

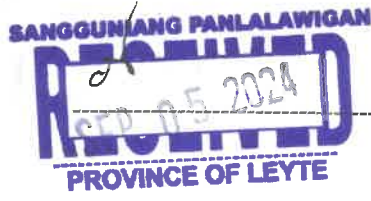
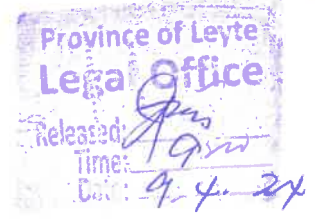
Item No.: 03

Date: 10 2024 SEP

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



-oOo-

PROVINCIAL LEGAL OFFICE

2<sup>nd</sup> INDORSEMENT  
September 2, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 474 of the Sangguniang Bayan of Babatngon, Leyte.

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

- Ordinance No. 474 entitled: "An Ordinance Reclassifying Cadastral Lot No. 1208 measuring 1,091 hectares covered by Certificate of Title No. 115-2019003430 and Tax Declaration No. 2008-04001-00689 located at Brgy. District 1, Babatngon, Leyte from Agricultural Land to Commercial Land in classification.

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.

Moreover, Section 20.<sup>1</sup> Chapter 1 of the Local Government Code, empowered the city or municipality 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 Constitution<sup>2</sup>.

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."*

<sup>1</sup> 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

<sup>2</sup> 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

A 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 the LGU shall cite the reason for reclassification of the involved lots with compliance to the requirements specified under Section 20(a) of the Local Government Code.

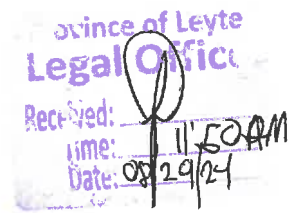
Finally, this office recommends that the title of the Ordinance be revised to "Barangay Bacong Reclassification of Land Ordinance".

Hence, returned to Sangguniang Panlalawigan for further review.

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*





Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
29 August 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein **Ordinance No. 474** of the **Municipality of Babatngon, Leyte**, entitled: An Ordinance **Reclassifying** Cad Lot No. 1208 measuring 1.0916 hectares covered by Transfer Certificate of Title No. 115-2019003430 and Tax Declaration No. 2008-04001-00689 located at **Brgy. District 1**, Babatngon, Leyte **from Agricultural Land to Commercial Land** in classification.

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian



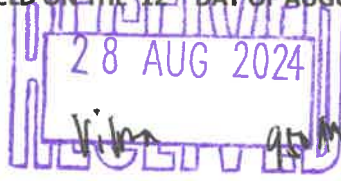
SANGGUNIANG BAYAN  
BABATNGON, LEYTE

RELEASED

BY: *Azs*  
DATE: *Aug. 27, 2024*  
TIME: *1:10 PM*

**SANGGUNIANG BAYAN**

EXCERPT FROM THE MINUTES OF THE 105<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 12<sup>th</sup> DAY OF AUGUST 2024 AT THE SB SESSION HALL, LEGISLATIVE BUILDING, BABATNGON, LEYTE.



MAYOR'S OFFICE  
BABATNGON, LEYTE

RECEIVED

BY: *Judy Jane Ballais*  
DATE: *8/27/24*  
TIME: *4:35 pm*

PROVINCE OF LEYTE

**ORDINANCE NO. 474**

**AN ORDINANCE RECLASSIFYING CAD LOT NO. 1208 MEASURING 1.0916 HECTARES COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2019003430 AND TAX DECLARATION NO. 2008-04001-00689 LOCATED AT BRGY. DISTRICT 1, BABATNGON, LEYTE FROM AGRICULTURAL LAND TO COMMERCIAL LAND IN CLASSIFICATION.**

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

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 “Barangay District 1 Reclassified Ordinance” in the Municipality of Babatngon, Leyte.

**Section 2. – Reclassification of Lot** – By virtue of this ordinance, CAD LOT NO. 1208 MEASURING 1.0916 HECTARES COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2019003430 AND TAX DECLARATION NO. 2008-04001-00689 LOCATED AT BRGY. DISTRICT 1, BABATNGON, LEYTE, IS HEREBY RECLASSIFIED FROM AGRICULTURAL LAND 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 12<sup>th</sup> day of AUGUST 2024 at Babatngon, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

*Azs*

**ALMA A. BALDOMAR**  
Secretary II  
Secretary to the Sanggunian-Designate

**ATTESTED:**

*[Signature]*

**HON. ROSARY PEARL G. CATUDIO**  
Municipal Vice Mayor  
Presiding Officer

**HON. CHRISTIAN C. LAWSIN**  
Sangguniang Bayan Member

**HON. KEMUEL RUE M. CORSIGA**  
Sangguniang Bayan Member

Republic of the Philippines  
Province of Leyte  
Municipality of Babatngon

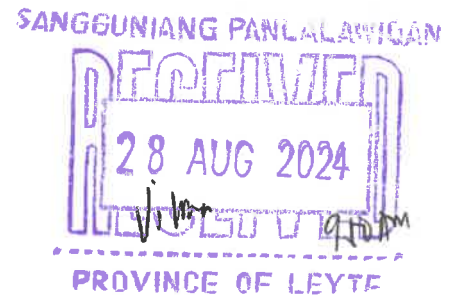


OFFICE OF THE SANGGUNIANG BAYAN

27 August 2024

**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 Ordinance No. 474 entitled: "AN ORDINANCE RECLASSIFYING CAD LOT NO. 1208 MEASURING 1.0916 HECTARES COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2019003430 AND TAX DECLARATION NO. 2008-04001-00689 LOCATED AT BRGY. DISTRICT 1, BABATNGON, LEYTE FROM AGRICULTURAL LAND TO COMMERCIAL LAND IN CLASSIFICATION." Said 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. 474
2. Certification of Posting
3. Certification of Public Hearing
4. Certifications (Municipal Assessor; MPDC; Municipal Agriculturist)

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 BAYAN**

  
**HON. KARL JOMAR L. EMBANA**  
Sangguniang Bayan Member

(Mandatory Leave)


**HON. ILDEFONSO B. ODON**  
Sangguniang Bayan Member

  
**HON. FEREDERICO P. ELIZAGA, JR.**  
Sangguniang Bayan Member

  
**HON. HILARION S. MENZON**  
Sangguniang Bayan Member

  
**HON. ALEX V. BELLO**  
Sangguniang Bayan Member

  
**HON. EDGARDO Y. MORDEN**  
President  
Liga ng mga barangay

  
**HON. JUDE LEWEL B. VETHIMVAS**  
President  
Pambayang Pederasyon ng  
Sangguniang Kabataan

*pecy*

**APPROVED:**

  
**HON. ELEONOR B. LUGNASIN**  
Municipal Mayor

*AzB*

**Date:** 27 Aug. 2024



Republic of the Philippines  
Province of Leyte  
Municipality of Babatngon



**OFFICE OF THE 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 27 August 2024 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. 474, entitled: "AN ORDINANCE RECLASSIFYING CAD LOT NO. 1208 MEASURING 1.0916 HECTARES COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2019003430 AND TAX DECLARATION NO. 2008-04001-00689 LOCATED AT BRGY. DISTRICT 1, BABATNGON, LEYTE FROM AGRICULTURAL LAND TO COMMERCIAL LAND IN CLASSIFICATION."

**Made this 27<sup>th</sup> day of August 2024 at Babatngon, Leyte.**

A handwritten signature in black ink, appearing to read "A. B.", positioned above the printed name.

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



Republic of the Philippines  
Province of Leyte  
Municipality of Babatngon



**OFFICE OF THE SANGGUNIANG BAYAN**

## **CERTIFICATION**

### **TO WHOM THIS MAY CONCERN:**

This is to certify that Ordinance No. 474 entitled: "AN ORDINANCE RECLASSIFYING CAD LOT NO. 1208 MEASURING 1.0916 HECTARES COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 115-2019003430 AND TAX DECLARATION NO. 2008-04001-00689 LOCATED AT BRGY. DISTRICT 1, BABATNGON, LEYTE FROM AGRICULTURAL LAND TO COMMERCIAL LAND IN CLASSIFICATION." was presented to the public and concerned sectors in a public hearing held on August 8, 2024 at Brgy. District 1, Babatngon, Leyte.

**Made this 27<sup>th</sup> day of August 2024 at Babatngon, Leyte.**

A handwritten signature in black ink, appearing to read "A. Baldomar".

**ALMA A. BALDOMAR**  
**Secretary II**

**Secretary to the Sanggunian-designate**





Republic of the Philippines  
Province of Leyte

**Municipality of Babatngon**  
*Office of the Municipal Assessor*



**BAGONG PILIPINAS**



## 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 property/s are classified as follows:

<b>Tax Declaration No.</b>	<b>Cad. Lot No.</b>	<b>Area (has.)</b>	<b>Location</b>	<b>Classification</b>	<b>Actual Use</b>	<b>Declarant</b>
2008-04001-00689	1208	1.0916	District I	Agricultural	Coco Land	Adona, Rowena P.

This certification is issued upon request of Ms. Rowena P. Adona of Tacloban City for the re-classification of the above property.

Issued this 31<sup>st</sup> day of July 2024 at Babatngon, Leyte.

  
**ISMAEL L. LAGUNA, REA, MPM**  
Municipal Assessor

OR Number: **8591786**  
Date: **July 31, 2024**  
@ Babatngon, Leyte



# TAX DECLARATION OF REAL PROPERTY

TD No. **2008-04001-00689** Property Identification No. **044-04-001-01-020**

Owner: **ADONA, ROWENA P.**

TIN: \_\_\_\_\_

Address: **Kassel City Subdivision, Abucay, Tacloban City**

Telephone No \_\_\_\_\_

Administrator/Beneficial user \_\_\_\_\_

TIN \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No \_\_\_\_\_

Location of Property: \_\_\_\_\_

**District I**

**Babatngon**

**Leyte**

(Number & Street)

(Barangay/District)

(Municipality)

(Province)

OCT/TCT/CLOA No.: **115-2019003430**

Survey No \_\_\_\_\_

**Cad. 497-D**

CCT: \_\_\_\_\_

Lot No.: \_\_\_\_\_

**1208**

Dated: \_\_\_\_\_

Blk/Ass Lot. No. \_\_\_\_\_

**020**

Boundaries: \_\_\_\_\_

**NE., to S., Lines 1-2-3 by Road corner 3 is a common to Lot 1209, Case-1; Cad. 497-D; W., line 3-4 by Lot 1207, case-1, Cad. 497-D; N., Line 4-1 by Lot 1300, Case-1; Cad. 497-D(TIMBERLAND).**

**KIND OF PROPERTY ASSESSED:**

**LAND**

**MACHINERY**

**BUILDING**

Brief Description: \_\_\_\_\_

No. of Storeys: \_\_\_\_\_

Others: \_\_\_\_\_

Brief Description: \_\_\_\_\_

Specify: \_\_\_\_\_

Classification	Area	Market Value	Actual Use	Assessment Level	Assessed Value
<b>Agricultural</b>	<b>1.0916 Has.</b>	<b>34,201.73</b>	<b>Coco Land-1st.</b>	<b>40%</b>	<b>13,680.00</b>
<b>Total</b>	<b>1.0916 Has.</b>	<b>34,201.73</b>		<b>Total AV</b>	<b>13,680.00</b>

Total Assessed Value: \_\_\_\_\_

**THIRTEEN THOUSAND SIX HUNDRED EIGHTY PESOS**

(Amount in Words)

Taxable  Exempt

Effectivity of Assessment/Reassessment: **3rd** **2019**

Recommended by: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

**ISMAEL L. LAGUNA, REA,MPM**  
OIC - Municipal Assessor

**MILAGROS F. ROBLEDO, REA**  
OIC - Provincial Assessor

This declaration cancels TD No.: \_\_\_\_\_

Owner \_\_\_\_\_

Previous Assessed Value \_\_\_\_\_

**2008-04001-00299(R-13)**

**ESPANTA, FRANCISCO**

**14,360.00**

**Memoranda:**

**TRANSFER OF OWNERSHIP** of this real property under TD. No.2008-04001-00299(R-13) is hereby made in favor to the herein declarant based on Certified True Copy of TRANSFER CERTIFICATE OF TITLE NO.115-2019003430, EXTRA-JUDICIAL SETTLEMENT OF THE ESTATE OF THE LATE FRANCISCO ESPANTA WITH SPECIAL POWER OF ATTORNEY,DEED OF ABSOLUTE SALE hereto attached. Taxes is paid per O.R. 1936338 dated Aug. 8, 2019 at Babatngon, Leyte. Transfer fee is paid per O.R. No.3450182 dated Aug. 9, 2019 at Tacloban City. CAR No.201800289168 dated July 23, 2018 at Tacloban City, issued by Ray Anthony O. Geli, Authorized Revenue Officer.



**CERTIFIED TRUE MACHINE FROM THE ORIGINAL.**

Notes: This declaration is for real property taxative values prepared for the purpose and duty dated \_\_\_\_\_ 20 \_\_\_\_ It do  
**ISMAEL L. LAGUNA, REA,MPM**  
MUNICIPAL ASSESSOR



herein are based on the schedule of unit market \_\_\_\_\_ under Ordinance No. \_\_\_\_\_ ownership or legal title to the property.

**ISMAEL L. LAGUNA, REA,MPM**  
OIC - Municipal Assessor



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 I, Babatngon, Leyte** specifically identified as follows:

Applicant/Owner	CAD Lot No(s)	OCT/TCT No./ Tax Dec. No.	Area (Has/sq.m.)	Zoning Classification
ADONA, ROWENA P.	1208	TD.NO.2008-04001-00689	1.0916 Has	AGRICULTURAL AREA

This certification is issued upon request 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 24<sup>th</sup> day of June 2024, at Babatngon, Leyte.

  
**VICKY SARMIENTO- PLACA, EnP**  
Municipal Planning & Development Coordinator

MUNICIPAL PLANNING & DEVELOPMENT OFFICE  
BABATNGON, LEYTE  
**RELEASED**  
DATE: 06/24/24 TIME: 1:00 PM  
BY: [Signature]

Amount Paid: Php 290.00 O.R. No.: PL-8590313

Certification Fee: Php 210.00

Inspection Fee: Php 50.00

Doc. Stamp Tax: Php 30.00

Issued on: 06--2024

Issued at: Babatngon, Leyte

Republic of the Philippines  
Province of Leyte

Municipality of Babatngon



*OFFICE OF THE MUNICIPAL AGRICULTURE*

## CERTIFICATION

This is to CERTIFY THAT Mrs. ROWENA P. ADONA has parcel of land at Brgy. Dist. I Babatngon, Leyte under Tax Dec. No. 2005-04001-00684, CAD lot No. 1208 containing an area of 1.0916 has.

The area has no prime Agricultural Crops Planted.

This certification is issued upon the request of ROWENA P. ADONA as a requirement for re-classification of her land from Agricultural to Commercial.

Issued this 5<sup>th</sup> day of August 2024 at Municipal Agriculture Office Local Government Unit Babatngon, Leyte.

Respectfully yours;

A handwritten signature in black ink, appearing to read "Teresita R. Laurente".

**TERESITA R. LAURENTE**

Municipal Agriculturist

