



Republic of the Philippines  
CITY COUNCIL  
City of Manila

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REGULAR SESSION NO. 63

9<sup>TH</sup> CITY COUNCIL

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Begun and held in the City Council on Thursday,  
the thirteenth day of February, Two Thousand Fourteen

**ORDINANCE NO. 8342**

**AN ORDINANCE** GRANTING TO ALEXA REALTY, INCORPORATED A FRANCHISE TO MAINTAIN AND OPERATE THE EXISTING PRIVATE PROPERTY MARKET KNOWN AS ZAMORA PRIVATE MARKET LOCATED AT LOT 5, BLOCK 1012, IN KAHILUM STREET, PANDACAN, MANILA, OWNED AND REGISTERED UNDER ITS CORPORATE NAME, COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 272984, IN THE REGISTRY OF DEEDS FOR THE CITY OF MANILA, SUBJECT TO CERTAIN TERMS AND CONDITIONS

PRINCIPAL AUTHORS: HON. LEILANI MARIE H. LACUNA, Hon. Priscilla Marie T. Abante, Hon. Joel M. Par, Hon. Elizabeth Z. Rivera, Hon. Casimiro C. Sison, Hon. Dennis B. Alcoreza, Hon. Irma C. Alfonso-Juson, Hon. Don Juan "DJ" Bagatsing, Hon. Ruben F. Buenaventura, Hon. Joel R. Chua, Hon. Niño M. dela Cruz, Hon. Ma. Asuncion G. Fugoso, Hon. Joey S. Hizon III, Hon. Cristina A. Isip, Hon. Numero G. Lim, Hon. John Marvin C. Nieto, Hon. Erick Ian O. Nieva, Hon. Roberto R. Ortega, Jr., Hon. Jocelyn J. Quintos, Hon. Science A. Reyes, Hon. Josefina M. Siscar, Hon. Christian Paul L. Uy, Hon. Rolando M. Valeriano, Hon. Raymundo R. Yupangco, Hon. Manuel M. Zarcal, Hon. Salvador H. Lacuna, HON. MARLON M. LACSON, Majority Floor Leader, HON. EDWARD V.P. MACEDA, President Pro-Tempore and Acting Presiding Officer and HON. FRANCISCO "Isko Moreno" DOMAGOSO, Vice-Mayor and Presiding Officer



## EXPLANATORY NOTE

WHEREAS, the City of Manila, through the Municipal Board, approved on 15 June 1961, Resolution No. 256 authorizing Mr. Celso A. Fernandez to construct a building for market purposes on a parcel of land he was leasing with an area of ONE THOUSAND TWO HUNDRED SIXTY-EIGHT SQUARE METERS AND FORTY SQUARE DECIMETER (1,268.40 Sq. M.), covered by TCT No. 30909, in the Registry of Deeds for the City of Manila, located at the corner of J. Zamora and Kahilum Streets, Pandacan, Manila and owned by Mr. Miguel Tanjangco, Sr.;

WHEREAS, the said parcel of land was leased to Mr. Celso A. Fernandez by Mr. Miguel T. Tanjangco, Sr. for a period of ten (10) years, from July 1, 1973 to June 30, 1983, renewable for another ten (10) years at the option of both parties, and that at the expiration of the contract, any and all improvements therein shall automatically belong to the former owner, Mr. Miguel T. Tanjangco, Sr.;

WHEREAS, upon the expiration of the lease contract, however, Mr. Miguel T. Tanjangco, Sr., opted not to renew the lease on his property but the Lessee, Mr. Celso A. Fernandez, refused to vacate the building and resorted to delaying the surrender of possession of the premises in question by filing a case for specific performance in court to compel the Lessor to enter into a new lease agreement with him;

WHEREAS, after a protracted litigation, the decision promulgated on March 2, 1992 by Judge Cesar V. Alejandria of the Regional Trial Court of Manila, Branch 34 on Civil Case No. 90-54322, Mr. Celso A. Fernandez was ordered, together with all persons claiming any legal right or interest from him, to vacate the premises in question covered by TCT No. 30909, in the Registry of Deeds for the City of Manila, through a Writ of Execution issued on 22 June 1992;

WHEREAS, through a "Deed of Assignment," executed on 20 August 1992, assignor, Mr. Celso A. Fernandez, turned over to assignee, Mr. Miguel T. Tanjangco, Sr., the subject private market situated at the corner of J. Zamora and Kahilum Sts., Pandacan, Manila, by virtue of the Writ of Execution issued by the Regional Trial Court of Manila, Branch 34;

WHEREAS, on May 1, 1985, while the above-stated civil case was in progress, the subject parcel of land leased by Mr. Fernandez, was sold by its owner, Mr. Miguel T. Tanjangco, Sr., of #69 Scout Borromeo St., Quezon City, to his son, Mr. Jaime T. Tanjangco, of the same address, through a "Deed of Absolute Sale" in the amount of FOUR HUNDRED FIFTY THOUSAND PESOS ONLY (PhP. 450,000.00);

WHEREAS, through a "Deed of Assignment", made and executed on April 26, 2007, Assignors Jaime T. Tanjangco and Ma. Lourdes D. Tanjangco, assigned, transferred and conveyed to the Assignee, ALEXA REALTY, INC., the subject parcel of land, together with the building and improvements therein, situated in Kahilum Street, Pandacan, Manila.

WHEREAS, in the meantime, the franchise granted on the said market was not transferred to subsequent owners and herein ALEXA REALTY, INC., now operates the same. After several proposed ordinances and resolutions and in consideration of the approximately 200 Manila City vendors who are being threatened with closure of this establishment: NOW, THEREFORE,





Be it ordained by the City Council of Manila, in session, assembled, *THAT*:

**SECTION 1.** The ALEXA REALTY, INC., is hereby granted franchise to maintain and operate the existing private market known as Zamora Private Market located at Lot 5, Block 1012 in Kahilum Street, Pandacan, Manila, owned and registered under its corporate name subject to the following terms and conditions:

- a) The franchisee shall pay the franchise fee prescribed under Sec. 44 of the Revenue Code of Manila and for this purpose, the books of accounts of the franchisee reflecting its gross receipts shall be made available to the City Treasurer or its duly authorized representatives on request;
- b) The city shall continue to have and exercise the power to impose all applicable permits and license fees and other service charges upon the franchisee and the stallholders thereat, in accordance with existing ordinances, rules and regulations;
- c) The city shall likewise exercise the power granted by law to regulate, inspect and supervise the operation of the market to assure compliance with the pertinent rules, regulations, ordinances and laws governing private markets;
- d) The franchisee, in order to ensure and maintain the revenue due the city, staff has authority to adopt such measures, impose such charges and penalties, and effect such collections as due and necessary from the stallholders, in accordance with the provisions of existing laws and ordinances;
- e) The franchisee shall see to it that the administration of the market is done in the most efficient manner, with the end in view of faithfully carrying out all the terms and conditions of the grant;
- f) The plans and specifications of the structure shall conform with what is prescribed under the existing Market Code, as well as such rules and regulations as may be promulgated from time to time by competent government authorities;
- g) All other provisions of Resolution No. 256 originally granting franchise for the operation of this market which are not inconsistent with present regulations are hereby deemed adopted; and
- h) The operational expenses for the said private market, including the maintenance and cleaning thereof, shall be borne by the franchisee.

**SEC 2.** This franchise shall be for a period of fifteen (15) years from the date of approval, renewable with the same terms upon mutual agreement of both parties.

**SEC 3.** Any violation or breach on the part of the grantee to comply with any of the terms and conditions set forth above shall be sufficient ground for the outright cancellation of the franchise, revocation of the permit issued and closure of the market premises.







**SEC 4. Effectivity Clause.** – This Ordinance shall take effect upon its approval.

This Ordinance was finally enacted by the City Council of Manila on March 18, 2014.

PRESIDED BY:

  
**EDWARD V.P. MACEDA**  
President Pro-Tempore and  
Acting Presiding Officer  
City Council, Manila

ATTESTED:

  
**LUCH R. GEMPIS, JR.**  
City Government Department Head III  
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON 04 APRIL 2014

  
**JOSEPH EJERCITO ESTRADA**  
Mayor  
City of Manila

ATTESTED:

  
**EDWARD S. SERAPIO**  
City Government Department Head III  
(Secretary to the Mayor)