

REPUBLICA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 649
June 26, 2013

AN ORDINANCE AUTHORIZING THE CITY MAYOR TO SELL THE PROPERTY CONSISTING AN AREA OF 23,120 SQ. M. AND COVERED BY TCT NO. T-107139 SITUATED AT BARANGAYS 35 AND 16, BACOLOD CITY TO THE ACTUAL OCCUPANTS WHO ARE MOSTLY HOLDERS OF CERTIFICATE OF PERPETUAL OCCUPANCY AT AN AMOUNT NOT HIGHER THAN THE SELLING PRICE OF THE NATIONAL HOUSING AUTHORITY OF ITS PARCEL OF LAND ADJOINING TO THE PROPERTY SUBJECT MATTER HEREOF.

WHEREAS, the city government has a residential land located at Barangays 35 and 16, Bacolod City consisting an area of 23,120 square meters and covered by Transfer Certificate of Title No. T-107139;

WHEREAS, the aforesaid parcel of land is being presently occupied by more than 600 families and some of them are holders of Certificate of Perpetual Occupancy issued by the city government, and thus, it prohibits the city from utilizing the same other than those stipulated in the said Certificate;

WHEREAS, the parcel of land adjoining the subject property of the city government is owned by the National Housing Authority and is being sold to the actual occupants at a consideration of ₱= 1,500.00 per square meter. The residential lot of the National Housing Authority is basically similar in topography, location, and accessibility to the property of the city government as it only adjoins each other;

WHEREAS, members of the Dreamland People's Organization has made a proposal to the city government to acquire the subject property at a consideration which they can afford and be comparable to the consideration as offered by the National Housing Authority to its beneficiaries which is at ₱= 1,500.00 per square meter;

WHEREAS, the property of the city government is even inferior to the property of the National Housing Authority since it is subject of an encumbrance of perpetual occupancy in favor of the actual occupants as evidenced by the Certificate of Perpetual Occupancy duly issued by the city government;

WHEREAS, in order for the city government to convert its idle property into a productive endeavor and to afford its constituents of the opportunity to acquire a land which they can proudly claim as their very own, the sale of said property to the actual occupants at an amount not higher than the amount as offered by the National Housing Authority to its beneficiaries is most proper and mutually beneficial under the present circumstances;

NOW THEREFORE, the Sangguniang Panlungsod in session assembled, hereby ordains:

Section 1 - PROPERTY SUBJECT OF SALE - The property subject matter of this Ordinance is a parcel of land consisting an area of 23,120 square meters, more or less, covered by Transfer Certificate of Title No. T-107139, situated in Brgys. 35 and 16, Bacolod City, and is registered in the name of the City of Bacolod;

Section 2 - TARGET BENEFICIARIES - The actual occupants of the subject parcel of land shall be afforded preferential right to acquire the subject property provided that the occupants who are holders of the Certificate of Perpetual Occupancy shall unilaterally renounce and surrender the same to the city government as a manifestation of good faith to acquire the property upon the execution of the Contract to Sell with the city government. Dreamland People's Organization submitted a list of actual occupants and separate list of holders of Certificate of Perpetual Occupancy of the subject area is attached as "Annex A" and made as integral part hereof;

Section 3 - PRE-QUALIFICATION - The Bacolod Housing Authority shall conduct an ocular inspection and inventory of the actual occupants of the subject property in close coordination with the officers of the Dreamland People's Organization and shall submit the report within thirty (30) days upon approval of this Ordinance to the City Mayor and to the City Council for purposes of record and information;

Section 4 - TERMS AND CONDITION - The following are the terms and conditions that shall be incorporated in the contract relative to the sale of the subject property as follows, to wit:

- a.- That the consideration shall not exceed the selling price of the National Housing Authority which is at =P= 1,500.00 per square meter;
- b.- That the total consideration will be paid in 300 monthly amortizations with an interest of 6% per annum;
- c.- That the sale shall be made individually and the buyer shall have the option of paying the consideration in full so that he can request for the transfer of the title in his name without waiting for the twenty (20)-year period to lapse;

Section 5 - PROHIBITION OF SALE - The buyer holding the individual title is prohibited to sell the property within twenty-five (25) years;

Section 6 - INDIVIDUAL SURVEY - The individual survey shall be conducted by the city government with provisions for road right-of-way and other necessary requirements as prescribed under the laws on property and subdivision;

Section 7 - This Ordinance shall take effect upon its approval.

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CARRIED BY THE VOTE OF:

Affirmative :
Councilors : Homer G. Bais, Archie S. Baribar, Roberto M. Rojas, Catalino T. Alisbo, Em L. Ang, Dindo C. Ramos, Sonya M. Verdeffor, Caesar Z. Distrito, Mona Dia G. Jardin, Keith Emmanuel L. Ramos.

Negative : None.

Absent : None.

Official Leave : Vice Mayor Jude Thaddeus A. Sayson and Councilor Carlos Jose V. Lopez.

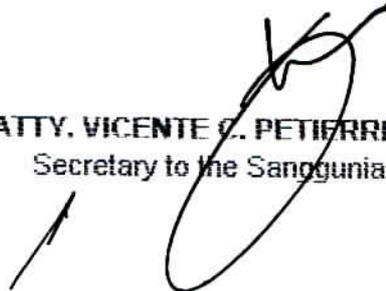
Author : Councilor Dindo C. Ramos.

Passed : June 26, 2013 (155th Regular Session).

Comments : Passed.
Councilors Elmer T. Sy and Al Victor A. Espino were not around when this ordinance was passed.
Councilor Archie S. Baribar voted in the affirmative with qualification that this ordinance will not in any way impair any contractual obligation of the City or any contract particularly the Comprehensive Revised Reclamation Agreement (CRRRA).


E. M. FAMILIARAN
Acting Presiding Officer

ATTESTED:


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

APPROVED: June, 2013.

EVELIO R. LEONARDIA
City Mayor

10 DAYS LAPSED
AS OF JULY 19, 2013

VCP/HPL/jbz



CERTIFICATION

This is to certify that **City Ordinance No. 649**, Series of 2013, passed by the Sangguniang Panlungsod on June 26, 2013, entitled:

“AN ORDINANCE AUTHORIZING THE CITY MAYOR TO SELL THE PROPERTY CONSISTING OF AN AREA OF 23,120 SQ. M. AND COVERED BY TCT NO. T-107139 SITUATED AT BARANGAYS 35 AND 16, BACOLOD CITY TO THE ACTUAL OCCUPANTS WHO ARE MOSTLY HOLDERS OF CERTIFICATE OF PERPETUAL OCCUPANCY AT AN AMOUNT NOT HIGHER THAN THE SELLING PRICE OF THE NATIONAL HOUSING AUTHORITY OF ITS PARCEL OF LAND ADJOINING TO THE PROPERTY SUBJECT MATTER HEREOF.”

was submitted to the Office of the City Mayor on July 9, 2013 for approval. The ten (10) day period lapsed on July 19, 2013 without the Mayor's signature. This ordinance is therefore considered in effect in accordance with law.

Bacolod City, Philippines, July 29, 2013.

ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

/rgl

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BACOLOD
-00000-

July 9, 2013

Date

The Honorable City Mayor
Bacolod City

Dear Sir:

We have the honor to submit/furnish herewith copy(ies) of CITY ORDINANCE No.(s)
648, 649, 650, 651, 652 (for approval)

Series of 2013 passed by the Sangguniang Panlungsod of Bacolod which is/are self-explanatory.

Please acknowledge receipt hereof.

Received copy(ies) this 10:30 AM day
of 7, 2013 / Time

By: [Signature]
(Signature)

(Printed Name)

Very truly yours,

Secretary to the Sanggunian

BY:

RECENI [Signature] G. LOGRUNIO
Legislative Staff Officer III

10 DAYS LAPSED
AS OF JULY 19, 2013