



Republic of the Philippines  
**CITY COUNCIL**  
Quezon City  
15<sup>th</sup> City Council

PR2004-54

90th Regular Session

RESOLUTION NO. SP- **2495** S-2004

A RESOLUTION ESTABLISHING AND ADOPTING A UNIFORM THREE (3) METER EASEMENT ALONG THE PASIG RIVER SYSTEM INCLUDING ITS TRIBUTARIES FROM THE EXISTING SHORELINES AND RIVER BANKS OF PUBLIC AND PRIVATELY OWNED PROPERTIES LOCATED IN AREAS OF AFFECTED BARANGAYS IN QUEZON CITY, IN ACCORDANCE WITH THE STIPULATED EASEMENT POLICY FOR URBAN WATERWAYS IN ARTICLE 51 OF THE PHILIPPINE WATER CODE (PD NO. 1067), IN RELATION TO SECTION 2, ARTICLE 638, CHAPTER 2 – ON LEGAL EASEMENT OF THE CIVIL CODE OF THE PHILIPPINES.

---

Introduced by Councilors JESUS MANUEL C. SUNTAY, RESTITUTO B. MALAÑGEN, VICTOR V. FERRER, JR., ELIZABETH A. DELARMENTE, RAMON P. MEDALLA, ERIC Z. MEDINA, VOLTAIRE GODOFREDO L. LIBAN III, AIKO MELENDEZ, MARY ANN L. SUSANO, JORGE L. BANAL, JULIAN M.L. COSETENG and ANTONIO E. INTON, JR.

---

WHEREAS, the Pasig River Rehabilitation Commission (PRRC), an inter-agency of the National government formed in 1999 to implement an integrated master plan for the rehabilitation of the Pasig River, has established "Environmental Preservation Areas (EPA)" with ten (10) meter easement from the banks as provided in the MMDA Resolution No. 3, Series of 1996, which easement policy violates the provision of Article 638, Chapter 2 of the Civil Code of the Philippines which provides for legal easements;

WHEREAS, the Housing and Urban Coordinating Council has launched an intensive campaign to clear houses along the Pasig River and its tributaries, implementing the ten (10) meter easement from river banks affecting public and private owned properties for the development of the areas in accordance with MMDA Resolution No. 3, Series of 1996. Such action will greatly affect the urban poor groups and informal settlers residing along river banks and tributaries located in Quezon City, whose houses will be demolished resulting to the need to relocate the displaced residents;

*W. G. Ferrer* *J. Inton*

*ang*

WHEREAS, residents of affected areas fear that implementation of the ten (10) meter easement will result to the demolition of their houses which will result to their displacement and in order to avoid and prevent the mass house demolition and relocation of affected residents in the concerned areas, thus, it is proper and appropriate that the City Council should establish and adopt a uniform three (3) meter easement along the Pasig River, including its tributaries from existing river banks and shorelines be implemented in Quezon City.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED, to establish and adopt, as it does hereby establish and adopt, a uniform three (3) meter easement along the Pasig River System including its tributaries, from existing shorelines and river banks of public and privately owned properties located in areas of affected barangays in Quezon City, in accordance with the stipulated easement policy for Urban Waterways in Article 51 of the Philippine Water Code (PD No. 1067), in relation to Section 2, Article 638 of the Civil Code of the Philippines.

RESOLVED, FURTHER, that copy of this Resolution be furnished the Offices of the Department of Public Works and Highways, the Quezon City Engineer and the Housing and Urban Coordinating Council, as well as other concerned government agencies for their information and appropriate action.

ADOPTED: February 24, 2004.



JORGE L. FANAL  
President Pro-Tempore  
Acting Presiding Officer

ATTESTED:



EUGENIO V. JURILLA  
City Council Secretary

CERTIFICATION

*This is to certify that this Resolution which was APPROVED on Second Reading on February 24, 2004, was CONFIRMED by the City Council under Suspended Rules on the same date.*



EUGENIO V. JURILLA  
City Council Secretary