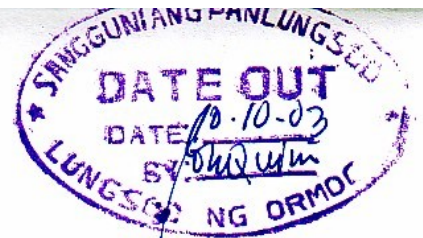




REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE NINTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON OCTOBER 09, 2003

PRESENT:

Hon. Emeterio Y. Larrazabal, Jr., Temporary Presiding Officer,
Ex-Officio City Councilor, Chapter President,
Liga ng mga Barangay ng Ormoc
Hon. Nepomuceno P. Aparis I, City Councilor, Majority Floor Leader
Hon. Jose S. Serafica, City Councilor, Minority Floor Leader
Hon. Ruviniu E. Mendola, City Councilor, Assist. Maj. Floor Leader
Hon. Demosthenes F. Tugonon, City Councilor
Hon. Eduardo P. Tan, City Councilor
Hon. Rafael C. Omega, Jr. City Councilor
Hon. Fernando P. Parrilla, City Councilor
Hon. Gregorio A. Yrastorza, Jr. City Councilor, Assist. Minority
Floor Leader
Hon. Jovencio A. Laurente, City Councilor
Hon. Cheryl L. Alfar, Ex-Officio City Councilor,
SK Federation President

ABSENT:

Hon. Celso P. Adolfo, (O.B. - Manila), Vice Mayor &
Presiding Officer
Hon. Fe. S. Lladoc, (O.B. - Manila), City Councilor

RESOLUTION NO. 2003-181

A RESOLUTION DENYING THE REQUEST OF METRO ORMOC COMMUNITY
MULTI-PURPOSE COOPERATIVE (OCCCI) FOR PERMISSION FROM
THE CITY GOVERNMENT OF ORMOC TO CONSTRUCT A COOPERATIVE
BUILDING IN LOT NO. 2238-J, OWNED BY ROMUALDO LIM FOR
THE REASON THAT LOT NO. 2238-J IS PART OF LOT NO. 2238,
WHICH WAS INCLUDED IN THE EXPROPRIATION PROCEEDING
FILED BY THE CITY GOVERNMENT OF ORMOC AND WAS DECIDED
BY THE C.F.I. AND AFFIRMED BY THE COURT OF APPEALS IN
CA-GR 50652-R xxx "DECLARING AND CONFIRMING THE RIGHT
OF THE CITY OF ORMOC TO EXPROPRIATE ALL PARCELS OF LAND
DESCRIBED ABOVE FOR THE PURPOSE xxx AS A CITY
GOVERNMENT CENTER."

WHEREAS, this Sanggunian is in receipt of Board Resolution No. 054
S. 2003 dated 10 February 2003 from Metro Ormoc Community Multi-Purpose
Cooperative (OCCCI) entitled, "A RESOLUTION EARNESTLY REQUESTING IF THE
CITY GOVERNMENT OF ORMOC WILL ALLOW METRO ORMOC COMMUNITY MULTI-PURPOSE
COOPERATIVE (OCCCI) AS MANDATED BY R.A. #6938 BEING AN INSTITUTION TO
CONSTRUCT A COOPERATIVE BUILDING ON THE LOT OF MR. ROMUALDO LIM WHICH IS
TO BE BOUGHT BY THE AFOREMENTIONED COOPERATIVE, THE SAID REAL PROPERTY
WITH AN AREA OF 370 SQ. M. DESIGNATED AS LOT NO. 2238-J SITUATED IN
ORMOC CITY AND COVERED BY TCT NO. 41277, THIS LOT IS BEING UNDER THE
JURISDICTION OF INSTITUTIONAL LAND AS SHOWN IN THE COMPREHENSIVE LAND
USE PLAN (CLUP) OF ORMOC CITY";

WHEREAS, it is the contention of said cooperative that as an
institution mandated by R.A. #6938, it will construct a cooperative
building on the aforementioned lot if the City Government of Ormoc will
allow OCCCI to buy said lot;

WHEREAS, quoted hereunder is a portion of the 8th Indorsement from the City Prosecutor/Acting City Legal Officer Atty. Alberto L. Conopio dated 23 September 2003 which states:

"As property of public dominion its use is only for public purpose. To allow the Metro Ormoc Community Multi-Purpose Cooperative (OCCCI) to construct a building thereon would be counter to the very purpose for which the City Government exercise its right of eminent domain, which is usually understood to be an ultimate right of the sovereign power to appropriate any property within its territorial sovereignty for a public purpose";

WHEREAS, this august Body has conformed to the opinion of the City Prosecutor/Acting City Legal Officer, Atty. Alberto L. Conopio;

WHEREFORE, foregoing premises considered, on motion of City Councilor Nepomuceno P. Aparis I, Chairman, Committee on Public Properties, severally seconded by City Councilors Ruviniel E. Mendola, Jose S. Serafica and Fernando P. Parrilla; be it

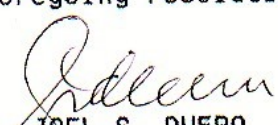
RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution DENYING THE REQUEST OF METRO ORMOC COMMUNITY MULTI-PURPOSE COOPERATIVE (OCCCI) FOR PERMISSION FROM THE CITY GOVERNMENT OF ORMOC TO CONSTRUCT A COOPERATIVE BUILDING IN LOT NO. 2238-J, OWNED BY ROMUALDO LIM FOR THE REASON THAT LOT NO. 2238-J IS PART OF LOT NO. 2238, WHICH WAS INCLUDED AND WAS DECIDED BY THE C.F.I. AND AFFIRMED BY THE COURT OF APPEALS IN CA-GR 50652-R xxx "DECLARING AND CONFIRMING THE RIGHT OF THE CITY OF ORMOC TO EXPROPRIATE ALL PARCELS OF LAND DESCRIBED ABOVE FOR THE PURPOSE xxx AS A CITY GOVERNMENT CENTER;

ADOPTED, October 09, 2003.


RESOLVED, FURTHER, to furnish copies of this resolution each to His Honor, the City Mayor, the City Administrator, the City Legal Officer, the General Manager, OCCCI and others concerned, -all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


JOEL S. DUERO
(OIC - SP Secretary)
Loc. Leg. Staff Officer V

ATTESTED:


EMETERIO Y. LARRAZABAL, JR.
(Temporary Presiding Officer)
Ex-Officio City Councilor, Chapter President
Liga ng mga Barangay ng Ormoc