



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
22nd City Council

PO22CC-273

55th Regular Session

ORDINANCE NO. SP- **3266** , S-2024

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY IN PUGAD LAWIN, BAHAY TORO COVERED BY TRANSFER CERTIFICATE OF TITLE NO. 21045 AND AUTHORIZING THE USE OF SETTLEMENT FUNDS IN THE CASE ENTITLED, QUEZON CITY GOVERNMENT V. JC RESOURCES AND PUGAD LAWIN HOUSING CORPORATION, DOCKETED AS CIVIL CASE NO. R-QZN-19-07626-CV BEFORE THE REGIONAL TRIAL COURT OF QUEZON CITY

Introduced by Councilors DOROTHY A. DELARMENTE, M.D., BERNARD R. HERRERA, JOSEPH P. JUICO, CHARM M. FERRER and TANY JOE "TJ" L. CALALAY

Co-Introduced by Councilors Nikki V. Crisologo, Fernando Miguel "Mikey" F. Belmonte, Candy A. Medina, Aly Medalla, Dave C. Valmocina, Godofredo T. Liban II, Kate Galang-Coseteng, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Edgar "Egay" G. Yap, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, Jose Maria M. Rodriguez and Jhon Angelli "Sami" C. Neri

WHEREAS, Section 39 of Republic Act No. 7279, otherwise known as the Urban Development and Housing Act, provides that local government units shall be charged with the implementation of the said law in their respective localities;

WHEREAS, on June 5, 1989, the Quezon City Government entered into a Memorandum of Agreement with JC Resources Development Inc. and Pugad Lawin Housing Corporation (PLHC) for the development of the parcel of land covered by Transfer Certificate of Title (TCT) No. 21045 which became the subject of a Civil Case entitled Quezon City Government v. JC Resources and Pugad Lawin Housing Corporation docketed as Civil Case No. R-QZN-19-07626-CV before Branch 77 of the Regional Trial Court of Quezon City;

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WHEREAS, pursuant to the Judgment by Compromise dated November 12, 2019 in the said Case, the parties therein have agreed to subdivide through PLHC the 2 parcels of land registered in the name of PLHC embraced under TCT No. 16697 and No. 21045 into several lots whereby a total area of 12,235 square meters thereof consisting of 5 subdivided lots shall be sold by PLHC to interested buyer/s at Php15,000.00/square meters under which the parties highly expect to produce a gross total sale consideration of Php183,525,000.00, more or less;

WHEREAS, the Quezon City Government is entitled to, among others, Php109,152,726.21 from the proceeds of the sale of the parcels of land covered in the said Case;

WHEREAS, pursuant to the Judgment by Compromise dated November 12, 2019, the PLHC shall assign and convey in favor of the Quezon City Government the parcel of land embraced under TCT No. 21044 containing an area of 17,204 square meters, together with another lot which was subdivided from the TCT No. 21045 containing an area of 9,563 square meters or a total area of 26,767 square meters;

WHEREAS, the Urban Development and Housing Act authorizes the acquisition of privately owned lands for socialized housing;

WHEREAS, the Quezon City Government is open for negotiation for purposes of acquiring the 3,730 square meters vacant portion of TCT No. 21045, provided that it is not part of the 9,563 square meters to be conveyed by PLHC in favor of the City.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. PROPERTY. – The Local Government of Quezon City may acquire parcels of land registered under the name of PLHC, consisting of 3,730 sq.m. of Transfer Certificate of Title (TCT) No. 21045, provided that it is not part of the 9,563 sq.m. to be conveyed by PLHC in favor of the City, including all Improvements therein (Subject Property) for the purpose of socialized housing. For the purposes of this Ordinance, the term “Improvements” shall mean to include all Improvements on the Subject Property, including those already constructed, being constructed, or contractually obligated to be constructed. The total area of the Subject Property to be acquired may be enlarged or reduced as may be deemed appropriate, but in no case shall such enlargement or reduction exceed 50% of the area originally specified herein.

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SECTION 2. SUBDIVISION. – PLHC shall undertake, at its own expense, the subdivision of the Subject Property and title in order to give effect to the provisions of this Ordinance.

SECTION 3. COST. – The purchase price shall be based on the appraised value of the Subject Property, including all Improvements therein, as recommended by the City’s Appraisal Committee.

SECTION 4. FUNDING. – the Judgment by Compromise dated November 12, 2019, and the Compromise Agreement, in the case entitled Quezon City Government v. JC Resources and Pugad Lawin Housing Corporation docketed as Civil Case No. R-QZN-19-07626-CV, confirmed before Branch 77 of the Regional Trial Court of Quezon City, are hereby recognized and affirmed, and the payment for the acquisition of the Subject Property and all Improvements therein, shall be sourced from the Judgement Award in the said Judgment by Compromise. The amount necessary for the payment of the Subject Property may be deducted directly from the said Judgment Award.

SECTION 5. AUTHORIZATION TO THE HONORABLE MAYOR. – The City Mayor, Honorable Ma. Josefina G. Belmonte, is hereby authorized to sign the Deed of Absolute Sale for the acquisition of the Subject Property, including any agreement necessary thereto or for the full implementation of the purpose of this Ordinance.

SECTION 6. SEPARABILITY CLAUSE. – If for any reason, a part of this Ordinance is declared illegal or invalid, the other parts or provisions hereof which are not affected thereby shall remain valid and in full force and effect.

SECTION 7. REPEALING CLAUSE. – All previous issuances, ordinances, rules, rules and regulations or parts thereof which are inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.

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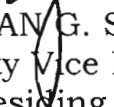
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SECTION 8. EFFECTIVITY CLAUSE. – This Ordinance shall take effect 15 days after its publication in a newspaper of general circulation.


ENACTED: February 12, 2024.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:

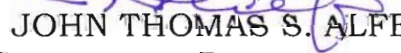

ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

APPROVED: CCT 07 2024


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 12, 2024 and was PASSED on Third/Final Reading under Suspended Rules on the same date.


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)



