



OFFICE
of the
**SANGGUNIANG
BAYAN**



MONCADA, TARLAC

EXCERPT FROM THE MINUTES OF THE 38th REGULAR SESSION OF THE 11th SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2023 HELD ON THE 20th DAY OF NOVEMBER 2023 AT THE SB SESSION HALL, NEW SB-ABC-SK BUILDING.

PRESENT:

HON. RAMON BENITO M. AQUINO

..VICE MAYOR / PRESIDING OFFICER

HON. JANIUS M. YASAY

..MEMBER

HON. RODOLFO C. ESPEJO, JR.

..MEMBER

HON. ALBERTO C. MARZAN, JR., MD

..MEMBER

HON. THELMAFLOR A. ESPEJO

..MEMBER

HON. CELESTE A. AYSON

..MEMBER

HON. GEORGE MICHAEL P. AGUILAR

..MEMBER

HON. CONSTANTE NESTOR A. FAVIS

..MEMBER

HON. DEAN MICHAEL V. DUQUE

..MEMBER

HON. JAYVEE B. NATIVIDAD

..MFSK PRESIDENT

VACANT:

LNB PRESIDENT

MUNICIPAL ORDINANCE NO. 27
Series of 2023

RECLASSIFYING A PARCEL OF LAND LOCATED AT BARANGAY STA MARIA, THIS MUNICIPALITY, OWNED BY ASPHIL DEVELOPMENT CORPORATION, WITH AN AGGREGATE LAND AREA OF SIX THOUSAND FOUR HUNDRED THIRTY ONE AND 71/100 SQUARE METERS (6,431.71 SQ.M.), FROM AGRICULTURAL TO INDUSTRIAL USE

Principal Sponsor: Coun. Celeste A. Ayson
Chairperson, Committee on Land Use

WHEREAS, Section 447(a) (2) (vii) of Republic Act 7160 otherwise known as the Local Government Code of 1991 authorizes the Sangguniang Bayan to reclassify lands within its territorial jurisdictions;

WHEREAS, section 20 of the same code provides that the Sangguniang Bayan, through an ordinance, may reclassify lands and provide for the manner of their utilization or disposition where the land shall have substantially greater economic value for residential, commercial, or industrial purposes;

WHEREAS, the land to be reclassified is owned by ASPHIL Development Corporation with an aggregate land area of six thousand four hundred thirty one and 71/100 square meters (6,431.71 sqm) located at Barangay Sta Maria, this municipality, covered under Transfer Certificate of Title 043-2023016435;





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WHEREAS, the necessary documents were submitted by the applicant which satisfy the requirements as provided under Article 38 of the Rules and Regulations Implementing the Local Government Code of 1991 (RA 7160), to wit:

1. Letter of Application from Justin Edward T. Asiaten addressed to the Sangguniang Bayan
2. Board Resolution Authorizing Mr. Asiaten, President, as Company Representative
3. Deed of Absolute Sale
4. Tax Declaration with RPT Payment and Tax Clearance
5. Site Development Plan
6. Project Description
7. Sworn Statement of Project Implementation within 3 years
8. Barangay Resolution Interposing No Objection to the Project
9. Proof of Public Hearing Conducted
10. MAO Certification
11. Environmental Compliance Certificate
12. Zoning Certification
13. DAR Certification
14. Affidavit of Non-Tenancy
15. Affidavit of Total Landholding of Transferors
16. Deed of Voluntary Surrender
17. Certification of Non-Tenancy and Release from Liens and Encumbrances
18. Site Map
19. Feasibility Study
20. Mitigating Plan and Measures
21. Resolution of Rezoning from the Local Zoning Board of Appeals and Adjustment of Moncada

NOW, THEREFORE, on motion by Coun. Celeste A. Ayson, duly seconded;

BE IT ENACTED by the Sangguniang Bayan of Moncada, Tarlac in session duly assembled, that:

SECTION 1. That the six thousand four hundred thirty one and 71/100 square meters (6,431.71 sqm) of the parcel of land situated at Barangay Sta Maria covered by Transfer Certificate of Title No. 043-2023016435, is hereby reclassified from **AGRICULTURAL** to **INDUSTRIAL** use.

SEC. 2. That the applicant/owner shall be responsible for the relocation and just compensation of the tenants, should there be any, on subject properties as provided for under pertinent laws and other rules and regulations.

SEC. 3. That the reclassification of the above-described property from AGRICULTURAL TO INDUSTRIAL use shall strictly comply with existing rules and regulations pertinent to applicable environmental laws and the provisions of RA 7160, particularly the required permits, clearances, and all other forms of taxes, fees, and charges that the national government and the LGU of Moncada shall





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impose pursuant to laws, rules and regulations and the provisions of the Zoning Ordinance of Moncada.

SEC. 4. Any law, ordinance, or issuance inconsistent with any provision hereof is hereby repealed or modified accordingly, provided it is not contrary to the Comprehensive Land Use Plan and Zoning Ordinance of the Municipality of Moncada.

SEC. 5. This Ordinance shall take effect upon its approval.

ENACTED, this 20th day of November, 2023 at Moncada, Tarlac.

X-----X
I HEREBY CERTIFY to the correctness of the foregoing Ordinance which was enacted on Third and Final Reading by the 11th Sangguniang Bayan of Moncada during its Regular Session held on the aforementioned date and place.

VICTOR SANDINO S. MOLINA
Secretary, Sangguniang Bayan

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**

RAMON BENITO M. AQUINO
Vice Mayor & Presiding Officer

APPROVED BY THE MAYOR, THIS 20th DAY OF NOV., 2023.

ESTELITA M. AQUINO
Municipal Mayor

RECLASSIFICATION FEE PER MUNICIPAL ORDINANCE NO. 04,
SERIES OF 2019 (2019 REVENUE CODE OF MONCADA)
AMOUNTING TO P 16,079.28 PAID UNDER O.R. NUMBER
6908072 DATED NOV. 11, 2023

