

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

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1375

INTRODUCED BY REP. GLENDA B. ECLEO

EXPLANATORY NOTE

The Municipality of San Jose in the Province of Surigao del Norte was crested from several barangays of the Municipality of Dinagat in the same Province. The establishment of the Municipality of San Jose was by virtue of Republic Act No. 6769 approved by the President on November 15, 1989. Its territory is provided for under the narrative description of Section 1 of said Republic Act. No. 6769 and the technical description in the second paragraph of the same section.

In the course of assessing the available maps needed in the formulation of the Comprehensive Land Use Plan of the Municipality of San Jose, the technical working group for Land Use Planning discovered inconsistencies between the narrative description (first paragraph of Section 1 of R.A. No. 6769) and the technical description (second paragraph of section 1 of R.A. No. 6769).

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Per verification of the said technical working group using the 1:50,000 scale topographic map reprinted by the NAMRIA in July, 1989, the following inconsistencies were established:

The first paragraph of Section 1 specified twelve (12) barangays within the jurisdiction of the municipality with Sitio Glen of Barangay Wilson, bounding the Municipality of San Jose from the Municipality of Basilisa on the North; Barangays Wilson, Sta. Cruz, Don Ruben, San Juan, Poblacion, Jacquez, Matingbe and Luna bounding the Municipality from Melgar Bay on the West; and Sitio Bonga of Barangay Luna, bounding the municipality from the Municipality of Dinagat on the South. Based on the above mentioned barangay boundaries, the plotted data

disclosed the political jurisdiction of San Jose to be within geographic coordinated 09° 59' 33" to 10° 02' 8.52" North Latitude and 125° 32' 30" to 125° 38' 11.25" east Longitude. Specifically, these municipal boundaries are as follows:

Beginning at point 1 (09° 59' 33" North Latitude, 125° 32' 30" East Longitude) thence, due North 5,780.00 meters to point 2; due East, 10,463.00 meters to point 3; due South 5,780.00 meters to point 2; due East, 10,463.85 meter to point 1. Consequently, with the above technical description as basis the total land area of the municipality of San Jose is approximately 3,988.00 hectares, more or less.

The second paragraph 2 of Section 1, indicates facts which are contrary to the first paragraph of the same section as follows:

1. The technical description specified in the second paragraph covers only the Barangays of Luna , Matingbe, Jacquez, Aurelio, Poblacion, Mahayahay, San Juan, Don Ruben, Justiniana Edera Cuarenta, and portion of Sta. Cruz, with an approximate land area of 2,080 hectares. The boundary line 1-2 with distance of only 2,654.78 meters covers only Luna in the South and Sta. Cruz in the North.
2. The same technical description disclosed that certain barangays described in the first paragraph of Section 1 are excluded in the technical description cited in the second paragraph of Section 1. These are portion of Sta. Cruz and the whole of Barangay Wilson on the North.

Based on the preceding presentation, no actual encroachment within the adjacent municipalities of Basilisa on the North and Dinagat on the South is made by San Jose. However, with the existing discrepancies between the first paragraph and the second paragraph, the technical working group has submitted the following recommendation to settle the issue of inconsistencies within Section 1 of Republic Act No. 6769, to wit:

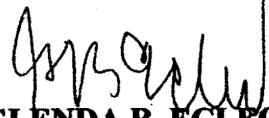
The point of origin is then moved southward to about 355 meters adjusting the boundary line of point 4-1 to traverse the mutually observed natural boundary between the Municipality of San Jose and Municipality of Dinagat. The Jurisdiction of San Jose would cover the peninsula of Iring-Iring from Kanayot Point to Mahangin Point. Moreover, as agreed by both municipalities of 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 amended as follows:

"Beginning at the point 1 (N Latitude 09° 59' 33," E Long. 125° 32' 30") thence, due North, 5,780.00 meters to point 2 (N Latitude 10° 02' 43.09," E longitude 125° 32' 30"); due East 3,500.00 meters to point 3, traversing Kanayot Point following the shoreline in the Northern direction to Mahangin Point and to the shoreline in the Southeasterly direction to Point 4 (N Latitude 10° 02' 23," E Longitude

125° 35' 52"); Southeast, 2,780.00 meters to point 5 (Bugtong Lubi) (N Latitude 10° 01' 53.20," E Longitude 125° 37' 30.70"); due East, 1,365.00 meters to point 6 (N Latitude 10° 01' 53.20," E Longitude 125° 38; 15.66"); due South, 4,265.00 meters to point 7 (N Latitude 09° 59' 33," E Longitude 125° 38' 15.66"); due West, 10,463.00 meters to point 1."

Based on the above description, the approximate land area of the Municipality of San Jose will 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% increase.

Approval of this bill is therefore earnestly sought.



GLENDAB. ECLEO