ORDINANCE NO. 2017-08

ORDINANCE RECLASSIFYING TWO PARCELS OF LAND SITUATED AT
BRGY. PALAMIS, THIS CITY, UNDER TAX DECLARATION NO. 22-
02862, COVERED BY TCT NO. 20961, UNDER THE NAME OF JOSE
RABANAL, WITH AN AREA OF ELEVEN THOUSAND EIGHT HUNDRED
FORTY FIVE SQUARE METERS (11,845 SQ.M.) MORE OR LESS; AND
UNDER TAX DECLARATION NO. 139, COVERED BY TCT NO. 19365,
UNDER THE NAMES OF REBECCA M. SORIO, CESAR C. MANZANO,
aida m. hasler, PRIMITIVO MANZANO JR., EDWIN C. MANZANO,
violeta M. juanillo, naomi m. guerrero AND ALEXANDER C.
manzano with an area of thirteen thousand three hundred eight
hundred eighty two square meters (13,382 SQ.M.) MORE OR
LESS FROM AGRICULTURAL USE TO COMMERCIAL USE

WHEREAS, a request for the reclassification of two (2) parcels of land declared
under Tax Declaration No. 22-02862, covered by TCT No. 20961 with an area of Eleven
Thousand Eight Hundred Forty Five Square Meters (11,845 sq.m.) more or less; and a
parcel of land under Tax Declaration No.1395 ,covered by TCT No. 19365 with an area
of Thirty Thousand Three Hundred Eighty Two Square Meters (13,382 sq.m.) more or
less, from agricultural to commercial use was submitted to this august body for
consideration;

WHEREAS, a Public Hearing for the purpose was conducted on March 07, 2017
at the Brgy. Auditorium, Brgy. Palamis, Alaminos City;

WHEREAS, the Office of the City Agriculturist of the City of Alaminos duly issued
a certification dated 2 February, 2017 that said properties are outside the Network of
Protected Areas for Agricultural and Agro-Industrial Development in the City and is still
within the allowable limit of ten percent of the total agricultural land as provided for in
the City Comprehensive Land Use Plan;
WHEREAS, the Office of the City Assessor, during the Public Hearing, informed the body that the subject land shall have substantially greater economic value for residential, commercial or industrial purposes;


(2) Generate and maximize the use of resources and revenues for the development plans, program objectives and priorities of the city as provided in Section 18 of the Code, with particular attention to agro-industrial development and citywide growth and progress, and relative there to shall:

(viii) Reclassify agricultural lands within the jurisdiction of the City subject to the provision of Rule VII of these rules:

WHEREAS, Section 20 of R.A. 7160 (Local Government Code of 1991) states:

Section 20. Reclassification of Lands – (a) A city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agriculture purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial or industrial purposes as determined by the sanggunian concerned: Provided, that such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance;

WHEREAS, Memorandum Circular No. 54, prescribed the guidelines governing Section 20 of RA 7160 authorizing cities and municipalities to reclassify agricultural lands into non-agricultural uses;

WHEREAS, the subject reclassification meets all the provisions of Rule VII of the Implementing Rules and Regulations of R.A. 7160 and Memorandum Circular 54;

NOW, THEREFORE, on motion of Councilor Rufina J. Gabriel, duly seconded by Councilor Alfred Felix E. de Castro

Be it ordained by the Sangguniang Panlungsod in session assembled, That:

SECTION 1. THE TWO PARCELS OF LAND SITUATED AT BRGY. PALAMIS, THIS CITY, DECLARED UNDER TAX DECLARATION NO. 22-02862, COVERED BY TCT NO. 20961, REGISTERED IN THE NAME OF JOSE RABANAL, WITH AN AREA OF ELEVEN THOUSAND EIGHT HUNDRED FORTY FIVE SQUARE METERS (11,845 SQ.M.) MORE OR LESS; AND THE PARCEL OF LAND DECLARED UNDER TAX DECLARATION NO. 139, COVERED BY TCT NO. 19365, UNDER THE NAMES OF REBECCA M. SORIO, CESAR C. MANZANO, AIDA M. HASLER, PRIMITIVO MANZANO JR., EDWIN C. MANZANO, VIOLETA M. JUANILLO, NAOMI M. GUERRERO AND ALEXANDER C. MANZANO WITH AN AREA OF THIRTEEN THOUSAND THREE HUNDRED EIGHTY TWO SQUARE METERS (13,382 SQ.M.) MORE OR LESS ARE HEREBY RECLASSIFIED FROM AGRICULTURAL USE TO COMMERCIAL USE.
SECTION 2. This ordinance shall take effect upon compliance with the statutory provisions.

I HEREBY CERTIFY to the correctness of the foregoing ordinance consisting of three (3) pages including this page.

ATTESTED:

APOLONIA G. BACAY
Temporary Presiding Officer

RUFINA J. GABRIEL
Majority Floor Leader

JOSELITO O. FONTELERA
Member

RANY S. DE LEON
Member

FROEBEL A. RANOY
Member

MARGIELOU ORANGE HUMILDE-VERZOSA, DPA
Minority Floor Leader

CAROLYN D. SISON
Member

PERLITO V. RABAGO
Member

RAUL B. BACAY, LBP
Ex-Officio Member

APPROVED BY:

 ARTHUR A. CELESTE
City Mayor

03-20-2017
Date