

14

Item No.: 14

Date: 28 OCT 2022

Republic of the Philippines
PROVINCE OF LEYTE

SP/Sec 10/12/22
SP Records
[Signature]

PROVINCIAL LEGAL OFFICE

2nd Indorsement
October 11, 2022

Province of Leyte
Legal Office
Release [Signature]
Time: 9:45
Date: 10-13-22

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2022-14 of the SB of Hilongos, Leyte, recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A. 7160, the same being to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 20 of the Code. Provided, that, ALL the requisites therein are duly complied with. Provided, that, being declared in the name of a private person, an application therefor has been filed by the owner thereof. Provided, Finally, that the mandate of DILG Opinion No. 22, dated January 31, 2020, citing the Supreme Court Decision in the case of " Chamber of Real Estate and Builders Association, Inc. (CREBA) v. the Secretary of Agrarian Reform (G.R. No. 183409", is strictly observed.

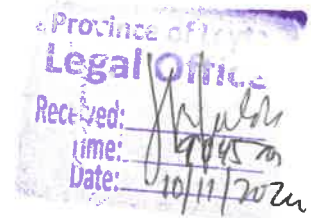
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer [Signature]




Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
10 October 2022



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2022-14, OF THE MUNICIPALITY OF HILONGOS, LEYTE, ENTITLED: AN ORDINANCE RE-CLASSIFYING AN AGRICULTURAL LAND COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2019003496 DECLARED IN THE NAME OF BELINDA C. ECHALICO LOCATED IN BARANGAY SAN ROQUE, HILONGOS, LEYTE CONTAINING AN AREA OF TWO HUNDRED EIGHTY-FIVE SQUARE METERS (285 SQ.M) INTO A RESIDENTIAL LAND.**


FLORINDA JILL S. UYVICO
Provl. Govt. Dept. Head
(SP Secretary)



Republic of the Philippines
Province of Leyte
Municipality of Hilongos



OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN

SANGGUNIANG BAYAN

SP/Sec Hilongos

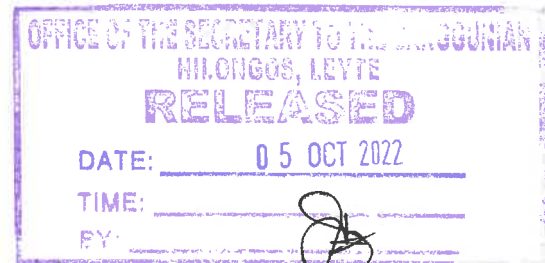
86

4 October 2022

HON. LEONARDO M. JAVIER, JR.
Provincial Vice-Governor
Province of Leyte
Tacloban City

Sir :

Greetings!




Respectfully forwarding fifteen (15) copies of Municipal Ordinance No. 2022-14 : An Ordinance Re-classifying Agricultural Land Covered By Transfer Certificate of Title No. 115-2019003496 declared In The Name of Belinda C. Echalico Located in Barangay San Roque, Hilongos, leyte Containing An REA OF 285 Square Meters Into A Residential Land, with the following supporting documents, to wit:

- Copy of the Minutes of the Public Hearing
- Duly Accomplished Sheet during the Public Hearing
- Certificate of Posting

Hoping this suffice.

Very respectfully yours,


CATHERINE A. FABULAR
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Hilongos



OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 2022-14

89/Sec 10/10/22
PROVINCE OF LEYTE

AN ORDINANCE RE-CLASSIFYING AN AGRICULTURAL LAND COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2019003496 DECLARED IN THE NAME OF BELINDA C. ECHALICO LOCATED IN BARANGAY SAN ROQUE, HILONGOS, LEYTE CONTAINING AN AREA OF TWO HUNDRED EIGHTY-FIVE SQUARE METERS (285 SQ. M.) INTO A RESIDENTIAL LAND

Sponsored by: **HON. FRANCISCO M. ORTEGA**
Chairperson, Committee on Housing and Land Use

X-----X

EXPLANATORY NOTE

Republic Act 7160, also known as Local Government Code of 1991 in Section 20 provides that a city or municipality may through an ordinance passed by the Sanggunian after conducting a public hearing for the purpose, authorize the re-classification of agricultural lands and provide for the manner of their utilization or disposition.

Moreover, the reclassification of agricultural lands may be authorized when the lands cease to be economically feasible and sound for agricultural purposes as determined by the Sanggunian Bayan concerned. Such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinances to wit:

- a) Fifteen Percent (15%) for highly urbanized and independent component cities;
- b) Ten Percent (10%) for component cities and first to third class municipalities
- c) Five Percent (5%) for fourth to six class municipalities

BE IT ORDAINED in the regular session of the Sangguniang Bayan of Hilongos assembled that:

SECTION 1. TITLE - This ordinance shall be known as "An Ordinance Re-classifying an agricultural land covered by Transfer Certificate of Title No. 115-2019003496 declared in the name of Belinda C. Echalico located in Barangay San Roque, Hilongos, Leyte containing an area of two hundred eighty-five square meters (285 sq. m.) into a residential land".

SECTION 2. DESCRIPTION - The subject area declared in the name of Belinda C. Echalico situated at Barangay San Roque Hilongos, Leyte consists of Lot No. 13092-B with an area of 285 sq. m. covered by Tax Declaration No. 08-14-0037-00593 R-13.

SECTION 3. COVERAGE - This ordinance covers the entirety of the stated parcel of agricultural land to be reclassified for residential purposes.

SECTION 4. LIMITATIONS/JUSTIFICATIONS - The entirety of the parcel of land ceases to be economically feasible and sound for agricultural purposes as justified on the presented supporting documents, to wit:

- Zoning Certification signed by Engr. Levi L. Mendros, Jr., MPDC
- MAO Certification signed by Ms. Elma P. Oja, Municipal Agriculturist
- DAR Certification signed by Mr. Orlando A. Espinosa, OIG-MARPO

CATHERINE A. FABULAR
Secretary to the Sanggunian

TEODORO U. ROBLES
Ex-Officio Member/LIGA President

FRANCISCO M. ORTEGA
SB Member

CARMELITO M. ZARATE
SB Member

MANUEL M. GABISAN
Municipal Vice-Mayor
(absent)

MANUEL R. VILLAHERMOSA
SB Member

EDWIN F. FALLER
SB Member

CRISTUTO F. ONG
SB Member

JOSEPH E. FULACHE
SB Member

JOYCE KRISTY P. FLANCO
Ex-Officio Member / President, Pamayang Pederasyon ng Sangguniang Kabataan

BERNADETH M. NERVES
SB Member

JOSEMAR M. REODIA
SB Member

- Certification from BARC signed by Mr. Vidal L. Rizo, BARC Chairman
- Tax Declaration No. 08-14-0037-00593 R-13 signed by Ms. Erlinda M. Ruiz, Municipal Assessor
- Transfer Certificate of Title No. 115-2019003496
- Sketch Map

SECTION 5. EFFECTIVITY – This ordinance shall take effect after review of the Sangguniang Panlalawigan, posting and publication of a newspaper of regional circulation.

ENACTED this 13th day of June 2022 during the Twenty-Second Regular Session CY 2022 of the Sangguniang Bayan.


EDWIN F. FALLER
SB Member


JOSENILO M. REOMA
SB Member


JOSEPH F. FULACHE
SB Member


FRANCISCO M. ORTEGA
SB Member


MANUEL M. GABISAN
Municipal Vice-Mayor (absent)


MANUEL R. VILLAHERMOSA
SB Member

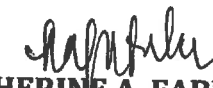

CRISTUTO F. ONG
SB Member


BERNADETH M. NERVES
SB Member



CARMELITO M. ZARATE
SB Member


TEODORO U. ROBLES
Ex-Officio Member/LIGA President


I HEREBY CERTIFY to the correctness of the foregoing ordinance.


CATHERINE A. FABULAR
Secretary to the Sanggunian

ATTESTED:


JOYCE KRISTY P. FLANCO
Ex-Officio Member/President, Pambayang
Pederasyon ng Sangguniang Kabataan/
Deputy Presiding Officer

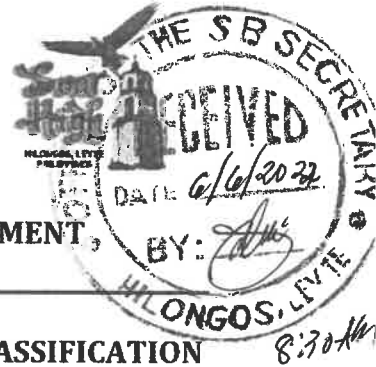
APPROVED:


ALBERT R. VILLAHERMOSA
Municipal Mayor

Date: June 29, 2022



Republic of the Philippines
 Province of Leyte
 Municipality of Hilongos



OFFICE OF THE SANGGUNIANG BAYAN

COMMITTEE ON HOUSING, LAND USE PLANNING AND DEVELOPMENT

MINUTES OF THE PUBLIC HEARING ON THE APPLICATION FOR RE-CLASSIFICATION OF A LOT FROM AGRICULTURAL TO RESIDENTIAL LAND APPLIED BY MS. BELINDA C. ECHALICO LOCATED IN BARANGAY SAN ROQUE, HILONGOS LEYTE ON JUNE 2, 2022 THURSDAY AT THE HON. LORETO P. LORA'S HALL, GROUND FLOOR OF THE LEGISLATIVE BUILDING.

In attendance:

- Hon. Francisco M. Ortega - SB Member/Chairperson, Committee on Housing, Land Use Planning & Development
- Hon. Edwin F. Faller - SB Member/Committee Member
- Mr. Orlando A. Espinosa - MARPO, Department of Agrarian Reform
- Mr. Roland F. Lora - CSO Help Desk
- Mr. John Arnold F. Ceniza - Representative of Ms. Belinda C. Echalico
- Hon. Cirila M. Sepe - Barangay Kagawad, Brgy. San Roque
- Hon. Rene F. Ceniza - Barangay Kagawad, Brgy. San Roque
- Hon. Mervin D. Modesto - Barangay Kagawad, Brgy. San Roque
- Hon. Joel Lasmarias - Barangay Kagawad, Brgy. San Roque

X ----- X

The public hearing started at 2:31 in the afternoon with a prayer led by the Secretariat. Thereafter, Hon. Francisco M. Ortega, Chairperson on Committee on Housing, Land Use Planning and Development greeted everyone a pleasant afternoon.

Then, he said that the purposed of the said Public Hearing was to discussed about the Application for Re-classification of a lot from agricultural to residential land with a Lot No. 13092-B containing an area of 285 square meters in the name of Belinda C. Echalico. In behalf of Ms. Echalico, his son Mr. John Arnold F. Ceniza was the representative for the Public Hearing. After that, Hon. Ortega called the presence of Hon. Edwin Faller, SB Member/Committee Member to share his thoughts about their application. Then, Hon. Faller asked if there was a structure on that lot area. Hon. Rene F. Ceniza, Barangay Kagawad answered that the lot area has a house already wherein Belinda and her family currently live and actually the lot area was originally owned by Ms. Linda Vilbar (the mother of Lea Ann V. Mancio- Original Owner who was stated in the Transfer Certificate of Title) then bought by Mr. Doner Modesto. After that their parents convinced Mr. Modesto to bought the lot for ₱35,000.00 due to some reasons. Their parents and Mr. Modesto had also an agreement to double the pay of the lot up to ₱70,000.00 when their father (Ms. Belinda and Mr. Rene's father) retires from work.

Hon. Faller asked where did they bought the lot area then Hon. Ceniza answered that it was their parents who bought it from Mr. Doner. Mr. John Arnold F. Ceniza, son of Ms. Belinda also added that after their parents bought it, they asked for the land title but it was

43 Ms. Belinda declared as the owner of the lot. According to Hon. Ceniza, Mr. Modesto wanted
44 to get another additional ₱100,000.00 to them in order for them to claim/get the Land Title
45 which was now declared that Ms. Belinda C. Echalico is the new owner of the said lot area.
46 Hon. Faller said that there's no problem in their application for re-classification. It is just a
47 family issue regarding to the land title that must be solve only with the siblings.
48

49 Hon. Ortega advised that the siblings should talk and settle about it with the lot
50 owner which is also their sibling and consult it to the Barangay Officials. Hon. Faller also
51 said that the certifications are okay but they are required to submit a Barangay
52 Certification.
53

54 Mr. Orlando A. Espinosa, Officer-In-Charge, MARPO, DAR said that it was certified
55 that the said lot is **not tenanted** per certification from BARC Chairman dated May 18, 2022.
56 Then, Hon. Faller give an advised to Mr. John Arnold to tell her mother about the objections
57 from her siblings about the ownership of the lot area to settle it right away with their
58 family and also with the help of the Barangay Officials. He also added that the purpose of SB
59 is to re-classify a lot from agricultural land to residential so, whether the family didn't settle
60 the issue of this ownership, the lot can still be reclassified as residential land as long as the
61 owner complied all the requirements needed. After some discussions, Hon. Ortega have his
62 closing remarks and ended the public hearing.
63

64 Without any other items to deliberate, the public hearing was adjourned at 3:13 in
65 the afternoon.
66

67 I hereby certify to the correctness of the foregoing minutes.
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DARRYL KRISTIE M. OBTIAR
Temporary Secretary

75 Attested:

76 
77
78 **HON. FRANCISCO M. ORTEGA**
79 SB Member, Chairperson,
80 Committee on Housing, Land Use Planning and Development



ATTENDANCE SHEET

MINUTES OF THE PUBLIC HEARING ON THE APPLICATION FOR RE-CLASSIFICATION
OF A LOT OWNED BY MS. BELINDA C. FICALGCO ON JUNE 2, 2022 AT 2:00 P.M. AT MON. LORETO P.
LORA'S HALL, LEGISLATIVE BUILDING, HILONGOS, LEYTE

Name	Position	Sex		Office/ Agency	Signature
		Male	Female		
John Arnold F. Ceniza	Representative of Belinda Ceniza	✓		Brgy. San Roque	
CIRILA M. SEPE	BRGY. KAGAWAN		✓	BRGY. SAN ROQUE	
RENE F. CENIZA	BRGY KAGAWAN	✓		BRGY SAN ROQUE	
MERVIN D. MODESTO	BRGY KAGAWAN	✓		BRGY. SAN ROQUE	
JOEL LASMARIAS	BRGY SAN ROQUE	✓		BRGY SAN ROQUE	
ORLANDO A. ESPINOSA	MARPO	✓		DARMO- ANONGOS	
ROLAND F. LORA	MARPO /CSO	✓		MPDO	
Edwin F. Faller	SP member	✓		SPDO	
Francisco M. Ortega	PT. Member	✓		SPD	
DARRIL KRISTIE M. OSTIAZ	J.O				

NOTHING FOLLOWS

CERTIFIED TRUE COPY ON THE ORIGINAL

CATHERINE A. FABULAR
Secretary to the Sanggunian

DATE: _____
TIME: _____



Republic of the Philippines
Province of Leyte
Municipality of Hilongos



OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN


CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that a copy of **Municipal Ordinance No. 2022-14: An Ordinance Re-classifying An Agricultural Land declared in the Name of Belinda Echalico located in Barangay San Roque to Residential Land** was posted in three (3) conspicuous places within the Municipality of Hilongos pursuant to paragraph (a) of Article 114 of RA 7160, also known as the Local Government Code of 1991.

FURTHER, this certify that the undersigned has duly complied the said provision from June 27, 2022 up to July 11, 2022..

ISSUED this 4 October, 2022 in Hilongos, Leyte, Philippines.


CATHERINE AGRAVANTE FABULAR
Secretary to the Sanggunian