

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

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1674

Introduced by Rep. Nerissa Corazon Soon-Ruiz, M.D.

EXPLANATORY NOTE

This bill seeks to amend Republic Act No. 3134, otherwise known as "AN ACT CREATING THE CITY OF LAPU-LAPU" enacted on June 17, 1961.

Since its creation more than forty years ago, the city has grown to become a major industrial and tourist center in the Visayas Region. Today, it hosts the Mactan-Cebu International Airport, the Mactan Export Processing Zones, a number of middle class residential subdivisions and some of the most popular hotels and resorts in the country.

Given the need to disperse industries and commercial establishments in the congested neighboring cities of Mandaue and Cebu and the island's proximity to the airport and seaport, it is foreseen that the city will continue to unveil major development initiatives in the coming years.

However, this positive outlook poses a potential problem in terms of availability of land resources and facilities, among others. At present, approximately 1,300 hectares of the city's open space is used by the Mactan-Cebu International Airport, 1,067 hectares by the air force base and more than a hundred hectares by the export processing zones, not to mention the subdivisions now mushrooming. It is now apparent that the city's total land area will not be enough to accommodate future and long-term development unless it is given some powers to be flexible and creative in the management and utilization of its resources.

It is within this context that an amendment to its charter must be made to empower the city to reclaim foreshore and submerged lands of the public domain within its territorial jurisdiction, just like the neighboring cities of Cebu and Mandaue. It is to be pointed out that these cities have undertaken their own reclamation projects in the past ten years or more to address their problems concerning lack of land and space. Furthermore, the national Government should cede to the City of Lapu-lapu the ownership and possession of all foreshore and submerged lands of the public domain within the city and its municipal waters subject to some reasonable guidelines, as in the case of Mandaue City. Certainly, this will result in the increase of the city's land resources and enhance its capacity to be self-sufficient, which after all is the essence of local autonomy.

In view of the these pressing considerations, immediate approval of this measure is earnestly sought and recommended.

NERISSA CORAZON SOON-RUIZ, M.D.

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Introduced by Rep. Nerissa Corazon Soon-Ruiz, M.D.

AN ACT AMENDING REPUBLIC ACT NO. 3134, OTHERWISE KNOWN AS "AN ACT CREATING THE CITY OF LAPU-LAPU", LIKEWISE KNOWN AS THE "CITY CHARTER OF LAPU-LAPU"

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

SECTION 1. Republic Act No. 3134 is hereby amended by inserting the foregoing article:

"ARTICLE XVII. OWNERSHIP OF LANDS OF THE PUBLIC DOMAIN WITHIN THE CITY AND ITS WATERS

SECTION 89. ***OWNERSHIP OF LAND OF THE PUBLIC DOMAIN WITH THE CITY AND WITHIN THE CITY WATERS.*** **– THE NATIONAL GOVERNMENT HEREBY CEDES TO THE CITY OF LAPU-LAPU THE OWNERSHIP AND POSSESSION OF ALL FORESHORE LANDS AND SUBMERGED LANDS OF THE PUBLIC DOMAIN WITHIN THE CITY AND ITS MUNICIPAL OR CITY WATERS, SUBJECT TO PRIVATE RIGHTS, IF THERE BE ANY, AND SUBJECT TO FUTURE DELINEATION, VERIFICATION AND APPROVAL OF THE SURVEY WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

" A PARCEL OF PUBLIC LAND (LOT 912 (PART), PSC-11), SITUATED IN THE BARANGAY OF CANJULAO, CITY OF LAPU-LAPU, ISLAND OF MACTAN, PROVINCE OF CEBU, BOUNDED IN THE NORTH BY PORTION OF 912, PSC-11; ON THE EAST BY LOTS 939, 940, 941, 945, 1020, 1043, 1044, 1110, 1119, 1120, 1121, 1122; ON THE SOUTH BY LOTS 1147,1148,1158 AND LOT 1160; ON THE WEST BY LOTB-1 (PHILIPPINE NAVY RESERVATION) AND LOT B-2, BEGINNING AT THE POINT MARKED "1" ON PLAN BEING S61 DEG. 35'W, 1,482.78 M. FROM BLLM NO. 3 OPON CADASTRE;

THENCE S 78 DEG. 02'E,	**452. 32 M. TO POINT 2;**
THENCE S 52 DEG. 35' W,	**50.36 M. TO POINT 3;**
THENCE S 32 DEG. 33, W,	**34.05 M. TO POINT 4;**
THENCE S 52 DEG. 29, W,	**40.76 M. TO POINT 5;**

THENCE S 09 DEG. 14' W,	**147.68 M. TO POINT 6;**
THENCE N 85 DEG. 56' E,	**75.84 M. TO POINT 7;**
THENCE S 16 DEG. 48' W,	**140.25 M. TO POINT 8;**
THENCE S 40 DEG. 03' W,	**204.60 M. TO PONT 9;**
THENCE S 11 DEG. 18' W,	**60.13 M. TO POINT 10;**
THENCE S 16 DEG. 48' E,	**25.57 M. TO POINT 11;**
THENCE N 81 DEG. 10' W,	**82.09 M. TO POINT 12;**
THENCE S 37 DEG. 51' W,	**20.79 M. TO POINT 13;**
THENCE S 46 DEG. 26' W,	**128.34 M. TO POINT 14;**
THENCE S 05 DEG. 05' W,	**59.86 M. TO POINT 15;**
THENCE S 42 DEG. 55' W,	**99.43 M. TO POINT 16;**
THENCE S 33 DEG. 14' W,	**78.84 M. TO POINT 17;**
THENCE S 83 DEG. 17' W,	**0.17 M. TO POINT 18;**
THENCE S 15 DEG. 59' W,	**85.22 M TO POINT 19;**
THENCE S 63 DEG. 29' E,	**64.02 M. TO POINT 20;**
THENCE S 13 DEG. 55' W,	**31.14 M. TO POINT 21;**
THENCE S 82 DEG. 38' W,	**29.77 M. TO POINT 22;**
THENCE S 33 DEG. 40' W,	**22.01 M. TO POINT 23;**
THENCE S 39 DEG. 19' W,	**75.50 M. TO POINT 24;**
THENCE S 16 DEG. 21' W,	**82.33 M. TO POINT 25;**
THENCE N 77 DEG. 09' W,	**37.54 M. TO POINT 26;**
THENCE S 21 DEG. 57' W,	**46.99 M. TO POINT 27;**
THENCE N 38 DEG. 30' W,	**68.06 M. TO POINT 28;**
THENCE S 45 DEG. 47' W,	**82.47 M. TO POINT 29;**
THENCE S 09 DEG. 53' W,	**37.93 M. TO POINT 30;**
THENCE S 82 DEG. 56' W,	**84.87 M. TO POINT 31;**
THENCE S 28 DEG. 15' W,	**11.83 M. TO POINT 32;**
THENCE S 32 DEG. 45' E,	**11.87 M. TO POINT 33;**
THENCE N 85 DEG. 10' E,	**26.60 M. TO POINT 34;**
THENCE S 06 DEG.01' W'	**10.58 M. TO POINT 35;**
THENCE S 63 DEG. 55' W,	**196.23 M. TO POINT 36;**
THENCE N 70 DEG. 39' W,	**1,017.12 M. TO POINT 37;**
THENCE N 07 DEG. 39' W'	**482.38 M. TO POINT 38;**

BEGINNING, CONTAINING AN AREA OF FIVE HUNDRED FORTY-FOUR THOUSAND ONE HUNDRED SIX, (544,106) SQUARE METERS, MORE OR LESS. ALL POINTS REFERRED TO ARE MARKED ON THE GROUND BY CYLINDICAL CONCRETE MONUMENTS, 15 X 60 CMS, BEARING TRUE.

SECTION 90. ***DECLARATION, CONVERSION AND RECLASSIFICATION OF TIMBERLANDS WITHIN THE CITY'S FORESHORE AREAS AND SUBMERGED LANDS.*** **– ALL TIMBERLANDS SITUATED WITHIN THE CITY'S FORESHORE AREAS AND SUBMERGED LANDS OF THE PUBLIC DOMAIN WITHIN THE CITY AND ITS CITY WATERS IS HEREBY DECLARED CONVERTED AND RECLASSIFIED TO ALIENABLE AND DISPOSABLE LANDS OF THE PUBLIC DOMAIN FOR PUBLIC**

DEVELOPMENT AND IMPROVEMENT PURPOSES, SUBJECT TO THE ISSUANCE OF A PRESIDENTIAL PROCLAMATION BY THE PRESIDENT OF THE PHILIPPINES.

SECTION 91. ***RECLAMATION OF FORESHORE AREAS AND SUBMERGED LANDS OF THE PUBLIC DOMAIN. WITHIN THE CITY AND WITHIN ITS CITY WATERS.*** **– THE CITY IS HEREBY VESTED WITH THE AUTHORITY TO RECLAIM FORESHORE LANDS AND SUBMERGED LANDS OF THE PUBLIC DOMAIN WITHIN THE CITY AND ITS WATERS: PROVIDED, HOWEVER, THAT IF THE CITY INTENDS TO RECLAIM THESE FORESHORE AREAS AND SUBMERGED LANDS OF THE PUBLIC DOMAIN THROUGH THE BUILD-OPERATE-AND-TRANSFER (BOT) SCHEME, THE CONTRACTS RELATING THERETO SHALL BE APPROVED BY THE CITY MAYOR, WITH THE CONCURRENCE OF THE *SANGGUNIANG PANLUNGSOD* OF THE CITY: PROVIDED FURTHER, THAT THE RECLAMATION SHALL BE IN COMPLIANCE WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES' BIODIVERSITY PLAN: AND PROVIDED FINALLY, THAT NO RECLAMATION SHALL BE DONE WITHOUT PROPER CONSULTATION WITH THE RESIDENTS OF THE AFFECTED AREA."**

SECTION 2. Article XVIII and its provisions are renumbered accordingly as Article XVIII and sections 92, 93, 94 and 95.

SECTION 3. This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in a newspaper of general circulation.

Approved.