



Republic of the Philippines

CITY OF BACOOR

Province of Cavite

CITY OF BACOOR, CAVITE

OFFICE OF THE MAYOR

RECEIVED BY:

CARMELITA D. PENEQUITO

DATE

10/5/2015

OFFICE OF THE SANGGUNIANG PANLUNGSOD

District I:

HON. AVELINO B. SOLIS
City Councilor

HON. EDWIN G. GAWARAN
City Councilor

HON. MIGUEL N. BAUTISTA
City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
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HON. LEANDRO A. DE LEON
City Councilor

HON. ROBERT R. JAVIER
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor - ABC Pres.

Attested by:

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

Certified by:

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

Approved by:

HON. STRIKE B. REVILLA
City Mayor

CITY RESOLUTION NO. CR 2015-159

Series of 2015

A RESOLUTION GRANTING THE APPLICATION FOR DEVELOPMENT PERMIT FOR A PROPOSED CONDOMINIUM PROJECT OF DMCI PROJECT DEVELOPERS, INC. TO BE KNOWN AS "ALEA RESIDENCES CONDOMINIUM" SITUATED AT BARANGAY ZAPOTE 5, CITY OF BACOOR, CAVITE.

Sponsored by: Hon. Edwin G. Gawaran, Hon. Miguel N. Bautista, Hon. Rowena B. Mendiola, Hon. Reynaldo M. Fabian, Hon. Venus D. De Castro, Hon. Victorio L. Guerrero, Jr., Hon. Hernando C. Gutierrez, Hon. Gaudencio P. Nolasco, Hon. Bayani M. De Leon, Hon. Leandro A. De Leon, Hon. Roberto R. Javier, Hon. Reynaldo D. Palabrica, and Hon. Avelino B. Solis.

WHEREAS, an application for Development Permit for a proposed condominium project to be known as "**Alea Residences Condominium**" was filed by **DMCI Project Developers, Inc.** for condominium project herein described as:

Name of Project:	Alea Residences
Location:	Zapote 5
	City of Bacoor, Cavite
Land Area:	17,044 sq. m.
Transfer Certificate of Title:	T-057-2014075429

WHEREAS, the Committee on Housing and Land Utilization through its Chairman, Hon. Edwin G. Gawaran, after conducting an ocular inspection of the said project and after review and evaluation of the pertinent documents submitted herewith, recommends the issuance of a Development Permit to **DMCI Project Developers, Inc.** in accordance with the plans and specification hereto attached and made an integral part hereof, for the project known as **Alea Residences** located at **Zapote 5, City of Bacoor, Province of Cavite**, subject to the prescribed guidelines and regulations under various pertinent laws and ordinances;

WHEREAS, the developer manifested before the Sangguniang Panlungsod that **DMCI Project Developers, Inc.** is the registered owner/possessor of the real property subject of the application for the above-mentioned development permit, that its title over the same is free from any legal infirmity, that it has not received any order issued by any court in the Philippines restraining it from proceeding with the development of the above-mentioned project, that no tenant shall be adversely affected by the said development, and that the corporation has complied-and will continue to comply-with all the requirements for



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such a development project set under prevailing laws and under the various policies of the national government and its various instrumentalities.

WHEREFORE, on motion of Honorable Councilor Edwin G. Gawaran unanimously seconded by all members present, in its 108th regular session assembled, **BE IT RESOLVED AS IT IS HEREBY RESOLVED** by the Sangguniang Panlungsod of the City of Bacoor, Province of Cavite to grant a Development Permit to **DMCI Project Developers, Inc.** for the project to be known as "**Alea Residences**" covering the herein described property, **PROVIDED** that;

1. The Developer manifests that **DMCI Project Developers, Inc.** is the registered owner/possessor of the properties subject of the above-mentioned application for a Development Permit, that its title over the same is free from any legal infirmity, that it has not received any order issued by any court in the Philippines restraining it from proceeding with the development of the above-mentioned project, that no tenant shall be adversely affected by the said development, and that the said corporation has complied and will continue to comply with all the requirements for such a development project set under prevailing laws and under the various policies of the national government and its various instrumentalities;

2. The Developer hereby undertakes to pay all corresponding government fees and taxes equivalent to the area/s covered by its application for a development permit before such permit is issued;

3. The Developer undertakes to hold the City Government, and all of its elected and appointed officials, free and harmless from any and all claims, demand, account or action arising out of any infirmity in its title/s to the above-mentioned property or to any person or tenant caused by the development or construction of the above-mentioned project;

4. The Developer undertakes that its non-compliance with the requirements of **Provincial Ordinance No. 2003-005** ("An Ordinance Requiring All Condominium Developers Doing Business In The Province Of Cavite To Provide Slope Protection, A One-Meter Path Walk And Two-Meter Plant Strip, To Be Placed At The Edge Of The Property Line Of The Three-Meter Easement Before Commencing Construction Of Any Housing Unit, And Providing Penalties For Violation Thereof"), **Municipal Resolution No. 82-S-95** ("Resolution Increasing The Payment Of Development Permit Fee From Its Present Rate Of P0.50 Per Square Meter To P10.00 Per Square Meter In Accordance With The General Guidelines, Rules, Regulations, And Standards Being Implemented By The Housing And Land Use Regulatory Board In The Processing And Approval Of Condominium Plan."), **Resolution No. 35-S-96** ("Resolution Requiring The Developers Of Condominium To Plant Trees On Both Side Of The Roads Of Their Condominium Including The Open Space After The Issuance Of A Development Permit Had Been Granted To The Owner Or Developer"), **Municipal Ordinance No. 9-S-99** ("An Ordinance Requiring Condominium Owners Or Developers To Identify Specific Plan For Parks And Playground Space And to Construct The Necessary Amenities For Their Condominium Project In The Municipality

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Sangguniang Panlungsod Secretary

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And For Other Purposes"), **Municipal Ordinance No. 4-S-2011** ("An Ordinance Mandating The Establishment Of A Water Impounding System In All Land Development Projects In Bacoor, Cavite") and **Municipal Ordinance No. 5-S-2011** ("An Ordinance Requiring The Installation Of A "Grease And Used Oil Waste Disposal System" In All Business Establishments Operating In Bacoor, Cavite") and other pertinent ordinances or resolutions approved by the Sangguniang Panlungsod (and by its predecessor, the Sangguniang Bayan of Bacoor), or any misrepresentation committed by the Developer in connection with its application for a Development Permit, shall be deemed sufficient grounds for the revocation of any development permit or non-issuance of an Occupancy Permit in its favor;

5. The Developer undertakes to devote at least thirty percent (30%) of the total lot area for roads and other open recreational spaces in accordance with RA 7279;

6. The Developer undertakes to devote and develop a parcel of land within the above-described development project where a materials recovery facility (MRF) will be placed in accordance with Republic Act 9003 also known as the "Ecological Solid waste Management Act of 2000" within one (1) year after the issuance of the above-mentioned development permit. The said MRF shall have an area equivalent to 5% of the 30% open spaces for recreational facilities provided under RA 7279;

7. For every hectare comprising the residential condominium project subject of the application for a Development Permit, the Developer shall construct a multi-purpose building, classroom building, daycare center, or health center at any place within the City of Bacoor, the size, design, and location of which building shall be identified and approved by the City Mayor. The said multi-purpose building, classroom building, daycare center or health center shall then be donated by the developer to the city within six (6) months after its completion to enable the city government to effectively meet the needs of prospective residents of the said residential condominium project. Provided: that in case the said multi-purpose building, classroom building, daycare center or health center to be donated to the City Government is located within the condominium project, the homeowners of the said condominium shall be given preference in using the same. Provided further: that the City Government shall be allowed by the Developer and by the homeowners' association to use the said facility to be donated during special public occasions or during a public emergency. Provided lastly: that the use, operation, and management of the said facility shall be subject to a Memorandum of Agreement between the City Government, the Developer, and the homeowners' association of the condominium wherein the facility to be donated is located;

8. The Developer undertakes to pay a one-half percent (0.5%) tax on the assessed value of lands that it owns with an assessed value in excess of Fifty Thousand Pesos (PhP 50,000.00) pursuant to Republic Act No. 7279 subject to Municipal Ordinance No. 33-S-2011;

9. The Developer hereby undertakes to require all its employees—or the employees of its contractors or suppliers—who will

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be reporting for work within the territorial jurisdiction of City of Bacoor, Cavite to obtain Work Permits from the Office of the City Mayor;

10. The Developer undertakes to provide the City Government through the Business Permits and Licensing Office (BPLO), with a list of the names and addresses of the various contractors/suppliers who will work on the above-mentioned development project for purposes of assessing the proper Business Permit Fees that the City Government should charge to the said contractors/suppliers. Moreover, the Developer hereby undertakes to secure a business permit for the operation of any utility (water, cable TV, etc.) to be operated by the Developer—or its affiliates—within its development project;

11. The Developer hereby undertakes to plant at least one hundred (100) trees within the territorial jurisdiction of City of Bacoor, Cavite for every one (1) hectare of the area consisting the development project subject of the above-mentioned application within one (1) year from the date of approval of the Development Permit. Provided: that the type of trees, the manner and schedule of planting of such trees, and the exact location where such trees shall be planted by the Developer shall be subject to the prior approval of the City Mayor. Provided further, that types of trees to be planted by the Developer shall be subject to the recommendation of the Department of Environment and Natural Resources (DENR). Provided further, that the cost of planting and maintaining the said trees, which shall include but shall not be limited to the watering and fertilizing of the said trees, shall be borne exclusively by the Developer for the entire duration of one(1) year following its planting;

12. The Developer undertakes to design its condominium project in such a way that its entrance/exit gates are at least ten (10) meters away from the edge of the nearest national, provincial, or municipal road so that motor vehicles entering or exiting the said condominium shall not impede the orderly flow of traffic;

13. The Developer undertakes to design the roads inside its development project in such a way that they may be interconnected with the road network of the City Government and with that of adjoining residential condominiums, if any;

14. The Developer undertakes to designate certain roads within its condominium project to become part of the City Government's "Solidarity Route" project as provided under **Municipal Ordinance No. 21-S-2009** ("An Ordinance Creating A Traffic Decongestion Scheme To Be Known As The "Solidarity Route" In The Municipality of Bacoor, Cavite) to help ease traffic on main thoroughfares within the city during certain periods of the day;

15. The Developer undertakes to comply with Section 18 of Republic Act No. 7279 which mandates that developers of proposed condominium projects shall be required to develop an area for socialized housing equivalent to at least twenty percent (20%) of the total condominium area or total condominium project cost, at the option of the developer, within the same city or municipality, whenever

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feasible, and in accordance with the standards set by the Housing and Land Use Regulatory Board and other existing laws;

16. The Developer undertakes to install closed circuit television cameras at the entrance or exit gates of its residential condominium project within one (1) year after the approval of its Development Permit in compliance with the Municipal Government's crime prevention program pursuant to **Municipal Ordinance No. 18-S-2009** which was passed by the Sangguniang Bayan on 22 October 2009 (entitled: "An Ordinance Requiring Business Establishments And Residential Condominiums Operating In Bacoor, Cavite To Install Closed Circuit TV Cameras.");

17. The Developer undertakes to require any security agency that it will hire to guard the residential condominium to register with the Office of the City Mayor and to pay the corresponding Business Permit Fee before it can operate;

18. The Developer undertakes to complete the perimeter fence of the residential condominium covered by its application for a Development Permit within one (1) year from the date of approval of the said permit to ensure the security of homeowners from criminal elements;

19. The Developer undertakes to finish the development of the said project within one (1) year from the date of issuance of a development permit by the City Government. Provided that, if the developer can not complete the Project for any justifiable reason, the said Developer shall request the Mayor for an extension of the aforementioned period before the same expires;

20. The developer shall obtain an Environmental Compliance Certificate (ECC) from the Department of Environment and Natural Resources (DENR) and a Traffic Impact Assessment (TIA) study from the National Center for Transportation Studies or from the Department of Public Works and Highways prior to the start of construction. The said ECC and TIA shall be submitted by the Developer to the Secretary of the Sangguniang Panlungsod within seven (7) working days from its issuance by the national agency concerned. Otherwise, no building permit shall be issued in favor of the Developer or its contractor and this Resolution shall be revoked;

21. The Developer is also required to construct a Sewage Treatment Plant (STP) at the condominium project site that conforms with the environmental laws of the Philippines and with the ordinances of the City of Bacoor. The said STP must be operational prior to the sale of any residential unit within the condominium project. Otherwise, this Resolution shall be revoked;

22. The Developer shall provide parking slots equivalent to the number of residential units within the condominium project. Additional parking slots should also be provided by the Developer for the guests of its prospective residents. The Developer shall also disallow any on road

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Sangguniang Panlungsod Secretary

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City Mayor



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parking within the road network of its development project. Otherwise, this Resolution shall be revoked; and

23. The Developer shall comply with all the foregoing and with other conditions that maybe set forth by the City Mayor in accordance with law. Otherwise, the City Government shall not approve the Developer's application for a Development Permit and/or shall not grant the Developer an Occupancy Permit.

RESOLVED FURTHER, that copies of this Resolution be furnished to all concerned offices.

ADOPTED UNANIMOUSLY by the Sangguniang Panlungsod this 28th day of September 2015 at the City of Bacoor, Cavite.

I hereby certify that the foregoing Resolution was approved in accordance with law and that the contents hereof are true and correct.

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Approved by:

HON. STRIKE B. REVILLA
 City Mayor

Certified by:

HON. CATHERINE SARINO-EVARISTO
 City Vice Mayor/Presiding Officer

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 Sangguniang Panlungsod Secretary

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HON. STRIKE B. REVILLA, PhD
 City Mayor