



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE 8<sup>TH</sup> SANGGUNIANG PANLALAWIGAN, PROVINCE OF GUIMARAS HELD AT THE SP SESSION HALL, 2<sup>ND</sup> FLOOR, GTIC BUILDING ON MARCH 12, 2019.

**PRESENT:**

Atty. John Edward G. Gando -	Vice Governor and Presiding Officer
Hon. Cyril C. Beltran -	SP Member and Majority Floor Leader
Hon. David G. Gano -	SP Member and Deputy Majority Floor Leader
Hon. Cresente P. Chavez, Jr. -	SP Member
Hon. Diosdado G. Gonzaga -	SP Member
Hon. Josefina G. de la Cruz -	SP Member
Hon. Ma. Sheila G. Gange -	Ex-Officio Board Member (PCL Federation President)
Hon. Karren Kaye A. Gadnanan-	Ex-Officio Board Member (SK Federation President)

**OFFICIAL BUSINESS:**

Hon. Rex G. Fernandez - SP Member (OIC Governor)

**ABSENT:**

Hon. Aurelio G. Tionado -	SP Member
Hon. Dan Elby C. Habaña -	SP Member
Hon. Marilou S. Delumpa -	Ex-Officio Board Member (Liga ng mga Barangay President) (On Leave)

**RESOLUTION NO. 98**

**RESOLUTION AUTHORIZING GOVERNOR SAMUEL T. GUMARIN, MD, MPH TO SIGN FOR AND IN BEHALF OF THE PROVINCIAL GOVERNMENT THE DEED OF USUFRUCT WITH THE PHILIPPINE COAST GUARD (PCG) FOR THE SITE OF K9 TRAINING, HOSPITAL AND BREEDING CENTER**

WHEREAS, for the consideration of this Honorable Body is the request of the Honorable Governor for an authority to sign for and in behalf of the provincial government the Deed of usufruct with the Philippine Coast Guard (PCG) as represented by Commodore Allan Victor T. de la Vega, PCG, District Commander, CGDWV for the site of K9 Training, Hospital and Breeding Center;

WHEREAS, the Committee on Rules and Privileges, Ordinances and Legal Matters to where said Ordinance was referred, conducted a Committee Hearing and presented a Committee Report which was adopted by the Honorable Body in its regular session of even date, recommending for the granting of authority to the Honorable Governor to sign the Deed of Usufruct with the Philippine Coast Guard;

WHEREAS, this K9 Training, Hospital and Breeding Center is believed to be the first and only center in the entire country;

NOW, THEREFORE, on motion of Honorable Cyril C. Beltran, Chairperson, Committee on Rules, duly seconded by Honorable David G. Gano, Honorable Cresente P. Chavez, Jr., Honorable Diosdado G. Gonzaga, Honorable Josefina G. de la Cruz, Honorable Ma. Sheila G. Gange and Honorable Karren Kaye A. Gadnanan;



THE 8<sup>th</sup> SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:

RESOLVED, to authorize Governor Samuel T. Gumarin, MD, MPH to sign for and in behalf of the provincial government, the following:

**DEED OF USUFRUCT**

**KNOW ALL MEN BY THESE PRESENTS:**

This Deed of Usufruct is made and executed by and between:

The Provincial Government of Guimaras with seat at San Miguel, Jordan, Guimaras herein represented by its **Governor, Hon. Samuel T. Gumarin, M.D., M.P.H.**, legal age, Filipino and resident of Brgy, McLain, Buenavista, Guimaras, hereinafter referred to as the Owner :

-and-

The **PHILIPPINE COAST GUARD (PCG)**, Coast Guard District Western Visayas (CGDWV), a government agency mandated and responsible to perform Maritime Search and Rescue (MARSAR), Maritime Law Enforcement (MARLEN), Maritime Safety (MARSAF), Marine Environmental Protection (MAREP) and Maritime Security (MARSEC) herein represented by **COMMODORE ALLAN VICTOR T DELA VEGA PCG**, District Commander, CGDWV with office address Bo. Obreto, Lapuz, Iloilo City referred to as the **USUFRUCTUARY**:

WITNESSETH

1. That the Owner is the absolute owner of a parcel of land known as Lot 4241-A covered by Tax Declaration No. 99-1146 with an area of 35,107 square meters situated at Sapal, San Lorenzo, Guimaras;
2. That the owner recognizes the role of the usufructuary in our local government units and is one with latter in envisioning for the fulfillment of its mandate and commitment to save lives, ensure safe maritime transport, cleaner seas and secure maritime jurisdiction.
3. That the **USUFRUCTUARY**, requested the **LGU** for a parcel of land intended for the construction of a **Coast Guard K9 Training Center, K9 Hospital Center and K9 Breeding Center wherein the Province of Guimaras and agreed to usufruct a portion of 20,000 square meters to the usufructuary**;
4. That the **USUFRUCTUARY**, considered the portion of the property of the LGU to be the ideal location for the project as the same as a vital infrastructure in ensuring safe and orderly maritime security;
5. That the usufructuary agrees to the intention of the owner and hereby confirms that the use of the properties subject of this usufruct is for PCG uses only and if the same ceases, the properties shall revert back immediately to the Owner, it shall be understood however, that the usufructuary shall finance the construction of their own structures.
6. **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:
  - a. The term of use of the property subject of this usufruct with an area of 20,000 square meters shall be for **Twenty (25) years**, subject for renewal upon request of **USUFRUCTUARY** and consent of the **Owner**;
  - b. The property subject for usufruct shall be used solely and exclusively for the construction of a **PHILIPPINE COAST GUARD** including other ancillary structures necessary for the said project;

- c. The **USUFRACTUARY** shall bear all expenses relative to the construction of the said project;
- d. All improvements made on the portion of land covered by the usufruct shall accrue to the **OWNER** upon termination of this agreement, without any right of reimbursement on the part of the **USUFRACTUARY**;
- e. Any revision or amendment to the contents of this agreement within the term of the **USUFRACT** shall be made in writing by parties wanting the same and the same shall be done through proper consultation and consent of all the parties involve herein;
- f. All expenses necessary of the perfection of this **DEED** shall be done by the **USUFRACTUARY**;
- g. The **USUFRACTUARY** shall construct and maintain its building and/or facilities, structures and improvements in the **SITE** in accordance with national laws on environmental safety, maintenance and preservation being implemented by the **OWNER**;
- h. The **USUFRACTUARY** shall construct and maintain its building and/or facilities, structures and improvements in accordance with local ordinance and/ or national laws on environmental safety, maintenance and preservation;
- i. There shall be a regular collection of garbage in the property;
- j. The area subject of the usufruct shall be exempted from taxes;


This **DEED USUFRACT** allows both the **DENR** and/or **PAMB** and **PCG** free access to the **SITE** for periodic or regular visit, respectively.


**RESOLVED FURTHER**, to send a copy of this resolution to the Honorable Governor, Philippine Coast Guard and all other concerned offices, for information and appropriate action.

APPROVED. March 12, 2019.

I hereby certify that the foregoing is a true and accurate copy of the resolution which was duly adopted by the 8<sup>th</sup> Sangguniang Panlalawigan of the Province of Guimaras during its regular session held on March 12, 2019.

Attested:

  
**ATTY. JOHN EDWARD G. GANDO**  
 Vice Governor  
 Residing Officer

  
**LORENA MINIERVA-ITUCAS**  
 Secretary to the Sangguniang Panlalawigan

Approved:

  
**SAMUEL T. GUMARIN, MD, MPH**  
 Governor