

AN ACT TO AMEND SECTION FIVE OF ACT NUMBERED THIRTEEN HUNDRED AND SIXTY SO AS TO AUTHORIZE THE CITY OF MANILA TO LEASE OR SELL FOR HOTEL PURPOSES THE TRACT OF LAND ON THE LUNETA...

Act No. 1657, May 18, 1907

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By authority of the United States, be it enacted by the Philippine Commission, that:

SECTION 1. Section five of Act Numbered Thirteen hundred and sixty is hereby amended so as to read as follows:

"SEC. 5. The city of Manila is hereby authorized to set aside a tract of the reclaimed land formed by the Luneta extension authorized by his Act at the north end of said tract, not to exceed five hundred feet by six hundred feet in size, for a hotel site, and to lease the same, with the approval of the Governor-General, to a responsible person or corporation for a term of not to exceed ninety-nine years. Such lease shall be made to the person or corporation who, in the opinion of the Municipal Board and the Governor-General, shall make the highest and best bid for the same. Should the Municipal Board of the city of Manila deem it advisable it is hereby authorized to advertise for sale and to sell said tract of land to the highest and best bidder therefor upon the following terms and conditions, which shall be set out in the deed conveying said tract, to the successful bidder, to wit:

"(1) That the grantee, his heirs, executors, administrators, sue- —terms of lease, censors, or assigns, shall construct on said tract, in accordance with plans and specifications duly approved" by the Consulting Architect, a first-class hotel, the reasonable cost of which construction shall not be less than four hundred thousand pesos. The cost of the construction of the hotel shall be determined by the Auditor for the Philippine Islands after an examination of the construction accounts, books, and vouchers of the grantee, his heirs, executors, administrators, successors, or assigns, and the decision and determination of the Auditor in that behalf shall be final unless an appeal be taken to the Governor-General from such decision and determination of the Auditor, in which case the decision and determination of the Governor-General shall be final.

(2) That the actual construction of the said hotel building or buildings shall begin within six months after the city engineer shall have certified to the grantee, his heirs, executors, administrators, successors, or assigns, that construction work on said tract may properly be commenced, and said hotel shall be fully completed according to said plans and specifications, and fully equipped and ready to operate as a first-class hotel in every respect within two years after the issuance by the city engineer of his certificate. That work may properly begin on said tract: Provided, however, That should the grantee, his heirs, executors, administrators, successors, or assigns, be prevented from commencing or completing the construction of said hotel as herein prescribed, by act of God, the public enemy, usurped or military power, martial law or riot, the time thereby lost in commencing the construction or in completing the hotel as herein prescribed shall be added to the time hereby allowed for commencing the work or for fully completing of said hotel, as the case may be: And provided farther, That should the hotel buildings or any of them be destroyed by fire or earthquake, the grantee, his heirs, executors, administrators, successors, or assigns, shall, within one year after such destruction shall have taken place, and in accordance with plans and specifications approved by the Consulting Architect, rebuild and restore the buildings so destroyed by fire or earthquake, and should the operation of the hotel be suspended by reason of

the destruction of its principal buildings, the grantee, his heirs, executors, administrators, successors, or assigns, shall resume the operation of said hotel within three months after the rebuilding or restoration of same.

"(3) That the grantee, his heirs, executors, administrators, successors, or assigns, shall maintain and operate on said tract a first-class hotel, according to American standards, with such appurtenances and conveniences, as are usual in such first-class hotels, and that said tract shall be used for hotel purposes as herein prescribed, and shall not be devoted to any other purpose or object whatever.

"(4) That should the grantee, his heirs, executors, administrators, successors, or assigns, fail, refuse, or neglect to comply-with the first, second, and third terms and conditions hereinbefore set forth, or either of them, or should the grantee, his heirs, executors, administrators, successors, or assigns, fail, refuse, or neglect, after said hotel shall have once been put in operation, to maintain and operate on said tract a first-class hotel according to American standards, then and in that case, the title to said tract of land sold, conveyed, and transferred to the grantee shall revert to the city of Manila, and said city of Manila, shall thereupon become entitled to the immediate possession of said tract of land: Provided, however, That said title to said tract shall not revert to the city of Manila, and said city of Manila shall not become entitled to the possession thereof when the grantee, his heirs, executors, administrators, successors, or assigns, are prevented from operating said hotel by reason of riot, martial law, usurped or military power, the public enemy, or act of God, but said grantee, his heirs, executors, administrators, successors, or assigns, shall immediately resume the operation of said hotel as soon as such extraordinary conditions shall have ceased."

SEC. 2. In case sale of said land is made by the city of Manila, payment therefor may be made in cash, or part cash and part exchange of other lands in the city of Manila, or part cash and the balance, not exceeding seventy-five per centum of the purchase price, payable in three equal installments with interest at the rate of six per centum per annum. The first installment shall be due and payable within three years after the transfer of the property, the second installment shall be due and payable within four years after such transfer, and the third installment shall be due and payable within five years after such transfer. Bids for the lease or purchase of said land must be accompanied by a certified check for two thousand pesos, drawn on a bank- established in Manila, as a guaranty that should a bidder receive the award he will execute a contract of lease or purchase under the terms of the bid, and that he will execute an appropriate and acceptable bond in the of twenty thousand pesos for the commencement of the construction of a hotel and its completion within the time prescribed by this Act. The right is reserved to the city of Manila to reject any and all bids and to waive any defects. The contract of lease, in case successful bidder desires to lease, and the document of conveyance, in case the successful bidder desires to purchase, shall be approved by the Governor-General.

SEC. 3. AH buildings erected and improvements made on such land shall be security for deferred payment of the purchase price, and the city of Manila shall have, a prior lien on said buildings and improvements for such deferred payments, with interest thereon.

SEC. 4. No taxes on the tract of land by this Act authorized to be sold shall be charged or collected from the grantee, his heirs, executors, administrators, successors, or assigns, for a period of ten years after the purchase of said land has been consummated. No taxes on any improvements made by the grantee, his heirs, executors, administrators, successors, or assigns, on said tract of land shall be charged or collected during the period prescribed by this Act for the completion of the hotel buildings and structures.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act prescribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.

SEC. 6. This Act shall take effect on its passage.

Enacted, May 18, 1907.

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