



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



RESOLUTION NO. 2021-458

A RESOLUTION REQUESTING FILINVEST LAND INCORPORATED TO GRANT THE AFFECTED HOMEOWNERS A TWENTY-FOUR (24) HOUR ACCESS TO THE PUBLIC ROAD ONLY UNTIL SUCH TIME THAT A RIGHT OF WAY IS ESTABLISHED AND DECLARED BY THE PROPER COURT IN FAVOR OF THE AFFECTED HOMEOWNERS.

- Sponsored by:
- Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
 - Hon. Coun. Atty. Raul R. Corro
 - Hon. Coun. Alexson V. Diaz
 - Hon. Coun. Paty Katy C. Boncayao
 - Hon. Coun. Louisito A. Arciaga
 - Hon. Coun. Allan Rey A. Camilon
 - Hon. Coun. Ting Niefes
 - Hon. Coun. Stephanie G. Teves-VIA ZOOM
 - Hon. Coun. Ivey Rhia A. Tadea
 - Hon. Coun. Engr. Marissa C. Rongavilla
 - Hon. Coun. Francis Ian T. Bagatsing
 - Hon. Coun. Mark Lester M. Baes
 - Hon. Coun. Ma. Dhesiree G. Arevalo-VIA ZOOM
 - Hon. Coun. Engr. Arlene D. Hilapo
 - Hon. Coun. Cornelio M. Martinez
 - Hon. Coun. Walter A. Arcilla
 - Hon. Coun. Kenichi D. Takagi, Jr.

WHEREAS, Republic Act 386 otherwise known as the Civil Code of the Philippines, states that, *“the owner, or any person who by virtue of a real right may cultivate or use any immovable, which is surrounded by other immovable pertaining to other persons and without adequate outlet to a public highway, is entitled to demand a right of way through the neighboring estates, after payment of the proper indemnity”*;

WHEREAS, forty-three (43) affected homeowners in 146 Wawa Street Alabang currently has no adequate access to the public road as their homes are being surrounded by properties owned by other parties;

WHEREAS, pursuant to Article 649 of New Civil Code of the Philippines which states that an owner which is surrounded by other immovable pertaining to other persons and without adequate outlet to a public highway, is entitled to demand a right of way through the neighboring estates, after payment of the proper indemnity, the affected homeowners are preparing to file the necessary court action to demand right of way from one of the neighboring properties;

WHEREAS, one of the surrounding properties is owned by Filinvest Alabang Inc., which temporarily granted the affected homeowners regulated entrance and exit through its property, allowing the affected homeowners to pass through at selected hours of the day only;





**REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA**

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



Page 2
Resolution No. 2021-458

WHEREAS, pending the resolution of the planned court action, the affected homeowners are in need of an adequate passage to the public road which is accessible twenty-four (24) hours a day, considering that they have different work hours and daily schedule;

WHEREAS, the City Council is one with the affected homeowners in recognizing the necessity of an adequate access to the public road twenty-four (24) hours a day, to enable the homeowners to work and earn a decent living;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 9th Sangguniang Panlungsod of Muntinlupa, to request Filinvest Land, Inc. to grant the affected homeowners a twenty-four (24) hour access to the public road only until such time that a right-of-way is established and declared by the proper Court in favor of the affected homeowners.

ADOPTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 8th day of March, 2021, on its 87th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. RATTY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

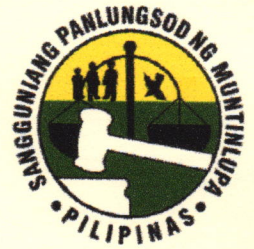
COUN. MARK LESTER M. BAES
Member





REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



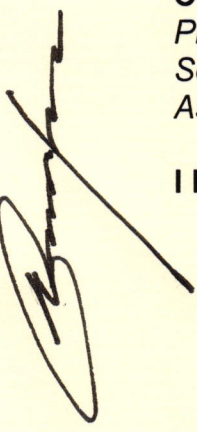
Page 3
Resolution No. 2021-458

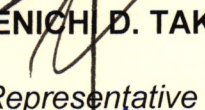

COUN. MA. DHESIREE G. AREVALO
Member


COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member


COUN. ENGR. ARLENE D. HILAPO
Member


COUN. CORNELIO M. MARTINEZ
Member

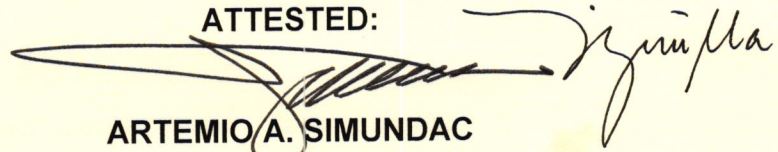

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairmen


COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.


CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor

Date: 16 MAR 2021


Norie/9th SP