



Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

PR2002-27

20th Regular Session

RESOLUTION NO. SP **1731** S-2002

A RESOLUTION AUTHORIZING THE CITY MAYOR, HONORABLE FELICIANO R. BELMONTE, JR., TO FILE AN AFFIDAVIT OF ADVERSE CLAIM WITH THE OFFICE OF THE REGISTER OF DEEDS OF QUEZON CITY, RELATIVE TO TRANSFER CERTIFICATES OF TITLE NUMBERED 109401, 109402 AND 109403, AND ANY AND ALL TRANSFER CERTIFICATES OF TITLE THE ISSUANCE OF WHICH COULD BE TRACED FROM TRANSFERS EMANATING FROM THE FOREGOING TITLES TO PARCELS OF LAND SUBJECT OF A MEMORANDUM OF AGREEMENT ENTERED INTO BY AND BETWEEN THE LOCAL GOVERNMENT OF QUEZON CITY AND J.C. RESOURCES DEVELOPMENT CORPORATION.

Introduced by Councilors VICTOR V. FERRER, JR. ROMMEL R. ABESAMIS, WILMA AMORANTO-SARINO, VINCENT P. CRISOLOGO, ELIZABETH A. DELARMENTE, BERNADETTE R. CRUZ-HERRERA, VOLTAIRE GODOFREDO L. LIBAN III, AIKO M. YLLANA, RAMON P. MEDALLA, ALLAN BUTCH T. FRANCISCO, ERIC Z. MEDINA, MARY ANN L. SUSANO, JORGE L. BANAL, JULIAN M.L. COSETENG, WENCEROM BENEDICT C. LAGUMBAY, DIORELLA MARIA G. SOTTO-DE LEON, DANTE M. DE GUZMAN, JESUS "Bong" C. SUNTAY, ANTONIO E. INTON, JR, JANET M. MALAYA, RICARDO R. DEL ROSARIO, RESTITUTO B. MALAÑGEN and ALMARIO E. FRANCISCO.

WHEREAS, an Ordinance approving the subdivision plan of North Point Townhouses Phase III, which proposed ordinance has the effect of granting approval to the Memorandum of Agreement (MOA) entered into by and between the Local Government of Quezon City and J.C. Resources Development Corporation with respect to Transfer Certificates of Title Numbered 109401, 109402 and 109403 of the Office of the Register of Deeds of Quezon City, impliedly curing the defects in the execution of the said MOA, i.e., that of having been executed and implemented without the prior approval of the Quezon City Council, and ratifying the violations committed by J.C. Resources Development Corporation relative to the said MOA;

WHEREAS, it is by virtue of the MOA mentioned in the first Whereas Clause hereof that J.C. Resources Development Corporation was able to acquire interest in Transfer Certificates of Title Numbered 109401, 109402 and 109403, such interest being the basis of the transfer of title to said parcels of land in favor of J.C. Resources Development Corporation which, in turn was also the basis in seeking approval of the subdivision plan of North Point Townhouses Phase III, a project of J.C. Resources Development Corporation;

WHEREAS, the consequences of the approval of the subdivision plan of North Point Townhouses Phase III include, among others, a grant of authority to the developer thereof, the J.C. Resources Development Corporation, to transfer title to the parcels of land covered by the MOA to buyers in good faith and for value, thereby complicating the circumstances surrounding the claim of the Quezon City government over the subject parcels of land;

[Handwritten signatures and marks]

WHEREAS, the proceeds of transfers of title in respect of the North Point Townhouses Phase III to subdivision lot buyers by J.C. Resources Development Corporation will, in most likelihood, inure solely to the benefit of the private coffers of J.C. Resources Development Corporation, to the great prejudice of the Quezon City Government;

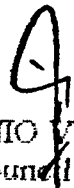
WHEREAS, the filing of an affidavit of adverse claim with the Office of the Register of Deeds with respect to TCT No.s 109401, 109402 and 109403 will preserve the right of the Quezon City government to claim title to such parcels of land and will work to prevent any preemption of any action the City government might, for the collective interest of the city residents, including such actions as will directly benefit the members of the urban poor in the city directly affected thereby.

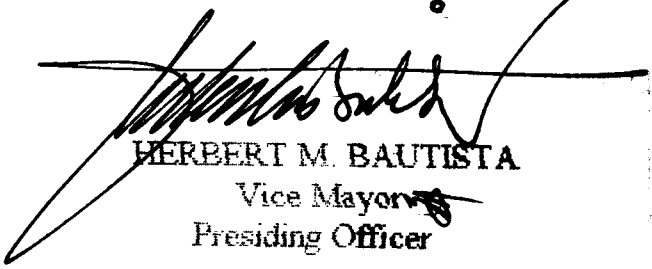
NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED, to authorize, as it does hereby authorize, the City Mayor, Hon. Feliciano R. Belmonte, Jr., to file an affidavit of adverse claim with the Office of the Registrar of Deeds of Quezon City relative to Transfer Certificates of Title Numbered 109401, 109402 and 109403, and any and all transfer certificates of title the issuance of which could be traced from transfers emanating from the foregoing titles to parcels of land subject of a Memorandum of Agreement entered into by and between the local government of Quezon City and J.C. Resources Development Corporation.

ADOPTED January 29, 2001.


ATTESTED:


EUGENIO V. JURILLA
City Council Secretary


HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

CERTIFICATION

This is to certify that this Resolution which was APPROVED under Suspended Rules on January 29, 2002, was CONFIRMED by the City Council on February 12, 2002.


EUGENIO V. JURILLA
City Council Secretary

+ 8