



*Office of the Sangguniang Panlalawigan*

EXCERPT FROM THE MINUTES OF THE 125<sup>th</sup> REGULAR SESSION OF THE 10<sup>th</sup> SANGGUNIANG PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA ON APRIL 05, 2022.

**PRESENT:**

FAUSTINO G. DY III	Vice Governor & Presiding Officer
DELFINITO EMMANUEL L. ALBANO	Member (1 <sup>st</sup> District) & Floor Leader
EMMANUEL JOSELITO B. AÑES	Member (1 <sup>st</sup> District)
ED CHRISTIAN S. GO	Member (2 <sup>nd</sup> District)
EDGAR R. CAPUCHINO	Member (2 <sup>nd</sup> District)
RAMON JUAN N. REYES, JR.	Member (3 <sup>rd</sup> District)
RANDOLPH JOSEPH P. ARREOLA	Member (3 <sup>rd</sup> District)
CLIFFORD R. RASPADO	Member (4 <sup>th</sup> District)
ABEGAIL V. SABLE	Member (4 <sup>th</sup> District)
FAUSTINO U. DY IV	Member (5 <sup>th</sup> District)
EDWARD S. ISIDRO	Member (5 <sup>th</sup> District)
ALFREDO V. ALILI	Member (6 <sup>th</sup> District)
MARCO PAOLO A. MERIS	Member (6 <sup>th</sup> 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. 2022-14-01**

Series of 2022

**A RESOLUTION UPHOLDING THE VALIDITY OF MUNICIPAL ORDINANCE NO. 01-2022 OF THE MUNICIPALITY OF LUNA, ISABELA, ENTITLED, "AN ORDINANCE RECLASSIFYING THE PROPERTY PURCHASED BY GILBERT JORGE T. FAGEL AND MRS. AILEEN A. FAGEL, LOCATED AT PADILLA, LUNA, ISABELA NOW BARANGAY LUYAO, LUNA, ISABELA COVERING AN AREA OF TWENTY THOUSND SQUARE METERS (20,000 SQ. M) MORE OR LESS FROM AGRICULTURAL TO RESIDENTIAL AND COMMERCIAL 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 the following cases:*

***Nagkaisa para sa Isabela***

**A RESOLUTION UPHOLDING THE VALIDITY OF MUNICIPAL ORDINANCE NO. 01-2022 OF THE MUNICIPALITY OF LUNA, ISABELA, ENTITLED, "AN ORDINANCE RECLASSIFYING THE PROPERTY PURCHASED BY GILBERT JORGE T. FAGEL AND MRS. AILEEN A. FAGEL, LOCATED AT PADILLA, LUNA, ISABELA NOW BARANGAY LUYAO, LUNA, ISABELA COVERING AN AREA OF TWENTY THOUSND SQUARE METERS (20,000 SQ. M) MORE OR LESS FROM AGRICULTURAL TO RESIDENTIAL AND COMMERCIAL PURPOSES"**

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*(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**, Municipal Ordinance No. 01-2022 was enacted by the Sangguniang Bayan of Luna, Isabela, reclassifying a lot covered by Transfer Certificate of Title no. T-140909, situated at Barangay Luyao, Luna, Isabela with a total lot area of 20,000 square meters, more or less on January 11, 2022;

**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. 01-2022 of the Municipality of Luna, Isabela 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. 01-2022 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. 01-2022 OF THE MUNICIPALITY OF LUNA, ISABELA, ENTITLED, "AN ORDINANCE RECLASSIFYING THE PROPERTY PURCHASED BY GILBERT JORGE T. FAGEL AND MRS. AILEEN A. FAGEL, LOCATED AT PADILLA, LUNA, ISABELA NOW BARANGAY LUYAO, LUNA, ISABELA COVERING AN AREA OF TWENTY THOUSND SQUARE METERS (20,000 SQ. M) MORE OR LESS FROM AGRICULTURAL TO RESIDENTIAL AND COMMERCIAL 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, **Honorable ADRIAN LEANDRO P. TIO**, for their guidance and information.

**A RESOLUTION UPHOLDING THE VALIDITY OF MUNICIPAL ORDINANCE NO. 01-2022 OF THE MUNICIPALITY OF LUNA, ISABELA, ENTITLED, "AN ORDINANCE RECLASSIFYING THE PROPERTY PURCHASED BY GILBERT JORGE T. FAGEL AND MRS. AILEEN A. FAGEL, LOCATED AT PADILLA, LUNA, ISABELA NOW BARANGAY LUYAO, LUNA, ISABELA COVERING AN AREA OF TWENTY THOUSND SQUARE METERS (20,000 SQ. M) MORE OR LESS FROM AGRICULTURAL TO RESIDENTIAL AND COMMERCIAL PURPOSES"**

**Approved and Adopted, April 05, 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