

Item No.: 01
Date: 20 2024 FEB

SANGGUNIANG PANLALAWIGAN
RECEIVED
FEB 12 2024
PROVINCE OF LEYTE

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
February 7, 2024

Province of Leyte
Legal Office
Released: *[Signature]*
Time: *[Signature]*
Date: 2.8.24

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2024-191 of the Sangguniang Bayan of Carigara, Leyte, with the following comments and recommendations:

1. *That the SB of Carigara seeks to reclassify a parcel of land located at Brgy Sagkahan, Carigara, Leyte, from agricultural to commercial use.*
2. *That pursuant to DILG opinion No.22, S. 2020 dated January 31, 2020 and citing the Supreme Court Decision in the case of "Chamber of Real Estate and Builders Associations, Inc. (CREBA), vs The Secretary of Agrarian Reform (G.R. No.183409)", reclassification alone will not suffice to use the agricultural lands for other purposes. Conversion is needed to change the current use of the reclassified lands.*
3. *That the Provincial Legal Office (PLO) recommends that considering the foregoing, the local council follow and adhere to the guidelines set forth by DILG opinion No. 22 regarding the reclassification of the lands in question.*

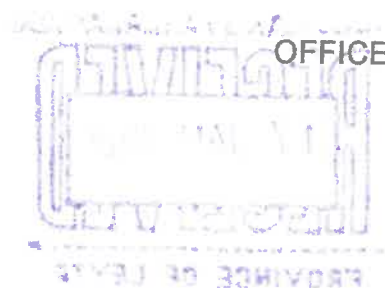
Furthermore, the opinions rendered herein are without prejudice to opinions rendered by higher authorities.

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

plw

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

Province of Leyte
Legal Office
Received: *[Signature]*
Time: 9:24
Date: 2-7-24



OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
06 February 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2024-191** of the **MUNICIPALITY** of **CARIGARA, LEYTE**, entitled: **An Ordinance Reclassifying the 11,677 Square Meters Portion, Out of the Total Land Area of 12,198 Square Meters, Identified as Survey No. 4114, Covered Under Tax Declaration No. 08-11039-00294 and Transfer Certificate of Title (TCT) No. 115-2014000454, in the Name of Fernando N. Moriel, Located at Brgy. Sagkahan, Carigara, Leyte from Agricultural to Commercial Use.**

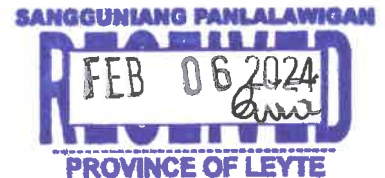
[Signature]
FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF CARIGARA
-oOo-

Office of the Sangguniang Bayan

1st Indorsement
February 6, 2024



Respectfully forwarded to the Honorable Members of the Sangguniang Panlalawigan of Leyte, thru the Provincial Board Secretary, Florinda Jill S. Uyvico, the herein **Municipal Ordinance No. 2024-191** –*“An Ordinance Reclassifying the 11,677 Square Meters Portion, Out of the Total Land Area of 12,198 Square Meters, Identified as Survey No. 4114, Covered Under Tax Declaration No. 08-11039-00294 and Transfer Certificate of Title (TCT) No. 115-2014000454, in the name of Fernando N. Moriel, Located at Brgy. Sagkahan, Carigara, Leyte. from Agricultural to Commercial Use”*.

For your perusal and appropriate action.


ROMEO M. VIOJAN
SB Secretary



REPUBLIC OF THE PHILIPPINES
 PROVINCE OF LEYTE
 MUNICIPALITY OF CARIGARA

SANGGUNIANG PANLALAWIGAN

NOTED
 FEB 06 2024

OFFICE OF THE SANGGUNIANG BAYAN

Cellphone No. 09178167112 E-mail Address: sangguniang bayancarigara@gmail.com

PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES/JOURNAL OF THE 77TH REGULAR SESSION OF THE 19TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON JANUARY 24, 2024

* * * * *

PRESENT:

- Hon. Jimmy A. Camposano ----- Mun. Vice Mayor-Pres. Officer
- Hon. Joenlee C. Larraga ----- SB Member
- Hon. Anabella N. Crisostomo ----- SB Member
- Hon. Mildred C. Modesto ----- SB Member
- Hon. Lorna A. Marpa ----- SB Member
- Hon. Joselu N. Guia ----- SB Member
- Hon. Kim Anthony G. Agner ----- SB Member
- Hon. Leny T. Ong ----- SB Member
- Hon. Daniel N. Ariaso, Jr. ----- SB Member-SK Fed. Pres.

Jimmy A. Camposano
 Jimmy A. Camposano
 Mun. Vice Mayor-Pres. Officer

Daniel N. Ariaso, Jr.
 Daniel N. Ariaso, Jr.
 SB Member-SK Fed. Pres.

ABSENT:

- Hon. Raul Z. Lloren ----- SB Member - Forced Leave
- Hon. Arvin N. Urmeneta ----- SB Member-Liga ng mga Brgy. Pres. (OB-Liga Hall)

Leny T. Ong
 Leny T. Ong
 SB Member

* * * * *

MUNICIPAL ORDINANCE NO. 2024-191

AN ORDINANCE RECLASSIFYING THE 11,677 SQUARE METERS PORTION, OUT OF THE TOTAL LAND AREA OF 12,198 SQUARE METERS, IDENTIFIED AS SURVEY NO. 4114, COVERED UNDER TAX DECLARATION NO. 08-11039-00294 AND TRANSFER CERTIFICATE OF TITLE (TCT) NO. 115-2014000454, IN THE NAME OF FERNANDO N. MORIEL, LOCATED AT BRGY. SAGKAHAN, CARIGARA, LEYTE, FROM AGRICULTURAL TO COMMERCIAL USE

Kim Anthony G. Agner
 Kim Anthony G. Agner
 SB Member

Introduced by: Hon. Anabella N. Crisostomo

WHEREAS, Section 20 of the Local Government Code of 1991 provides that cities and municipalities may reclassify agricultural lands into non-agricultural uses within their respective jurisdiction under any of the following cases:

Joselu N. Guia
 Joselu N. Guia
 SB Member

Joenlee C. Larraga *Anabella N. Crisostomo* *Mildred C. Modesto* *Lorna A. Marpa*
 JOENLEE C. LARRAGA ANABELLA N. CRISOSTOMO MILDRED C. MODESTO LORNA A. MARPA
 SB Member SB Member SB Member SB Member



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA

-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

Cellphone No. 09178167112 E-mail Address: sangguniang_bayancarigara@gmail.com

Page 2/3 – Ordinance. No.2024-191 dated January 24, 2024–

“An Ordinance Reclassifying the 11,677 Square Meters Portion, Out of The Total Land Area of 12,198 Square Meters, Identified as Survey No. 4114, Covered Under Tax Declaration No. 08-11039-00294 and Transfer Certificate of Title (TCT) No. 115-2014000454, in the Name of Fernando N. Moriel..”

- (1) *When the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture (DA); or*
- (2) *Where the land shall have substantially greater economic value for residential, commercial, or industrial purposes as determined by the Sanggunian concerned;*

WHEREAS, the Sangguniang Bayan determined per recommendation of the Committee on Land Use, Housing and Agrarian Reform embodied on its Committee Report No. 2024-10, duly adopted, that the 11,677 square meters portion, out of the total land area of 12,198 square meters, of land declared in the name of Fernando N. Moriel, located in Brgy. Sagkahan, Carigara, Leyte, identified as Survey No. 4114, covered under TCT No. 115-2014000454, and with Tax Declaration No. 08-11039-00294; be reclassified from agricultural to commercial use for it would entail greater economic value to the land and the Municipality of Carigara would benefit in terms of Real Property Tax income;

WHEREAS, all local government units (LGUs) are authorized under Section 16 of the Local Government Code of 1991, otherwise known as the General Welfare Clause, among others, to exercise powers necessary, appropriate, or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare;

WHEREAS, Sec. 5 (c) of the same Code (LGC) provides that general welfare provisions of this Code shall be liberally interpreted to give more powers to local government unit in accelerating economic development and upgrading the quality of life of the people in the community.

NOW, THEREFORE, on motion of the Hon. Anabella N. Crisostomo, seconded unanimously, be it ENACTED by the Sangguniang Bayan of Carigara in Regular Session assembled, THAT:

Article I. RECLASSIFICATION. That the 11,677 square meters portion, out of the total land area of 12,198 square meters, of land declared in the name of Fernando N. Moriel, located in Brgy. Sagkahan, Carigara, Leyte, identified as Survey No. 4114, covered under TCT No. 115-2014000454, with Tax Declaration No. 08-11039-00294; be reclassified from agricultural to commercial use.

10

JOENLEE C. LARAGA
SB Member

ANABELLA N. CRISOSTOMO
SB Member

MILDRED C. MODESTO
SB Member

LORNA A. MARPA
SB Member

JIMMY A. CAMPOSANO
Municipal Vice Mayor-Pres. Officer

DAMEL N. ARIAS, JR.
SB Member-SK Fed. Pres.

LENY T. LONG
SB Member

KIM ANTHONY G. AGNER
SB Member

JOSELU N. GUHA
SB Member



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA

-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

Cellphone No. 09178167112 E-mail Address: sangguniang bayancarigara@gmail.com

3/3 – Ordinance. No.2024-191 dated January 24, 2024–
An Ordinance Reclassifying the 11,677 Square Meters Portion, Out of The Total Land Area of 12,198 Square Meters, Identified as Survey No. 4114, Covered Under Tax Declaration No. 08-11039-00294 and Transfer Certificate of Title (TCT) No. 115-2014000454, in the Name of Fernando N. Moriel...”

Article 2. **EFFECTIVITY.** This ordinance shall take effect upon approval.

ENACTED, this 24TH day of January 2024

* * * * *


I HEREBY CERTIFY to the correctness of the foregoing excerpt.

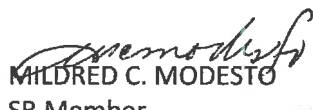

ROMEO M. VICJAN
SB Secretary

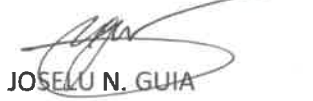
Attested:


JIMMY A. CAMPOSANO
Municipal Vice Mayor / Presiding Officer


Concurred:

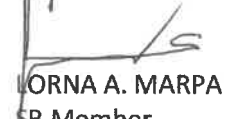

JOENLEE C. LARRAGA
SB Member

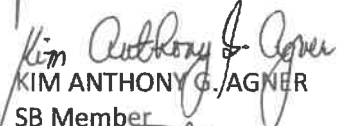

MILDRED C. MODESTO
SB Member

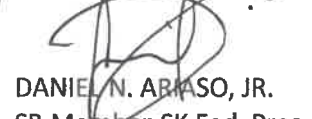

JOSE LU N. GUIA
SB Member


LENY T. ONG
SB Member


ANABELLA N. CRISOSTOMO
SB Member


LORNA A. MARPA
SB Member


KIM ANTHONY G. AGNER
SB Member


DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

Approved:


EDUARDO T. ONG, JR.
Municipal Mayor

Date Approved: 02 / 01 / 24



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF CARIGARA
-oOo-

Office of the Sangguniang Bayan

CERTIFICATION

THIS IS TO CERTIFY that a public hearing was conducted last November 23, 2023 at 2:45 in the afternoon at Brgy. Sagkahan, Carigara, Leyte for the deliberation of the proposed reclassification of the 11,677 square meters portion, out of the total land area of 12,198 square meters, identified as Survey No. 4114, covered under Tax Declaration No. 08-11039-00294 and Transfer Certificate of Title (TCT) No. 115-2014000454, in the name of Fernando N. Moriel, located at Brgy. Sagkahan, Carigara, Leyte,, from agricultural to commercial use.

ISSUED this 5th day of February, 2024.


ROMEO M. VIOJAN
SB Secretary



Republic of the Philippines
Province of Leyte
Municipality of Carigara
BARANGAY SAGKAHAN

-oOo-

Office of the Barangay Council

**MINUTES OF THE PUBLIC HEARING ON THE RE-CLASSIFICATION OF LOT 4114
LOCATED AT BRGY. SAGKAHAN, CARIGARA, LEYTE
November 23, 2023**

The Public Hearing started at 2:45 in the afternoon with Hon. Maricel Cañega, the Officer of the Day, presiding.

Present among the residents of Brgy. Sagkahan were the representative from the Municipal Planning Office, Mr. Gleeson Indita, and the Municipal Engineer's Office, Engr. Evelyn Reyes.

After the prayer and greetings, the Presiding Officer gave Mrs. Josefa Yasmin A. Moriel the opportunity to speak and explain the reason for their request to call for a Public Hearing for the reclassification of the property owned by them. She explained that the subject-property is the lot stretching from the location of their store towards the entrance of the Ice Plant, more or less having an a total area of 12,000 square meters. She further explained that way back in 2015, a Public Hearing was also called for the same purpose. At that time, the property, now ECOVille, was about to be developed. Then Land Developer, Phintecstar, requested from the owners that a portion of their property will have to be used as Road-Right-of-Way (RRW) to be able to push through with the relocation project. She said, given the developmental impact it shall bring to the barangay, they favorable agreed to donate a portion of the property as RRW so the development of the relocation project can commence.

However, Mrs. Moriel added that while the Public Hearing was held, and that the request to favorably grant the reclassification of the property for non-agricultural use was resolved in the Barangay, they failed to pursue the processing of the reclassification at that time. While the document attesting the conduct of a Public Hearing and the Resolution of the Barangay Council at that time holds true, using the same documents to process it today will no longer suffice given that the sitting officials are no longer the same. As such was the case, the Municipal Planning and Development Office required the owners to call for another Public Hearing to support their pending request with the Sangguniang Bayan.

Mrs. Moriel further stated that, way back when that property was acquired, the property was no longer used for agricultural purpose by the previous owners. In fact, residents present can attest that prior to its purchase there were several families who had set temporary homes on the property. So more than twenty (20) years, that property has never been used for agricultural purpose. In 2015, when Mrs. Moriel applied for the business permit for their general merchandising business, the Municipal Planning and Development Office issued a zoning certificate that the property is considered as Commercial per the Municipal Comprehensive Land Use Plan. Currently, all properties across, and adjacent to Lot 4114 are either residential or commercial. Thus, it is also their intention that the property be reclassified according to its current use. Mrs. Moriel asked the attendees, with all that said, she would like to know, especially from those who have properties near theirs, if they object to the property's reclassification. Attendees in chorus answered that they have no objection.

Engr. Reyes of the Municipal Engineer's Office also echoed the intention of the Public Hearing emphasizing that residents have to ask the owners the intended use of the property. If it is intended to be used as Commercial, what type of business or businesses will be opened. They vehemently disapproved the opening of businesses like Beer House, Massage, or similar businesses that may affect the preservation of quality family life. The owners assured the residents that there they have no intention to put up such type of business. The type of business that will be put will mainly be trading or stores to meet the needs of the residents.

The Punong Barangay, Hon. Fernando Moriel, added that the reclassification of the property to commercial use, will also benefit the economic development of the barangay. As mentioned by the MPDO Representative, the reclassification of the property to commercial use will increase the real property tax of the property. A percentage portion of that tax collected from the owners by the municipality will be given to the barangay for its utilization. It is a cycle that is beneficial for everyone.


To close, the Presiding Officer, Hon. Canega, asked one last time if there are no objection from those present in the reclassification of the property with Lot No. 4114 owned by Sps. Fernando N. Moriel, from agricultural to non-agricultural or specifically Commercial use. The answers were still the same that they have no objection to the said reclassification provided that Sps. Moriel will give priority to applicants from the barangay in the hiring of workers.

Meeting adjourned 3:40 in the afternoon.

Prepared by:


DARYL I. ARANO
Brgy. Secretary

Attested by:


Hon. MARICEL T. CANEGA
SB Member
Officer-of-the-Day



Republic of the Philippines
Province of Leyte
Municipality of Carigara
BARANGAY SAGKAHAN

ATTENDANCE SHEET

**BARANGAY PUBLIC HEARING ON THE RE-CLASSIFICATION OF
LOT NO. 4114 FROM AGRICULTURAL TO NON-AGRICULTURAL
November 23, 2023**

	NAME	AGE	SIGNATURE
1.	Glicerio Acerden	61	Glicerio
2.	Marian Singin	48	Singin
3.	Richard N. Dacara	43	Dacara
4.	XANIAS BALAIS	45	Balais
5.	Erwin Litom	39	Litom
6.	RODEL M. MALABENTA	45	Malabenta
7.	RONALD ACERDEN	40	Acerden
8.	DANIS CANTALERO	27	Cantale
9.	MARIA ANNE WALIBO	73	Walibo
10.	FRANCISCO CANTALERO	70	Cantale
11.	Rogelio S. Fodje	77	Fodje
12.	Felicio F. Luison	61	Luison
13.	Vilma A. Aquilon	45	Aquilon
14.	Thelma E. Jalbo	44	Jalbo
15.	MARIEFA DIOSA	34	Diosa
16.	Florita B. Arguilla	58	Arguilla
17.	Nelsie L. Monki	34	Monki
18.	Alexander D. Carbajero	52	Carbajero
19.	Jennylyn M. Butuyan	35	Butuyan
20.	Lerna M. Navido	49	Navido
21.	Shane Terlyn Tomettel	21	Tomettel
22.	Franco Torrefiel	48	Torrefiel
23.	Rolando LABARENO	43	Labareno
24.	Bernardo Insigne Jr	33	Insigne
25.	Angelito Lumanog	49	Lumanog


DARYL L. ARAÑO
Barangay Secretary



Republic of the Philippines
Province of Leyte
Municipality of Carigara
BARANGAY SAGKAHAN

ATTENDANCE SHEET

**BARANGAY PUBLIC HEARING ON THE RE-CLASSIFICATION OF
LOT NO. 4114 FROM AGRICULTURAL TO NON-AGRICULTURAL
November 23, 2023**

	NAME	AGE	SIGNATURE
1.	Gregoria A. Atiba	61	
2.	Mary Jane Bacay	26	Jane
3.	Andy C. Asulon	46	
4.	MARK C. CANEGA	41	
5.	NILS C. CINCO	63	
6.	Alex B. Duhon	46	
7.	Vanessa deln Ay	20	
8.	Monica Corege	41	
9.	Daryl I. Arano	27	
10.	Josefa Yasmin A. Moriel	52	
11.	Marilyn Bacay	53	
12.	Jody Ann Bacay	17	
13.	Romulo Cabaltera	60	
14.	Maria Welfin P. Reyes	48	
15.	GLEASON C. INDITA	31	
16.			
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25.			

M.M. Engineer
MRO Staff

DARYL I. ARAÑO
Barangay Secretary



Republic of the Philippines
 Province of Leyte
 Municipality of Carigara
BARANGAY SAGKAHAN

OFFICE OF THE SANGGUNIANG BARANGAY

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BARANGAY OF BARANGAY SAGKAHAN, CARIGARA, LEYTE HELD ON NOVEMBER 25, 2023 AT 9:00 O’CLOCK IN THE MORNING AT THE BARANGAY HALL.

PRESENT:

- | | |
|-----------------------------|---------------------------------|
| HON. ANDY C. AGUILON | - SB MEMBER - PRESIDING OFFICER |
| HON. MARITESSE N. ROSALES | -SANGGUNIANG BARANGAY MEMBER |
| HON. PHILIGRINA H. DARNAYLA | - SANGGUNIANG BARANGAY MEMBER |
| HON. MARICEL T. CANEGA | - SANGGUNIANG BARANGAY MEMBER |
| HON. ALEXANDER D. CABAYAO | - SANGGUNIANG BARANGAY MEMBER |
| HON. ALEX B. DUAVIS | - SANGGUNIANG BARANGAY MEMBER |
| HON. FLOR D. BRIER | - SANGGUNIANG BARANGAY MEMBER |
| HON. ANNABELLE E. TALBO | -SK CHAIRPERSON |

ABSTAIN:

- | | |
|-------------------------|-------------------|
| HON. FERNANDO N. MORIEL | - PUNONG BARANGAY |
|-------------------------|-------------------|

ABSENT: None

RESOLUTON No. 122
Series of 2023

RESOLUTION INTERPOSING NO OBJECTION TO RE-CLASSIFY LOT OF FERNANDO N. MORIEL LOCATED AT BARANGAY SAGKAHAN FROM AGRICULTURAL TO COMMERCIAL USE.

WHEREAS, upon request of Mrs. Josefa Yasmin A. Moriel for a Public Hearing on the re-classification of their property under Lot No. 4114 located at Barangay Sagkahan, Carigara, Leyte, a Public Hearing was held on November 23, 2023 presided by Hon. Maricel T. Cañega and attended by a representative from the Municipal Engineer’s Office, Engr. Evelyn Reyes, from the Municipal Planning and Development Office, Mr. Gleeson Indita, and some residents of Brgy. Sagkahan;

WHEREAS, an approval for the reclassification of Lot No. 4114 from agricultural to non-agricultural use was gathered from the attendees of the Public Hearing;

WHEREAS, the property is strategically located in Barangay Sagkahan and will have more economic value if used for non-agricultural purpose;

WHEREAS, the proposed change will have developmental and economic impact to the Barangay;

WHEREFORE, on motion of Hon. Alexander Cabayao, duly seconded by Hon. Maricel T. Cañega,

BE IT RESOLVED, as it is hereby resolved by the Sangguniang Barangay to submit this resolution to the Sangguniang Bayan of Carigara that there is no interposing objection to the reclassification of Lot No. 4114 covered by Tax Declaration No. 08-11039-00294 and TCT No. 115-2014000454 from Agricultural to Commercial use or purpose.;

Hon. ANNABELLE E. TALBO
 SK Chairperson

Hon. FLOR D. BRIER
 Member, Sangguniang Barangay

Hon. ALEX B. DUAVIS
 Member, Sangguniang Barangay

Hon. ALEXANDER D. CABAYAO
 Member, Sangguniang Barangay

Hon. MARICEL T. CAÑEGA
 Member, Sangguniang Barangay

Hon. PHILIGRINA H. DARNAYLA
 Member, Sangguniang Barangay

Hon. MARITESSE N. ROSALES
 Member, Sangguniang Barangay

Hon. ANDY C. AGUILON
 Member, Sangguniang Barangay

RESOLVED FURTHER , that a copy of the this resolution be furnished to the Office of the Sangguniang Bayan of Carigara, Office of the Municipal; Planning and Development, and to any Office concerned for their guidance and appropriate action.

UNANIMOUSLY APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing excerpt.



DARYL I. ARAÑO
BARANGAY SECRETARY

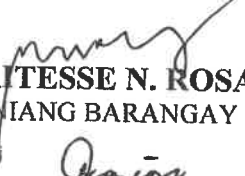
APPROVED BY:


ANDY C. AGUILON
SANGGUNIANG BARANGAY MEMBER


PHILIGRINA H. DARNAYLA
SANGGUNIANG BARANGAY MEMBER


ALEXANDER D. CABAYAO
SANGGUNIANG BARANGAY MEMBER


FLOR D. BRIER
SANGGUNIANG BARANGAY MEMBER


MARITESSE N. ROSALES
SANGGUNIANG BARANGAY MEMBER


MARICEL T. CAÑEGA
SANGGUNIANG BARANGAY MEMBER


ALEX B. DUAVIS
SANGGUNIANG BARANGAY MEMBER


ANNABELLE E. TALBO
SK CHAIRPERSON




Republic of the Philippines
Province of Leyte
MUNICIPALITY OF CARIGARA
-oOo-

Office of the Sangguniang Bayan

CERTIFICATION

THIS IS TO CERTIFY that after due determination by the Sangguniang Bayan, the 11,677 Square Meters Portion, Out of the Total Land Area of 12,198 Square Meters, Identified as Survey No. 4114, Covered Under Tax Declaration No. 08-11039-00294 and Transfer Certificate of Title (TCT) No. 115-2014000454, in the name of Fernando N. Moriel, Located at Brgy. Sagkahan, Carigara, Leyte, will have more economic value once reclassified from agricultural to commercial use.

ISSUED this 5th day of February, 2024.


ROMEO M. VIOJAN
SB Secretary

Attested by:


RAUL Z. LLOREN
Chairman, Comm. On Land Use




Republic of the Philippines
Province of Leyte
MUNICIPALITY OF CARIGARA
-oOo-

Office of the Sangguniang Bayan

CERTIFICATION

THIS IS TO CERTIFY that MUNICIPAL ORDINANCE NO. 2024-191 – “An Ordinance Reclassifying the 11,677 Square Meters Portion, Out of the Total Land Area of 12,198 Square Meters, Identified as Survey No. 4114, Covered Under Tax Declaration No. 08-11039-00294 and Transfer Certificate of Title (TCT) No. 115-2014000454, in the name of Fernando N. Moriel, Located at Brgy. Sagkahan, Carigara, Leyte. from Agricultural to Commercial Use”, has been posted last February 2, 2024 in accordance with R.A. 7160, otherwise known as the Local Government Code of 1991.

ISSUED this 5th day of February, 2024.


ROMEO M. VIOJAN
SB Secretary

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE

Land Registration Authority
QUEZON CITY

Registry of Deeds for Leyte Province

Transfer Certificate of Title

No. 115-2014000454

IT IS HEREBY CERTIFIED that certain land situated in , more particularly bounded and described as follows:

LOT NO. 3, PSU-152414 BEGINNING AT A POINT MARKED "1" OF LOT NO. 3, PSU-125414, BEING S. 62-02 E., 4703.10 M. FROM BLLM NO. 1, MP. OF CARIGARA, BOHOL, THENCE N. 39-44 W., 115.04 M. TO POINT 2; N. 82-36 W., 82.23 M. TO POINT 3; N. 3-23 E., 32.38 M. TO POINT 4; N. 52-20 W., (Continued on next page)

is registered in accordance with the provision of Section 103 of the Property Registration Decree in the name of

Owner: FERNANDO N. MORIEL OF LEGAL AGE, FILIPINO, MARRIED

Address: MUNICIPALITY OF CARIGARA LEYTE EASTERN VISAYAS

subject to the provisions of the said Property Registration Decree and the Public Land Act, as well as to those of the Mining Laws, if the land is mineral, and subject, further, to such conditions contained in the original title as may be subsisting.

IT IS FURTHER CERTIFIED that said land was originally registered as follows:

Patent Type:

Original RD: LEYTE PROVINCE

Patent Date:

OCT Date: 11 05 1968

Under Act No.: FREE

OCT No.: OCT-P-13816

Volume No.:

Page No.:

Original Owner: SOCORRO KAPUNAN PRICE

This certificate is a transfer from TRANSFER CERTIFICATE OF TITLE TP-25683 (TOTALLY CANCELLED) by virtue hereof in so far as the above-described land is concerned.

Entered at Leyte Province, Philippines on the 15th day of AUGUST 2014 at 01:30pm.

EMETERIO DEVARAS VILLANOZA JR.
Register of Deeds

It is hereby certified that this is a true electronic copy of TCT 2014000454 on file in Registry of Deeds of Leyte Province, which consists of 3 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Leyte Province. Requested By: MORIEL JOSEFA YASMIN APARIS

Ref. : 2023014402 OR No. : 1031055909
Date : 10/31/2023 OR Date : Oct 12 2023
Time : 08:57:48 AM Amt. Paid : 470.32

This title is subject of an on-going transaction with
Entry No. 2023001801
Entry Date: Apr 14 2023 3:03PM,
Entry No. 2023001802
Entry Date: Apr 14 2023 3:08PM

TCT No.: 115-2014000454

Page No.: 2

TECHNICAL DESCRIPTION (Continued from page 1)

26.44 M. TO POINT 5; N. 16-48 E., 9.48 M. TO POINT 6; N. 18-11 E., 15.31 M. TO POINT 7; N. 29-56 E., 19.59 M. TO POINT 8; S. 55-54 E., 238.31 M. TO POINT 9; S. 36-37 W., 67.95 M. TO POINT 1; POINT OF BEGINNING. CONTAINING AN AREA OF TWELVE THOUSAND ONE HUNDRED AND NINETY NINE (12,199) SQUARE METERS. ALL POINTS REFERRED TO ARE INDICATED ON THE PLAN AND ARE MARKED ON THE GROUND AS FOLLOWS: POINTS 3, 6 & 7 BY "X" ON TREES AND THE REST BY P.L.S. CYL. CONC. MONS. BOUNDED ON THE SW., ALONG LINES 1-2-3 BY TARCELITA DE BOUGH; ON THE W., ALONG LINES 3-4-5 BY SIXTO GABERO; ON THE NW., ALONG LINES 5-6-7-8 BY GREGORIA ACERDEN; ON THE NE., ALONG LINE 8-9 BY NATIONAL ROAD; AND ON THE SE., ALONG LINE 9-1 BY TARCELITA DE BOUGH. BEARINGS TRUE. THESE LOTS WERE SURVEYED IN ACCORDANCE WITH LAW AND EXISTING REGULATIONS PROMULGATED THEREUNDER, BY PORFIRIO AYUYAO, PRIVATE LAND SURVEYOR, ON MARCH 14 TO SEPTEMBER 12, 1949 AND APPROVED ON SEPTEMBER 18, 1950. NOTE: THESE LOT IS COVERED BY F.P.A. NO. (VI-4) 3289-A.

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TCT No.: 115-2014000454

Page No.: 3

MEMORANDUM OF ENCUMBRANCES

: A STRIP 40 METERS WIDESTARTING FROM THE BANK ON EACH OF ANY RIVER OR STREAM THAT MAY BE FOUND ON THE LAND SHALL BE DEMOCRATED AND PRESUMED A PERMANENT TIMBERLAND TO BE PLANTED EXCLUSIVELY TO TREES OF KNOWN ECONOMIC VALUE, AND THE APPLICANT SHALL NOT MAKE ANY CLEARING THEREON OR UTILIZE THE SAME FOR ORDINARY FARMING PURPOSES EVEN AFTER PATENT SHALL HAVE BEEN ISSUED TO HIM OR A CONTRACT OF LEASE SHALL HAVE BEEN EXECUTED IN HIS FAVOR.

EMETERIO DEVARAS VILLANOZA JR.
Register of Deeds

It is hereby certified that this is a true electronic copy of TCT 2014000454 on file in Registry of Deeds of Leyte Province, which consists of 3 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Leyte Province. Requested By: MORIEL JOSEFA YASMIN APARIS

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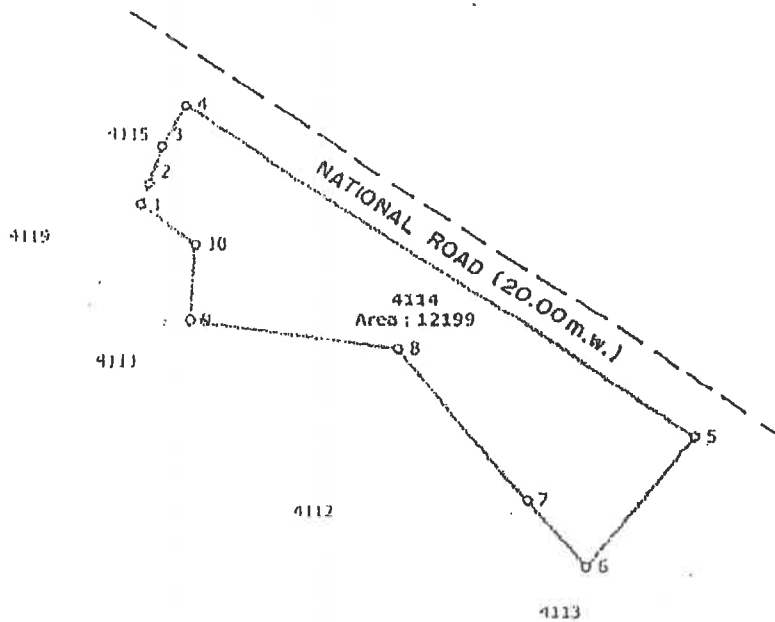
Application Number
 Applicant
 Surveyed For **PRICE, SOCORRO K.**
 Surveyed By **SOLAR SURVEYING CORPORATION**
 Date Surveyed **12/3/1977**
 Tie Point Name **BLLM 1**

Lot Number **4114**
 Survey Number **CAD 499-D Case 14**
 Location **BRGY SAGKAHAN CARIGARA, LEYTE**
 Cad. Map. No.
 Date Approved
 Area (sq. m.) **12199**

TECHNICAL DESCRIPTION

Line	Bearing	stance(m)	Northing	Easting
Tie Line	S63 - 27E	4469.43	1249756.44	465663.75
1-2	N16 - 51E	9.48	1247758.66	469661.83
2-3	N18 - 14E	15.31	1247767.73	469664.58
3-4	N29 - 59E	19.59	1247782.28	469669.37
4-5	S55 - 51E	238.31	1247799.25	469679.16
5-6	S36 - 40W	67.95	1247665.47	469876.38

Line	Bearing	stance(m)	Northing	Easting
6-7	N39 - 41W	36.14	1247610.97	469835.8
7-8	N39 - 41W	78.9	1247638.78	469812.72
8-9	N82 - 33W	82.23	1247699.5	469762.34
9-10	N3 - 26E	32.38	1247710.16	469680.8
10-1	N52 - 17W	26.45	1247742.48	469682.75



Checked and found correct (as per record on file)

BENIGNO V. SANICO, JR
 Chief, TSU-OSS

Requested by: **JOY A. MORIEL**
 Purpose: Reference Only

5432224

"For the Regional Technical Director of Lands"

ATTY. EMETERIO D. VILLANOZA, JR
 Register of Deeds / OSS Manager

Prepared by: **JOCELYN G. PUNLA / RHODELYN OCTAWANI**

Plotting Checked by: **JEANNETTE B. REBUZA / REND P. CAIT**

TAX DECLARATION OF REAL PROPERTY

ID No. 08-11039-00294 Property Identification No. 044-11-039-05-020
 Owner: FERNANDO N. MORIEL TIN: _____
 Address: CARIGARA, LEYTE Tel. No. _____
 Administrator/Beneficial User _____ TIN _____
 Address: _____ Tel. No. _____
 Location of Property SAGKAHAN CARIGARA, LEYTE
(Number & Street) (Barangay/District) (Municipality & Province/City)

OCT/TCT/CLOA No. _____ Survey No. 4114
 CCT _____ Lot No. _____ Bik. No. _____
 Dated. _____ Cad Lot No. _____
 Boundaries:
 North: _____ South: AL # 021
 East: NAITONAL ROAD West: AL # 019, 024
AL # 029 OF SEC. 04

KIND OF PROPERTY ASSESSED:

- LAND
 BUILDING No. of Storey: _____
 Brief Description: _____
 MACHINERY Brief Description: _____
 OTHERS Specify: _____

Classification	Area (SQM.)	Market Value	Actual Use	Ass. Level	Assessed Value
AGRICULTURAL	9,064 SQM.	Php 28,351.31	1ST-COCO. LD.	40%	Php 11,340.00
AGRICULTURAL	3,134 SQM.	7,107.07	1ST-CORN LD.	40%	2,840.00
TOTAL	12,198 SQM.	Php 35,458.38			Php 14,180.00

Total Assessed Value: 14,180.00
FOURTEEN THOUSAND ONE HUNDRED EIGHTY PESOS ONLY.
(Amount in Words)

Taxable Exempt
 Effectivity of Assessment/Reassessment 2009
Qrt. Yr.

RECOMMENDED BY: FRANCISCO S. CAUBALEJO Date _____
Municipal Assessor

APPROVED BY: MILAGROS F. ROBLEDO, REA
OIC-Provincial Assessor

This declaration cancels TD No. 00280 Owner: ATTY. MANUEL R. JACELA Previous A.V. Php 12,890.00
CERTIFIED EXTRACT FROM FAAS & DOCUMENTARY STAMP TAX PAID:
 O.R. No.: 8385314
 Issued On: 11/20/2023
 Issued At: CARIGARA, LEYTE ENGR. LYNDOR D. GO, REA
Municipal Assessor

Note: This declaration is for real property taxation purposes only and the valuation indicated herein are based on the schedule of unit market values prepared for the purpose and duly enacted into an Ordinance by the Sangguniang Panlalawigan under Ordinance No. _____ dated _____ It does not, and cannot by itself, confer any ownership or legal title to the property.

Accountable Form No. 56
(Revised Jan. 1994)
Per SP Res. no. 03-327



Republic of the Philippines
Province of Leyte
OFFICE OF THE TREASURER



PREVIOUS TAX RECEIPT NO. 7390 704
DATED 1-17-24 FOR THE YEAR 2024

No. PL 2692772 A
DATE 1-15-24
Amount in figures ₱ 226.88
 BASIC TAX
 SPECIAL EDUCATION FUND

OFFICIAL RECEIPT
ORIGINAL

Received from Fernando Mariel (Municipality) Carigara
Philippine currency, in full installment payment of REAL PROPERTY TAX upon property(ies) described below for the Calendar Year 2024

NAME OF DECLARED OWNER	LOCATION No./Street/Barangay	BLOCK LOT NO.	TAX DEC. NO.	ASSESSED VALUE			TAX DUE	INSTALLMENT		FULL PAYMENT	Penalty %	TOTAL
				Land	Improvement	Total		No.	Payment			
<u>Fernando Mariel</u>	<u>Sagpatan Purok 299</u>	<u>05-020</u>	<u>111-80</u>	<u>111-80</u>	<u>111-80</u>	<u>111-80</u>	<u>111-80</u>	<u>111-80</u>	<u>111-80</u>	<u>111-80</u>	<u>111-80</u>	<u>111-80</u>
												<u>111-80</u>
												<u>111-80</u>

Payment without penalty may be made within the periods stated below if by installment

- 1st Inst. - Jan. 1 to Mar. 31
- 2nd Inst. - Apr. 1 to Jun. 30
- 3rd Inst. - Jul. 1 to Sep. 30
- 4th Inst. - Oct. 1 to Dec. 31

MODE OF PAYMENT		TOTAL
CASH	₱	
CHECK		
TW/PMO		
TOTAL	₱	

Deputy/Collecting Agent: [Signature]
Provincial Treasurer: [Signature]

Accountable Form No. 56
(Revised Jan. 1994)
Per SP Res. no. 63-327

OFFICIAL RECEIPT
ORIGINAL



Republic of the Philippines
Province of Leyte
OFFICE OF THE TREASURER
CAGAYAN, LEYTE



PREVIOUS TAX RECEIPT NO.
1366803
DATE
01-10-2022

No. PL2390905 A

DATE
01-17-2023
AMOUNT
226.80

Received from **FERNANDO MORIEL** TWO HUNDRED TWENTY-SIX PESOS ^{80/100}
Philippine Currency P
PROPERTY OF REAL PROPERTY
Calendar Year 2023

NAME OF DECLARANT OWNER	LOCATION	BLOCK LOT NO	TAX DEC NO	ASSESSED VALUE	YEAR DUE	PAYMENT		REMARKS
						NO	AMOUNT	
FERNANDO MORIEL	SAGAYAN	R-13	00294	141.00	2023	141.00	226.80	
MORIEL		05-020						

Payee's responsibility is to ensure that the device stated below is not a violation:
1st out
2nd out
3rd out
4th out

MODE OF PAYMENT	
CASH	•
CHECK	
TRIMMO	
TOTAL	▶

TOTAL

F. R. MANUEL
District Treas. Agent

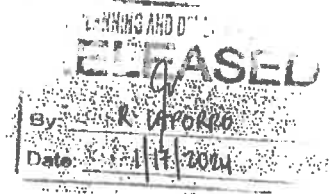
R. V. ALPIA



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF CARIGARA

**OFFICE OF THE MUNICIPAL
PLANNING AND DEVELOPMENT COORDINATOR**

CERTIFICATION



TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that a parcel of lot with Survey No. **4114** with Tax Declaration No. **08-11039-00294**, Property Identification No. **044-11-039-05-020** in the name of **FERNANDO N. MORIEL** with an area of **12,198 sq.m.** situated at **Brgy. Sagkahan, Carigara, Leyte** respectively is within the **agricultural** zone, and shall not be used for any government project in the future and shall not affect the Comprehensive Development Plan of this municipality.

This certification shall not construed as a Local Clearance of zoning conformance of development permit.

Issued upon the request of **MR. FERNANDO N. MORIEL** this **17th** day of **January 2024**, at Carigara, Leyte in connection with his application for Land Reclassification for Commercial use.

Prepared by:


RACHELLE JOY C. LAPORRE
Administrative Aide III


DARYL DANIEL G. BODO
MPDC

O.R. No.: 8388778
Date Issued: January 17, 2024
Amount: Php 590.00
Doc. Stamp: Paid

UNILATERAL DEED OF DONATION

KNOW ALL MEN BY THESE PRESENTS

This Unilateral DEED OF DONATION, made and executed in CEBU this 9 day of SEPTEMBER 2017, by and between:

FERNANDO N. MORIEL, Filipino, of legal age, married to and herein represented by **JOSEFA YASMIN A. MORIEL**, and a resident of Brgy. Sagkahan, Cangara, Leyte, hereinafter referred to as the **DONOR**;

- and -

MUNICIPALITY OF CARIGARA a Local Government Unit created and existing under the laws of the Philippines, with principal address at Cangara, Leyte, represented herein by its Municipal Mayor, **EDUARDO C. ONG**, hereinafter referred to as the **DONEE**.

WITNESSETH:

WHEREAS, the **DONOR** is the registered owner of that 1.2199 ha. property covered by Transfer Certificate of Title (TCT) no. 115-201400454 issued by Registry of Deeds for Leyte Province;

WHEREAS, the Barangay of Sagkahan and the Municipality of Cangara have deemed it most appropriate that the existing trail traversing the abovementioned property of the **DONOR**, be widened to an 8.00 m. wide Road Right-Of-Way, to serve as access to the Ecoville Project for Yolanda victims and other areas in the interior; Copy of Lot Plan of the **DONOR** showing the surveyed alignment of the 8.00 meter wide access road, duly signed and sealed by a Geodetic Engineer attached as Annex 'A' hereof.

WHEREAS, for certain considerations, the **DONOR** agreed to donate in favor of the **DONEE** an area of 521 square meter traversed by the road right-of-way in their property as shown in the aforementioned survey plan.

NOW THEREFORE, for and in consideration of the aforementioned premises,

The **DONOR** hereby voluntarily gives, transfers, and conveys by way of donation unto the **DONEE**, its assigns and successors in interest, portion of the above described property containing an area of FIVE HUNDRED TWENTY ONE (521) square meters, more or less, for the purpose of Road Right-of-way, together with all the improvements found thereon, free from liens, encumbrances and charges of whatever kind.

TECHNICAL DESCRIPTIONS

LOT 4114-B

Area: 521 square meters
Barangay Road (8.00 m wide)

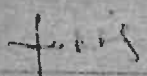
1-2	N 82°33' E	6.15M
2-3	N 18°52' E	2.31M
3-4	N 29°27' E	62.29M
4-5	N 13°09' E	2.89M
5-6	S 55°51' E	11.72M
6-7	S 68°22' W	2.74M
7-1	S 29°28' W	60.55M

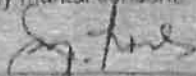
The **DONOR** hereby affirms that this **DONATION** is being made without any intent to defraud their creditors and that they have sufficient funds properly reserved for themselves and their obligations.

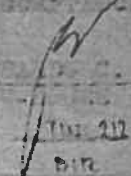
It is hereby understood that the DONEE shall shoulder any and all expenses accruing from the execution of this Unilateral Deed of Donation

IN WITNESS WHEREOF, both parties have hereunto subscribed their names on this _____th day of _____, 2017, in _____

DONOR


FERNANDO N. MORIEL
CTC No: 23367733
Issued at: CARIKARA, LOYTE
Issued on: JANUARY 16, 2017

With my marital consent

JOSEFA YASHMIN A. MORIEL
CTC No: 23367734
Issued at: CARIKARA, LOYTE
Issued on: JANUARY 16, 2017


Notary Public
The 212 381 927
DTR

Signed in the Presence of _____

REPUBLIC OF THE PHILIPPINES)
_____) S.S.

BEFORE ME, a Notary Public for and in the above jurisdiction, this _____ day of _____ 2017 personally appeared the following:

NAME	Government ID No.	Date/Place Issued
Fernando N. Moriel		


known to me to be the same person who executed the foregoing instrument and acknowledged to me that the same is his voluntary act and deed and that of the entity he represent

The instrument refers to a Unilateral Deed of Donation over parcel of land located in Bgy. Sagkahan, Carigara, Loyte, consisting of two (2) pages including this page on which the acknowledgement is written, duly signed by the Parties and their instrumental witnesses on each and every page hereof.

WITNESS MY HAND AND SEAL on 21 Jan 2017 at CARIKARA, LOYTE

Notary Public

Doc No: 28
Page No: 1
Book No: 26
Series of 2018



January 9, 2024

The Sangguniang Bayan
Municipality of Carigara
Carigara, Leyte

Thru: Hon. Raul Lloren
Committee Chairman on

Subject: Reclassification of Lot No. 4114, Barangay Sagkahan, Carigara, Leyte

Honorable Sangguniang Members:

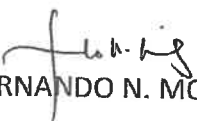
May I respectfully resubmit the pertinent documents (Barangay Resolution, 18 copies) as required for the reclassification of the subject-property under my name from agricultural to COMMERCIAL use as may be deemed proper under the Comprehensive Land Use Plan of the Municipality of Carigara.

The request has been put on hold pending the redoing of the public hearing. The Public Hearing was reconducted last November 23, 2023 attended by representatives from the concerned Municipal Offices, and the copy of the Minutes of the Public Hearing and the Resolution from the current Sangguniang Barangay Members of Sagkahan were furnished to the Office of the Sangguniang Bayan of Carigara last November 28, 2023.

Further, for the information of the honorable body, the original area of the property was 12,199 square meters, but, an area of 521 square meters of the property was donated to the Local Government of Carigara for the road-right-of-way leading to ECOVILLE NHA housing in December 3, 2017. Thus, the remaining area in my name and subject of this reclassification is only **11,678 square meters**.

Praying for your favorable consideration.

Very truly yours,


FERNANDO N. MORIEL

Att:a/s