



Republika ng Pilipinas
Sanggunian ng Sangguniang Panlungsod
Lungsod ng Bacolod

CITY ORDINANCE NO. 111
Series of 1994

AN ORDINANCE WITHDRAWING FROM PUBLIC USE CERTAIN CITY-OWNED ROADLOTS KNOWN AS ROADLOT NUMBERS 1,2,6,7 AND 10 LOCATED AT PHASE I OF THE BACOLOD RECLAMATION PROJECT IN EXCHANGE FOR BREDCO OWNED LOT KNOWN AS LOT NUMBER 2-B-3-D CONSISTING OF TWENTY THOUSAND (20,000) SQUARE METERS, MORE OR LESS, LOCATED AT PHASE II OF THE BACOLOD RECLAMATION PROJECT.

WHEREAS, SM Shoemart proposes to construct a commercial complex in the reclamation area of Bacolod City that would undeniably enhance land value in that area and which will result to a higher realty tax income for the City;

WHEREAS, the development plans of SM Shoemart will affect some public lands used as roadlots which are covered by Transfer Certificate of Title Nos. T-55882, T-55883, T-55887, T-55888 and T-55889;

WHEREAS, the City will be relieved of the responsibility to repair and maintain the roadlots proposed to be withdrawn from public use and to be consolidated with the lots purchased by the SM Investors, Inc.;

WHEREAS, the City is amply compensated in view of the offer of BREDCO to deliver in exchange for the City-owned roadlots a parcel of land known as Lot No. 2-B-3-D consisting of Twenty Thousand (20,000) square meters, more or less, located at Phase II of the Bacolod Reclamation Project and covered by Transfer Certificate of Title No. T-1115611, with the specific undertaking on the part of BREDCO to clear the said lot of squatters and to cement the road fronting the same from junction of Luzuriaga Street to junction of Rodriguez Avenue.

NOW, THEREFORE, be it enacted by the Sangguniang Panlungsod in session assembled:

SECTION 1. Roadlot numbers 1,2,6,7 and 10 owned by the City of Bacolod and covered by Transfer Certificate of Title Nos. T-55882, T-55883, T-55887, T-55888 and T-55889 located at Phase I of the Bacolod Reclamation Project are hereby withdrawn from public use.

SECTION 2. The above-described City-owned roadlots withdrawn from public use are hereby exchanged, for the purposes mentioned in the whereases hereof, with lot number 2-B-3-D containing an area of Twenty Thousand (20,000) square meters, more or less, owned by BREDCO and located at Phase II of the Bacolod Reclamation Project, with the specific undertaking on the part of

BREDCO to clear the said lot of squatters and to cement the road fronting the same from junction of Luzuriaga Street to junction of Rodriguez Avenue.

SECTION 3. That all expenses such as documentation, documentary stamps, cancellation and issuance of new titles to effect the exchange herein desired shall be for the exclusive account of BREDCO.

SECTION 4. To implement and put into effect the above-mentioned exchange between the City of Bacolod and BREDCO, the City Mayor is hereby given the authority to negotiate and sign in behalf of the City, such deeds, documents, instruments and other papers, necessary thereto, provided, that any document signed by the City Mayor with BREDCO shall be subject to the ratification of the Sangguniang Panlungsod.

SECTION 5. Repealing Clause - Any ordinance, policy, rules and regulations inconsistent with this ordinance is hereby deemed repealed.

SECTION 6. Effectivity - This ordinance shall take effect upon its approval.

CARRIED BY THE VOTE OF:

Affirmative:

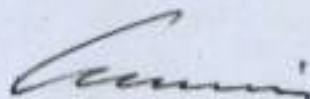
Councilors: Renecito S. Novero, Wilmar L. Drilon, Rolando V. Villamor, Lorendo K. Dilag, Juanito S. Amihan, Jr., Joaquin L. Torre, Napoleon A. Cordova, Constancio G. Legaspi, Luzviminda S. Valdez, Inocencio V. Ferrer, Jr., Reynalda A. Sayson and Arturo V. Parreño.

Negative: N o n e .

Absent : Councilors Alfredo G. Jalbuena, Jr. and Mario V. Salazar, Jr.

Passed : August 2, 1994 - Special Session


Comments: Passed



EVELIO R. LEONARDIA
Vice Mayor
Presiding Officer

C.O. No. 111 Sec

ATTESTED:



ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: August 2, 1994

ALFREDO L. MONTELIBANO, JR.
City Mayor

Republic of the Philippines
OFFICE OF THE MAYOR
Bacolod City

August 5, 1994

THE SANGGUNIANG PANGLINGSOD
Bacolod City

Ladies and Gentlemen :

This refers to City Ordinance No. 111, series of 1994, which was approved by that Honorable Body on August 2, 1994, a copy of which was forwarded to this Office on August 3, 1994.

Related to said Ordinance No. 111, in your Resolution No. 621, series of 1994, passed on July 28, 1994, a copy of which was furnished to us today, August 5th. Resolution No. 621, has a heading entitled - "Resolution Approving on First Reading the Proposed Ordinance Entitled - An Ordinance Withdrawing From Public Use Certain City Owned Roadlots known as Roadlot Numbers 1,2,6,7 and 10 located at Phase I of the Bacolod Reclamation Project x x x". Attached are copies of said Ordinance No. 111 and Resolution No. 621.

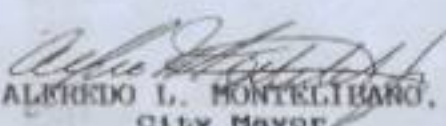
Under Article 44, Rule VIII of the Rules and Regulations Implementing the Local Government Code of 1991, under sub-article (e), among others, provide :

"(e) x x x. Public hearings shall first be conducted before any ordinance authorizing permanent closure of any local roads, alley, park, or square is enacted. Notices of such hearings and copies of the proposed ordinance shall be posted for a minimum period of three (3) consecutive weeks in conspicuous places in the provincial capitol, or in the city, municipal, or barangay hall of LGU and within the vicinity of the street or park proposed to be closed".

In view hereof, information is requested whether the above-quoted procedural requirement has been complied with. If it has not been observed, it is recommended that the procedure be complied with.

Early reply to the requested information will be highly appreciated.

Very truly yours,


ALFRIDO L. MONTELIBANO, JR.
City Mayor

