

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

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 8533



Introduced by Rep. LORETO B. ACHARON

AN ACT

RECLASSIFYING A PARCEL OF LAND OF THE PUBLIC DOMAIN LOCATED IN BARANGAY MABUHAY IN THE CITY OF GENERAL SANTOS AS ALIENABLE AND DISPOSABLE LAND OPEN TO DISPOSITION FOR AGRICULTURAL, RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND FOR OTHER PURPOSES.

EXPLANATORY NOTE

Pasteur lease areas in the City of General Santos comprise about 7,529,017 hectares located in nine (9) barangays and within the next 10 years six (6) of which at least, will expire representing some 5,046 hectares, while others are leased to as far as the 21st century.

In 2019, the 2018-2026 Comprehensive Land Use Plan (CLUP) of the City of General Santos was approved by the Housing and Land Use Regulatory Board (HLURB), now Department of Human Settlements and Urban Development (DHSUD) and the legal tool to implement the CLUP is Zoning Ordinance numbered 16, Series of 2019 enacted by the Sangguniang Panlungsod of General Santos City pursuant to the provisions of Republic Act No. 7160 Sections 458 a.2 (7-9) and 447 (7-9), and such other laws namely Commonwealth Act No. 141, Republic Act No. 8550, PD 705, PD 1067, PD 1096 and Executive Order No. 72.

The local government employed a ridge-to-reef approach in analyzing key land issues and concerns, beginning from the highest point such as forestlands down to pasturelands, agricultural lands and urban settlements ending at a point where coastal zones are located.

The allowable uses of the land enumerated in the CLUP are based on the intrinsic qualities of the land and the socio-economic potential of the locality, in this case the barangay, with due regard to the maintenance of the essential qualities of a particular zone and its sustainability.

This measure therefore seeks to reclassify a parcel of land of the public domain located at Barangay Mabuhay in the City of General Santos. The area is currently classified as timberland however, actual land use is a mix of residential, institutional, agricultural, industrial and commercial.

The CLUP has in fact validated the attraction of Barangay Mabuhay to potential investors as suitable location for the establishment of facilities for the generation of renewable energy sources such as solar energy.

Sizable pockets of land that has eco-tourism potentials also abound at Barangay Mabuhay, many of which are included in the General Santos City Tourism Master Plan.

Land is a commodity that is as basic as capital in a fast-growing economy, a reality that is not just unique to booming localities, but is even more in demand in General Santos City wherein many interested locators look forward to the day when such lands of the public domain are made available without the existing legal impediments today.

This reclassification would ensure therefore that the socio-economic interests of the people are met and opportunities are maximized to improve the city's competitive advantage and the region as well.

In view of the foregoing, passage of this measure is earnestly sought.



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AND DISPOSABLE LAND OPEN TO DISPOSITION FOR AGRICULTURAL,
RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND FOR OTHER PURPOSES.**

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

SECTION 1. *Declaration.* - A parcel of land of the public domain covered by Forest Land Grazing Management Agreement (FLGMA) No. 20-2007 located in Sitio Nopol in Barangay Mabuhay, City of General Santos is hereby classified as alienable and disposable land open to disposition for agricultural, residential, commercial, industrial and for other productive purposes.

Subject parcel of land is more particularly described as follows:

<u>Cor.</u>	<u>Bearing</u>	<u>Distance (m)</u>
1	S. 82° E	335
2	S. 89° E	320
3	S. 66° E	210
4	S. 53° E	240
5	S. 56° E	315
6	S. 83° E	320
7	S. 25° E	320
8	S. 87° E	275
9	S. 47° E	225
10	S. 52° E	310
11	S. 24° E	200
12	S. 31° E	205
13	S. 32° E	210

14	S. 20° E	220
15	S. 24° E	350
16	S. 48° E	370
17	Iden. to cor. 25-17 of Proj. 47-R, Blk-II, A.D., L.C.-3438	
18	Iden. to cor. 25-17 of Proj. 47-R, Blk-II, A.D., L.C.-3438	
19	Iden. to cor. 25-17 of Proj. 47-R, Blk-II, A.D., L.C.-3438	
20	Iden. to cor. 25-17 of Proj. 47-R, Blk-II, A.D., L.C.-3438	
21	Iden. to cor. 25-17 of Proj. 47-R, Blk-II, A.D., L.C.-3438	
22	Iden. to cor. 25-17 of Proj. 47-R, Blk-II, A.D., L.C.-3438	
23	Iden. to cor. 25-17 of Proj. 47-R, Blk-II, A.D., L.C.-3438	
24	Iden. to cor. 25-17 of Proj. 47-R, Blk-II, A.D., L.C.-3438	
25	Iden. to cor. 25-17 of Proj. 47-R, Blk-II, A.D., L.C.-3438	
26	N 54° W	300

comprising an area of five million (5,000,000) square meters, more or less.

SEC. 2. *Disposition.* - The Department of Environment and Natural Resources (DENR) shall alienate the parcel of land identified in the preceding section through the issuance of free patent, regardless of the identified uses or purposes of the lots being applied for, to any citizen of the Philippines who has continuously occupied or cultivated either or through predecessors-in-interest or a person who has been paying the real estate tax even as the same has not been occupied by any other person for at least (10) years prior to the approval of this Act, not to exceed twelve (12) has per applicant; Provided, that the DENR shall reserve and award lands or lots to the City Government of General Santos, its barangays and other agencies of the national government for essential public and quasi-public purposes or services such as school buildings, roads, public plazas, waterworks systems, health centers and similar offices and purposes; Provided further that any title issued over lands for quasi-public purposes of the agencies of the national government shall be in the name of the Republic of the Philippines; Provided, finally that the 20-meters width from both banks of rivers, creeks and natural depressions that serves as waterways shall be preserved as permanent forestland and shall be planted with indigenous tree species to be maintained at all times by the DENR and the local government of the City of General Santos.

The provisions of Commonwealth Act No. 141 otherwise known as the "Public Land Act", as amended, not inconsistent herewith, shall be applicable; Provided that actual occupants of residential lots within built-up areas shall be given priority in the application for titles and the issuance of free patents pursuant to this Act.

SEC. 3. *Preservation of Ecological Balance.* – The final use of this herein declared alienable and disposable lands shall not in any way prejudice ecological balance. The removal of trees and other timber products therein shall be subject to existing forestry laws and regulations.

SEC. 4. *Implementing Rules and Regulations.* – Within ninety (90) days from the approval of this Act, the Secretary of the DENR shall, in consultation with the local government of the City of General Santos, and concerned national government agencies, issue rules and regulations to implement this Act.

SEC. 15. *Separability Clause.* – If any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected are in full force and effect.

SEC. 16. *Repealing Clause.* – All laws, presidential decrees, letters of instructions, executive orders, rules and regulations and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 17. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.