



Republic of the Philippines
E. RANGAY BALIBAGO
BARANGAY COUNCIL
CITY OF ANGELES



A RESOLUTION APPROVING THE DONATION OF A PARCEL OF LAND AVAILABLE INTENDED FOR THE ESTABLISHMENT OF THE EXTENSION OF RAFAEL L. LAZATIN MEMORIAL HIGH SCHOOL.

X=====X

PB RODELIO H. MAMAC SR
Presiding Officer

SB RONALD TOMAS G. AGUAS
SB GRACE U. DAVID
SB KAREN B. NICDAO
SB KIM JIM DG. TIMBOL
SB LORENZO R. MANALASTAS
SB HARON M. TECSON
SB RENE F. AGUAS

RESOLUTION NO. 18, S-2014

WHEREAS, Barangay Balibago Officials is committed to the development and improvement of the quality of education;

WHEREAS, it is the joint responsibility of the Barangay Government and the Department of Education to effectively and efficiently implement and introduce improvements in the delivery of education within a period of time;

WHEREAS, to materialize the plan, enough space and facilities must be available, and the Balibago Barangay Council approved to donate a parcel of the land for the establishment of the extension of Rafael L. Lazatin Memorial High School for Grade 11 and 12 students and shall be known as Balibago Senior High School;

WHEREAS, said motion is in support of the Senior High School Program to be implemented on 2015 under the K-12 Curriculum;


NOW THEREFORE, on motion of Kagawad Rene F. Aguas, duly seconded by Kagawad Haron M. Tecson;

BE IT RESOLVED, as it is hereby resolved by the Barangay Council in session assembled that **A RESOLUTION APPROVING THE DONATION OF A PARCEL OF LAND AVAILABLE INTENDED FOR THE ESTABLISHMENT OF THE EXTENSION OF RAFAEL L. LAZATIN MEMORIAL HIGH SCHOOL UNDER THE EDUCATION PROGRAM OF THE BARANGAY.**

FURTHER RESOLVED, that copies of this resolution be forwarded to all concerned government agencies for their information and guidance.

UNANIMOUSLY APPROVED, adopted this 9th day of June 2014 at Barangay Balibago, Angeles City

Signed:


HON. RONALD TOMAS G. AGUAS

Kagawad


HON. KAREN B. NICDAO

Kagawad


HON. LORENZO R. MANALASTAS

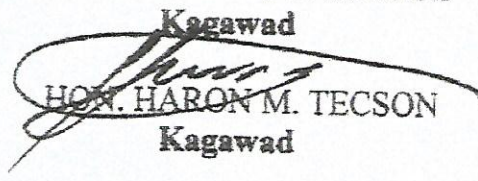
Kagawad


HON. GRACE U. DAVID


Kagawad

HON. JIM KIM DG. TIMBOL

Kagawad


HON. HARON M. TECSON

Kagawad


HON. RENE F. AGUAS

Kagawad

Attested by:



HON. RODELTO H. MAMAC SR.

Punong Barangay

SECRETARY'S CERTIFICATE

I, **JOSE EMMANUEL L. LOR**, Barangay Secretary of Barangay Balibago, City of Angeles, Pampanga, a Local Government Unit duly existing under the laws of the Republic of the Philippines with office address at 2nd Floor, Barangay Balibago, T. Aguas St., Balibago, Angeles City, hereby certify that in a Special Barangay Session on April 7, 2012, this Barangay Resolution entitled: "A RESOLUTION APPROVING THE DONATION OF A PARCEL OF LAND AVAILABLE INTENDED FOR THE ESTABLISHMENT OF THE EXTENSION OF RAFAEL L. LAZATIN MEMORIAL HIGH SCHOOL UNDER THE EDUCATION PROGRAM OF THE BARANGAY" consisting of two (2) pages including this page, was adopted and approved by the majority of the members of the Barangay Council:

IN WITNESS WHEREOF, I hereby attest to the veracity of this Barangay Resolution and hereunto affixed my signature this 9th day of June, 2014 in Barangay Balibago, City of Angeles.


JOSE EMMANUEL L. LOR
Barangay Secretary

DEED OF USUFRUCT

KNOW ALL MEN BY THESE PRESENTS:

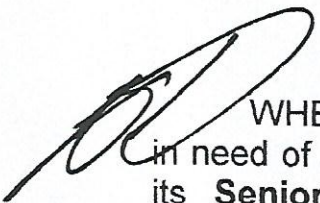
This DEED is made and executed by and between:

The **BARANGAY COUNCIL OF BARANGAY BALIBAGO**, a political and territorial subdivision within the jurisdiction of the chartered City of Angeles, represented through a legislative body composing of Punong Barangay as Presiding Officer and seven (7) Kagawad as members, duly elected for a term of three years, commencing from December 1, 2013 to November 30, 2016, with office address at 2nd Floor, Balibago Barangay Hall, Aguas street, Don Pepe Subdivision, Barangay Balibago, Angeles City, represented in this instance by its **Punong Barangay, Hon. RODELIO H. MAMAC**, hereinafter referred to as the **BARANGAY BALIBAGO**;

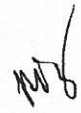
-and-

The **DIVISION OF CITY SCHOOL OF ANGELES CITY**, a subdivision under the Department of Education Region III, with office address at Jesus Street, Pulungbulu, Angeles City, represented in this instance by its **Superintendent, NICOLAS T. CAPULONG, Ph.D., CESO VI**, hereinafter referred to as the **USUFRUCTUARY**.

WITNESSETH:



WHEREAS, the Management of Rafael L. Lazatin Memorial High School is in need of a parcel of land for the construction of a school building extension for its **Senior High School Program** under the Enhanced Basic Education Program;



WHEREAS, the Barangay Council of Barangay Balibago is in its possession and control of a parcel of land without the Original Certificate of Title (OCT) neither a Transfer Certificate of Title (TCT), situated at San Pablo street and Quezon New Valley street, Barangay Balibago, Angeles City, known as Lot 7-B PCS 4648 classified as residential measuring more or less seven hundred eighty-five (785) square meters and under ARPN/TDN: B-030004-01284R in the records of the City Assessor's Office of Angeles City. It is in this property where the current Barangay Balibago Basketball Court and some informal sector is currently located and to be found;

WHEREAS, Article 562 of the Civil Code of the Philippines states that ***"Usufruct gives a right to enjoy the property of another with the obligation of preserving its form and substance, unless the title constituting it or the law otherwise provides"***;

WHEREAS, the authority of the Punong Barangay to enter into a Contract of Usufruct is founded on **Section 389, (b) (2)** of the Local Government Code of 1991 which provides as follows: ***"(a) The punong barangay, as the chief executive of the barangay government, shall exercise such powers and perform such duties and functions, as provided by this Code and other laws....(2) Negotiate, enter into, and sign contracts for and in behalf of the barangay, upon authorization of the sangguniang Barangay"***;

DEED OF USUFRUCT

Barangay Council of Barangay Balibago and Division of City School Angeles City
X-----X

WHEREAS, the authority of the Sangguniang Barangay of Barangay Balibago to initiate the establishment of Barangay high school, as in this case of Senior High School, is founded on **Section 391, (a) (21) and (22)** of the Local Government Code of 1991 which provides as follows: **"(21) Initiate the establishment of a barangay high school, whenever feasible, in accordance with law; (22) Provide for the establishment of a non-formal education center in the barangay whenever feasible, in coordination with the Department of Education, Culture and Sports,"**;

WHEREAS, the subject of this Usufruct Agreement is a portion of a parcel of land, as described above, currently in the possession and utilized by the Barangay Council of Barangay Balibago, which is without the Original Certificate of Title (OCT) neither a Transfer Certificate of Title (TCT), situated at San Pablo and Quezon New Valley streets, Barangay Balibago, Angeles City, known as Lot 7-B PCS 4648;

WHEREAS, the BARANGAY COUNCIL OF BARANGAY BALIBAGO, by these presents offers for the use of the USUFRUCTUARY a portion of Lot 7-B pcs 4648 as the site of the **RAFAEL L. LAZATIN MEMORIAL HIGH SCHOOL** situated at San Pablo and Quezon New Valley streets, Barangay Balibago, Angeles City;

WHEREAS, the USUFRUCTUARY accepts the above-stated offer of the BARANGAY with gratitude and deep appreciation.

WHEREAS, pursuant to Resolution No. 02,s-2015 dated 23 February, 2015 of the Sangguniang Barangay of Barangay Balibago, the Punong Barangay Hon. RODELIO H. MAMAC, has been authorized to sign, execute and deliver this Deed of Usufruct for and in behalf of the Sangguniang Barangay of Barangay Balibago;

WHEREAS, pursuant to Dep. Ed. Memorandum _____, dated _____ February 2015 of the Division of City Schools, Superintendent NICOLAS T. CAPULONG, Ph.D., CESO VI, has been authorized to enter into, sign and accept in behalf of the said Dep.Ed.;

NOW THEREFORE, for and in consideration of the foregoing premises and of the mutual covenants hereinafter contained, the parties hereby agree to the following terms and conditions:

1. **TERM-** The term of the usufruct shall be for Thirty (30) years, renewable at the discretion of BARANGAY COUNCIL OF BARANGAY BALIBAGO and/or the USUFRUCTUARY is hereby given the right and privilege to use the SITE as the future site for the establishment of its Senior High School Building at the mentioned lot and to provide facility which will enhance efficiency and productivity of education in the City of Angeles;

2. **INTRODUCTION OF INFRASTRUCTURES, FACILITIES AND IMPROVEMENTS** – the USUFRUCTUARY shall provide, introduce and/ or maintain proper infrastructures, facilities and improvements, e.g. electricity, communication and water facility that shall make the SITE sustainable and viable for the USUFRUCTUARY.
3. **MAINTENANCE OF CLEANLINESS AND PEACE AND ORDER** - the USUFRUCTUARY shall maintain the cleanliness and peace and order in the common areas of the SITE.
4. **OTHER TERMS AND CONDITIONS.**

4.1 The SITE shall be used exclusively by the USUFRUCTUARY as future site for the establishment of its Senior High School Building;

4.2 The USUFRUCTUARY, upon proper coordination with the BARANGAY, may construct a building, introduce other structures, facilities and/ or improvements that may be necessary for the proper and beneficial use of the site;

4.3 The USUFRUCTUARY shall construct and maintain its building and/ or facilities, structures and improvements in the SITE in accordance with local ordinance and/ or national laws on environmental safety, maintenance and preservation.


LET THE ORIGINAL SIGNED COPIES of this Contract be forwarded to the Sangguniang Panlungsod, DILG and Dep.Ed, for their information and record purposes.

IN WITNESS WHEREOF, the herein parties have set their hands this ___ day of _____ 2015 at Angeles City, Philippines.

BARANGAY COUNCIL OF BARANGAY BALIBAGO


RODELIO H. MAMAC
Punong Barangay

DIVISION OF CITY SCHOOLS - ANGELES CITY


NICOLAS T. CAPULONG, Ph.D., CESO VI
Superintendent

SIGNED IN THE PRESENCE OF:



Republic of the Philippines
BARANGAY BALIBAGO
CITY OF ANGELES
Sangguniang Barangay



RESOLUTION AUTHORIZING PUNONG BARANGAY RODELIO H. MAMAC TO ENTER INTO A CONTRACT OF USUFRUCT FOR AND IN BEHALF OF THE SANGGUNIANG BARANGAY OF BARANGAY BALIBAGO WITH THE DIVISION OF CITY SCHOOLS OF ANGELES CITY OVER A PORTION OF LOT 7-B PCS 4648 AS THE SITE OF THE RAFAEL L. LAZATIN MEMORIAL SENIOR HIGH SCHOOL BUILDING SITUATED AT SAN PABLO AND QUEZON NEW VALLEY STREETS, BARANGAY BALIBAGO, ANGELES CITY

Punong Barangay RODELIO H. MAMAC
Presiding Officer

1. Kagawad RONALD TOMAS G. AGUAS
2. Kagawad GRACE U. DAVID
3. Kagawad JIM KIM DG. TIMBOL
4. Kagawad KAREN B. NICDAO
5. Kagawad LORENZO R. MANALASTAS
6. Kagawad HARON M. TECSON
7. Kagawad RENE F. AGUAS

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Balibago Resolution No. 02, s-2015

WHEREAS, the BARANGAY COUNCIL OF BARANGAY BALIBAGO offers to the Division of City Schools of Angeles City a portion of Lot 7-B PCS 4648 as the site of the **RAFAEL L. LAZATIN MEMORIAL SENIOR HIGH SCHOOL** situated at San Pablo and Quezon New Valley streets, Barangay Balibago, Angeles City;

WHEREAS, a copy of said Contract of Usufruct consisting of three (3) pages is hereto attached and form part of this Resolution;

NOW THEREFORE, for and in consideration of the foregoing premises and of the mutual covenants contained in the said Contract of Usufruct, the Barangay Council hereby authorize Punong Barangay Rodelio H. Mamac to enter into a Contract of Usufruct for and in behalf of the Sangguniang Barangay Of Barangay Balibago with the Division of City Schools of Angeles City over a portion of Lot 7-B PCS 4648 as the site of the Balibago Senior High School Building situated at San Pablo and Quezon New Valley Streets, Barangay Balibago, Angeles City;

RESOLVED Further that copies of this resolution be furnished to all agencies concerned.

UNANIMOUSLY APPROVED AND ADOPTED this 23rd day of February, 2015 at Balibago Barangay Hall, Balibago, Angeles City.


RODELIO H. MAMAC

Punong Barangay & Presiding Officer



RONALD TOMAS G. AGUAS

Kagawad



GRACE U. DAVID

Kagawad



KAREN B. NICDAO

Kagawad



JIM KIM DG. TIMBOL

Kagawad




LORENZO R. MANALASTAS

Kagawad



HARON M. TECSON

Kagawad



RENE F. AGUAS

Kagawad

SECRETARY'S CERTIFICATE

I, JOSE EMMANUEL L. LOR, Barangay Secretary of Barangay Balibago, City of Angeles, Pampanga, a Local Government Unit duly existing under the laws of the Republic of the Philippines with office address at 2nd Floor, T. Aguas Street, Barangay Balibago, Angeles City, hereby certify that in during the 4th Regular Session on February 23, 2015, this Barangay Resolution No. 2, s-2015 entitled: **“RESOLUTION AUTHORIZING PUNONG BARANGAY RODELIO H. MAMAC TO ENTER INTO A CONTRACT OF USUFRUCT FOR AND IN BEHALF OF THE SANGGUNIANG BARANGAY OF BARANGAY BALIBAGO WITH THE DIVISION OF CITY SCHOOLS OF ANGELES CITY OVER A PORTION OF LOT 7-B PCS 4648 AS THE SITE OF THE BALIBAGO SENIOR HIGH SCHOOL BUILDING SITUATED AT SAN PABLO AND QUEZON NEW VALLEY STREETS, BARANGAY BALIBAGO, ANGELES CITY.”** consisting of two (2) pages including this page, was adopted and approved unanimously by the members of the Barangay Council.

IN WITNESS WHEREOF, I hereby attest to the veracity of this Barangay Resolution and hereunto affixed my signature this 23th day of February, 2015 in Barangay Balibago, City of Angeles.



JOSE EMMANUEL L. LOR
Barangay Secretary