



REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON AUGUST 28, 1997



PRESENT:

Hon. Benjamin F. Tugonon,	Vice-Mayor & Presiding Officer
Hon. Celso P. Adolfo,	Majority Floor Leader, Kagawad
Hon. Claudio P. Larrazabal,	Asst. Majority Floor Leader, Kagawad
Hon. Benjamin B. Lladoc,	Kagawad
Hon. Sotero M. Pepito,	Kagawad
Hon. Alfredo F. Capahi,	Kagawad
Hon. Manuel T. Fiel,	Kagawad
Hon. Jose C. Alfaro, Jr.,	Kagawad
Hon. Gregorio A. Yrastorza, Jr.,	Kagawad
Hon. Mariano Y. Corro,	Minority Floor Leader, Kagawad
Hon. Fernando P. Parrilla,	Chapter Pres., Liga ng mga Barangay ng Ormoc, Ex-Officio, Kagawad

OUT ON OFFICIAL BUSINESS:

Hon. Chiqui B. Labagala,	(Mindoro), SK Federation President, Ex-Officio, Kagawad
Hon. Deborah Robin B. Conejos,	(Manila), (Appointed in lieu of Hon. Jose B. Conejos who resigned), Kagawad

RESOLUTION NO. 97-154

A RESOLUTION URGING THE MUNICIPALITY OF KANANGA, LEYTE AND THE CITY OF ORMOC TO SETTLE AMICABLY THEIR BOUNDARY DISPUTE IN CONFORMITY WITH THE PROVISIONS OF THE LOCAL GOVERNMENT CODE OF 1991 (REP. ACT NO. 7160).

WHEREAS, there is an existing boundary dispute between the Municipality of Kananga, Leyte and the City of Ormoc;

WHEREAS, the Municipality of Kananga, Leyte maintains that its political boundary with the City of Ormoc from BBM 77 proceeds to BBM 45, then to BBM 46, then to BBM 47, then to BBM 48, and finally to MBM 33, as alleged in the Memorandum dated December 10, 1995 of Atty. Luz Mabale-Polistico, Counsel for the Municipality of Kananga, RE: Approval of the Political Boundary Survey of Kananga, Leyte;

WHEREAS, the City of Ormoc, on the other hand, claims that its political boundary with the Municipality of Kananga from BBM 77 proceeds to BBM 45, then to BBM 72, then to BBM 46, then to BBM 48, then to BBM 69, and finally to MBM 32, as alleged in the Counter-Memorandum dated February 23, 1996 of Atty. Cleto L. Evangelista, Jr., Counsel for the City of Ormoc, RE: Approval of the Political Boundary Survey of Kananga, Leyte;

WHEREAS, the political boundary survey of Kananga, Leyte conducted by Engr. Pedro Manalo under the Solar Surveying, which was the survey relied upon by the Municipality of Kananga, Leyte in its claim of the political boundary between the Municipality of Kananga and the City of Ormoc (please refer to the second "WHEREAS" hereof) was not approved, per letter dated June 3, 1997 of OIC, Regional Technical Director Ester

P. Rasco for the reasons stated therein. (Attached is a photocopy of said letter with the General Index Map of Ormoc Cadastre, CAD 256, for ready reference)

WHEREAS, the General Index Map Ormoc Cadastre CAD 256 shows the political boundary between the Municipality of Kananga, Leyte and the City of Ormoc, which is the boundary claimed by the City of Ormoc as the correct one;

WHEREAS, the Municipality of Kananga, Leyte only came into existence on June 17, 1950 pursuant to Rep. Act 542 with the following barrios separated from the City of Ormoc to form the said municipality, namely: Lonoy, Kananga, Rizal, Tugbong, Montebello, Aguiting, Agayayan, Montealegre, Libongao, Naghalin, and Masarayo; hence, historically the Municipality of Kananga was but a part of the City of Ormoc;

WHEREAS, the Local Government Code of 1991, Rep. Act 7160, Section 118 thereof, mandates that "boundary disputes between and among local government units shall, as much as possible be settled AMICABLY";

WHEREAS, in order to comply with the aforecited mandate of the Local Government Code of 1991, hence this RESOLUTION;

WHEREFORE, on motion of Kagawad Mariano Y. Corro, Chairman, Committee on Public Properties, and Committee on Laws and Ordinances, severally seconded by mga Kagawad Benjamin B. Lladoc, Alfredo F. Capahi, Fernando P. Parrilla and Jose C. Alfaro, Jr.; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution urging the Municipality of Kananga, Leyte and the City of Ormoc, to settle amicably their boundary dispute in conformity with the provisions of the Local Government Code of 1991, and to this end the following steps/procedures are hereby suggested/recommended for the consideration of the Sangguniang Bayan of Kananga, Leyte, to wit:

1. That the Sangguniang Bayan of Kananga, Leyte and the Sangguniang Panlungsod ng Ormoc meet for the purpose of settling amicably the boundary dispute on September 23, 1997 at 9:00 o'clock in the morning either at the Sangguniang Bayan Session Hall of Kananga, Leyte or at the Sangguniang Panlungsod Session Hall of Ormoc, at the option of the Members of the Sangguniang Bayan of Kananga, Leyte;
2. That OIC, Regional Technical Director ESTER P. RASCO, DENR, Tacloban City, or her authorized representative, be invited to attend said meeting as observer, referee, or a sort of an amicus curiae;
3. That the Sangguniang Panlungsod ng Ormoc is open to any suggestion from the Sangguniang Bayan of Kananga, Leyte especially on the procedural aspect of the amicable settlement of the boundary dispute, if only to settle this dispute with dispatch once and for all;
4. That the Sangguniang Panlungsod ng Ormoc respectfully requests the Sangguniang Bayan of Kananga to inform them soonest on their reaction to this Resolution;

ENACTED, August 28, 1997.

RESOLVED, FURTHER, to furnish copies of this Resolution, one each, to the Honorable Municipal Mayor of Kananga, Eduardo Napari; the Sangguniang Bayan of Kananga through the Honorable Vice Mayor and Presiding Officer, Manuel P. Tan; the Regional Executive Director, D E N R, Tacloban City; the OIC, Regional Technical Director Ester P. Rasco, D E N R, Tacloban City; the Honorable City Mayor of Ormoc, Eufrocino M. Codilla, Sr.; the City Legal Officer of Ormoc, Cleto L. Evangelista, Jr.; DILG City Director, Rodolfo A. Torcende, and other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

OSCAR H. LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:

BENJAMIN P. TUGONON
Vice Mayor & Presiding Officer

APPROVED:

EUFROCINO M. CODILLA, SR.
City Mayor

9/1/97
(Date)