



Office of the Sangguniang Panlalawigan

EXCERPT FROM THE MINUTES OF THE 123rd REGULAR SESSION OF THE 10th SANGGUNANG PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA ON MARCH 22, 2022.

PRESENT:

FAUSTINO G. DY III	Vice Governor & Presiding Officer
DELFINITO EMMANUEL L. ALBANO	Member (1 st District) & Floor Leader
EMMANUEL JOSELITO B. AÑES	Member (1 st District)
ED CHRISTIAN S. GO	Member (2 nd District)
EDGAR R. CAPUCHINO	Member (2 nd District)
RAMON JUAN N. REYES, JR.	Member (3 rd District)
RANDOLPH JOSEPH P. ARREOLA	Member (3 rd District)
CLIFFORD R. RASPADO	Member (4 th District)
ABEGAIL V. SABLE	Member (4 th District)
FAUSTINO U. DY IV	Member (5 th District)
EDWARD S. ISIDRO	Member (5 th District)
ALFREDO V. ALILI	Member (6 th District)
MARCO PAOLO A. MERIS	Member (6 th District)
ANTONIO S. HUI	Member, PCL Federation President
DANTE G. HALAMAN	Member, LnB Federation President
DAX PAOLO C. BINAG	Member, SK Federation President
ADRIAN PHILIP S. BAYSAC	Member, Agricultural /Industrial Workers Labor Sector Representative
GRETCHEN F. VALDEZ	Member, Indigenous Cultural Communities Sector Representative

RESOLUTION NO. 2022-12-03

Series of 2022

A RESOLUTION UPHOLDING THE VALIDITY OF MUNICIPAL ORDINANCE NO. 07-2021 OF THE MUNICIPALITY OF LUNA, ISABELA, ENTITLED, "AN ORDINANCE RECLASSIFYING THE PROPERTY PURCHASED BY MR. VICTOR DEL ROSARIO, JR., LOCATED AT BARANGAY HARANA, LUNA, ISABELA COVERING AN AREA OF THIRTY FIVE THOUSAND SEVEN HUNDRED SIX SQUARE METERS (35,706 SQ.M.) MORE OR LESS FROM AGRICULTURAL TO COMMERCIAL AND INDUSTRIAL PURPOSES"

Sponsor: HON. ED CHRISTIAN S. GO

Chairperson, Committee on Housing, Subdivision and Land Use Classification

WHEREAS, Section 20 (a) of R. A. 7160 or the Local Government Code of 1991 grants a municipality the power to authorize the reclassification of agricultural lands into a residential, commercial or industrial purposes and was more specifically stated as follows:

"A city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in

Nagkaisa para sa Isabela

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the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the sanggunian concerned."

WHEREAS, on December 07, 2021, Municipal Ordinance No. 07-2021 was enacted by the Sangguniang Bayan of Luna, Isabela, reclassifying a lot covered by TCT no. 035-2016002830 and TCT no. 035-2016002831 situated at Barangay Harana, Luna, Isabela, with a total lot area of 35,706 square meters, more or less;

WHEREAS, Section 3 of the Memorandum Circular No. 54, Series of 1993, of the Office of the President provides that, *"All ordinances authorizing the reclassification of agricultural lands shall be subject to the review and approval by the province in the case of component city or municipality"*;

WHEREAS, having been authorized to review ordinances reclassifying agricultural lands under the abovesaid Memorandum Circular, the Committee on Housing, Subdivision and Land Use Classification conducted a thorough review of Ordinance No. 07-2021 of the Municipality of Luna and finds the same to be in consonance to the mandate of the Sangguniang Bayan pursuant to Section 20 of R.A. No. 7160. Thus, said ordinance is within the purview of the powers conferred by law to their Sangguniang Bayan;

WHEREAS, the Committee recommended to the Body to uphold the validity of Ordinance No. 07-2021 of the Municipality of Luna, Isabela;

WHEREAS, premises considered, upon motion of **HON. ED CHRISTIAN S. GO**, duly approved and seconded in a session duly assembled, it was –

RESOLVED, AS IT IS HEREBY RESOLVED, TO PASS A RESOLUTION UPHOLDING THE VALIDITY OF MUNICIPAL ORDINANCE NO. 07-2021 OF THE MUNICIPALITY OF LUNA, ISABELA, ENTITLED, "AN ORDINANCE RECLASSIFYING THE PROPERTY PURCHASED BY MR. VICTOR DEL ROSARIO, JR., LOCATED AT BARANGAY HARANA, LUNA, ISABELA COVERING AN AREA OF THIRTY FIVE THOUSAND SEVEN HUNDRED SIX SQUARE METERS (35,706 SQ.M.) MORE OR LESS FROM AGRICULTURAL TO COMMERCIAL AND INDUSTRIAL PURPOSES".

RESOLVED FINALLY, that a copy of this Resolution be furnished to the Sangguniang Bayan of the Municipality of Luna, Isabela through the Municipal Vice-Mayor, Hon. Adrian Leandro P. Tio, for their guidance and information.

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Approved and Adopted, March 22, 2022.

**I HEREBY CERTIFY TO THE CORRECTNESS
of the foregoing Resolution:**


ATTY. FRANCIS JAMES E. MEER

Secretary to the Sangguniang Panlalawigan

ATTESTED/ APPROVED:


FAUSTINO G. DY III

Provincial Vice Governor & Presiding Officer