Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
18th City Council

PO2012-107

72nd Regular Session

ORDINANCE NO. SP-2194, S-2012,

AN ORDINANCE RECLASSIFYING THE PARCEL OF LAND OF THE PORTION OF ROAD LOT 100, PSD-68807 CURRENTLY BEING OCCUPIED BY THE BARANGAY HALL, BARANGAY MULTI-PURPOSE HALL, DAY CARE CENTER, BARANGAY HEALTH CENTER, SENIOR CITIZENS' OFFICE, BPSO OFFICE AND BASKETBALL COURT, SITUATED ALONG MATAHIMIK STREET, BARANGAY MALAYA, DISTRICT IV, QUEZON CITY, COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 30115 (258789) AND REGISTERED IN THE NAME OF QUEZON CITY GOVERNMENT FROM ITS CURRENT CLASSIFICATION AS ROAD LOT TO OPEN SPACE.

Introduced by Councilor IVY XENIA LIM-LAGMAN.
Co-Introduced by Councilors Jesus Manuel C. Suntay, Jessica Castelo Daza, Raquel S. Malañgen, Vincent DG. Belmonte, Marvin C. Rillo, Francisco A. Calalay, Jr., Dorothy A. Delarmente, Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Joseph P. Juico, Alexis R. Herrera, Precious Hipolito Castelo, Alfredo D. Vargas III, Eden "Candy" A. Medina, Julienne Alyson Rae V. Medalla, Roderick M. Paulate, Godofredo T. Liban II, Julian ML. Coseteng, Allan Benedict S. Reyes, Jaime F. Borres, Jose Mario Don S. De Leon, Gian Carlo G. Sotto, Eufemio C. Lagumbay, Ranulfo Z. Ludovica and John Ansell R. De Guzman.

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional
QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

WHEREAS, Paragraph 5, Section 391, Chapter 4 of R.A. No. 7160, otherwise known as the Local Government Code of 1991 provides for the powers, duties, and functions of the Sangguniang Barangay, to wit; "Submit to the Sangguniang Panlungsod or Sangguniang Bayan such suggestions or recommendations as it may see fit for the improvement of the Barangay or for the welfare of its inhabitants thereof."

WHEREAS, there is a certain road lot in Barangay Malaya, particularly described as Road Lot 100 (1,137.40 square meters) registered in the name of the Quezon City Government under Transfer Certificate of Title No. 30115 (258789) and that portion thereof consisting of 640 square meters, more or less, is now the site of Barangay Hall, Barangay Multi-purpose Hall, Day Care Center, Senior Citizen's Office, BPSO office and basketball court;

WHEREAS, the Barangay Hall, BPSO office and open basketball court were constructed in Road Lot 100 by the City Government for the barangay officials and people of Barangay Malaya; and the said 640 square meters property has become the center of public services of Barangay Malaya and the only place where duly elected barangay officials and staff perform their duties and functions;

WHEREAS, in order to legalize the occupation of portion of Road Lot 100 the Quezon City Council enacted Ordinance No. SP-543, S-97 segregating a particular portion of Road Lot 100, Psd-68807, specifically thirty-five (35) square meters only, therefore leaving more or less 605 square meters un-segregated and un-converted;

WHEREAS, there is a need to segregate and convert the remaining area (605 square meters) into a community facility lot in order to legalize the actual occupation of Barangay Malaya and for the barangay officials to continue performing their duties and functions and deliver basic public services to their constituents;

WHEREAS, Section 21 (a) of the Local Government Code of 1991 provides that a local government unit may, pursuant to

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

NOW, THEREFORE,

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

SECTION 1. Reclassification. - The portion of road Lot 100, PSD-68807 currently being occupied by Barangay Hall, Barangay Multi-Purpose Hall, Day Care Center, Barangay Health Center, Senior Citizens' Office, BPSO office, and basketball court, situated along Matahimik street, Barangay Malaya, District IV, Quezon City covered by Transfer Certificate of Title No. 30115 (258789) and registered in the name of Quezon City government is reclassified from its current classification as road lot to open space;

SECTION 2. Conduct of Survey and Determination of Use. - The City, through the General Services Department and City Engineering Office are tasked to conduct survey for purposes of determining the exact metes and bounds of the entire property and the propose utilization of the same by the Local Government Unit of Barangay Malaya;

SECTION 3. Utilization. - Utilization of the said lot shall be for public purpose only and for the benefit of the general public and subject to existing laws and ordinances governing the use of city-owned properties;

SECTION 4. Authorization. - The Local Government of Barangay Malaya is authorized to use the portion of land to be identified for public use provided that such plan of utilization is approved by the Barangay Council through a Barangay Ordinance or Resolution with concurrence by the Quezon City Council;

SECTION 5. Separability Clause. - If any provision of this Ordinance is declared invalid, the remainder of this Ordinance or any provision not affected thereby shall remain in force and effect;

SECTION 6. Repealing Clause. - All ordinances, executive orders and their implementing rules inconsistent with the provisions of this Ordinance are hereby repealed, amended or modified accordingly;

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

Section 7. Effectivity. - This Ordinance shall take effect fifteen (15) days after its approval.

ENACTED: November 26, 2012.

MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III

APPROVED: 17 JAN 2013

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on November 26, 2012 and was PASSED on Third/Final Reading on December 3, 2012.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH
Created with nitroPDF professional
download the free trial online at nitropdf.com/professional