

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Diliman, Quezon City

Thirteenth Congress
Third Regular Session

HOUSE BILL No. 5829



Introduced by HON. MAURICIO G. DOMOGAN

EXPLANATORY NOTE

This bill seeks to declare certain portions of the Public domain at Forbes Park Forest Reservation in Baguio as alienable and disposable for socialized housing, economic, and other purposes.

On February 10, 1924, with Baguio still 15 years old as a chartered City and its forest were still primeval, the American Governor General of the Philippines, foreseeing the need to preserve and conserve for future generations the trees and greenery within and close to the city center, issued Proclamation No. 10 establishing the Forbes Park Reservation, then a densely forested area. The area extended from the Military Circle to a point in Ambuklao Road below the Baguio side of the Benguet-Vizcaya Road. The Reservation consisted of Parcels I, II, and III. Parcels I and II are still preserved as forested areas but not Parcel III.

In 1970, President Ferdinand E. Marcos issued Proclamation No. 773 excluding, among others, certain portions of the Forbes Park Reservation from the operation of Proclamation No. 10, Series 1924 and Proclamation No. 63, Series 1925 from forest reserve to alienable and disposable lands. But this would become effective only upon the passage of a law expressing the concurrence of Congress to the proclamation. Likewise Republic Act. No. 8963, S. 2000 excluded from the Baguio Townsite Reservation certain portions of lands within Lots 1,2,3,4,5, and 6 embraced therein and declaring the same alienable and disposable lands for disposition to qualified applicants under Republic Act No. 730. But no portion of the lots in Parcel III has, as yet, been excluded by such Acts from the coverage of Proclamation No. 10 and Proclamation No. 63. And yet, according to the report of DENR-CAR, these lots within Parcel III, with an aggregate area of 135,666 square meters, more or less, are totally occupied by certain citizens of Baguio City for a long period of time and who have long sought legalization of their occupancy thereof. These three lots are parts of Gibraltar Barangay.

The 135,666 square meters, more or less, an area which is sought to be excluded from the coverage of Proclamation No. 10 Series of 1924, has long been a built up and developed part of Gibraltar Barangay which was established by virtue of Presidential Decree Nos. 86 and 86-B and Presidential Decree No. 557 through Baguio City Council Resolution No. 130-70.

Factual ocular inspections by the officials of the DENR-CAR and by members of the Baguio City officialdom confirms these facts. There are about 550 to 600 families, more or less, with 3,000 residents who are presently occupying the area. Most of the residential houses are two-storey single detached made of permanent materials. The roads and pathways are well-paved and maintained by the City government. A school, a covered court (gym), and a health center have been established to cater to the needs of the community.

In a report to the DENR Secretary sometime in 2002, the then Regional Director of DENR-CAR has certified that the requirements of "Completed Staff Works" as then required for a proposed issuance of Presidential Proclamation of portions of Parcel III, Forbes Park Reservation, Gibraltar, Baguio has been complied with and no legal procedures have been violated. Such compliance to the requirements for proclamation purposes are also validly applicable in this bid to declare such portions of Parcel III to be excluded from the operations of Proclamation No. 10, S. 1924 and Proclamation No. 63, S. 1925 and thereby turned into alienable and disposable lands. It is noteworthy to mention that other government agencies concerned, like DOH, interposed no objection to the proposed release. Releasing the area for legal habitation will positively help solve the squatting problems of the City while at the same time allowing the occupants to work for the titling of their lots that would eventually result in the generation of taxes for the City.

Likewise the proposed declaration by law to release the areas concerned is advantageous to the government, is consistent with the policies, plans, and programs of the present Administration, and will redound to the greater good of the greater member of our Filipino people.

In consideration to all the abovementioned statements and reasons, urgent approval of this move is fervently requested.



HON. MAURICIO G. DOMOGAN

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Introduced by HON. MAURICIO G. DOMOGAN

AN ACT TO EXCLUDE CERTAIN PORTIONS OF PARCEL NO. III OF THE FORBES PARK RESERVATION IN THE CITY OF BAGUIO FROM THE OPERATION OF NO. 10 DATED 09 FEBRUARY 1924 AND PROCLAMATION NO. 63 DATED 06 AUGUST 1925 AND DECLARING THE SAME OPEN TO DISPOSITION UNDER THE PROVISIONS OF REPUBLIC ACT NO. 730 TO QUALIFIED APPLICANTS, PROVIDED THAT PRIORITY IN THE AWARD OF SUCH LOTS BE GIVEN TO THE PRESENT OCCUPANTS OR APPLICANTS AND/OR THEIR COMPULSORY HEIRS, SUBJECT TO CONDITIONS.

Be it enacted.

SECTION 1. *Short Title* : This Act shall be known as the Gibraltar Barangay of Baguio City Land Disposition Act of 2006.

SECTION 2. *Declaration of Policy* – It is hereby declared the policy of the state to pursue a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban center.

SECTION 3. *Disposition of Certain Portions of the National Government Forbes Park Forest Reservation* to bona fide residents and occupants - Lots No. 1 , 2, and 3 of Parcel III of the Forbes Park Forest Reservation are hereby excluded from the operation of Proclamation No. 10 dated 09 February 1924 and Proclamation No. 63 dated 06 August 1925. and declared open to disposition under the Provisions of Republic Act No. 730 to qualified applicants, provided that the priority in the award of such lots be given to the present occupants or applicants and/or their compulsory heirs, subject to conditions. The present boundaries and limits of these lots are established and described as follows:

TECHNICAL DESCRIPTION OF LOT 1

A parcel of land, Lot 1, of sketch Plan, (Being a portion of Proc. No.10, Baguio Forbes Park , Parcel 3), situated at Res. Sec. "D". Baguio townsite, Island of Luzon, bounded on the N.W., along lines 29-30-31-32-33-34 by public land (Res. Sec. "D",

Baguio Townsite); on the N. along lines 34-35-36-37-1 by lot 2, PSU-215081; on the E., along line 2-3 by Gibraltar road 15.00 meters wide; on the S.E. along lines 3-4-5-6-7 by R.S. 619, Peoples Bank and Trust Comp.; on the S.E. along lines 7-8-9-10-11-12-13-14-15 by Gibraltar road 15.00 meters wide; on the S., S.W., along lines 15-16-17-18-19-20-21-22-23-24-25-26-27 by Public land (Res. Sec. "D", Baguio townsite) and on the W., along lines 27-28-29 by lot 146, Juan Molintas. Beginning at a point mark "1" on plan, being S.31 deg. 49' E., 665.86 m. from Triangulation station "PACDAL", Baguio townsite, thence;

1-2	S. 7 deg. 33' E.,	209.88 m.	thence
2-3	S. 67 deg. 14' W.,	72.82 m.	thence
3-4	N. 77 deg. 55' W.,	9.93 m.	thence
4-5	S. 44 deg. 36' W.,	44.28 m.	thence
5-6	S. 10 deg. 40' W.,	40.99 m.	thence

6-7	S. 52 deg. 58' E.,	113.52 m.	thence
7-8	S. 9 deg. 31' W.,	42.37 m.	thence
8-9	S. 56 deg. 13' W.,	53.90 m.	thence
9-10	S. 18 deg. 36' W.,	22.74 m.	thence
10-11	S. 3 deg. 32' W.,	36.70 m.	thence
11-12	S. 78 deg. 16' W.,	25.32 m.	thence
12-13	N. 78 deg. 53, W.,	29.82 m.	thence
13-14	S. 57 deg. 53' W.,	78.32 m.	thence
14-15	S. 76 deg. 38' W.,	50.27 m.	thence
15-16	N. 20 deg. 39' W.,	57.13 m.	thence
16-17	S. 67 deg. 31' W.,	35.12 m.	thence
17-18	S. 85 deg. 26' W.,	22.59 m.	thence
18-19	N. 83 deg. 08' W.,	30.51 m.	thence
19-20	N. 55 deg. 33' W.,	16.61 m.	thence
20-21	S. 72 deg. 35' W.,	99.39 m.	thence
21-22	S. 65 deg. 03' W.,	75.70 m.	thence
22-23	S. 14 deg. 35' W.,	8.94 m.	thence
23-24	S. 24 deg. 14' W.,	58.57 m.	thence
24-25	S. 85 deg. 53' W.,	25.08 m.	thence
25-26	N. 56 deg. 04' W.,	41.93 m.	thence
26-27	N. 45 deg. 02' E.,	55.14 m.	thence
27-28	N. 56 deg. 06' E.,	155.66 m.	thence
28-29	N. 4 deg. 56' W.,	70.06 m.	thence
29-30	N. 77 deg. 04' E.,	185.51 m.	thence
30-31	S. 5 deg. 42' E.,	23.37 m.	thence
31-32	S. 89 deg. 36' E.,	21.85. m.	thence
32-33	N. 20 deg. 42' E.,	67.27 m.	thence
33-34	N. 55 deg. 26' E.,	56.87 m.	thence
34-35	N. 60 deg. 00' E.,	32.68 m	thence

35-36	N. 18 deg. 56' W.,	67.15 m.	thence
36-37	N. 18 deg. 00' W.,	73.51 m.	thence

37-1 N.49 deg. 25 E., 230.50 m. to point beginning, containing an area of ONE HUNDRED SEVEN THOUSAND THREE HUNDRED SEVENTY SEVEN (107,377) square meters, more or less.

TECHNICAL DESCRIPTION OF LOT 2

A parcel of land, of Sketch Plan, (Being a portion of Proc. No. 10. Baguio Forbes Park, Parcel 3), situated at Res. Sec. "D", Baguio townsite, Island of Luzon, bounded on the N.W. along lines 1-2-3-4-5-6-7-8-9-10-11-12-13 by Ambuclao road; on the N.W., along lines 13-14-15-16-17-1 by the Republic of the Philippines CENRO Baguio, EMPAS and UP extension compound. Beginning at a point mark "1" on plan, being S. 27 deg. 57' W., 1424.49 m. from Triangulation station "PACDAL", Baguio townsite, thence;

1-2	N. 20 deg. 55' E.,	32.11 m.	thence
2-3	N. 58 deg. 12' E.,	11.58 m.	thence
3-4	N. 76 deg. 20' E.,	74.70 m.	thence
4-5	N. 59 deg. 27' E.,	8.50 m.	thence
5-6	N. 35 deg. 21' E.,	24.19 m.	thence
6-7	N. 10 deg. 35' E.,	34.26 m.	thence
7-8	N. 28 deg. 48' E.,	23.23 m.	thence
8-9	N. 68 deg. 10' E.,	72.42 m.	thence
9-10	N. 40 deg. 38' E.,	14.79 m.	thence
10-11	N. 14 deg. 44' E.,	58.96 m.	thence
11-12	N. 43 deg. 18' E.,	19.81 m.	thence
12-13	N. 87 deg. 15' E.,	22.93 m.	thence
13-14	S. 00 deg. 57' W.,	100.80 m.	thence

14-15	S. 48 deg. 41' W.,	74.65 m.	thence
15-16	S. 52 deg. 48' W.,	126.69 m.	thence
16-17	N. 63 deg. 11' W.,	20.10 m.	thence

17-1 S. 63 deg. 18' W., 88.51 m. to point of beginning, containing an area of SIXTEN THOUSAND THREE HUNDRED FOURTY FOUR (16,344) square meters, more or less.

TECHNICAL DESCRIPTION OF LOT 3

A parcel of land, Lot 3, of Sketch Plan, (Being a portion of Proc. No. 10, Baguio Forbes Park, Parcel 3) situated at Res. Sec. "D", Baguio townsite, Island of Luzon. Bounded on the N.W., along lines 1-2-3-4- by the Republic of the Philippines CENRO

Baguio, EMPAS and UP extension compound; on the N.E. along lines 4-5-6-7-8 by Public land (Res. Sec. "D", Baguio townsite) and on the S. along lines 8-9-10-11-12-13-14-15-1 by Gibraltar road 15.00 meters wide. Beginning at a point mark "1" on plan, being S. 20 deg. 10' W., 1387.86 m. from Triangulation station "PACDAL", Baguio townsite, thence;

1-2	N. 39 deg. 49' E.,	49.62 m.	thence
2-3	N. 73 deg. 49' E.,	95.69 m.	thence
3-4	N. 32 deg. 28' E.,	73.99 m.	thence
4-5	S. 6 deg. 11' W.,	36.40 m.	thence
5-6	S. 23 deg. 51' E.,	110.70 m.	thence
6-7	N. 43 deg. 54' E.,	32.58 m.	thence
7-8	S. 45 deg. 13' E.,	10.89 m.	thence
8-9	S. 35 deg. 54' E.,	41.35 m.	thence
9-10	S. 71 deg. 23' W.,	15.72 m.	thence
10-11	N. 78 deg. 15' W.,	31.51 m.	thence
11-12	N. 49 deg. 16' W.,	23.36 m.	thence
12-13	N. 62 deg. 02' W.,	54.02 m.	thence
13-14	S. 78 deg. 08' W.,	32.40 m.	thence
14-15	S. 84 deg. 48' W.,	12.37 m.	thence
15-1	S. 83 deg. 29' W., 55.45 m. to point of beginning, containing an area of ELEVEN THOUSAND NINE HUNDRED FOURTY FIVE (11,945) square meters, more or less.		

SECTION 4. The Land Management Services of the Department of Environment and Natural Resources and the City Government of Baguio are hereby directed to conduct a validation survey of the disposable lands under this Act and to effect their sale to qualified applicants.

SECTION 5. All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 6. This Act shall take effect after its publication in at least two (2) newspapers of general circulation.

Approved,