



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
18th City Council

PR2012-345

66th Regular Session

RESOLUTION NO. SP- 5606, S-2012

A RESOLUTION AUTHORIZING THE CITY MAYOR, HONORABLE HERBERT M. BAUTISTA TO RESCIND THE CONTRACT TO SELL DATED 12 MAY 2011 ENTERED INTO BY AND BETWEEN THE QUEZON CITY GOVERNMENT AND EDGARDO GARCIA, MARCELINO VERGEL DE DIOS, OFELIA ARCE, FAUSTINO ARCE AND DENNIS ARCE, REPRESENTING ALL THE HEIRS OF ARCE FOR THE PROPERTY LOCATED AT MONTALBAN, RIZAL, WITH AN AREA OF FOUR HUNDRED FIVE THOUSAND AND TWENTY FOUR SQUARE METERS (405,024) AND COVERED BY TRANSFER CERTIFICATE OF TITLE NUMBERED 442674, TO BE DEVELOPED INTO A SOCIALIZED HOUSING PROJECT OF THE QUEZON CITY GOVERNMENT.

Introduced by Councilor GODOFREDO T. LIBAN II.

Co-Introduced by Councilors Francisco A. Calalay, Jr., Dorothy A. Delarmente, Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Joseph P. Juico, Alexis R. Herrera, Precious Hipolito Castelo, Alfredo D. Vargas III, Eden "Candy" A. Medina, Juliennne Alyson Rae V. Medalla, Roderick M. Paulate, Julian ML. Coseteng, Allan Benedict S. Reyes, Jaime F. Borres, Jose Mario Don S. De Leon, Gian Carlo G. Sotto, Eufemio C. Lagumbay, Jesus Manuel C. Suntay, Jessica Castelo Daza, Raquel S. Malañgen, Vincent DG. Belmonte, Marvin C. Rillo, Ivy Lim-Lagman, Ranulfo Z. Ludovica and John Ansell R. De Guzman.

WHEREAS, on 12 May 2011, the Quezon City Government represented by the City Mayor, Honorable Herbert M. Bautista, entered into a Contract to Sell between the owners and heirs of Arce, represented by Edgardo Garcia, Marcelino Vergel de Dios, Ofelia Arce, Faustino Arce, and Dennis Arce, for the property located at Montalban, Rizal, with an area of Four Hundred Five Thousand and Twenty Four Square Meters (405,024 sq. m.) and covered by Transfer Certificate of Title Numbered 442674 by virtue of City Council Resolution No. SP-5126, S-2011 authorizing the City Mayor to enter into a contract to purchase a parcel of land to be used as socialized housing project of the City;

WHEREAS, a report dated 26 January 2012 by the Special Design Group of City Engineering Department relative to the said property to be used for socialized housing project by the City was submitted, to wit:

1. *The property is covered by Lot 1-B, Psd-896, TCT No. 442674 with an area of 405,424 sq. m (40.54 has.) owned by Mr. Mauro Arce, et al;*
2. *The said property is about 1,611 meters (1.611 kms.) east of the Quirino Highway, passing through a private lot (owned by a certain Mr. Genaro Bautista) and MWSS property;*
3. *There is no existing access road to the Arce property and the nearest access to the property would have to pass the private property of Mr. Genaro Bautista and portion of the MWSS property. It must be noted that there is no existing electrical supply and water system in the area and its immediate vicinity;*
4. *The Topographic Plan as prepared by a geodetic engineer and an actual inspection conducted reveals majority of the property has steep slopes. Based on the contour interval of the topographic plan, the existing slopes ranges from a maximum of 60% to a minimum of 17.5%;*
5. *The maximum habitable slope of the residential areas is 15% to prevent the potential risks for soil erosions and landslides;*
6. *The existing contour is rolling and steep, massive earthworks must be implemented to make the area habitable. In addition, remedial measures like slope protection have to be introduced mitigate the possible soil erosions;*
7. *The Land Development Cost of the project will be at least three (3) to four (4) times the ordinary and regular development cost. In effect this would negate the low acquisition cost of the property as the resulting selling price of the developed lots would be high; and*
8. *The saleable area for the residential lots would be quite low compared to the ordinary or relatively flat lands. This would push further the cost of the lots as few units would be developed while the development cost is high.*

WHEREAS, in the light of the foregoing special report made by the Special Design Group of the City Engineering Department, the said property is not feasible and susceptible to build a socialized housing project as it would endanger the lives of the beneficiaries of the same;




WHEREAS, it is necessary for the said contract to sell, entered into by the parties dated 12 May 2011, be rescinded for the best interest of the City.


NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, to authorize, as it does hereby authorize the City Mayor, Honorable Herbert M. Bautista to rescind the Contract to Sell dated 12 May 2011 entered into by and between the Quezon City Government and Edgardo Garcia, Marcelino Vergel de Dios, Ofelia Arce, Faustino Arce, and Dennis Arce, representing all the Heirs of Arce for the property located at Montalban, Rizal, with an area of Four Hundred Five Thousand and Twenty Four Square Meters (405,024 sq. m.) and covered by Transfer Certificate of Title Numbered 442674, to be developed into a Socialized Housing Project of the Quezon City Government.

ADOPTED: September 17, 2012.



MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III

CERTIFICATION

This is to certify that this Resolution was APPROVED by the City Council on Second Reading on September 17, 2012 and was CONFIRMED on October 1, 2012.


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept Head III 