



Republic of the Philippines  
PROVINCE OF NEGROS ORIENTAL  
**City of Bayawan**  
*Office of the Sangguniang Panlungsod*

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE CITY COUNCIL OF BAYAWAN, NEGROS ORIENTAL ON DECEMBER 10, 2019 AT 2:00 PM AT LEGISLATIVE BUILDING.

RECORD OF ATTENDANCE

HON. ISMAEL P. MARTINEZ	Vice Mayor & Presiding Officer	Present
HON. HENRY E. CARREON, JR.		Present
HON. NICO ANGELO L. LIM		Present
HON. MERLITA R. GAUDIEL		Present
HON. RUSMAR IAN D. TIJING		Present
HON. LUIS J. SUMALPONG		Present
HON. JONAS M. TRIAS		Present
HON. NARCISO N. CASIPONG		Present
HON. ROLANDO B. ABRASALDO		Present
HON. FELIPE O. SANTIAGO, JR.		Present
HON. ALEX D. TIZON		Present
HON. SEVERINO SALVADOR M. CAPULSO	(LNMB Vice President)	Present
HON. TRISTAN GOLD T. TORRILLO	(SK Federated President)	Present

RESOLUTION NO. 816

“WHEREAS, an application letter from Mr. Ricarido Dela Cruz , Jr., authorized signatory for and in behalf of Fresh Sunny Ecology and Organic Plantations Corp. , for the reclassification of land covered by TCT No. 103-2016000501, Tax Declaration No. 2016-05-0011-00664 with an area of Twenty-Two Thousand Eight Hundred Seventy-Six square meters (22,876 sq. m.) and land covered by TCT No. 103-2016000499, Tax Declaration No. 2016-05-0011-00851 with an area of Nine Thousand One Hundred Twenty Four square meters (9,124 sq. m.) at Purok 1, Barangay Malabugas, Bayawan City from Agricultural to Residential.

“WHEREAS, the following documents submitted by the applicant were found to be in order, to wit:

1. Certified true copy of transfer Certificate of title;
2. Certified true copy of declaration of real Property;
3. Board Resolution of Fresh Sunny Ecology and Organic Plantations Crop on the authorization of Mr. Ricarido Dela Cruz, Jr.;
4. Site vicinity map and sketch plan;
5. Certification from Municipal Agrarian Reform Program Officer of the Department of Agrarian Reform that the subject land is not covered of the Land Acquisition and Distribution ( LAD) Scope of DAR, Negros Oriental;
6. Certification from OIC City Agriculturist , that the land is not within the SAFDZ area nor part of any irrigation service area or irrigable land as per AO 20 Series of 1992, and that the land ceased to be economically feasible for sound agricultural purpose;

“WHEREAS, an intensive perusal of the proposed reclassification was conducted by the Office of the City Planning and Development which submitted a positive view regarding the reclassification;

“WHEREAS, a public hearing was duly conducted last December 4, 2019 which was held at the subject land and the barangay residents interposed no objection as to its reclassification;

“WHEREAS, RA 7160, otherwise known as the Local Government Code of 1991 (LGC), provides that cities and municipalities may reclassify agricultural lands into non-agricultural uses within their respective jurisdictions, subject to the limitations and other conditions prescribed under Section 20 of the LGC;

“WHEREAS, the subject land for reclassification meets the provisions of Section 20 of the Local Government Code;

“WHEREFORE, on motion of Hon. Rusmar Ian D. Tijing and duly seconded by Honorable Councilor Jonas M. Trias, the Council

“RESOLVED, To enact, as it hereby enacts the following ordinance:

ORDINANCE NO. 49

AN ORDINANCE RECLASSIFYING THE USE OF LAND RECOVERED BY TCT NO. 103-2016000501, TAX DECLARATION NO. 2016-05-0011-00664 WITH AN AREA OF TWENTY TWO THOUSAND EIGHT HUNDRED SEVENTY SIX SQUARE METERS (22,876 SQ. M.) AND LAND COVERED BY TCT NO. 103-2016000499, TAX DECLARATION NO. 2016-05-0011-00851 WITH AN AREA OF NINE THOUSAND ONE HUNDRED TWENTY FOUR SQUARE METERS (9,124 SQ. M.) AT PUROK 1, BARANGAY MALABUGAS, BAYAWAN CITY FROM AGRICULTURAL TO RESIDENTIAL.

Be it ordained by the Sangguniang Panlungsod of the City of Bayawan that:

SECTION 1. The land covered by TCT No. 103-2016000501, Tax Declaration No. 2016-05-0011-00664 with an area of Twenty Two Thousand Eight Hundred Seventy Six square meter (22,876 sq.m.) and land covered by TCT No. 103-2016000499, Tax Declaration No. 2016-05-0011-00851 with an area of Nine Thousand One Hundred Twenty Four square meters (9,124 sq. m.) at Purok 1, Barangay Malabugas, Bayawan City are hereby reclassified from Agricultural use to Residential use.

SECTION 2. Any law, ordinances, administrative orders, issuances, rules and regulations or parts therefore inconsistent with the provision of this ordinance, are hereby repealed or modified accordingly, and the same shall form an integral part of the Comprehensive Land Use Plan of the City.

SECTION 3. This ordinance shall take effect immediately after the approval of the Local Chief Executive.

“Enacted.”

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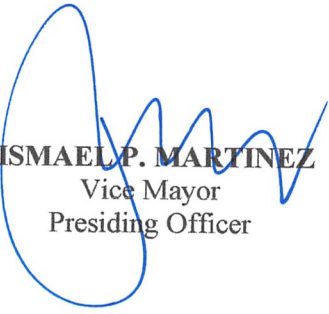
I hereby certify to the correctness of the foregoing resolution.

\* \* \*

  
**JULIUS T. ESPARTERO**  
Secretary to the Sangguniang Panlungsod

ATTESTED:

DATE APPROVED: JAN 22 2020

  
**ISMAEL P. MARTINEZ**  
Vice Mayor  
Presiding Officer

  
**PRYDE HENRY A. TEVES**  
Mayor

Copy for:

- The Honorable Provincial Board, Dumaguete City