



Republic of the Philippines
MUNICIPALITY OF LINGAYEN
Province of Pangasinan

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Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF LINGAYEN, PANGASINAN HELD AT THE SESSION HALL ON NOVEMBER 25, 2019.

PRESENT : VICE MAYOR JUDY DL. VARGAS - Presiding Officer
SBM Mac Dexter G. Malicdem
SBM Jay Mark Kevin D. Crisostomo
SBM John Silvester A. Tapia
SBM Jonathan Carl R. Arcinue
SBM Sheila V. Castañeda
SBM Randall Q. Bernal
SBM Ricardo R. Ferrer
SBM Darwin B. Jimenez – LIGA President
SBM Gabriel Ivan C. Tuazon – SK President

ABSENT : SBM Ramon Anselmo M. Cuaresma

RESOLUTION NO. 116, S-2019

AUTHORIZING HON. MAYOR LEOPOLDO N. BATAOIL OR ATTY. DOMINIQUE C. EVANGELISTA TO RESCIND/RESOLVE EITHER JUDICIALLY OR EXTRA JUDICIALLY THE MEMORANDUM OF AGREEMENT DATED OCTOBER 11, 2005, ENTERED INTO BY THE MUNICIPALITY OF LINGAYEN WITH REMSIEN TRADING AND CONSTRUCTION, AND TO EXERT ALL LEGAL REMEDIES.

WHEREAS, on October 11, 2005, the Municipality of Lingayen, represented by Hon. Ernesto "Jonas" C. Castañeda, Jr., entered into a Memorandum of Agreement with Remsien Trading and Construction, represented by Feliciano Enrique, for the construction, operation, and lease of a common terminal and business stalls along Solis St., Lingayen, Pangasinan;

WHEREAS, the Memorandum of Agreement has a term of 25 years, or until October 4, 2013;

WHEREAS, Feliciano Enrique died on September 7, 2015, leaving his heirs as successors to his rights and obligations under the Memorandum of Agreement;

WHEREAS, *Remsien Trading and Construction and/or the Heirs of Feliciano Enrique* have not been paying the annual Business Permit and the monthly rental from 2005 up to the present;

WHEREAS, the Sangguniang Bayan of Lingayen has given the authority to the Municipal Mayor or the Municipal Legal Officer to perform the following tasks as follows:

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1.) To authorize Hon. Mayor Leopoldo N. Bataoil or Atty. Dominique C. Evangelista to resolved/rescind either judicially or extrajudicially the Memorandum of Agreement dated October 11, 2005, entered into by the Municipality of Lingayen with Remsien Trading and Construction.

2.) To authorize Hon. Mayor Leopoldo N. Bataoil or Atty. Dominique C. Evangelista to file a case for Sum of Money and/or Damages against the Heirs of Feliciano Enrique to collect the unpaid rental and business permit under the Memorandum of Agreement dated October 11, 2005.

3) To attend the Pre-Trial Conference, Preliminary Conference, Mediation, Judicial Dispute Resolution, and alternative modes of dispute, resolution, with authority to enter into amicable settlements and compromise agreements.

4) To make admissions and stipulations of facts and of documents.

5) To verify, certify, and sign pleadings and documents necessary for the foregoing purposes.

WHEREFORE, on motion of SBM John Silverster A. Tapia duly seconded by SBM Jay Mark Kevin D. Crisostomo, be it:

RESOLVED AS IT IS HEREBY RESOLVED, to authorize Hon. Mayor Leopoldo N. Bataoil or Atty. Dominique C. Evangelista to rescind/resolve either judicially or extra judicially the Memorandum of Agreement dated October 11, 2005, entered into by the Municipality of Lingayen with Remsien Trading and Construction, and to exert all legal remedies.

RESOLVED FURTHER, that copies of this resolution be furnished to the Municipal Mayor, the Municipal Legal Officer, and the Municipal Treasurer for their information and records.

UNANIMOUSLY APPROVED. NOVEMBER 25, 2019.

CERTIFIED CORRECT:

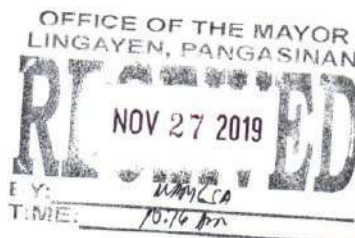

JUDY D. VARGAS
Presiding Officer


ATTESTED:

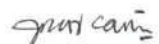

GENARO L. VALENCERINA, JR.
Secretary to the Sanggunian

APPROVED:


LEOPOLDO N. BATAOIL
Municipal Mayor




Secretary Reyna Corrientes
MLO - 11-27-19


JOAN DC- ESCANO 11-27-19