

[PRESIDENTIAL DECREE NO. 1361, April 26, 1978]

FURTHER AMENDING THE PROVISIONS OF SECTION ONE HUNDRED TWELVE OF COMMONWEALTH ACT NUMBERED ONE HUNDRED FORTY-ONE, AS AMENDED BY PRESIDENTIAL DECREE NUMBERED SIX HUNDRED THIRTY-FIVE

WHEREAS, owners of lots acquired under the Public Land Law refuse to recognize the construction of airport runways and terminal buildings as included among the undertakings to which their lots are subject to lien in favor of the government, as provided for under Section 112 of Commonwealth Act No. 141, as amended by Presidential Decree No. 635;

WHEREAS, owners of such lots also refuse to acknowledge the temporary construction of structures or buildings needed by Resident or Project Engineers in the construction of highways and bridges as included in the lien;

WHEREAS, because of this refusal to recognize these undertakings as part of the lien, the constructions of airports and/or roads and bridges have become more expensive and have been unnecessarily delayed;

WHEREAS, to remedy this situation, it is imperative to further amend the provisions of Section 112 of Commonwealth Act No. 141, as amended by Presidential Decree No. 635;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby order and decree:

SECTION 1. Section 112 of Commonwealth Act No. 141, as amended, is hereby further amended to read as follows:

"SECTION 112. Said land shall further be subject to a right-of-way not exceeding sixty (60) meters in width for public highways, railroads, irrigation ditches, aqueducts, telegraph and telephone lines, *airport runways, including sites necessary for terminal buildings and other government structures needed for full operation of the airport, as well as areas and sites for government buildings for Resident and/or Project Engineers needed in the prosecution of government-infrastructure projects*, and similar works as the Government or any public or quasi-public service or enterprise, including mining or forest concessionaires, may reasonably require for carrying on their business, with damages for the improvements only.

Government officials charged with the prosecution of these projects or their representatives are authorized to take immediate possession of the portion of the property subject of the lien as soon as the need arises and after due notice to the owners. It is however, understood that ownership over said properties shall immediately revert to the title holders should the airport be abandoned or when the infrastructure projects are completed and buildings used by project engineers are abandoned or dismantled, but subject to the same lien for future improvements."