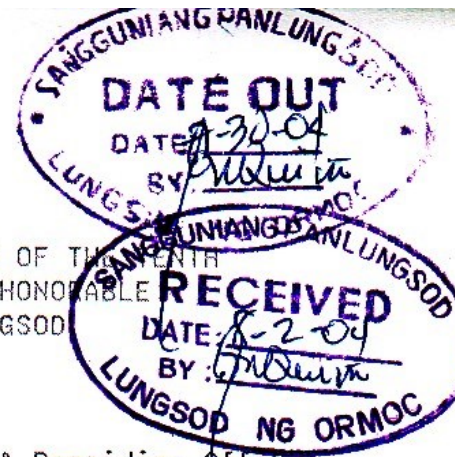


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD BUILDING ON July 29, 2004

PRESENT:

Hon. Nepomuceno P. Aparis I, Vice Mayor & Presiding Officer
Hon. Jose S. Serafica, City Councilor, Minority Floor Leader
Hon. Manuel T. Fiel, City Councilor, Assist. Minority Floor Leader
Hon. Eduardo P. Tan, City Councilor
Hon. Claudio P. Larrazabal, City Councilor, Assist. Majority Floor Leader
Hon. Mariano Y. Corro, City Councilor
Hon. Gregorio A. Yrastorza, Jr., City Councilor
Hon. Sotero M. Pepito, City Councilor
Hon. Jose C. Alfaro, Jr., City Councilor
Hon. Emeterio Y. Larrazabal, Jr., Ex-Officio City Councilor,
Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Cheryl L. Alfar, Ex-Officio City Councilor,
SK Federation President

ABSENT:

Hon. Dennis Y. Capuyan, (O.B. - Cebu City), City Councilor,
Majority Floor Leader
Hon. Fe S. Lladoc, (Special Leave), City Councilor

RESOLUTION NO. 2004-023

A RESOLUTION INFORMING MR. JUAN ESBER THAT HIS APPLICATION FOR SALES PATENT OF LOT 1221 (PORTION) CANNOT BE ACTED UPON FAVORABLY BY THIS SANGGUNIANG CONSIDERING THAT SAID LOT IS WITHIN THE ANILAO RIVER AND/OR WITHIN THE BUFFER ZONE OF THE FLOOD CONTROL MITIGATION PROJECT OF JICA, PER SURVEY CONDUCTED BY ENGR. ARTHUR C. ARCUINO, TAX MAPPER IV.

WHEREAS, this august Body is in receipt of set of documents relative to the application of Mr. Juan Esber for sales patent on Lot 1221, a public land located at the Anilao River, this city;

WHEREAS, said application, together with said set of documents was referred to the City Planning and Development Office and to the City Surveyor for clarification whether the land involved is within a public land and if it is within a public land, is it not within the easement and/or buffer zone for the Flood Control Mitigation Project;

WHEREAS, in response to the said request, quoted hereunder is a portion of 7th Indorsement dated 20 July 2004 from Engr. Arthur C. Arcuino, Tax Mapper IV, this city which states:

"As per actual location survey conducted by the undersigned Geodetic Engineer, the said Residence of Juan Esber is situated on Lot 11341 (Lot 1219-B, formerly). With regards to Mr. Esber's application for Sales Patent on Lot 1221, a public land, would no longer prosper since the said lot is already under water, being part of the new Anilao River course after the implementation of the JICA Flood Mitigation Project";

WHEREAS, furthermore, the Planning Officer IV, Zoning Administrator, Engr. Dario D. Sarit, has stated through an indorsement dated 22 July 2004 that as per site inspection and documents submitted, said lot is within the Anilao River under Flood Control Mitigation Project of JICA;

WHEREFORE, foregoing premises considered on Motion of City Councilor Jose C. Alfaro, Jr., Chairman, Committee on Public Properties, duly seconded by City Councilor Sotero M. Pepito; be it


RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution INFORMING MR. JUAN ESBER THAT HIS APPLICATION FOR SALES PATENT OF LOT 1221 (PORTION) CANNOT BE ACTED UPON FAVORABLY BY THIS SANGGUNIAN CONSIDERING THAT SAID LOT IS WITHIN THE ANILAO RIVER AND/OR WITHIN THE BUFFER ZONE OF THE FLOOD CONTROL MITIGATION PROJECT OF JICA, PER SURVEY CONDUCTED BY ENGR. ARTHUR C. ARCUINO, TAX MAPPER IV;

ADOPTED, July 29, 2004.

RESOLVED, FURTHER, to furnish copies of this resolution each to His Honor, City Mayor, Eric C. Codilla, the City Administrator, the City Planning & Development Office, the applicant, Mr. Juan Esber and others concerned, -all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


OSCAR P. LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:


NEPOMUCENO P. APARIS I
Vice Mayor & Presiding Officer