

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 3212



Introduced by Honorable DEL R. DE GUZMAN

EXPLANATORY NOTE

This bill seeks to expropriate a parcel of land in located in Tumana, Barangay Concepcion Uno, Marikina City.

The land in question has been the subject of a Memorandum of Agreement between Edgewater Realty Development, Inc. and the City Government of Marikina. It is covered by Transfer Certificate of Title Nos. 469922, 34848, 24436, 2977, 24437 and 56860 with an aggregate area of approximately 48 hectares.

The MOA is a bilateral effort on the part of the two parties to help the poor acquire residential lands at affordable prices. It provided a plan of relocation of squatters for them to eventually acquire lots within the aforementioned parcel of land and providing appropriate infrastructures, electricity, water and other basic amenities for a liveable community.

Unfortunately, the said Memorandum of Agreement was later voided by the Supreme Court with finality wherein the City of Marikina was ordered to remove all informal dwellers numbering some eight thousand families including all improvements introduced therein. Edgewater Realty Development, Inc., after the removal of the informal dwellers would be selling the land as subdivided lots.

The problem is, however, complicated with the same parcel of land being also covered by Transfer Certificate of Title No. 42408 registered in the name of Heirs of Vicente Cruz. Said title was reconstituted with finality under LRC Case No. 80 and is now in the possession of the Register of Deeds of Marikina City.

Notable is the fact that Edgewater Realty is an oppositor in the reconstitution proceedings.

Problematic is the fact that there are two existing sets of valid titles and none of the parties has initiated an action for the quieting of titles. More disconcerting is the finding that when both titles were plotted, they significantly overlap with each other.

The City Government is in a quandary as to whose title to recognize in the event the two claimants apply for subdivision plan with the City Council. This complicates matters in so far as the City's obligation to protect its constituents from illegal land sale is concerned. Moreover, as far as the UDHA Law is concerned, the City has no available relocation area for the huge number of informal settlers for it to be able to comply with the Supreme Court ruling.

This problem has been with the city for more than a decade. Despite earnest attempts by the local government to resolve it, court decisions had not been to its favor. In the meantime, the informal settlers do not have access to safe drinking water as Manila Water could not come in while land ownership remains in question. And health problems are magnified a hundred fold.

Considering that the removal of the informal settlers without appropriate relocation would cause irreparable damage to the tranquility of the community as well as to the image of the government with whom they have pinned their hopes to side with them and act in their favor, this humble representation decided to file this bill to diffuse a potentially explosive situation. If enacted into law, it would prevent a grim scenario of chaos and mounting social restiveness and hopefully pave the way for the land's urban renewal and further development in line with the national government's housing program for the underprivileged.

The early approval of this bill is earnestly sought.


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AN ACT
PROVIDING FOR THE EXPROPRIATION OF A PARCEL OF LAND IN
TUMANA, CONCEPCION UNO, MARIKINA CITY TO BE SUBDIVIDED AND
DISTRIBUTED TO THE ACTUAL AND PRESENT OCCUPANTS THEREIN
AND APPROPRIATING FUNDS THEREFOR

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

Section 1. The General Manager of the National Housing Authority is hereby authorized to expropriate a parcel of land covered by Transfer Certificate of Title Nos. 469922, 34848, 24436, 2977, 24437 and 56860 located at Tumana, Concepcion Uno, Marikina City which shall be subdivided and distributed to the actual and present occupants therein.

Section 2. The General Manager of the National Housing Authority is hereby authorized to allocate a certain amount of funds for the purpose.

Section 3. Such amount as may be necessary for the implementation of the provisions of this Act shall be appropriated out of any available funds in the National Treasury and shall hereinafter be included in the Annual General Appropriations Act.

Section 3. This Act shall take effect immediately upon its approval.

Approved.