



Republika ng Pilipinas  
Lungsod Quezon  
SANGGUNIANG PANLUNGSOD  
(City Council)

PR99-07

21st Regular Session

RESOLUTION NO. SP-4093-S-1999

A RESOLUTION AUTHORIZING THE CITY GOVERNMENT TO ACT AS INTERVENOR IN THE CASE PENDING BEFORE THE SUPREME COURT PERTAINING TO ROAD LOT I IN BARANGAY WHITE PLAINS.

Introduced by Councilors JORGE L. BANAL and FERNANDO V. AVANZADO.

Co-Introduced by Councilors Bayani V. Hipol, Godofredo T. Liban II, Nanette Castelo Daza and Alma F. Montilla.

WHEREAS, the White Plains Homeowners Association, Inc., has been embroiled in a legal tussle with the White Plains Subdivision developer, the Quezon City Development and Financing Corporation (QCDFC), which has for years been working for the reversion of Road Lot I, intended for a highway or parkway, back to its private use and full ownership;

WHEREAS, the subject property referred to as Road Lot 1, situated along Katipunan Avenue in front of Barangay White Plains, and predominantly being used as commercial gardens by private individuals, is being contested in the Supreme Court by the White Plains Homeowners Association, Inc., which is fighting for its retention as part of the highway intended to ease the pernicious traffic problem in this part of Katipunan Avenue, and the Quezon City Development and Financing Corporation, on the other hand, who wishes to retain ownership of the road lot despite its (lot's) designation in the subdivision's approval by the City as a Road lot;

WHEREAS, in the face of the Supreme Court Second Division's latest ruling lifting the lien on "Road Lot I in favor of the QCDFC, despite a previous Supreme Court en banc ruling that Road Lot I from the commerce of man" ... and "... should be developed for the use of general public..." which decision remains intact and undisturbed, the City government as the real party in interest should intervene in the case as a matter of utmost urgency and responsibility and in order to protect the interest of its constituency- the people who are gravely prejudiced by adverse developments on the case;


NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED, to authorize, as it does hereby authorize, the City government to act as intervenor in the case pending before the Supreme Court pertaining to Road Lot I in Barangay White Plains.

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RESOLVED, FURTHER, to urge the Hon. Ismael A. Mathay, Jr., City Mayor, to urgently mobilize the City Legal Department to work out the intervention of the City in the subject Supreme Court case and to inform the City Council of the action taken in relation thereto within 30 days after the approval of this Resolution.

ADOPTED : February 9, 1999.

  
CONNIE S. ANGELES  
Vice Mayor  
Presiding Officer

ATTESTED:

  
EUGENIO V. JURILLA  
City Council Secretary

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