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Republic of the Philippines
Province of Cagayan
TUGUEGARAO CITY

NINTH CITY COUNCIL

COMMITTEE REPORT NO. 069-2025

February 25, 2025

Submitted by: **COMMITTEE ON RULES, LAWS AND ETHICS**

PRESENT:

HON. MARC ALDOUS C. BACCAY	- Chairman, Rules
HON. JUDE T. BAYONA	- Vice Chairman, Rules
HON. ARNEL T. ARUGAY	- Member, Rules
HON. GRACE B. ARAGO	- Member, Rules/ zoom

RESOURCE PERSONS:

Engr. Wenceslao M. Arao Jr.	- City Engineer
Atty. Roderick S. Iquin	- City Legal Officer
Hon. Apolonio S. Abraham	- Punong Barangay, Larion Alto
Ms. Laura D. Amistad	- Donor

SUBJECT:

Letter of City Engineer, Engr. Wenceslao M. Arao Jr., on the Deed of Donation of Heirs of Amancio S. Donato and Affidavit of Undertaking and Deed of Donation of Ms. Laura D. Amistad relative to the location of the City Government Project "Concreting of Roads along Sitio Bayawa, Larion Alto".

FOR THE PRESIDING OFFICER:

The Members of the Committee met and deliberated on the Letter of City Engineer, Engr. Wenceslao M. Arao Jr., on the Deed of Donation of Heirs of Amancio S. Donato and Affidavit of Undertaking and Deed of Donation of Ms. Laura D. Amistad relative to the location of the City Government Project "Concreting of Roads along Sitio Bayawa, Larion Alto". The Committee respectfully submits the herein Committee Report and has the honor to report to this August body in session the following actions taken, its findings and recommendations.

ACTIONS TAKEN:

1. The committee conducted a thorough and wholistic evaluation on the Letter of City Engineer, Engr. Wenceslao M. Arao Jr., on the Deed of Donation of Heirs of Amancio S. Donato and Affidavit of Undertaking and Deed of Donation of Ms. Laura D. Amistad relative to the location of the City Government Project "Concreting of Roads along Sitio Bayawa, Larion Alto" on February 25, 2025.
2. Resource persons were present to assist the committee in the committee deliberation.

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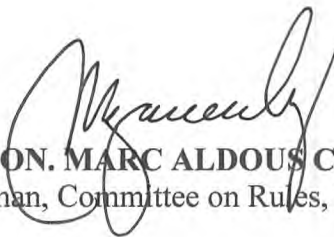
FINDINGS:

1. The commencement of the City Government Project "Concreting of Roads along Sitio Bayawa, Larion Alto" by the City Engineering Office occurred prior to the execution of the Deed of Donation or the formal completion of the donation process.
2. A Deed of Donation has been duly executed by Ms. Laura D. Amistad and Punong Barangay of Larion Alto, Hon. Apolonio S. Abraham. However, the Barangay Council has not yet taken the requisite action to formally accept the donated property, nor has there been an official resolution or acknowledgment of the donation.
3. The City Legal Office believes that the city government is not authorized to carry out the construction, improvement, or repair of roads located on private property. This stance is based on the understanding that the city's jurisdiction and authority do not extend to private lands without proper legal provisions, agreements, or public interest considerations that would justify such actions.
4. There have been no objections from any of the heirs with regard to the donation of the property. Furthermore, Ms. Laura D. Amistad is the only surviving heir of the estate.
5. The committee has been duly informed and provided with clarifications regarding the scope and extent of the property donation, ensuring that all concerns and inquiries have been adequately addressed.

RECOMMENDATIONS:

After careful consideration and evaluation on the subject matter, the committee hereby recommends that the City Legal Office should carefully examine the legal implications of the donation, particularly since the project was initiated before the formal execution of the Deed of Donation. Additionally, although the donation has been made, there has been no formal acceptance from the Barangay. The City Legal Office must assess whether these factors have created any legal issues or violations of procedure. It is essential to ensure that the entire donation process complies with the legal formalities prescribed by law to properly validate both the donation and the project, and to avoid any potential legal complications that may arise from non-compliance.

Respectfully submitted:



HON. MARC ALDOUS C. BACCAY
Chairman, Committee on Rules, Laws and Ethics



HON. JUDE T. BAYONA
Vice Chairman, Committee on Rules, Laws and Ethics



HON. ARNEL T. ARUGAY
Member, Committee on Rules, Laws and Ethics



HON. GRACE B. ARAGO
Member, Committee on Rules, Laws and Ethics