor

HON. ROBERTO R. JAVIER  
City Councilor

**ON-LEAVE**

HON. VICTORIO L. GUERRERO, JR.  
City Councilor / ABC President

Attested by:

ATTY. KHALID A. ATEGA, JR.  
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO  
City Vice Mayor / Presiding Officer

Approved by:

HON. LANI MERCADO - REVILLA  
City Mayor

ABSOLUTE WAIVER OF RIGHTS, INTERESTS AND PARTICIPATIONS" executed between the Spouses HENRY DEL ROSARIO and FLAVIANA M. DEL ROSARIO and Cavite Merchants Property Management and Development Corporation executed on 21 July 2017, **PROVIDED THAT**, such conformity and approval will not, in any way, constitute as an admission or recognition by the City of the interest of Spouses Del Rosario at the Public Market, in view of the pendency of cases between Spouses Del Rosario and the City before the courts of Bacoor City, Cavite, but is only made for the good of the public, to restore a peaceful and smooth delivery of public service at the Bacoor Public Market and in the hope of reaching a possible compromise agreement in said cases; and **PROVIDED FURTHER** that, such conformity and approval is subject to the terms and conditions which the parties may stipulate in a compromise agreement for the ultimate purpose of reaching an amicable settlement of the case(s), towards its final dismissal upon the discretion and approval of the Honorable Court.

**RESOLVED FURTHER**, to authorize, as it hereby authorizes, the City Mayor, the Honorable Lani Mercado-Revilla, to enter, for and on behalf of the City of Bacoor, Cavite, into a Compromise Agreement in Civil Case No. BCV-2013- 245 and Civil Case No. 13-3923, pending before the Regional Trial Court, Bacoor City, Cavite, and the Municipal Trial Court, Bacoor City Cavite, respectively, for the settlement of the controversies therein;

**RESOLVED FURTHER**, to grant authority to the City Legal Officer, Atty. Maria Bernadette Carrasco, and Atty. Roy Cheng, counsel on record, to file with the said courts the necessary pleading or motion, on behalf of the City of Bacoor, Cavite, in support of the Compromise Agreement;

**RESOLVED FINALLY**, to furnish copies of this Resolution to the Honorable Lani Mercado-Revilla, City Mayor, for her information, and as basis of appropriate action.

**UNANIMOUSLY ADOPTED** this 14<sup>th</sup> day of August 2017 at the City of Bacoor during the 33<sup>rd</sup> regular session of the Sangguniang Panlungsod of the City of Bacoor.

I hereby certify that the foregoing Resolution was duly passed in accordance with law and that its contents are true and correct.

Certified by:

HON. CATHERINE S. EVARISTO  
City Vice-Mayor/Presiding Office

Attested by:

ATTY. KHALID A. ATEGA, JR.  
Sangguniang Panlungsod Secretary

Approved by:

HON. LANI MERCADO-REVILLA  
City Mayor