

DECLARATION ON THE EFFECT OF SPECIAL PATENT NO. 3596 AND ESTABLISHING A MAKATI-TAGUIG BOUNDARY COMMITTEE

EXECUTIVE ORDER NO. 256, December 08, 2003

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WHEREAS, there exists a territorial dispute between the Municipality of Taguig and the City of Makati over certain areas in the former Fort Bonifacio docketed as Civil Case No. 63896 and pending before the Regional Trial Court of Pasig, Branch 153 since 1993;

WHEREAS, the territorial dispute relates to the correct delineation of the common territorial boundary of the Municipality of Taguig and City of Makati;

WHEREAS, Sections 2 and 55 of Republic Act No. 7854 (Charter of the City of Makati), as supported by the Supreme Court in "Mariano vs. Comelec" (242 SCRA 211), expressly provide that it is the courts that shall resolve the territorial disputes between City of Makati and any adjoining government unit;

WHEREAS, when Special Patent No. 3596 dated 7 February 1995 was issued to convey unto Fort Bonifacio Development Corporation the tracts of land subject thereof, no reference to the City of Makati was made while a reference to the Municipality of Taguig was expressly made therein;

WHEREAS, pending final resolution in the courts of the territorial dispute between the Municipality of Taguig and the City of Makati, there is a question as to the correct description of the location of the subject tracts of land and said Special Patent No. 3596 was not meant to intrude into or affect any judicial processes relating thereto;

NOW, THEREFORE I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Pursuant to the provisions of law and pending the final resolution of the territorial dispute between Taguig and Makati, the tracts of land subject of said territorial dispute shall be deemed situated in the Municipality of Taguig or City of Makati, until a final determination is issued in Civil Case No. 63896 pending before the Regional Trial Court of Pasig City, Branch 153 or any appeals or other related cases therefrom.

SECTION 2. The Department of Interior and Local Government is directed to form a special Makati-Taguig Boundary Committee to conduct non-binding discussions to explore the possibility of arriving at a constructive and early resolution of the boundary dispute and to provide for a forum for dialogue between the two local government units. Said Committee shall be composed of the following:

Chairman: Secretary of Interior and Local Government Members: One (1) representative from the Office of the Mayor of the City of Makati. One (1) representative from the Office of the Mayor of the Municipality of Taguig One (1) representative from the Office of the Congressional Representative of the 1st District of Makati. One (1) representative from the Office of the Congressional Representative of the Lone District, Taguig-Pateros One (1) representative from the Office of the Solicitor General One (1) neutral legal expert to be appointed by the President.

SECTION 3. This Executive Order shall not be construed as creating or granting any new rights or privileges,

and/or affecting or altering the status quo of the tracts of land in dispute, or as interfering with the judicial process. Upon final resolution of the territorial dispute in the above mentioned case or other related cases as may be decided by the Judicial Department, the statement of the location of said properties in the Special Patent and in all plans and other related documents and issuances shall be amended, reconciled and made consistent with the final judicial determination.

SECTION 4. All orders, issuances, rules and regulation, or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified.

SECTION 5. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 8th day of December, in the year of Our Lord, Two Thousand and Three.

(SGD.) GLORIA MACAPAGAL-ARROYO

President of the Philippines

By the President:

(SGD.) ALBERTO G. ROMULO

Executive Secretary

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