Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1374



INTRODUCED BY REP. GLENDA B. ECLEO

EXPLANATORY NOTE

This bill seeks to amend Section 1 of Republic Act Numbered 6769, to rectify the technical description of the Municipality of San Jose, in the province of Surigao del Norte.

The municipality of San Jose was created by virtue of Republic Act No. 6769, approved on November 15, 1989 and formally segregated into a municipality on February 3, 1990, with a total area of 2,080 hectares, or more or less.

However, in the course of assessing the available maps needed in the formulation of the Comprehensive Land Use Plan of San Jose, the Technical Working Group (TWG) for Land Use Planning, on its Findings and Recommendations, discovered inconsistencies between the narrative description (paragraph 1) and the technical description (paragraph 2) of Section 1 of Republic Act Numbered 6769.

Based on its findings, the TWG, on its report, strongly recommended the following to settle the issue of inconsistencies within Section 1 of Republic Act No. 6769, as:

"The point of origin is then moved southward to about 355 meters adjusting the boundary line of point 4-1 to traverse the mutually observed natural boundary between the Municipality of San Jose and Dinagat which is an "X" on a boulder located at Kanhinaud Point. The jurisdiction of San Jose would cover the peninsula of Iring-Iring from Kanayot Point to Mahangin Point. Moreover, as agreed by both municipalities, San Jose and Basilisa, during their joint session held at the Session Hall of the Municipality of Basilisa on September 17, 2001 that to clearly define the boundary, it must traverse from Mahangin Point following its shoreline along Tagbabui Cove down to the creek at Sitio Glen then directly to Bugtong Lubi. The political boundary between San Jose and Basilisa would then be the Tagbabui Cove and a creek at Sitio Glen. The Technical Description would then be amended as

follows:

> XXX "Beginning at point 1 (N Lat. 09° 59' 33', E Long. 125° 32' 30') thence due North, 5,780.00 meters to point 2 (N Lat. 10° 02' 43.09", E Long. 125° 32' 30"); due East 3,500.00 meters to point 3, traversing Kanayot Point following the shoreline in the Northern direction to Mahaging Point and to the shoreline in the Southeasternly direction to Point 4 (N Lat. 10° 02' 23", E Long . 125° 35' 52'); Southeast, 2,780.00 Meters to point 5 (Bugtong Lubi)(N Lat. 10° 01' 53.20", E Long. 125° 37' 30.70"); due East, 1,365.00 meters to point 6 (N Lat. 10° 01' 53.20', E Long. 125° 38' 15.66"); due South, 4,265.00 meters to point 7 (N Lat. 09° 59' 33", E Long 125° 38' 15.66"); due West, 10,463.00 meters to point 1." XXX

Consequently, the approximate land area of the municipality of San Jose will now be 3,338.50 hectares, more or less, instead of the original 2,080 hectares or a difference of 1,258.50 hectares or 60% increased, based on that findings.

As such, there is therefore an urgent need to amend the aforesaid law in order to rectify the Technical description of the Municipality of San Jose and further, to avoid, if not minimize, problems and/or issues that may arise from boundary disputes as well as for the municipality to be able to come up with a reliable and realistic plan.

Finally, as the understated area highly affects the amount of Internal Revenue allotment (IRA) being provided to the municipality, considering that the area will greatly affect the computation of its share, there is likewise an urgent need to rectify the technical description of the municipality by amending the law of its creation.

In the light of the foregoing perspective, the early approval of this bill is earnestly requested.

GLENDA B. ECLEO

---

[1] FINDINGS AND RECOMMENDTIONS OF THE LOCAL TECHNICAL WORKING GROUP (TWG) FOR LAND USE PLANNING RELATIVE TO REPUBLIC ACT 6769.

Republic of the Philippinees
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1374

INTRODUCED BY REP. GLENDA B. ECLEO

AN ACT
AMENDING SECTION 1 OF REPUBLIC ACT NUMBERED 6769, FOR THE PURPOSE OF RECTIFYING THE TECHNICAL DESCRIPTION OF THE MUNICIPALITY OF SAN JOSE, IN THE PROVINCE OF SURIGAO DEL NORTE

Be it enacted by the Senate and House of Representatives of the Philippines in Congress Assembled:

"SECTION 1. Dinagat in the Province of Surigao del Norte shall remain a municipality, exercising powers and discharging functions over the areas specified in the law of its creation, except Barangays San Jose, Matingbe, Jacquez, Aurelio, Mahayahay, San Juan, Don Ruben Ecleo, Justiniana Edera, Sta. Cruz, Cuarenta, Wilson and Luna, all of the aforesaid municipality, which are hereby segregated therefrom to constitute a separate and independent Municipality of San Jose, both in the Province of Surigao del Norte. It shall be bounded as follows:

"BEGINNING AT POINT 1 (09°-59'-33", E LONG. 125° 32' – 30") THENCE DUE NORTH, 5,780.00 METERS TO POINT 2 (N LAT. 10° 02' 43.09", E LONG. 125° 32' 30"); DUE EAST, 3,500.00 METERS TO POINT 3, TRAVERSING KANAYOT POINT FOLLOWING THE SHORELINE IN THE NORTHERN DIRECTION TO MAHANGING POINT AND TO THE SHORELINE IN THE SOUTHEASTERN DIRECTION TO POINT 4 (N LAT. 10° 02' 23", E LONG. 125° 35' 52"); SOUTHEAST, 2,780.00 METERS TO POINT 5 (BUGTONG LUBI) (N LAT. 10° 01' 53.20", E LONG. 125° 37' 30.70"); DUE EAST, 1,365.00 METERS TO POINT 6 (N LAT. 10° 01' 53.20",

E LONG. 125° 38' 15.66"); DUE SOUTH, 4,265.00 METERS TO POINT 7 (N LAT. 09° 59' 33", E LONG 125° 38' 15.66"); DUE WEST, 10,463.00 METERS TO POINT 1."

SEC. 2. This Act shall take effect upon its publication in at least two (2) national newspapers of general circulation.

Approved.