

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON FEBRUARY 21, 2022 VIA ZOOM APPLICATION**

PRESENT:

Hon. Alyssa Renee A. Cruz,	Acting Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Nestor E. Dimacuha,	“
Hon. Karlos Emmanjuel A. Buted,	“
Hon. Gerardo A. Dela Roca,	“
Hon. Oliver Z. Macatangay,	“
Hon. Nelson J. Chavez,	“
Hon. Julian B. Villena,	“
Hon. Michael Thomas T. Pastor,	“
Hon. Isidra “Ched” M. Atienza,	“
Hon. Maria Aleth A. Lazarte,	“
Hon. Lorenzo A. Gamboa, Jr.,	“
Hon. Angelito “Dondon” A. Dimacuha,	ABC-Rep.
Hon. Marjorie A. Manalo,	SK-Fed. Pres.
Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer

“On motion of Councilor Dela Roca duly seconded, the following Resolution was Adopted:

RESOLUTION NO. 32-A S. 2022

**AUTHORIZING THE LOCAL CHIEF EXECUTIVE, HONORABLE BEVERLEY
ROSE A. DIMACUHA TO ENTER INTO AGREEMENT AND SIGN THE DEED OF
EXCHANGE/PARTITION AGREEMENT FOR THE PROPERTY OF THE
CITY GOVERNMENT OF BATANGAS**

WHEREAS, the City Government of Batangas owns a piece of property (Road) consisting of Seven Hundred Seventy Six (776) square meters situated in Barangay Sta. Clara, Batangas City and covered by Transfer Certificate of Title No. 052-2017000191;

WHEREAS, Spouses Alan Aguba and Elena D. Aguba have a piece of property in the same vicinity covered by Transfer Certificate of Title No. 052-2017000192 consisting of Three Thousand Nine Hundred Ninety-Three (3,993) square meters, which can be used for commercial purposes where it not for the property of the City Government blocking it;

WHEREAS, the same spouses have another piece of property covered by Transfer Certificate of Title No. 052-20211003134 consisting of One Hundred Thirty-two (132) square meters, this time adjacent to the President Corazon C. Aquino access road which effectively blocks the property of the City Government of Batangas;

WHEREAS, it is the priority of the City Government to encourage the private sectors to invest in the development of the City of Batangas and in this instance to provide a right of way to the property of Spouses Alan and Elena Aguba which is blocked by the property of the City Government of Batangas;

Continuation of Resolution No. 32-A S. 2022

AUTHORIZING THE LOCAL CHIEF EXECUTIVE, HONORABLE BEVERLEY ROSE A. DIMACUHA TO ENTER INTO AGREEMENT AND SIGN THE DEED OF EXCHANGE/PARTITION AGREEMENT FOR THE PROPERTY OF THE CITY GOVERNMENT OF BATANGAS

WHEREAS, for this reason it becomes necessary that the City Government thru its Local Chief Executive enter into agreement for the exchange of portions of property of Spouses Alan Aguba and Elena Aguba, covered by Transfer Certificate of Title No. 052-20211003134 and Transfer Certificate of Title No. 052-2017000192, and portion of the property of the City Government of Batangas covered by Transfer Certificate of Title No. 052-2017000191, all situated in Barangay Sta. Clara, Batangas City;

WHEREAS, the same spouses are amenable to all the expenses for the transfer of ownership of the properties.

NOW THEREFORE, be it resolved as it hereby resolves by the Sangguniang Panlungsod of Batangas City, in session assembled, to authorize the Local Chief Executive, Honorable Beverley Rose A. Dimacuha to enter into Agreement and sign the Deed of Exchange/Partition Agreement for the property of the City Government of Batangas.

APPROVED UNANIMOUSLY by the Sangguniang Panlungsod of Batangas City this 21st day of February, 2022."

SPONSOR : COUN. ALYSSA RENEE A. CRUZ
COMMITTEE ON LAWS, RULES AND REGULATIONS

I hereby certify that the foregoing Resolution No. 32-A S. 2022 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on February 21, 2022.


ROSEMARIE D. HERNANDEZ
Board Secretary IV

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Acting Presiding Officer



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

THE COMMITTEE ON LAWS, RULES AND REGULATIONS

COMMITTEE REPORT

*PROPOSED DEED OF EXCHANGE/ PARTITION AGREEMENT FOR THE
PROPERTY BETWEEN THE CITY GOVERNMENT OF BATANGAS AND SPOUSES
ALAN AGUBA AND ELENA AGUBA*

COMMENTS/RECOMMENDATIONS

The subject proposal on the resolution and exchange of property was referred to the Committee on Laws, Rules and Regulations for its consideration during the Regular Session on February 14, 2022.

The committee held a hearing on February 21, 2022 and in the attendance were the following:

Marjorie Manalo, Landowner spouses Alan Aguba and Elena Aguba. Also present are the Chairperson Coun. Alyssa Renee A. Cruz and Coun. Oliver Z. Macatangay, City Assessor's Officer Guadalupe Judy A. Tumaming, Barangay Sta. Clara Captain Derick Arago, City Legal Officer Teodulfo A. Deguito, and the committee members: Coun. Julian Villena, Coun. Gerardo A. Dela Roca, Coun. Nelson J. Chavez, Coun. Maria Aleth Lazarte, Coun. Aileen Grace A. Montalbo, Coun. Karlos Buted, Coun. Michael Thomas Pastor, Coun. Boy Dimacuha, ABC President. Angelito Dondon Dimacuha, Coun. Isidra M. Atienza, and Coun. Lorenzo A. Gamboa Jr. The Office of the Vice Mayor, and other members of the Sangguniang Panlungsod were also present.

Landowner spouses Alan Aguba and Elena Aguba, with Atty. Teodulfo A. Deguito detailed the proposed deed of exchange/partition agreement for the benefit of granting access to the road for both parties. Illustrated in the map is a piece of property (road) owned by the City Government of Batangas consisting of Seven Hundred Seventy Six (776) square meters situated in Barangay Sta. Clara, Batangas City which blocks the residential lands of the same spouses.

Considering the situation, the City Government of Batangas hereby encourages private sectors to invest on the development of the city, which in this instance, can be made possible by granting the landowner spouses the right of way and opportunity to use their private property for commercial use through this proposed deed of exchange.

During the committee hearing the following concerns are raised:

1. Availability of expropriation of land as an alternative means for the City Government of Batangas
2. Area of land which will be subjected for the deed of exchange
3. Which party will shoulder the additional expenses in case the deed of exchange/partition agreement for the property pushes through

Considering the justifications above, the Committee hereby recommends the following:

That expropriation of the land is available but impractical since the land owners spouses have the private property planned for commercial use, while the deed of exchange is the easier method;



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That the landowner spouses grant the City Government of Batangas Thirty (30) square meters of land from their One Hundred Thirty-Two (132) square meter piece of land adjacent to the President Corazon C. Aquino access road, and Five Hundred Sixty-Five (565) square meters from another piece of land which is next to the City Government of Batangas' property, from which both parties can access the road;

That upon the process of the deed of exchange, it is resolved and hereby added in the proposed resolution that the landowner spouses conferred to shoulder all the expenses for the transfer of ownership of the properties.

Respectfully submitted, February 21, 2022

Considering the justifications above, the Committee hereby recommends the following:

1. The adoption of this Committee Report.
2. The approval of the required Resolution hereto attached

Respectfully submitted, February 21, 2022

THE COMMITTEE ON LAWS, RULES AND REGULATIONS

COUNCILOR ALYSSA RENEE A. CRUZ
Chairperson

COUN. GERARDO A. DELA ROCA
Member

COUN. JULIAN B. VILLENA
Member

COUN. OLIVER Z. MACATANGAY
Member

COUN. NELSON J. CHAVEZ
Member