

ORDINANCE NO. SP-1889 S-2008

AN ORDINANCE AUTHORIZING THE SALE OF THE ONE THOUSAND SEVEN HUNDRED THIRTEEN (1,713) SQUARE METERS PROPERTY ACQUIRED BY THE CITY THRU AUCTION SALE ON FEBRUARY 29, AND NOVEMBER 21, 1984, LOCATED AT BARANGAY HOLY SPIRIT, IN FAVOR OF THE BONAFIDE MEMBERS OF THE SAMILO ASSOCIATION, INC., WHO ARE THE ACTUAL OCCUPANTS THEREAT.

Introduced by Councilors WINSTON "Winnie" T. CASTELO, RAMON P. MEDALLA, ALLAN BUTCH T. FRANCISCO, VOLTAIRE GODOFREDO L. LIBAN III, EDEN "Candy" A. MEDINA, AIKO S. MELENDEZ, FRANCISCO A. CALALAY, JR., BERNADETTE HERRERA-DY, RICARDO T. BELMONTE, JR., DANTE M. DE GUZMAN, JAIME F. BORRES, ANTONIO E. INTON, JR., JESUS MANUEL C. SUNTAY, EDCEL B. LAGMAN, JR., BAYANI V. HIPOL and CONCEPCION S. MALANGEN.

WHEREAS, a certain parcel of land located at Barangay Holy Spirit, embraced in TCT No. 131703 of the Registry of Deeds of Quezon City, in the name of Ofelia Y. Carpio with PIN 21-00484 and TDN E-138-05932, consisting of 1,713 square meters, more or less, was a subject of auction on February 29, 1984 and November 21, 1984 and the same was sold to the City Government of Quezon,

WHEREAS, Sec. 9 of the Urban Development and Housing Act of 1992 (Republic Act No. 7279) mandates local government units to acquire and dispose government lands conducive for socialized housing purposes;

WHEREAS, the property subject of this Ordinance is not within the danger zone, not flood prone, and in fact conducive to socialized housing and may be transformed into an urban renewal or on-site development concept in favor of the actual occupants and legitimate poor residents of Quezon City.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:



SECTION 1. Authority to Dispose Property Acquired Under Public Auction - The City Mayor of LGU-OC is hereby authorized to dispose the acquired property located at Barangay Holy Spirit, embraced in TCT No. 131700 of the Registry of Deeds of Quezon City, consisting of 1,713 square meters, more or less, pursuant to Sections 14 (a) (1), (9) and (11), Article 7 of the Quezon City Revenue Code as amended, and Section 263, of Republic Act No. 7160, in favor of the bonafide occupants thereat who are members of Samilo Association, Inc.

SECTION 2. Assistance for the Urban Poor Affairs Office (UPAO) - The Urban Poor Affairs Office shall, for the purposes of this Ordinance and in consultation with the existing people's organization thereat, conduct and update census and tagging operations of all families actually residing at the property subject of this disposition, determine eligibility of the program beneficiaries in accordance with the provisions of Republic Act No. 7279, and formulate rules and regulations for the implementation of this project upon approval of this Ordinance.

SECTION 3. Report - The UPAO shall submit a monthly report to the City Mayor and the Sangguniang Panlungsod on the accomplishments, implementation, problems encountered and solutions taken, financial requirements and other special concerns. It shall likewise submit such periodic and other reports as may be required from time to time by the City Mayor and the Sangguniang Panlungsod.

SECTION 4. Exclusion from the Program - Professional squatters, members of squatting syndicate, and recalcitrants or those who refused continuously to be part of the program as defined in Republic Act No. 7279 shall be excluded in this program of disposition.

SECTION 5. Appraisal Committee - The Appraisal Committee of the City Government is hereby directed to determine the value of the property to be disposed of for socialized housing purposes, taking into consideration the status of the property and the affordability of the intended beneficiaries in accordance with Republic Act No. 7279, otherwise known as the Urban Development and Housing Act of 1992.

SECTION 6. Proceeds of the Sale - The City Treasurer is hereby directed to see to it that the proceeds of the sale of the herein subject property shall go to the general fund of the City Government of Quezon in accord with Section 263, of Republic Act No. 7160, and the Quezon City Revenue Code, as amended.

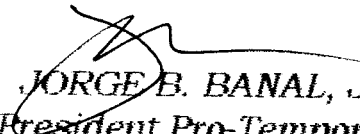
SECTION 7. Transfer of Land Title to the LGU-QC - The City Legal Officer is hereby directed to take necessary action to transfer the subject land title from the previous land owner to the LGU-Quezon City, and to furnish the City Treasurer's Office and the Head of the General Services Office of derivative Transfer Certificate of Title, thereafter.

SECTION 8. Repealing Clause - Any provision of ordinances, resolutions, rules and regulations inconsistent herewith are hereby repealed, amended or modified accordingly.

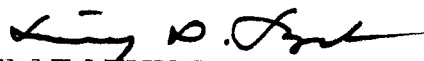
SECTION 9. Separability Clause - If for any reason, any provision of this Ordinance is declared to be unconstitutional or invalid, the other sections or provisions hereof, which are not affected thereby shall continue to be in full force and effect.

SECTION 10. Effectivity - This Ordinance shall take effect upon its approval.


ENACTED: November 24, 2008


JORGE B. BANAL, JR.
President Pro-Tempore
Acting Presiding Officer

ATTESTED:


DOROTHY D. LAGRADA, DPA
City Secretary

APPROVED: Dec. 30, 2008


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on November 24, 2008 and was finally PASSED on Third/Final Reading on December 8, 2008.


DOROTHY D. LAGRADA, DPA