DEED OF USUFRUCT

KNOW ALL MEN BY THESE PRESENTS:

This DEED is made and executed by and between:

The CITY GOVERNMENT OF GENERAL SANTOS, a government political subdivision, created under the laws of the Republic of the Philippines, with office address at the City Hall Drive, City Hall, General Santos City, represented in this instance by its City Mayor, Hon. RONNEL C. RIVERA, hereinafter referred to as the OWNER;

-and-

The GENERAL SANTOS CITY GOVERNMENT EMPLOYEES MULTI PURPOSE COOPERATIVE, a cooperative created pursuant to Republic Act No. 6938, as amended by R. A. 9520, with principal office address at Matalam Street, General Santos City, represented in this instance by its Chairman, NELSON P. SUNIO, hereinafter referred to as the USUFRUCTUARY.

WITNESSETH:

WHEREAS, paragraph 2, Article 62 of Republic Act No. 9520 provides that "[C]ooperative organized among government employees, notwithstanding any law or regulation to the contrary, shall enjoy the free use of any available space in their agency, whether owned or rented by the government";

WHEREAS, pursuant to Sangguniang Panlungsod Resolution No. 294, Series of 2013, the OWNER has allocated a parcel of land containing an aggregate area of ONE HUNDRED THIRTY (130) square meter portion of Lot 7009 within the Government Center as the site of the General Santos City Government Employees Multi-Purpose Cooperative (GSCGEMPC) situated at Matalam Street, this city (A copy of the Sketch Plan with the technical description is hereto attached as Annex "A") to form part hereof;

WHEREAS, the OWNER, by these presents offers for the use of the USUFRUCTUARY a ONE HUNDRED THIRTY (130) square meter portion of Lot 7009 within the Government Center as the site of the General Santos City Government Employees Multi-Purpose Cooperative (GSCGEMPC) situated at Matalam Street, this city (A copy of the Sketch Plan with the technical description and the exact location of the site is hereto attached as Annex "A") to form part hereof;

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

WHEREAS, pursuant to Resolution No. __, dated __________ of the Sangguniang Panlungsod, the City Mayor Hon. RONNEL C. RIVERA, has been authorized to sign, execute and deliver this Deed of Usufruct for and in behalf of the City of General Santos;

WHEREAS, pursuant to Resolution No. 009, dated July 5, 2013, of the General Santos City Government Multi-Purpose Cooperative, Chairperson NELSON P. SUNIO has been authorized to enter into, sign and accept in behalf of the said cooperative;

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 five (5) years, renewable at the discretion of the City Government and/or the USUFRUCTUARY is hereby given the right and privilege to use
the SITE as the future site for the establishment of its office and construction of its building at the mentioned lot and to provide facility which will enhance efficiency and productivity of the cooperative attending to the needs of its employees-members;

2. OWNERSHIP - while the usufruct and/or the beneficial use of the SITE is transferred to USUFRUCTUARY, the ownership and title of the SITE remains with and continues to be in the name of the OWNER. Upon the expiration or non-renewal of the contract, improvements introduced on the site shall accrue to the City Government.

3. INTRODUCTION OF INFRASTRUCTURES, FACILITIES AND IMPROVEMENTS. - the OWNER 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.

4. MAINTENANCE OF CLEANLINESS AND PEACE AND ORDER- the OWNER shall maintain the cleanliness and peace and order in the common areas of the SITE while the USUFRUCTUARY shall be responsible for maintaining the cleanliness and peace and order in the area in usufruct.

5. OTHER TERMS AND CONDITIONS.

5.1 The SITE shall be used exclusively by the USUFRUCTUARY as future site for the establishment of its office and construction of its building, however the City Government when the necessity arises can use the site and any of its improvements introduced free of charge;

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

5.3 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.

IN WITNESS WHEREOF, the herein parties have set their hands this ____ day of ____________ 2013 at General Santos City, Philippines.

CITY GOVERNMENT OF GENERAL SANTOS
Owner

GENERAL SANTOS CITY GOVERNMENT EMPLOYEES
MULTI PURPOSE COOPERATIVE
Usufructuary

Represented by: Represented by:

RONNEL C. RIVERA NELSON P. SUNIO
City Mayor Chairman, GSCGEMPC

SIGNED IN THE PRESENCE OF:
Republic of the Philippines
City of General Santos

BEFORE ME, this ___ day of ___________ of 2013, at General Santos City, Philippines, personally appeared the following persons, to wit:

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<th>Name</th>
<th>Comm. Tax Cert. No.</th>
<th>Place Issued</th>
<th>Date Issued</th>
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<tr>
<td>RONNEL C. RIVERA</td>
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<tr>
<td>NELSON P. SUNIO</td>
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Known to me to be the same persons who executed the foregoing Deed and who acknowledged to me that the same is their free and voluntary act and deed of the entities that they represent in this instance.

This Deed, consisting of three (3) pages, including the page on which this Acknowledgement is written, signed by the Parties and their instrumental witnesses, refers to a Deed of Usufruct of a parcel of land.

WITNESS MY HAND AND SEAL at the place and on the date first above-written.

Doc. No.____
Page No.____
Book No.____
Series of 2013.