



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 22-29 S. 2023

AN ORDINANCE AMENDING ORDINANCE NO. 22-11 S. 2023 OTHERWISE KNOWN AS "AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN VARIOUS BARANGAYS IN BATANGAS CITY FOR BY-PASS ROAD PURPOSES"

WHEREAS, Section 19 of the Local Government Code authorizes the local government, through the Chief Executive, to exercise the power of eminent domain by taking private property for public use upon payment of just compensation;

WHEREAS, the Sangguniang Panlungsod of Batangas City enacted an Ordinance No. 22-11 S. 2023, or "An Ordinance Authorizing the City Government Through its Chief Executive, to Exercise the Power of Eminent Domain for the Expropriation of Private Properties in Various Barangays in Batangas City for By-Pass Road Purposes" on April 18, 2023;

WHEREAS, the City Government of Batangas through its Chief Executive further approved said Ordinance No. 22-11 S. 2023 on April 26, 2023;

NOW THEREFORE, be it ordained by the Sangguniang Panlungsod in session assembled that:

SECTION 1. The SECOND WHEREAS CLAUSE of Ordinance No. 22-11 S. 2023 that reads as:

"WHEREAS, it is necessary for the City Government to take or expropriate the whole or portion of the lots hereunder enumerated as well as other properties that may be necessary for the construction of a By-Pass Road:

1. ET-23 – Leandro B. Perez (Tax Declaration No. 0084-00439)
2. ET-26 – Feliciano P. Andal (Tax Declaration No. 0084-00491)
3. ET-20 – Josefa A. Bayer, widow (Tax Declaration No. 0084-00510)
4. ET-19 – Josefa A. Bayer, widower (Tax Declaration No. 0084-00390)
5. Tax Declaration No. 0084-00457 – Pedro Rosales, Jesus Rosales, Avelina Rosales, & Vicente Rosales
6. Tax Declaration No. 0084-00646 – Pedro Rosales, Jesus Rosales, Avelina Rosales, & Vicente Rosales
7. ET-33 – Mauro B. Barza, md. to Anselma Gonzales (Tax Declaration No. 0084-00928)
8. Transfer Certificate of Title No. T-32290 – Casimero Chavez, md. to Lydia Dio, et al (Tax Declaration No. 0084-01434)
9. Transfer Certificate of Title No. T-052-2010001344 – Sps. Estelita Evangelista & Mario July Evangelista (Tax Declaration No. 0084-00556)
10. Transfer Certificate of Title No. T-39674 – Pedro Castillo, md. to Matilde Castillo (Tax Declaration No. 0084-00335)
11. Transfer Certificate of Title No. 052-2020000390 – Mary Kris C. Untalan (Tax Declaration No. 0084-01326)
12. Transfer Certificate of Title No. T-48632 – Antonio Untalan, md. to Hilaria C. Untalan, et. al (Tax Declaration No. 0084-00915)

HON. NELSON J. CHAVEZ
 HON. ARMANDO C. AZARTE
 HON. OLIVER Z. MACATANGAY
 HON. NESTOR E. DIMACUHA
 HON. ANDREA LOISE F. MACARAIG
 HON. KARLOS EMMANUEL A. BUTED
 HON. HAMILTON G. BLANCO
 HON. ALYSSA RENEE A. CRUZ

HON. MARIORIE A. MANALO
 HON. ANGELITO DONDON A. DIMACUHA
 HON. MICHAEL C. VILLENA
 HON. LORENZO A. GAMBORA, JR.
 HON. ISIDRA M. ATIENZA
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 HON. JOSE JONASH LUIS F. TOLENTINO



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Continuation of Ordinance No. 22-29 S. 2023

AN ORDINANCE AMENDING ORDINANCE NO. 22-11 S. 2023 OTHERWISE KNOWN AS "AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN VARIOUS BARANGAYS IN BATANGAS CITY FOR BY-PASS ROAD PURPOSES"

- 13. Transfer Certificate of Title No. T-48631 – Leonila Untalan, md. to Nestorio Hernandez (Tax Declaration No. 0084-00249)
- 14. Tax Declaration No. 0084-01781 – Juliana Hernandez Asi, widow, et. al
- 15. Tax Declaration No. 0084-00185 – Pedro Mandigma
- 16. Transfer Certificate of Title No. 052-2022002040 – Jasper Bryan Ty Uy, Jamie Loraine Ty Lau, Jason Ryan Ty Lau (Tax Declaration No. 0084-01869)
- 17. Tax Declaration No. 0084-00158 – Hilarion Delgado, md. to Irene Delgado
- 18. Tax Declaration No. 0084-01778 – Juliana Hernandez Asi, widow, et. al
- 19. Tax Declaration No. 0084-00087 – Felipe Aclan, md. to Juana Bayer
- 20. Transfer Certificate of Title No. 052-2016001070 – Eugeniano Delgado, md. to Eva Delgado (Tax Declaration No. 0084-01057)
- 21. Transfer Certificate of Title No. T-70662 – Dominga Delgado, widow and Joel R. Delgado (Tax Declaration No. 0084-00900)
- 22. Transfer Certificate of Title No. T-49014 – Sps. Jovendo Perez and Anacoreta D. Perez (Tax Declaration No. 0084-00072)
- 23. Transfer Certificate of Title No. T-49013 – Daniel Delgado, md. to Apolonia Bagon (Tax Declaration No. 0084-00026)
- 24. Tax Declaration No. 0084-01205 – Maritess Andal Delgado
- 25. Tax Declaration No. 0084-01204 – Sps. Nelson R. Ramos and Julita D. Ramos
- 26. Tax Declaration No. 0084-01203 – Anacoreta D. Perez, md. to Jovendo Perez
- 27. Tax Declaration No. 0084-01202 – Anacoreta D. Perez, md. to Jovendo Perez
- 28. Tax Declaration No. 0084-01206 – Eugeniano C. Delgado, md. to Eva Delgado
- 29. Transfer Certificate of Title No. 052-2022002408 – Hilaria C. Untalan, md. to Antonio P. Untalan, et. al (Tax Declaration No. 0084-01878)
- 30. Transfer Certificate of Title No. 052-2022002406 - Hilaria C. Untalan, md. to Antonio P. Untalan, et. al (Tax Declaration No. 0084-01880)
- 31. Transfer Certificate of Title No. 052-2022002407 – Republic of the Philippines, Department of Public Works and High Way (Tax Declaration No. 0084-01879)
- 32. Tax Declaration No. 0084-00407 – Pedro, Jesus, Avelina, and Vicente Rosales

is hereby amended to read, as follows:

"WHEREAS, it is necessary for the City Government to take or expropriate the whole or portion of the lots hereunder enumerated as well as other properties that may be necessary for the construction of a By-Pass Road:

HON. NELSON J. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE R. MACARAIG

HON. KARLOS EMMANJUEL A. BUTED

HON. HAMILTON G. BLANCO

HON. ALYSSA RENEE A. CRUZ

HON. MARJORIE A. MANALO

HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLENA

HON. LORENZO A. GAMBOSA, JR.

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16. Transfer Certificate of Title No. 052-2022002040 – Jasper Bryan Ty Uy, Jamie Loraine Ty Lau, Jason Ryan Ty Lau (Tax Declaration No. 0084-01869)
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HON. NESTOR E. DIMACUHA

HON. ANDREA VOISE F. MACARANG

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Continuation of Ordinance No. 22-29 S. 2023

AN ORDINANCE AMENDING ORDINANCE NO. 22-11 S. 2023 OTHERWISE KNOWN AS "AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN VARIOUS BARANGAYS IN BATANGAS CITY FOR BY-PASS ROAD PURPOSES"

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- 29. Transfer Certificate of Title No. 052-2022002408 – Hilaria C. Untalan, md. to Antonio P. Untalan, et. al (Tax Declaration No. 0084-01878)
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- 31. Transfer Certificate of Title No. 052-2022002407 – Republic of the Philippines, Department of Public Works and High Way (Tax Declaration No. 0084-01879)
- 32. Tax Declaration No. 0084-00407 – Pedro, Jesus, Avelina, and Vicente Rosales
- 33. Tax Declaration No. 0084-00027 - Sps. Daniel Delgado married and Apolonia Bagon
- 34. Transfer Certificate of Title No. 052-2023001482 - Navi Development Corporation
- 35. Transfer Certificate of Title No. 052-2023001218 - Elsa C. Calingay married to Freddie Boy Calingay
- 36. Transfer Certificate of Title No. 052-2023001220 - Elizabeth B. Casas (single)
- 37. Transfer Certificate of Title No. 052-2023001405 - Gina A. Burog, et. al
- 38. Transfer Certificate of Title No. 052-2023001580 - Sps. Estelita Evangelista and Mario July Evangelista
- 39. Transfer Certificate of Title No. 052-2023001579 - Mark Louie Tan
- 40. Transfer Certificate of Title No. 052-2023001578 - Sps. Estelita Evangelista and Mario July Evangelista
- 41. ET-12 - Feliciano P. Andal (single)"

SECTION 2. AMENDMENT CLAUSE. - This Ordinance shall form as an integral part of Ordinance No. 22-11 S. 2023 and shall be promulgated as amendment to the present Ordinance Authorizing the City Government Through Its Chief Executive, to Exercise the Power of Eminent Domain for the Expropriation of Private Properties in Various Barangays in Batangas City for By-Pass Road Purposes.

SECTION 3. SEPARABILITY CLAUSE. - If for any reason any part of this ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected shall continue to be in full force and effect.

SECTION 4. REPEALING CLAUSE. - All ordinances, rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly.

HON. NELSON J. CHAVEZ

HON. APAMANDO C. LAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANBREA LOISE F. MACARAIG

HON. KARLOS EMMANJUEL A. BUTED

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SECTION 5. EFFECTIVITY. - This Ordinance shall take effect after completion of posting thereof in conspicuous places in Batangas City.

ENACTED by the Sangguniang Panlungsod this 7th day of November, 2023.

ATTY. OLIVA D. TELEGATOS
 Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
 Presiding Officer

APPROVED:

BEVERLEY ROSE A. DIMACUHA
 City Mayor

Date Approved: NOV 13 2023

HON. ARMANDO C. LAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE F. MACARAIG

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**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON NOVEMBER 7, 2023 AT THE SAMPAGUITA FARM,
SAMPAGA, BATANGAS CITY**

PRESENT:

Hon. Alyssa Renee A. Cruz	Presiding Officer
Hon. Hamilton G. Blanco,	Sangguniang Panlungsod Member
Hon. Karlos Emmanjuel A. Buted,	”
Hon. Andrea Loise F. Macaraig,	”
Hon. Nestor E. Dimacuha,	”
Hon. Oliver Z. Macatangay,	”
Hon. Armando C. Lazarte,	”
Hon. Nelson J. Chavez,	”
Hon. Jose Jonash Luis F. Tolentino,	”
Hon. Zester Carlo M. Hernandez,	”
Hon. Isidra “Ched” M. Atienza,	”
Hon. Lorenzo A. Gamboa, Jr.,	”
Hon. Michael C. Villena,	”
Hon. Angelito Dondon A. Dimacuha,	Liga ng mga Barangay President
Hon. Marjorie A. Manalo,	Sangguniang Kabataan President

“On motion of SP Member Nestor Dimacuha seconded by SP Member Angelito Dondon Dimacuha, the following Resolution was Adopted:

RESOLUTION NO. 22-444 S. 2023

**APPROVING THE ORDINANCE AMENDING ORDINANCE NO. 22-11 S. 2023
OTHERWISE KNOWN AS “AN ORDINANCE AUTHORIZING THE CITY
GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER
OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN
VARIOUS BARANGAYS IN BATANGAS CITY FOR BY-PASS ROAD PURPOSES”**


RESOLVED, to approve the Ordinance Amending Ordinance No. 22-11 S. 2023 otherwise known as “An Ordinance Authorizing the City Government through its Chief Executive to Exercise the Power of Eminent Domain for the Expropriation of Private Properties in various Barangays in Batangas City for By-Pass Road Purposes”.

UNANIMOUSLY APPROVED.”

Continuation of Resolution No. 22-444 S. 2023

**APPROVING THE ORDINANCE AMENDING ORDINANCE NO. 22-11 S. 2023
OTHERWISE KNOWN AS "AN ORDINANCE AUTHORIZING THE CITY
GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER
OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN
VARIOUS BARANGAYS IN BATANGAS CITY FOR BY-PASS ROAD PURPOSES"**

I hereby certify that the foregoing Resolution No. 22-444 S. 2023 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on November 7, 2023.


LUNINGNING A. AQUINO
Board Secretary III

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY
OFFICE OF THE SANGGUNIANG PANLUNGSOD**

**EXCERPT FROM THE JOURNAL OF THE REGULAR SESSION OF THE
SANGGUNIANG PANLUNGSOD WHICH WAS HELD AT SAMPAGUITA FARM
BARANGAY SAMPAGA ON NOVEMBER 7, 2023 AT 1:00 PM**

MGA DUMALO:

Kgg. Alyssa Renee Cruz	Tagapangulo
Kgg. Hamilton G. Blanco	SP Members
Kgg. Karlos Emmanjuel A. Buted	SP Members
Kgg. Andrea Loise F. Macaraig	"
Kgg. Nestor E. Dimacuha	"
Kgg. Oliver Z. Macatangay	"
Kgg. Armando C. Lazarte	"
Kgg. Nelson J. Chavez	"
Kgg. Jose Jonash Luis F. Tolentino	"
Kgg. Zester Carlo M. Hernandez	"
Kgg. Isidra M. Atienza	"
Kgg. Lorenzo A. Gamboa, Jr.	"
Kgg. Michael C. Villena	"
Kgg. Angelito Dondon A. Dimacuha	Liga ng mga Barangay Pangulo
Kgg. Marjorie A. Manalo	Liga ng mga Kabataan Pangulo

-----X

X. MGA BAGONG PAG-UUSAPAN

5. Amendment for Ordinance No. 22-11 Series 2023

Tagapangulo: Councilor Boy Dimacuha you're now recognized.

SP Member N. Dimacuha: Salamat po Kgg. na Tagapangulo, I move to suspend the rules to accommodate the amendment for Ordinance No. 22-11 Series 2023 I so move.

Chair: Any second?

SP Member N. Chavez: Second.

Chair: There is a motion duly seconded to suspend the rules, any comments?

NONE

Chair: Hearing none, the rules is now suspended, proceed Councilor Boy.

SP Member N. Dimacuha: Thank you very much Madam Presiding Officer at dun sa mga nag-second. Provided in our Internal Rules of Procedure Article 12, Section. 1 , Paragraph E, any legislative measure certified urgent by the Local Chief



Executive would be acted during the session exempting on three (3) reading rules, napakahalaga po ng hinihinging amendment ng ating Kgg. na Punong Lungsod at ito po ay ang mga karagdagang pag-aari, properties sa atin sa loob ng lungsod na kung saan ay saan ay gagamitin para sa ating diversion road at karagdagan po na napalagay, na napatala ay ang mga sumusunod, siyam (9) na property ang karagdagan dito sa ating ordinansa na may bilang, Ordinance 22-11 Series 2023 title An Ordinance Authorizing the City Government through its Chief Executive to Exercise the Power of Eminent Domain for the Expropriation of Private Properties in Various Barangays in Batangas City for Bypass Road Purposes. So, as I have said considering the importance of the amendment I move that the just read ordinance be amended and the following information be incorporated as part of the amendment, I so move Madam Chair.

SP Member A.D. Dimacuha: Second.

Tagapangulo: So, there is amotion duly seconded that the Ordinance 22-11 Series of 2023 be amended, any comments?


NONE

Tagapangulo: Hearing none, the motion is approved, thank you Councilor Boy Dimacuha.

x-----x

CERTIFICATION

I hereby certify that the above transcript are true and correct according to my knowledge, understanding and belief.


FILIPINA M. GARCIA
Administrative Assistant V

CERTIFICATION

This is to certify that this copy is the Official Transcript of Record of the Regular Session Held on November 7, 2023 at Sampaguita Farm Barangay Sampaga, Batangas City.


CECILIA D. ATIENZA
Sr. Administrative Assistant I