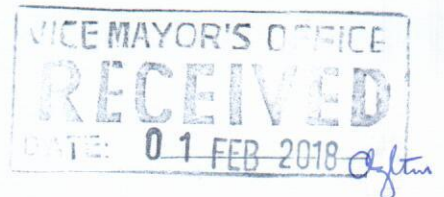


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON JANUARY 31, 2019



PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Vincent L. Rama,	SP Member, Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member, Asst. Majority Floor Leader
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III,	SP Member
Nolito M. Quilang,	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President,
	Liga ng mga Barangay ng Ormoc
Jasper C. Yerro,	Ex-Officio SP Member, Chapter President,
	Panlungsod Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2019-030

A RESOLUTION INTERPOSING NO OBJECTION TO THE MISCELLANEOUS LEASE APPLICATION FOR BANK PROTECTION OF MS. ALICE JEAN J. CATINGUB OVER FORESHORE LAND CONTAINING AN AREA OF THREE HUNDRED EIGHTY-EIGHT (388) SQUARE METERS SITUATED IN BARANGAY BATUAN, ORMOC CITY, SUBJECT TO COMPLIANCE OF ALL REQUIREMENTS PURSUANT TO THE APPLICABLE LAWS AND RULES AND REGULATIONS.

WHEREAS, this Sanggunian was in receipt of a communication from Ms. Alice Jean Catingub dated September 24, 2018 requesting for the issuance of a resolution from the City Council, concurring with her application for a Miscellaneous Lease Application for Bank Protection along Barangay Alegria, Ormoc City, containing an area of Three Hundred Eighty Eight (388) square meters;

WHEREAS, the proponent has filed for a Miscellaneous Lease Application (MLA) for Bank Protection last October 24, 2017 before the Department of Environment and Natural Resources (DENR) over a foreshore land abutting to Lot No. 2436, Cad 256; Lot No. 1, Blk 4, Lot No. 2, Blk 4 and Lot No. 3, Blk 4 of Pcs-7124 located at Barangay Alegria (now Batuan, as confirmed by their corresponding Tax Declarations and by Batuan Punong Barangay Joel P. Yanong), Ormoc City, the last three aforementioned parcels of land being owned by Alice Jean J. Catingub, et al.;

WHEREAS, a Miscellaneous Lease Application (MLA) is a type of application covering either a combination of dry land (part of the shore), foreshore land or permanently underwater land depending on the limitations as certified by Philippine Ports Authority (PPA), Philippine Reclamation Authority (PRA), Department of Tourism (DOT) and Department of Public Works and Highways (DPWH);

WHEREAS, before the required endorsement can be issued from the DOT, one of the clearances for the MLA, one of the documentary requirements is a City Government endorsement through a resolution or ordinance in favor of the proponent or owner, which is the basis under which request by Ms. Catingub for herein Resolution is anchored on;

WHEREAS, pending approval before the DENR, certain requirements had to be complied with before the said office could properly take final action on the said application;

WHEREAS, in a letter dated June 26, 2018, District Engineer Lino Francisco C. Gonzalez of DPWH Leyte Fourth District Engineering Office stated that after an ocular inspection and investigation made by their office over the said area, the present location of the foreshore land is far from the centerline of the national road and will not be affected nor needed by the government for future road improvements within the road right-of-way, further recommending that their office has no objection over the said application, a copy of the said letter is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, in a Certification issued by Mr. Manuel A. Boholano, Port Manager of the PPA Ormoc, it states that said Office, by virtue of Presidential Decree No. 857, has no objection to the said application and that the Office has no plans for future port development in the area applied for within the next five (5) years, subject to certain conditions, a copy of said Certification is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, in a certification dated November 29, 2018 issued by the Environment and Natural Resources Office of the Local Government Unit of Ormoc (LGU-Ormoc), said certification affirms the application of the proponent and further provides as supporting document to this Sanggunian for the issuance of a Resolution endorsing the said application in favor of the proponent, a copy of the said Certification is hereto attached as Annex "C" and made an integral part hereof;

WHEREAS, the City Planning and Development Coordinator, Engr. Raoul E. Cam, also issued a certification dated December 6, 2018 from the City Planning and Development Office (CPDO) that the parcel of land applied for by the proponent is in an area that has no projects programmed or lined up by the City Government, and further certified that the City interposes no objection to the Miscellaneous Lease Application for Bank Protection, a copy of the said Certification is hereto attached as Annex "D" and made an integral part hereof;

WHEREAS, in Sangguniang Barangay Resolution No. 02, Series of 2019 of Barangay Batuan, Ormoc City, said Resolution states that after an ocular inspection of the aforementioned land, the Sangguniang Barangay interposes no objection over the above mentioned application, further stating that the area applied for shall be subject to recall by the government when public interest so requires, a copy of the said Resolution is hereto attached as Annex "E" and made an integral part hereof;

WHEREAS, on the bases of foregoing premises and finding the same in order, this Sanggunian deems it proper, upon thorough examination, to interpose no objection to the subject MLA, provided that all the requirements pursuant to the applicable laws and rules and regulations are complied with, and provided, further, that the area applied for shall be subject to recall by the Government when public interest so requires;

WHEREFORE, on joint motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Zoning, Housing and Land Use and SP Member Gregorio G. Yrastorza III, Chairman, Committee on Environment, Natural Resources and Energy Conservation, jointly seconded by the SP Members Vincent L. Rama and Tomas R. Serafica; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION INTERPOSING NO OBJECTION TO THE MISCELLANEOUS LEASE APPLICATION FOR BANK PROTECTION OF MS. ALICE JEAN J. CATINGUB OVER FORESHORE LAND CONTAINING AN AREA OF THREE HUNDRED EIGHTY-EIGHT (388) SQUARE METERS SITUATED IN BARANGAY BATUAN, ORMOC CITY, SUBJECT TO COMPLIANCE OF ALL REQUIREMENTS PURSUANT TO THE APPLICABLE LAWS AND RULES AND REGULATIONS;

ADOPTED, January 31, 2019.

RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; Ms. Alice Jean J. Caringub; the OIC-City Director, DILG; and other offices and parties concerned for their information, guidance and preference;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution


MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer

"Annex A"



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS & HIGHWAYS
LEYTE FOURTH
DISTRICT ENGINEERING OFFICE
REGIONAL OFFICE VIII
Ormoc City

CENRO, ORMOC
RECEIVED
DATE: 16 JUL 2018
BY: [Signature]

June 26, 2018

THE CENR OFFICER
DENR-CENRO
ALBUERA, Leyte

VICE MAYOR'S OFFICE
RECEIVED
DATE: 08 OCT 2018
BY: [Signature]

Subject: Ocular Inspection and Investigation Report of the foreshore land applied for lease by ALICE JEAN J. CATINGUB, situated at Brgy. Alegria, Ormoc City, Leyte, with Miscellaneous Lease Application No. 083738-16.

Sir:

In reference to your request for the above-mentioned subject, hereunder is our comments and recommendations based on the ocular inspection and investigation made by this office, to wit:

1. That the foreshore land applied for lease is approximately 700.00 meters away from the centerline of Palo-Carigara-Ormoc Road:
2. That the foreshore land is far from the 20.00 meters RROW limit.

REMARKS/RECOMMENDATIONS:

Present location of the foreshore land is far from the centerline of the national road. Hence, it will not be affected nor needed by the government for any future road improvement within the road right-of-way.

This office therefore application/request.

☒ has no objection

☐ objects to the herein

Very truly yours,

LINO FRANCISCO C. GONZALEZ
District Engineer

R08.12.1/MCG/MCB/LC

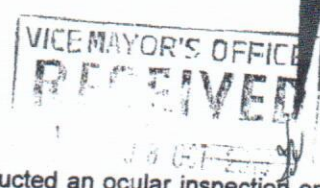
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Annex B 2

PHILIPPINE
PORTS
AUTHORITY



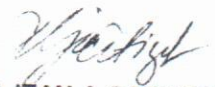
CERTIFICATION



THIS IS TO CERTIFY that this office has conducted an ocular inspection on the land applied for by Ms. Alice Jean J. Catingub with an area of 388 sq. meters situated at Brgy. Alegria, Ormoc City, Leyte in connection with her Miscellaneous Lease Application (MLA) No. 083738-16 dated 04 May 2018 for bank protection.

This Authority, by virtue of Presidential Decree No. 857, has no objection to above mentioned application, in as much as this office has no plans for future port development in the area applied for within the next (5) years, provided that:

1. The area applied for shall be subject to recall by the government when public interest so requires: and
2. No port or port-related structure shall be constructed nor cargo handling activities be conducted at subject area without the prior clearance / approval of this authority.


ALICE JEAN J. CATINGUB
Brgy. Alegria, Ormoc City, Leyte



MANUEL A. BOHOLANO
Port Manager
Dated: _____

DEMO COPY



Republic of the Philippines

CITY OF ORMOC

Office of the City Mayor

ENVIRONMENT & NATURAL RESOURCES OFFICE

Ground Floor New Ormoc City Hall Tel No. 255-8322/560-8135


Annex C

CERTIFICATION

THIS IS TO CERTIFY that the **Ms. Alice Jean J. Catingub**, Brgy. Alegria, Ormoc City, Leyte applied for Miscellaneous Lease Application (MLA) over a foreshore land abutting to Lot No. 2436, CAD 256; Lot No. 1 Blk. 4, Lot No. 2, Blk. 4 and Lot No. 3. Blk 4 of Pcs 7124. The application is to occupy 388 sq. m. for bank protection along Brgy. Alegria, Ormoc City.

This certification is issued upon the request of **Ms. Alice Jean J. Catingub** as supporting document for the Sangguniang Panlungsod of Ormoc City Resolution endorsing or approving the development project in favor of the proponent/owner which is one of the requirements of the Miscellaneous Lease Application (MLA) from the Department of Tourism (DOT), Kanhuraw Hill, Magsaysay Blvd., Tacloban City.

Done this 29th day of November, 2018 at Ormoc City, Philippines.


RAFAEL JUNNAR P. DUMALAN, MSc
Environmental Mgt. Specialist II
Environment and Natural Resource Office



Republic of the Philippines
CITY PLANNING AND DEVELOPMENT OFFICE
Ormoc City

Annex D

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that a parcel of land applied for by **MS. ALICE JEAN J. CATINGUB** containing an area of **THREE HUNDRED EIGHTY EIGHT (388) SQUARE METERS** more or less, located at Brgy. Alegria, Ormoc City as presented has no projects programmed / lined up in this area by the City Government.

THIS FURTHER CERTIFIES that the city interpose no objection to the Miscellaneous Lease Application (MLA) for Bank Protection covering an area of 388 sq. meters.

GIVEN THIS 6th day of December, 2018 at Ormoc City, Leyte, Philippines.

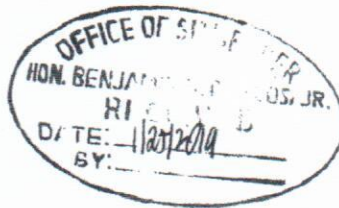

RAOUL E. CAM, CE, EnP, MPA
City Planning & Dev't. Coordinator

Certification Fee:
O.R. No. : 5812519
Date : 12/06/2018
Amount : P 720.00
Cc: File

DEMO COPY



Republic of the Philippines
OFFICE OF THE PUNONG BARANGAY
Barangay **BATUAN**
Ormoc City



Annex E

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BARANGAY OF BATUAN, ORMOC CITY. HELD ON JANUARY 6, 2019 5:00P.M. IN THE AFTERNOON AT THE BARANGAY SESSION HALL OF BATUAN, ORMOC CITY.

Present: Hon. Joel P. Yanong - Punong Barangay/ Presiding officer
Hon. Cathy Lyn R. Tumalak - Sangguniang Barangay Member
Hon. Loida D. Maning - Sangguniang Barangay Member
Hon. Mariano J. Alonzo Jr. - Sangguniang Barangay Member
Hon. Jerwin I. Pernito Sr. - Sangguniang Barangay Member
Hon. Johaina B. Bangon - Sangguniang Barangay Member
Hon. Catherine B. Caballero - Sangguniang Barangay Member
Hon. Norma D. Ombus - Sangguniang Barangay Member
Hon. John Dave T. Callo - SK Chairman

Others Present:
Je-ann R. Borinaga - Ingat-Yaman
Rogelio R. Oyonoyon - Kalihim

RESOLUTION No. 2
Series of 2019

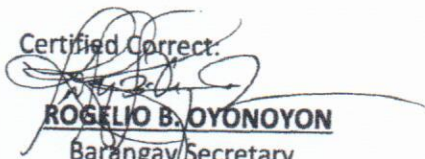
A resolution per request of Miss Alice Jean J. Catingub for her Miscellaneous Lease Application (MLA) No. 083738-16 dated May 4, 2018 for the Bank Protection along Barangay Alegria and now Barangay Batuan Ormoc City containing an area of Three Hundred Eighty Eight (388) Square Meters.

WHEREAS, it has come to the attention of the Barangay Batuan Council to conduct an ocular inspection on the land applied for by Miss Alice Jean J. Catingub with her Miscellaneous Lease Application (MLA) for the Bank Protection, that we don't have any objection.

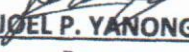
WHEREAS, the Councils of Barangay Batuan, Ormoc City has no plans in the near future for the area applied for within the next five years so it goes without saying that we don't have any objection whatsoever not until the said area applied for will be recalled by the City Government of Ormoc.

NOW THEREFORE, on motion of Sangguniang Barangay Member Mariano J. Alonzo Jr. duly seconded by SB Member Loida D. Maning be it resolved as it is hereby resolved that we don't have any objection in so far as the aforementioned application is concern.

Certified Correct.



ROSELIO B. OYONOYON
Barangay Secretary

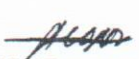
Attested:


HON. JOEL P. YANONG
Punong Barangay

CONFORME:



HON. CATHY LYN R. TUMULAK
SB MEMBER


HON. LOIDA D. MANING
SB MEMBER


HON. MARIANO J. ALONZO JR.
SB MEMBER


HON. JERWIN Y. PERNITO SR.
SB MEMBER


HON. JOHANNA B. BANGON
SB MEMBER


HON. CATHERINE B. CABALLERO
SB MEMBER


HON. NORMA D. OMBUS
SB MEMBER


HON. JOHN DAVE T. CALLO
SK CHAIRMAN