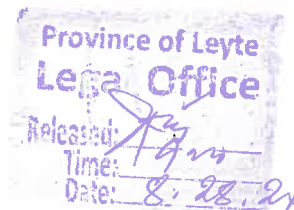


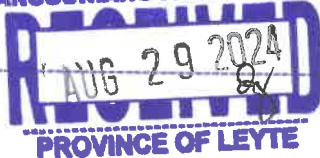


Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Palo, Leyte

-oOo-



SANGGUNIANG PANLALAWIGAN



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

August 27, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2024-03 of the Sangguniang Bayan of Albuera, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2024-03 entitled: “An Ordinance Reclassifying a Parcel of Land Designated as Lot No. 3336 with an area of 24,466 square meters Located at Barangay Balugo, Albuera, Leyte from production Agricultural Sub-Zone to Residential Zone to be used as Proposed Site for the 4PH Program of the Municipality.”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is within the corporate powers of the local government unit particularly covered under Section 447 of the Local Government Code.

Under Section 20.¹ Chapter 1 of the Local Government Code, city or municipality is empowered, through an ordinance, to reclassify agricultural land when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the sanggunian concerned. Reclassification likewise finds support under Section 3, Article XII of the 1987 Constitution².

It must be noted however, that the power of the LGUs to reclassify agricultural lands is not absolute. The authority of the DAR to approve conversion of agricultural lands covered by Republic Act No. 6657 to non-agricultural uses has been validly recognized by said Section 20 of Republic Act No. 7160 by explicitly providing therein that, *“nothing in this section shall be construed as repealing or modifying in any manner the provisions of Republic Act No. 6657.”* DAR AO No. 01-02, as amended, does not also violate the due process clause, as well as the equal protection clause of the Constitution. In providing administrative and criminal penalties in the said administrative order, the

¹ Section 20. *Reclassification of Lands.* - xxx (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: Provided, That such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance.

xxx

² Section 3. *Lands of the public domain are classified into agricultural, forest or timber, mineral lands and national parks. Agricultural lands of the public domain may be further classified by law according to the uses to which they may be devoted. Alienable lands of the public domain shall be limited to agricultural lands.* xxx

Secretary of Agrarian Reform simply implements the provisions of Sections 73 and 74 of Republic Act No. 6657³.

Thus, perusal of the provisions of law cited above and of the copy of the Ordinance submitted for review, this office is of the opinion that although the LGU can validly reclassify agricultural land to residential, this office recommends that the **reason for reclassification of Lot 3336 shall be precisely stated in the Ordinance itself and the requirements in Section 20 shall be complied.**

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities.

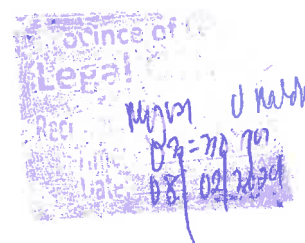
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

³ G.R. No. 183409, June 18, 2010.

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
02 August 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2024-03** of the **MUNICIPALITY OF ALBUERA, LEYTE**, entitled: An Ordinance Reclassifying a Parcel of Land Designated as Lot No. 3336 with an Area of 24,466 Square Meters located at Barangay Balugo, Albuera, Leyte from Production Agricultural Sub-Zone to Residential Zone to be used as proposed site for the 4PH Program of the municipality.

FLORINDA JILI S. UYVICO
Secretary to the Sangguniang



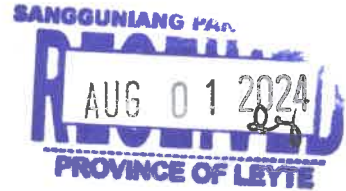
Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN SECRETARIAT

TRANSMITTAL

August 1, 2024

Hon. Leonardo Javier, Jr.
Vice-Governor
Province of Leyte
Palo, Leyte



Thru: Florinda Jill S. Uyvico
Secretary to the Sanggunian
Province of Leyte

Dear Vice Governor Javier:

Respectfully transmitting herein the following documents, to wit:

1. **Ordinance No. 2024-03**, "An Ordinance reclassifying a parcel of land designated as Lot No. 3336 with an area of 24,466 square meters located at Barangay Balugo, Albuera, Leyte from Production Agricultural Sub-Zone to Residential Zone to be used as proposed site for the 4PH Program of the Municipality."
2. In Compliance to the conduct of Public Hearing:
 - ~~2.1~~ Certificate of Public Hearing
 - ~~2.2~~ Minutes of the Public Hearing
 - ~~2.3~~ Attendance Sheet
- ~~3.~~ Certification from the Municipal Agriculture Office that the land ceased to be feasible and sound for agricultural purposes
- ~~4.~~ Certification within the 10% limit for 3rd class municipalities
5. Certificate of Posting

Please acknowledge receipt hereof.

Very truly yours,


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 104TH REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION HALL OF ALBUERA, LEYTE ON JULY 22, 2024

ORDINANCE NO. 2024-03

AN ORDINANCE RECLASSIFYING A PARCEL OF LAND DESIGNATED AS LOT NO. 3336 WITH AN AREA OF 24,466 SQUARE METERS LOCATED AT BARANGAY BALUGO, ALBUERA, LEYTE FROM PRODUCTION AGRICULTURAL SUB-ZONE TO RESIDENTIAL ZONE TO BE USED AS PROPOSED SITE FOR THE 4PH PROGRAM OF THE MUNICIPALITY

INTRODUCED BY: HON. ANA LIZA E. DELA VICTORIA

BE IT ORDAINED, by the Sangguniang Bayan of Albuera, Leyte in Regular Session that:

SECTION 1. AUTHORITY TO RECLASSIFY. Section 20 of RA 7160 (LGC) provides that "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."

SECTION 2. RECLASSIFICATION. The parcel of land designated as Lot No. 3336 with an area of 24,466 square meters located at Barangay Balugo, Albuera, Leyte is hereby reclassified from Production Agricultural Sub-Zone to Residential Zone to be used as proposed site for the 4PH Program of the Municipality.

FROM:

Barangay Balugo Existing and Proposed Land Use Area (CLUP 2022-2031)

Land Use Category	Sub-Category	Existing land Area (in has.)	% to Total	Proposed Land Use Area (in has.)	% to total	Increase/Decrease (in hectares)
Urban Use Area	Residential	35.7650	4.65	54.6673	7.11	18.9023
Agriculture	Protection Agriculture	69.1254	8.99	69.1254	8.99	0.0000
	Production Agriculture	285.5110	37.11	247.0327	32.11	-38.4783

ANTHONY BARTTE

LENY S. BILBAO

ANA LIZA E. DELA VICTORIA

ALBERTO SUMALJAG

BERNARD JOSE D. MESTUJA

PAMELA M. BOHOLIST

SIXTO B. DELA VICTORIA

ROXANNE R. ZALDIVAR

MARY JANE B. SUGULA

PROFACIO RIZALITO M. CENIZA

MANUEL E. BANTASAN

TO:

Barangay Balugo Existing and Proposed Land Use Area (including the reclassified area – 2.4466 hectares)

Land Use Category	Sub-Category	Existing land Area (in has.)	% to Total	Proposed Land Use Area (in has.)	% to total	Increase/Decrease (in hectares)
Urban Use Area	Residential	35.7650	4.65	57.1139	7.42	21.3489
Agriculture	Protection Agriculture	69.1254	8.99	69.1254	8.99	0.0000
	Production Agriculture	285.5110	37.11	244.5861	31.79	-40.9249

SECTION 3. MANNER OF UTILIZATION. The subject land shall be strictly utilized in accordance with the Municipal Zoning Ordinance of Albueria, Leyte and other applicable laws, rules and regulations.

SECTION 4. CONVERSION. This ordinance shall not be construed as a conversion order.

SECTION 5. EFFECTIVITY. This ordinance shall take effect upon approval.

APPROVED.

ENACTED BY THE SANGGUNIANG BAYAN OF ALBUERA, LEYTE TERM 2022 – 2025 DURING ITS 104th REGULAR SESSION HELD ON JULY 22, 2024 AT THE SB SESSION HALL, ALBUERA, LEYTE.


ATTESTED AND CERTIFIED TO BE DULY ADOPTED:


MARY JANE B. CANSELA
SB Member I


LENY S. BILBAO
SB Member I


PROTACIO RIZALITO M. CENIZA
SB Member I


ANA LIZA E. DELA VICTORIA
SB Member I


MANUEL E. BANTASAN
SB Member I


ALBERTO C. SUMALJAG
LnB President/Ex-Officio Member


ANTHONY V. BARTE
SB Member I


BERNARD JOEY D. MESTULA
PPSK President/Ex-Officio Member



I HEREBY CERTIFY that this is a true and accurate copy of the Ordinance duly enacted by the Sangguniang Bayan of Albuera, Leyte Term 2022 – 2025 on its 104th Regular Session on July 22, 2024 at the SB Session Hall, Albuera, Leyte.



PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I



ROXANNE R. ZALDIVAR
SB Member 1/Temporary Presiding Officer

APPROVED:



SIXTO B. DELA VICTORIA
Municipal Mayor

Date: _____





Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN
ATTENDANCE SHEET

10th REGULAR SESSION
of the Sangguniang Bayan

SB Session Hall
Venue

July 22, 2024

No.	Name & Designation	Signature
1	Hon. IMELDA A. FADUL Mun. Vice Mayor / Presiding Officer	ON LEAVE
2	Hon. ROXANNE R. ZALDIVAR SB Member	
3	Hon. MARY JANE B. CAGULA SB Member	
4	Hon. MARJUN P. MAGNO SB Member	ON LEAVE
5	Hon. PROTACIO RIZALITO M. CENIZA SB Member	
6	Hon. MANUEL E. BANTASAN SB Member	
7	Hon. ANTHONY V. BARTE SB Member	
8	Hon. LENY S. BILBAO SB Member	
9	Hon. ANA LIZA E. DELA VICTORIA SB Member	
10	Hon. ALBERTO C. SUMALJAG ABC President, Ex-Officio	
11	Hon. BERNARD JOEY D. MESTULA SK Federation President, Ex-Officio	

CERTIFICATION

I hereby certify that those who have affixed their signatures above, have actually attended the 10th Regular Session of the Sangguniang Bayan of Albuera, Leyte, held at the SB Session Hall on July 22, 2024

PAMELA M. BONOLSTY
Secretary to the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that A Public Hearing on **Ordinance No. 2024 – 03, “AN ORDINANCE RECLASSIFYING A PARCEL OF LAND DESIGNATED AS LOT NO. 3336 WITH AN AREA OF 24,466 SQUARE METERS LOCATED AT BARANGAY BALUGO, ALBUERA, LEYTE FROM PRODUCTION AGRICULTURAL SUB-ZONE TO RESIDENTIAL ZONE TO BE USED AS PROPOSED SITE FOR THE 4PH PROGRAM OF THE MUNICIPALITY”**, have been conducted on July 16, 2024 at the Multi-Purpose Covered Court of Barangay Balugo, Albuera, Leyte.

This is to further certify that the residents of Barangay Balugo, Albuera, Leyte are in favor of the enactment of measure.

This is to certify, lastly, that the proposed measure was duly approved by the Sangguniang Bayan of Albuera, Leyte on 2nd Reading and was finally approved/enacted on 3rd & Final Reading during its 103rd Regular Session on July 22, 2024.

Issued this 1st day of August, 2024 at Albuera, Leyte.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan



Republic of the Philippines
Province of Leyte
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN

MINUTES OF THE PUBLIC HEARING ON DRAFT ORDINANCE NO. 2024-06 "AN ORDINANCE RECLASSIFYING A PARCEL OF LAND DESIGNATED AS LOT NO. 3336 WITH AN AREA OF 24,466 SQUARE METERS LOCATED AT BARANGAY BALUGO, ALBUERA, LEYTE FROM PRODUCTION AGRICULTURAL SUB-ZONE TO RESIDENTIAL ZONE TO BE USED AS PROPOSED SITE FOR THE 4PH PROGRAM OF THE MUNICIPALITY" HELD BY THE SANGGUNIANG BAYAN AT THE MULTI-PURPOSE BUILDING LOCATED AT BARANGAY BALUGO, ALBUERA, LEYTE ON JULY 15, 2024.

MINUTES NO. 1

For the list of attendees, see attached attendance sheet.

CALL TO ORDER

1 The Hon. Roxanne R. Zaldivar, SB Member, acknowledged the Municipal Mayor, the Municipal Vice-Mayor,
2 and the fellow members of the Sangguniang Bayan, the Municipal Administrator, the Punong Barangay of Balugo and
3 his Barangay Kagaawads, concerned residents of the Barangay, and everyone present. Thereafter, she called the
4 Public Hearing to order at exactly 2:15 in the afternoon.

INVOCATION, SINGING OF THE PHILIPPINE NATIONAL ANTHEM & THE ALBUERA HYMN

5 Acting as the Emcee, Hon. Zaldivar, requested everyone to stand for the invocation. A short audiovisual
6 prayer was then played, followed by the singing of the Philippine National Anthem and the Albuera Hymn.

WELCOME ADDRESS

7 The Hon. Protacio Rizalito M. Ceniza, SB Member & Vice-Chairperson - Committee on Ways & Means,
8 acknowledged the presence of the Municipal Vice-Mayor, and the fellow members of the Sangguniang Bayan, the
9 Municipal Administrator, the Punong Barangay of Balugo and his Barangay Kagaawads, concerned residents of the
10 Barangay, and everyone present, and gave his message of warm welcome to all.

PUBLIC HEARING/CONSULTATION PROPER

11 The Hon. Roxanne R. Zaldivar, SB Member, then informed every one of the necessity for the enactment of an
12 AN ORDINANCE RECLASSIFYING A PARCEL OF LAND DESIGNATED AS LOT NO. 3336 WITH AN AREA OF
13 24,466 SQUARE METERS LOCATED AT BARANGAY BALUGO, ALBUERA, LEYTE FROM PRODUCTION
14 AGRICULTURAL SUB-ZONE TO RESIDENTIAL ZONE TO BE USED AS PROPOSED SITE FOR THE 4PH
15 PROGRAM OF THE MUNICIPALITY and the possible impact and benefit it would have on the residents and the
16 Barangay.

17 Thereafter, she began the presentation and reading of the sections and the salient provisions of Draft
18 Ordinance No. 2024-06 "AN ORDINANCE RECLASSIFYING A PARCEL OF LAND DESIGNATED AS LOT NO. 3336
19 WITH AN AREA OF 24,466 SQUARE METERS LOCATED AT BARANGAY BALUGO, ALBUERA, LEYTE FROM
20 PRODUCTION AGRICULTURAL SUB-ZONE TO RESIDENTIAL ZONE TO BE USED AS PROPOSED SITE
21 FOR THE 4PH PROGRAM OF THE MUNICIPALITY".

22 "ORDINANCE NO. 2024-06

23 AN ORDINANCE RECLASSIFYING A PARCEL OF LAND DESIGNATED AS LOT NO. 3336 WITH AN AREA OF
24 24,466 SQUARE METERS LOCATED AT BARANGAY BALUGO, ALBUERA, LEYTE FROM PRODUCTION
25 AGRICULTURAL SUB-ZONE TO RESIDENTIAL ZONE TO BE USED AS PROPOSED SITE FOR THE 4PH
26 PROGRAM OF THE MUNICIPALITY

27 **Section 1. AUTHORITY TO RECLASSIFY.** Section 20 of RA 7160 (LGC) provides that "a city or municipality may,
28 through an ordinance passed by the Sanggunian after conducting public hearings for the purpose, authorize the
29 reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases:
30 (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the
31 Department of Agriculture or (2) where the land shall have substantially greater economic value for residential,
32 commercial, or industrial purposes, as determined by the Sanggunian concerned."

33 **Section 2. RECLASSIFICATION.** The parcel of land designated as Lot No. 3336 with an area of 24,466 square meters
34 located at Barangay Balugo, Albuera, Leyte is hereby reclassified from Production Agricultural Sub-Zone to Residential
35 Zone to be used as proposed site for the 4PH Program of the Municipality.

Tables Presented for a clearer idea as to the changes to take place once Reclassification takes effect:

From: Barangay Balugo Existing and Proposed Land Use Area (CLUP 2022-2031)

Land Use Category	Sub-Category	Existing land Area (in has.)	% to Total	Proposed Land Use Area (in has.)	% to total	Increase/Decrease (in hectares)
Urban Use Area	Residential	35.7650	4.65	54.6673	7.11	18.9023
Agriculture	Protection	69.1254	8.99	69.1254	8.99	0.0000
	Production	285.5110	37.11	247.0327	32.11	-38.4783
	Agriculture					

To: Barangay Balugo Existing and Proposed Land Use Area (including the reclassified area - 2.4466 hectares)

Land Use Category	Sub-Category	Existing land Area (in has.)	% to Total	Proposed Land Use Area (in has.)	% to total	Increase/Decrease (in hectares)
Urban Use Area	Residential	35.7650	4.65	57.1139	7.42	21.3489
Agriculture	Protection	69.1254	8.99	69.1254	8.99	0.0000
	Production	285.5110	37.11	244.5861	31.79	-40.9249
	Agriculture					

36 **Section 3. MANNER OF UTILIZATION.** The subject land shall be strictly utilized in accordance with the Municipal
 37 Zoning Ordinance of Albura. Leyte and other applicable laws, rules and regulations.

38 **Section 4. CONVERSION.** This ordinance shall not be construed as a conversion order.

39 **Section 5. EFFECTIVITY.** This ordinance shall take effect upon approval."

40 After her thorough and detailed presentation, Hon. Zaldivar gave the microphone to the Emcee, Hon. Hon.
 41 Bernard Joey D. Mestula, SK Federation President/Ex Officio Member, for the open forum.

OPEN FORUM

42 The Hon. Mestula acknowledged the presence of his fellow members of the Sangguniang Bayan, the
 43 Punong Barangay of Balugo and his Barangay Kagaawads, concerned residents of the Barangay, and everyone
 44 present. He then emphasized the importance of the Public Hearing and encouraged the audience to raise questions
 45 relevant to the proposed Draft Ordinance presented by Hon. Zaldivar.

46 After a while, Barangay Kagawad Ventula, raised and inquired as to the status of the MOA entered into by the
 47 PREMIUMLANDS CORP. and the concerned residents which will be affected.

48 Ms. Pamela M. Boholst, MPA, Secretary to the Sangguniang Bayan, proceeded to answer the query, saying
 49 that there will be 2 Memorandums of Agreement (MOAs) that will be issued relative to this project. The first is the
 50 MOA entered into by the LGU, the Barangay, and the concerned residents who will be directly affected by the
 51 Project. This is the one that has already been signed and duly notarized. The other is the MOA involving the
 52 PREMIUMLANDS CORP. pertaining to the project. The latter MOA is still pending as of now subject for review by the
 53 Local Housing Board.

54 Hon. Mastla thanked both Kagawad Ventula for his question and Ms. Boholst for her thorough answer to the
 55 query.

56 Hon. Rey Alao, Punong Barangay of Balugo, urged the concerned residents to ask questions.

57 Ms. Melody Pepito, Barangay Secretary of Balugo said that she got confused as to the figures and measures
 58 in the tables presented.

59 Thereafter, Engr. Karla Gencianos, MPDC clarified to the audience that the First Table represents the figures
 60 based on the Barangay's Existing and Proposed Land Use Area (CLUP 2022-2031), whereas the Second Table
 61 pertains to the changes once the proposed area of Land be Reclassified.

CLOSING REMARKS

62 As there were no more questions or concerns, the Hon. Rey Alao, Punong Barangay of Balugo, in his closing
 63 message thanked everyone for attending said Public Hearing.

ADJOURNMENT

64 The Public Hearing adjourned at exactly 3:45 p.m.

I HEREBY CERTIFY to the correctness of the foregoing minutes of the Public Hearing on Draft Ordinance No. 2024-06 "AN ORDINANCE RECLASSIFYING A PARCEL OF LAND DESIGNATED AS LOT NO. 3336 WITH AN AREA OF 24,466 SQUARE METERS LOCATED AT BARANGAY BALUGO, ALBUERA, LEYTE FROM PRODUCTION AGRICULTURAL SUB-ZONE TO RESIDENTIAL ZONE TO BE USED AS PROPOSED SITE FOR THE 4PH PROGRAM OF THE MUNICIPALITY" held last July 15, 2024 by the Sangguniang Bayan at the Multi-Purpose Building Located at Barangay Balugo, Albuera, Leyte.


MICHAEL C. ANDRADE, MPA, JD
Local Legislative Staff Officer II



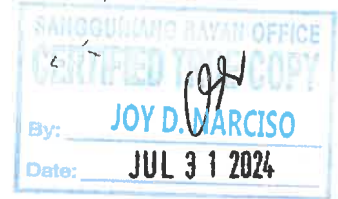
Republic of the Philippines
Province of Leyte
MUNICIPALITY OF ALBUERA

OFFICE OF THE SANGGUNIANG BAYAN

ATTENDANCE SHEET

Public Hearing

Draft Ordinance No. 2023-06



DATE: **July 15, 2024 @ 1:30pm**

VENUE: Multi-purpos Covered court Balugo, Albuera, Leyte

NO.	N A M E	OFFICE	DESIGNATION	S I G N A T U R E
1	Hon. SIXTO B. DELA VICTORIA	LGU - Albuera	Municipal Mayor	
2	Hon. IMELDA A. FADUL	LGU - Albuera	Municipal Vice-Mayor	
3	Hon. ROXANNE R. ZALDIVAR	LGU - Albuera	SB Member	<i>[Signature]</i>
4	Hon. MARY JANE B. CAGULA	LGU - Albuera	SB Member	<i>[Signature]</i>
5	Hon. MARJUN P. MAGNO	LGU - Albuera	SB Member	
6	Hon. PROTACIO RIZALITO M. CENIZA	LGU - Albuera	SB Member	<i>[Signature]</i>
7	Hon. MANUEL E. BANTASAN	LGU - Albuera	SB Member	
8	Hon. ANTHONY V. BARTE	LGU - Albuera	SB Member	
9	Hon. LENY S. BILBAO	LGU - Albuera	SB Member	
10	Hon. ANA LIZA E. DELA VICTORIA	LGU - Albuera	SB Member	
11	Hon. ALBERTO C. SUMALJAG	LGU - Albuera	ABC Federation Pres.	
12	Hon. BERNARD JOEY D. MESTULA	LGU - Albuera	SK Federation Pres.	<i>[Signature]</i>
13	Pamela M. Boholst	LGU - Albuera	SB Secretary I	<i>[Signature]</i>
14	Michael C. Andrade	LGU - Albuera	STAFF	<i>[Signature]</i>
15	Alicia Gamosa	LGU - Albuera	STAFF	<i>[Signature]</i>
16	Zaldy Ubales	LGU - Albuera	STAFF	<i>[Signature]</i>
17	Joy D. Narciso	LGU - Albuera	STAFF	<i>[Signature]</i>
18	Vera Mae Vacalares	LGU - Albuera	STAFF	<i>[Signature]</i>
19	Rodineth P. Sucaire	LGU - Albuera	STAFF	<i>[Signature]</i>
20	Rolando D. Daniel	LGU - Albuera	STAFF	<i>[Signature]</i>
21	Susan Gilhang	LGU - Albuera	STAFF	<i>[Signature]</i>
22	JEROME P. JUNCO	LGU - Albuera	Mun. Engr. Staff	<i>[Signature]</i>

Certified correct by the facilitator:

JOY D. NARCISO



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF ALBUERA

OFFICE OF THE SANGGUNIANG BAYAN
ATTENDANCE SHEET
Public Hearing

Draft Ordinance No. 2023-06

DATE: July 15, 2024 @ 1:30PM

VENUE: Multi Purpose Covered Court
Balugo, Albuera, Leyte

NO.	NAME		POSITION	SIGNATURE
23	Peter T. Aquila			
24	Ma. Linda Calata			
25	Diandra Manatad			
26	Sofia Arnelino			
27	ANITA BESTIL			
28	Aniano Bestil			
29	Wilson B. Andrade			
30	Ram edia B. Abastor			
31	Edith B. Sasmerna			
32	Antonio Nayman			
33	Marvin Paulo			
34	KARIA GONCIANOS			
35	ARCEUNA C PUDON		BHW	
36	CERELINA GARCIANO		BHW	
37	Milagros C. Ramin		BHW	
38	REGINO M. ALAO		DUNONG PRG	
39	MELODY A. PERITO		BHW SEC	
40	JOHN CARLO M. TAPACAO		SBM	
41	PA DPUW A. VENTURA		SBM	
42	DIVINA D. ABASTAS		SB-member	
43	Leo B. Cabaltera			
44	Rey L. Andrade			

Certified correct by the facilitator :

JOY D. NARCISO



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF ALBUERA
OFFICE OF THE SANGGUNIANG BAYAN
ATTENDANCE SHEET
Public Hearing

Draft Ordinance No. 2023-06

DATE: July 15, 2024 @ 1:30PM

VENUE: Multi Purpose Covered Court Balugo, Albuera, Leyte

NO.	NAME	Barangay	Position	SIGNATURE
45	Asteria Marifa C. Villar	Tabgas	CSO	
46	Julito A. Espina	Balugo		
47	ELMA A. VIJAR	"		
48	RUFINO Y. VALDEZ	BALUGO	Kogwood	
49	Antonio B. Marasin Jr.	BALUGO		
50	ANGELYN E. ANDRADE	"		
51	Susana B. Colabia			
52	RENGTO R. Deگونو			
53	JEROME P. JUNCO	LGU-KUBERA M.A.		
54	Pedro M. Camarillo			
55	DENNIS M. TANAGBANG	BALUGO	SKN	
56				
57				
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Certified correct by the facilitator :

JOY D. NARCISO



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF ALBUERA

OFFICE OF THE MUNICIPAL AGRICULTURE

Telephone No.: 562-9340 | fitcenter_albueraleyte@yahoo.com

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that an Agricultural lot bearing the Cadastral No. 655, lot 3336 with a land area of 24,466 square meters as shown in annex A, owned by the Premium Lands Corporation located at Barangay Balugo, Albuera, Leyte has been inspected by this office, dated April 19, 2024, at around 9 a.m. of the mentioned date with the following findings to wit;

"The above-mentioned lot has existing residential houses, no present irrigation facility or other agri-infrastructure related projects, with a limited mat of bananas, and the existence of more or less 80 hills of coconut trees that stretch along the north western portion of the property." (please see attached pictures in Annex B)

THIS IS TO CERTIFY FURTHER, that the presence of coconut trees is incommensurable for the actual size of the land, instead it has greater economic importance for residential purposes as described in the above findings.

This certification is given on the 22nd day of April 2024 at the Office of Municipal Agriculture, Albuera, Leyte.

ENGR. JEROME P. JUNCO
Municipal Agriculturist



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
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OFFICE OF THE MUNICIPAL AGRICULTURE
Tel. No. 562-9340 | fficenter_albuera@yahoo.com

C E R T I F I C A T I O N

TO WHOM IT MAY CONCERN:

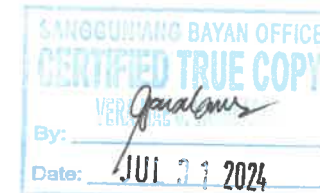
THIS IS TO CERTIFY that per the approved Comprehensive Land Use Plan (CLUP) covering the year 2022-2031 the total agricultural area of the municipality is 7,471.4192 hectares.

Certifying further, that the total area reclassified into other uses, including the applied area for reclassification which is 2.4466 hectares, does not exceed 10% of the total agricultural area of the municipality. (Please see attached files for reference)

This certification is given this 20th day of May 2024 at the Office of the Municipal Agriculture, Albuera, Leyte


ENGR. JEROME P. JUNCO
Municipal Agriculturist

Annex 1. Information on the areas proposed for agricultural land reclassification



Land Use Category	Sub-Categories	Existing Land Area (in has.)	% to total Land Area	Proposed Land Area (in has.)	% to total Land Area	Increase/Decrease (in hectare)
Agriculture	Total Protection Agriculture	876.6594	4.84	876.6594	4.84	0.0000
	Total Production Agriculture	6,594.7598	36.39	6,176.2352	34.09	-418.5246
	Total Agriculture Use Area	7,471.4192	41.23	7,052.8946	38.92	-418.5246

Summary:

Land Use Category	Type	Area (Has)
Protection Agriculture	Major Crops	
	Rice (Irrigated and Irrigable Lands)	703.3750
	Corn	80.0000
	Banana (Cardava/Sab-a)	52.5000
	Vegatables	3.1500
	Fruit Trees (Jackfruit, Cacao, Citrus, Mango, etc.)	37.6344
	Sub-Total	876.6594
Production Agriculture	Coconut	4,295.0900
	Sugarcane	189.9800
	Livestock	688.4500
	Poultry (Backyard)	697.2600
	Open Grassland, idle lands or Areas with undefined crops	723.9798
	Sub-Total	6,594.7598
Total Agricultural Area		7,471.4192

Source: Municipal Agriculturist Office, 2022

Land Use Category	Sub-Categories	Increased Area Reclassified (Has)
Urban Use Area	Residential	213.6818
	Commercial	50.8037
	Institutional	8.8347
	Parks and Recreation	2.0741
	Socialized Housing	6.1403
	Infrastructure/Utilities, Transportation & Services	33.1072
	Total Urban Use Area	314.6418
Other Categories	Agri-Industrial Area	2.7698
	Industrial	90.5739
	Tourism (Eco-Tourism)	7.8420
	Cemetery/Memorial Park	2.6970
	Total Other Categories Uses	103.8827
Total		418.5246

Source: MPDO computations, 2022

Note: Total area reclassified into other use is 5.60% of the total agricultural area.

Areas reclassified into other uses are from the identified production agriculture areas near or adjacent the national, provincial or barangay roads.

New Computation (as of July 1, 2024)

Land Use Category	Sub-Categories	Increased Area Reclassified (in Has.) as per approved CLUP 2022-2031	Proposed Area for Reclassification (in Has.) (Special Reclassification)	Remarks/Comments
Urban Use Area	Residential	213.6818	2.4466	4PH (Brgy. Balugo) (May 17, 2024 -date Certification OMA)
	Commercial	50.8037		
	Institutional	8.8347		
	Parks & Recreation	2.0741		
	Socialized Housing	6.1403		
	Total Urban Area	314.6418	2.4466	
Other Categories	Agri-Industrial Area	2.7698		
	Industrial	90.5739		
	Tourism (Eco-Tourism)	7.8420		
	Cemetery/Memorial Park	2.6970		
	Total Other Categories Uses	103.8827		
	Total Proposed Reclassification	418.5245	2.4466	420.9711

Total Agricultural Area per the approved CLUP 2022-2031 – **7,471.4192 has.**

Total proposed Area for Reclassification CLUP + Special Reclassification (as July 1, 2024) – **420.9711 has.**

which is 5.63% of the Total Agricultural Area



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera
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OFFICE OF THE SANGGUNIANG BAYAN

C E R T I F I C A T I O N

TO THE CONCERNED:

THIS IS TO CERTIFY that **ORDINANCE NO. 2024-03**, "An Ordinance reclassifying a parcel of land designated as Lot No. 3336 with an area of 24,466 square meters located at Barangay Balugo, Albuera, Leyte from Production Agricultural Sub-Zone to Residential Zone to be used as Proposed Site for the 4PH Program of the Municipality," has been posted in the bulletin board of the Sangguniang Bayan of Albuera, Leyte on July 30, 2024 and shall remain posted until a period of two (2) consecutive weeks thereof.

ISSUED this 1st day of August 2024 at Albuera, Leyte, Philippines.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I