

02

Item No.: 02

Date: 21 2023 NOV

11/14/23

Vila

6:30pm

PROVINCE OF LEYTE

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
November 13, 2023

Province of Leyte
Legal Office
Released: *[Signature]*
Time: *[Signature]*
Date: 11.14.23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 446 of the Sangguniang Bayan of Babatngon, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 20ⁱ of the Code. Provided that all the requisites therein are duly complied with, including a certification from the Department of Agriculture through the Municipal Agricultural Officer, stating that the land ceased to be economically feasible and sound for agricultural purposes. Provided that likewise, pursuant to DILG Opinion No. 22, S.2020, dated January 31, 2020, citing the Supreme Court Decision GR. No. 183409ⁱⁱ, that Conversion is needed to validly reclassify land use.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer *[Signature]*

ⁱ Section 20. *Reclassification of Lands.* -

(a) A city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural

purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the sanggunian concerned

ⁱⁱ Chamber of Real Estate and Builders Association ,Inc (CREBA) vs The Secretary of Agrarian Reform.

Republic of the Philippines
Province of Leyte
OFFICE OF THE SANGGUNIANG PANLALAWIGAN



Endorsement
27 October 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 446** of the Municipality of Babatngon, Leyte; entitled: **"AN ORDINANCE RECLASSIFYING THE LOT MEASURING 5,000 SQUARE METERS LOCATED AT BRGY. DISTRICT III BABATNGON, LEYTE, DENOTED AS CAD 497- D, LOT NO. 893-A-2 WITH TAX DECLARATION NO. 2008-04003-00642 FROM AGRICULTURAL TO COMMERCIAL LAND IN CLASIFICATION."**

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

by: 
ANDRE S. SANICO
PGADP
Asst. SP Secretary

SP RECORDS
10272023



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN

27 October 2023

Honorable Leonardo M. Javier, Jr.
Vice Governor and Presiding Officer, and

The Honorable Members
Sangguniang Panlalawigan
Province of Leyte
Legislative Bldg., Capitol Grounds
Tacloban City

Dear Honorable Ladies and Gentlemen,


Respectfully endorsed to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Municipal Ordinance No. 446 of the Sangguniang Bayan of the Municipality of Babatngon, Leyte, entitled: " AN ORDINANCE RECLASSIFYING THE LOT MEASURING 5,000 SQUARE METERS LOCATED AT BRGY. DISTRICT III, BABATNGON, LEYTE, DENOTED AS CAD 497-D, LOT NO. 893-A-2 WITH TAX DECLARATION NO. 2008-04003-00642 FROM AGRICULTURAL TO COMMERCIAL LAND IN CLASSIFICATION." Subject ordinance is being forwarded to that Body for review in compliance with Section 56(a) of Republic Act 7160.

Enclosed please find the following:

1. Ordinance No. 446
2. Certification of Posting
3. Certification of Public Hearing

Please find them in order and praying for your favorable action thereof.

Very truly yours,


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

Enclosed:
As stated

SANGGUNIANG PANLALAWIGAN





REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN

SANGGUNIANG BAYAN
BABATNGON, LEYTE
RELEASED
BY: *Agay*
DATE: 26 Oct. 2023
TIME: 8:30 AM

EXCERPT FROM THE MINUTES OF THE 59th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 25th DAY OF SEPTEMBER 2023 AT THE SB SESSION HALL, LEGISLATIVE BUILDING, BABATNGON, LEYTE.

MAYOR'S OFFICE
BABATNGON, LEYTE

ORDINANCE NO. 446

RECEIVED
BY: *J. Ballay*
DATE: 10/23/23
4:00 PM

AN ORDINANCE RECLASSIFYING THE LOT MEASURING 5,000 SQUARE METERS LOCATED AT BRGY. DISTRICT III, BABATNGON, LEYTE, DENOTED AS CAD 497-D, LOT NO. 893-A-2 WITH TAX DECLARATION NO. 2008-04003-00642 FROM AGRICULTURAL TO COMMERCIAL LAND IN CLASSIFICATION.

Presented by: HON. FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member

27 OCT 2023
PROVINCE OF LEYTE

Be it enacted by the Sangguniang Bayan of the Municipality of Babatngon, Leyte in session assembled:

Section 1. – Short Title – This ordinance shall be known as the “Brgy. District III Reclassified Ordinance” in the Municipality of Babatngon, Leyte.

Section 2. – Reclassification of Lot – By virtue of this ordinance, the lot measuring 5,000 square meters located at Brgy. District III, Babatngon, Leyte, denoted as CAD 497-D, Lot No. 893-A-2 with Tax Declaration No. 2008-04003-00642 is hereby reclassified from Agricultural to Commercial Land in classification.

Section 3. – Repealing Clause – All laws, rules and regulations inconsistent herewith are hereby likewise repealed or modified accordingly.

Section 4. – Effectivity Clause – This ordinance shall take effect after ten (10) days from the date of its approval and posting in three (3) conspicuous places in the local government unit.

APPROVED and ENACTED this 25th day of September 2023 at Babatngon, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

Alma A. Baldomar
ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-Designate

ATTESTED:

Rosary Pearl G. Catudio
HON. ROSARY PEARL G. CATUDIO
Municipal Vice-Mayor
Presiding Officer



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN


HON. CHRISTIAN C. LAWSIN
Sangguniang Bayan Member


HON. KEMUEL RUE M. CORSIGA
Sangguniang Bayan Member


HON. KARL JOMAR L. EMBANA
Sangguniang Bayan Member


HON. ILDEFONSO B. ODON
Sangguniang Bayan Member


HON. FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member

(Mandatory Leave)
HON. HILARION S. MENZON
Sangguniang Bayan Member


HON. CHARITA M. CHAN
Sangguniang Bayan Member


HON. ALEX V. BELLO
Sangguniang Bayan Member


HON. COSTUDIO R. MEDINA
President
Liga ng mga Barangay


HON. MYRNA S. BALLAIS
President
Pambayang Pederasyon ng
Sangguniang Kabataan



APPROVED:


HON. ELEONOR B. LUGNASIN
Municipal Mayor

Date: 04.25, 2023



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to certify that POSTING in prominent places in the Municipal Hall and some conspicuous places in the locality was undertaken starting 25 October 2023 and copies of said ordinance shall remain posted for three (3) consecutive weeks, pursuant to Sec. 59 (b) of Republic Act 7160, in relation to hereunder ordinance, to wit:

- 1. Ordinance No. 446 - AN ORDINANCE RECLASSIFYING THE LOT MEASURING 5,000 SQUARE METERS LOCATED AT BRGY. DISTRICT III, BABATNGON, LEYTE, DENOTED AS CAD 497-D, LOT NO. 893-A-2 WITH TAX DECLARATION NO. 2008-04003-00642 FROM AGRICULTURAL TO COMMERCIAL LAND IN CLASSIFICATION.**

Made this 27th day of October 2023 at Babatngon, Leyte.


ALMA A. BALDOMAR
Secretary II

Secretary to the Sanggunian-designate



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to certify that Ordinance No. 446 entitled: " AN ORDINANCE RECLASSIFYING THE LOT MEASURING 5,000 SQUARE METERS LOCATED AT BRGY. DISTRICT III, BABATNGON, LEYTE, DENOTED AS CAD 497-D, LOT NO. 893-A-2 WITH TAX DECLARATION NO. 2008-04003-00642 FROM AGRICULTURAL TO COMMERCIAL LAND IN CLASSIFICATION " was presented to the public and concerned sectors in a public hearing held on 21 September 2023 at Brgy. District III, Babatngon, Leyte.

Made this 27th day of October 2023 at Babatngon, Leyte.

ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate



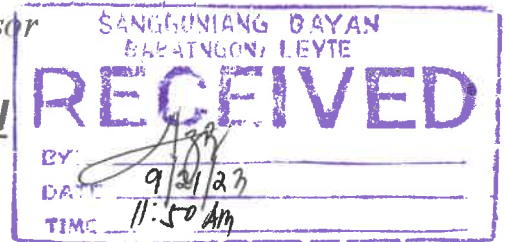
Republic of the Philippines
Province of Leyte
MUNICIPALITY OF BABATNGON



-oOo-

Office of the Municipal Assessor

CERTIFICATION



TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT according to the real property records kept on file in this office, the following properties are classified as follows:

Tax Declaration No.	Cad. Lot No.	Area (has.)	Location	Classification	Actual Use	Declarant
2008-04003-00642	893-A-2	1.2498	District III	Agricultural	Rice Land - Unirrigated	Rodrigo, Mario D.

This certification is issued upon request of the Sangguniang Bayan of Babatngon, Leyte for the Proposed re-classification of the above property.

Certified Copies of the subject properties is hereby attached for reference.

Issued this 20th day of September 2023 at Babatngon, Leyte.

ISMAEL L. LAGUNA, REA,MPM
Municipal Assessor

TAX DECLARATION OF REAL PROPERTY

TD No. **2008-04003-00642** Property Identification No. **044-04-003-03-062**

Owner: **RODRIGO, MARIO D.** TIN: _____

Address: **Brgy. 95, Tacloban City** Telephone No. _____

Administrator/Beneficial user: _____ TIN: _____

Address: _____ Telephone No. _____

Location of Property: _____ **District III** **Babatngon** **Leyte**
(Number & Street) (Barangay/District) (Municipality) (Province)

OCT/TCT/CLOA No.: **115-2019001428** Survey No. **PSD-08-040242-D**

CCT: _____ Lot No.: **893-A-2**

Dated: _____ Bik/Ass.Lot. No. **62**

Boundaries: Line 1-2, SE., Lot 893-A-1, Psd-08-040242-D; 2-3, SW., National Road, 3-4-5; NW., Lot 882, Cad. 497-D; 5-6, NW., Lot 883, Cad. 497-D; 6-1 NE., Lot 884, Cad. 497-D.

KIND OF PROPERTY ASSESSED:

LAND **MACHINERY**
 Brief Description: _____
 BUILDING **Others:** _____
 No. of Storeys: _____
 Brief Description: _____
 Specify: _____

Classification	Area	Market Value	Actual Use	Assessment Level	Assessed Value
Agriculture	1.2498 Has.	24,669.79	Rice Land-Unirrig.	40%	9,870.00
Total	1.2498 Has.	24,669.79		Total AV	9,870.00

Total Assessed Value: **NINE THOUSAND EIGHT HUNDRED SEVENTY PESOS**
(Amount in Words)

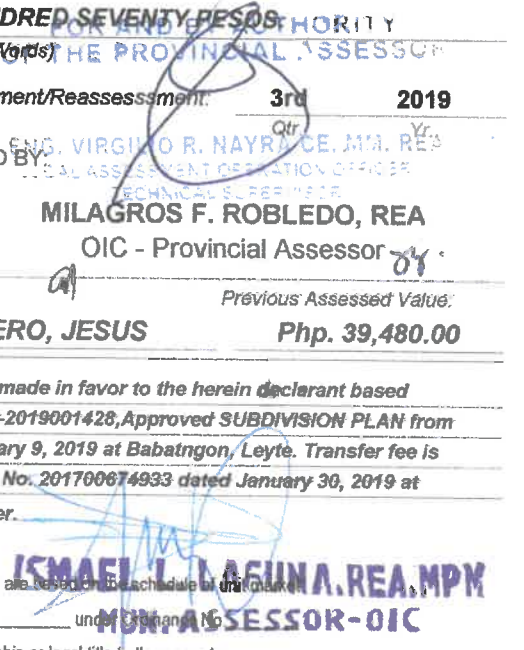
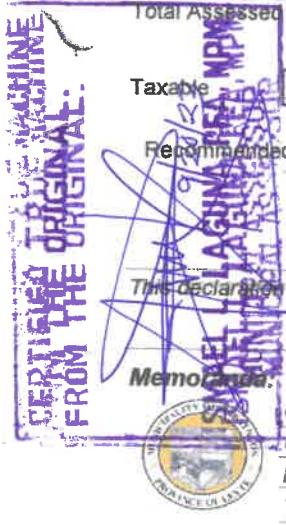
Taxable Exempt Effectivity of Assessment/Reassessment: **3rd** **2019**
Qtr. Yr.

Recommended by: **ISMAEL L. LAGUNA, REA, MPM** OIC - Municipal Assessor
 APPROVED BY: **MILAGROS F. ROBLEDO, REA** OIC - Provincial Assessor

This declaration cancels TD No.: **2008-04003-00419(R-13)** Owner: **QUERO, JESUS** Previous Assessed Value: **Php. 39,480.00**

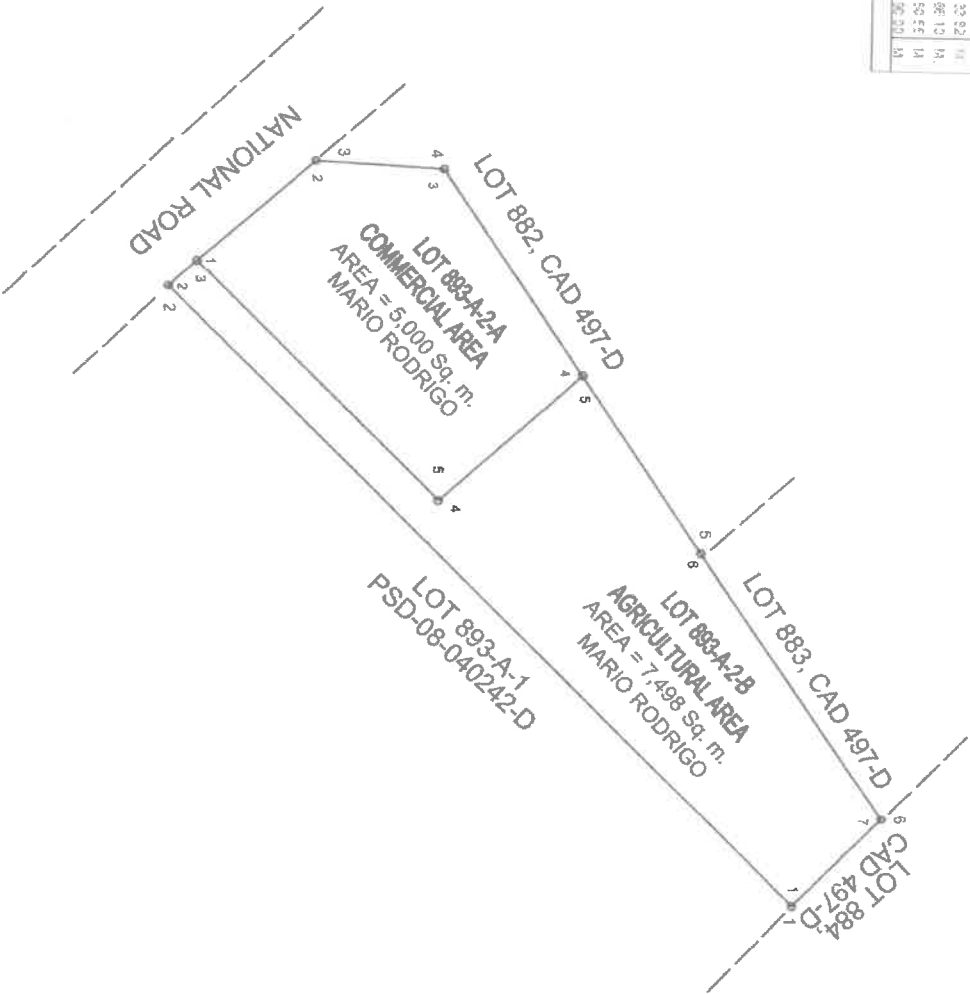
Memoanda: TRANSFER OF OWNERSHIP a portion of real property is hereby made in favor to the herein declarant based on DEED ABSOLUTE SALE, TRANSFER CERTIFICATE OF TITLE No. 115-2019001428, Approved SUBDIVISION PLAN from DENR-8 hereto attached. Taxes is paid per O.R. No. 1861704 dated January 9, 2019 at Babatngon, Leyte. Transfer fee is paid per O.R. No. 2312587 dated August 31, 2019 at Tacloban City. CAR No. 201700674933 dated January 30, 2019 at Tacloban City, issued by Rizalina A. Estrada, Authorized Revenue Officer.

Notes: * This declaration is for real property taxation purposes only and the valuation indicated herein are based on the schedule of the market values prepared for the purpose and duly enacted into an Ordinance by the Sangguniang _____ under Chapter 116 dated _____ 20____. It does not and cannot by itself alone confer any ownership or legal title to the property.



TECHNICAL DESCRIPTIONS

LOT 893-A-2, PSD-08-040242-D			LOT 893-A-2		
BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE
N 56 47 E	234.56 M	1	S 44 13 W	232.65 M	1
S 44 13 W	232.65 M	2	N 41 38 W	101 M	2
N 41 38 W	51.21 M	3	N 44 12 E	90.00 M	3
N 2 40 E	33.82 M	4	N 42 17 W	50.55 M	4
N 55 36 E	122.50 M	5	N 55 36 E	56.50 M	5
N 55 5 E	85.34 M	6	N 55 5 E	85.34 M	6
S 45 9 E	33.18 M	7	S 45 9 E	33.18 M	7
LOT 893-A-1			AREA = 7,498 SQ.M.		
BEARING	DISTANCE		BEARING	DISTANCE	
N 41 28 W	41.21 M		N 41 28 W	41.21 M	
N 2 40 E	33.82 M		N 2 40 E	33.82 M	
N 55 36 E	85.13 M		N 55 36 E	85.13 M	
S 45 9 E	59.55 M		S 45 9 E	59.55 M	
AREA = 5,000 SQ.M.					



SKETCH PLAN

OF

LOT 893-A-2, PSD-08-040242-D

AS PREPARED FOR

MARIO RODRIGO

SITUATED IN THE

BARRIO OF : POBLACION

MUN / CITY OF : BABATINGON

PROVINCE OF : LEYTE

ISLAND OF : LEYTE

Containing an area of **12,498** Sq. M.

BEARING: GRID

SCALE 1 : 2000 mtrs.

This is to certify that this is the true and correct plan of LOT 893-A-2, PSD-08-040242-D as described in the Transfer Certificate Title No 115-2019001428 issued by the Register of Deeds.

PREPARED by :

GERARD-FRANCIS T. SILONG

GEODETIC ENGINEER

4774

Registration Certificate No.

February 26, 1998
Date of Issue

NOTE: This is issued thru the request of _____ for Reference Use only and not for Registration purposes.



Republic of the Philippines
Province of Leyte
Municipality of Babatngon
-oOo-

Municipal Planning & Development Office

CERTIFICATION


TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that a parcel of land designated under **Cad/Csd. No. 497-D of Babatngon Cadastre** situated at **Brgy. District III, Babatngon, Leyte** specifically identified as follows:

Applicant/Owner	CAD Lot No(s)	OCT/TCT No./ Tax Dec. No.	Area (Has/sq.m.)	Zoning Classification
RODRIGO, MARIO D.	893-A-2	TD#2008-04003- 00642	1.2498 Has	AGRICULTURAL AREA

This certification is issued upon request of **Mr. Mario D. Rodrigo** for application of Zoning Certification and is zoned for use specified in the above table as per approved Municipal Ordinance no. 276, series of 2011 known as the Comprehensive Zoning Ordinance of the Municipality of Babatngon, Leyte.

Given this 3rd day of October 2023, at Babatngon, Leyte.


EnP VICKY S. PIACA, MM

Municipal Planning & Development Coordinator

Amount Paid: Php 296.00 O.R. No.: PL-7870946
Certification Fee: Php 216.00
Inspection Fee: Php 50.00
Doc. Stamp Tax: Php 30.00
Issued on: 10-03-2023
Issued at: Babatngon, Leyte

MUNICIPAL PLANNING & DEVELOPMENT OFFICE
BABATNGON, LEYTE

RELEASED

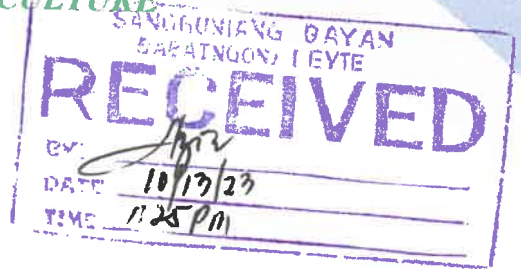
DATE: 10/3/23 TIME: 2:02 PM

BY: 



REPUBLIC OF THE PHILIPPINES
 PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

OFFICE OF THE MUNICIPAL AGRICULTURE



CERTIFICATION

THIS IS TO CERTIFY that **MR. MARIO D. RODRIGO**, a resident of Barangay 95, Tacloban City has a parcel of land located at Brgy. Dist. 3, Babatngon, Leyte, with an estimated area of 1.2498 has. Out of the said area of 1.2498 has., he requested 5,000 sq. meters to be reclassified from agricultural to commercial land.

During inspection of the 5,000 square meter, no prime agricultural crop planted.

This certification is issued upon request of Mr. Rodrigo as a requirement for the said reclassification.

Issued this 13th day of October, 2023 at Municipal Agriculture Office, Local Government Unit, Babatngon, Leyte.

TERESITA R. LAURENTE
 Municipal Agriculturist