Republic of the Philippines
BATANGAS CITY
Office of the Sangguniang Panlungsod
Tel. No. 723-2175

ORDINANCE NO. 2 S. 2017

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

SPONSORED BY : COUN. ALYSSA RENEE A. CRUZ

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, 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. Transfer Certificate of Title No. T-63975 - Oscar C. Rivera (Tax Declaration No. 0102-00374
2. Transfer Certificate of Title No. T-47022 - Aida Casas married to Albert Casas (Tax Declaration No. 0102-01063)
3. Transfer Certificate of Title No. T-47023 - Adelia Casas married to Pedro Bojeador (Tax Declaration No. 0102-01129)
4. Transfer Certificate of Title No. T-38607 - Gregorio Intac (Tax Declaration No. 0102-01085)
5. Transfer Certificate of Title No. T-66917 - Ortes C. Rivera married to Isabelita Nora (Tax Declaration No. 0102-01566)
6. Transfer Certificate of Title No. T-46974 - Miguel F. Casas married to Estelita Casas (Tax Declaration No. 0102-00656)
7. Transfer Certificate of Title No. T-46975 - Arnel Casas (Tax Declaration No. T-0102-00809)
8. Transfer Certificate of Title No. T-48899 - Paula C. Intac (Tax Declaration No. 0102-00169)
9. Transfer Certificate of Title No. T-69875 - Remedios M. Rosales, et al (Tax Declaration No. 0102-00069)
10. Transfer Certificate of Title No. T-69978 - Remedios M. Rosales, et al. (Tax Declaration No. 0102-00070)
11. Transfer Certificate of Title No. 052-2016001699 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01622)
12. Transfer Certificate of Title No. 052-2016001698 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01623)

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13. Transfer Certificate of Title No. 052-2016001697 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01624)
14. Transfer Certificate of Title No. 052-2016001696 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01625)
15. Transfer Certificate of Title No. 052-2016001695 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01628)
16. Transfer Certificate of Title No. 052-2016001694 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01629)
17. Transfer Certificate of Title No. 052-2016001710 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01626)
18. Transfer Certificate of Title No. 052-2016001693 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01632)
19. Transfer Certificate of Title No. 052-2016001692 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01631)
20. Transfer Certificate of Title No. 052-2016001691 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01630)
21. Transfer Certificate of Title No. 052-2016001709 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01633)
22. Transfer Certificate of Title No. 052-2016001704 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01639)
23. Transfer Certificate of Title No. 052-2016001703 - Anastacio Hontiveros, et al. (Tax Declaration No. - 0102-01640)
24. Transfer Certificate of Title No. 052-2016001702 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01637)
25. Transfer Certificate of Title No. 052-2016001690 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01638)
26. Transfer Certificate of Title No. 052-2016001701 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01635)

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27. Transfer Certificate of Title No. 052-2016001705 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01636)
28. Transfer Certificate of Title No. 052-2016001700 - Anastacio Hontiveros, et al. (Tax Declaration No. 0102-01634)
29. Tax Declaration No. 0102-00699 - Maria Villarba
30. Transfer Certificate of Title No. 052-2016001613 - Terry B. Villarba, et al. (Tax Declaration No. 0102-01619)
31. Tax Declaration No. 0102-01034 - Sps. Rolando T. Catle and Nimfa Dimayuga
32. Tax Declaration No. 0102-01586 - Elizabeth D. Sunga, et al.
33. Transfer Certificate of Title No. 052-2015000193 - Darwin Dave G. Olave married to Angelique Irene V. Olave (Tax Declaration No. 0102-01537)
34. Transfer Certificate of Title No. 052-2015000192 - Darwin Dave G. Olave married to Angelique Irene V. Olave (Tax Declaration No. 0102-01539)
35. Tax Declaration No. 0102-00548 - Celso Dela Cruz
36. Tax Declaration No. 0102-00720 - Manuel Dimaano
37. Tax Declaration No. 0102-01173 - Sps. Calixto P. Reata and Nena D. Reata
38. Tax Declaration No. 0102-00939 - Sps. Florante Dimayuga and Irene Castillo
39. Tax Declaration No. 0102-00477 - Sps. Leon Dimayuga and Catalina Dimaano
40. Transfer Certificate of Title No. T-3199 - Vicenta Villarba (Tax Declaration No. 0102-00283)
41. Tax Declaration No. 0102-00868 - Elizabeth Dimaano
42. Transfer Certificate of Title No. 052-2010001772 - Jasmin E. Erece married to Allan C. Erece (Tax Declaration No. 0102-00839)
43. Transfer Certificate of Title No. T-14389 - Sps. Hilarion Delgado and Irenea Andal (Tax Declaration No. 0102-00379)
44. Transfer Certificate of Title No. T-14388 - Sps. Hilarion Delgado and Irenea Andal (Tax Declaration No. 0102-00380)
45. Tax Declaration No. 0102-00523 - Sps. Ignacio Hontiveros and Policarpia Hontiveros
46. Tax Declaration No. 0102-00511 - Estelita Delgado
47. Tax Declaration No. 0102-00512 - Estelita Delgado
48. Tax Declaration No. 0046-02636 - Donata Gabia married to Francisco Babasa

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49. Tax Declaration No. 0046-02637 - Zenaida Candava , et. al.
50. Tax Declaration No. 0046-01497 - Graciana P. Catapang married to Pedro Asi
51. Tax Declaration No. 0046-00455 - Zenaida C. Candava, et al.
52. Tax Declaration No. 0046-02416 - Aurelia M. Boongaling, et al.
53. Tax Declaration No. 0046-00459 - Zenaida C. Candava, et al.
54. Tax Declaration No. 0046-00456 - Zenaida C. Candava, et al.
55. Tax Declaration No. 0046-00162 - Sps. Juan Velasquez and Nazaria A. Doce
56. Tax Declaration No. 0046-00163 - Juan Velasquez and Nazaria Doce
57. Tax Declaration No. 0046-02693 - Gavina Plata
58. Tax Declaration No. 0046-02709 - Sps. Aniceto A. Asi and Vilma F. Asi
59. Tax Declaration No. 0046-00538 - Sps. Nicasio Gamboa and Lakambini Gamboa
60. Tax Declaration No. 0046-02711 - Sps. Jeremiah B. Gamboa and Catherine B. Gamboa
61. Tax Declaration No. 0046-02712 - Sps. Jeremiah B. Gamboa and Catherine B. Gamboa
62. Tax Declaration No. 0046-01119 - Anita Guda married to Graciano Guda
63. Tax Declaration No. 0046-01282 - Rowena Baes, et al.
64. Tax Declaration No. 0046-01398 - Rowena Baes, et al.
65. Transfer Certificate of Title No. T-58571 - Carmen T. Fernando married to Ponciano Fernando (Tax Declaration No. 0046-00872)
66. Transfer Certificate of Title No. 052-2011001548 - Marcelo Malaluan
67. Transfer Certificate of Title No. T-54724 - Sps. Ponciano Pagcaliwagan and Caya C. Pagcaliwagan
68. Transfer Certificate of Title No. 052-2011001549 - Bonifacio Malaluan married to Caridad De Chavez
69. Tax Declaration No. 0046-01455 - Sps. Margarito Malaluan and Juana Catapang
70. Tax Declaration No. 0046-01639 - Margarito Malaluan
71. Tax Declaration No. 0046-02859 - Zenaida C. Candava, et al.

72. Tax Declaration No. 0046-00144 - Porfirio Malaluan
73. Tax Declaration No. 0046-01207 - Sps. Pedro Mortilla and Gloria Mortilla
74. Tax Declaration No. 0046-00460 - Zenaida C. Candava, et al.
75. Tax Declaration No. 0046-01495 - Sps. Pedro Mortilla and Gloria Mortilla
76. Tax Declaration No. 0046-01876 - Julie Lonzaga married to Jimmy Lonzaga
77. Tax Declaration No. 0046-00461 - Zenaida C. Candava, et al.
78. Tax Declaration No. 0046-00441 - Leonor B. Young married to Norman L. Young
79. Tax Declaration No. 0046-02635 - Zenaida Candava, et al.
80. Tax Declaration No. 0046-02634 - Zenaida Candava, et al.
81. Tax Declaration No. 0047-00660 - Belinda A. Gertes
82. Tax Declaration No. 0047-00339 - Benedicta Villena
83. Tax Declaration No. 0047-00340 - Benedicta Villena
84. Tax Declaration No. 0047-00444 - Heirs of Mariano C. Gutierrez
85. Tax Declaration No. 0047-01471 - Consolacion Gertes
86. Tax Declaration No. 0047-01473 - Mario Gertes
87. Tax Declaration No. 0047-01469 - Iluminada Gertes
88. Tax Declaration No. 0047-02144 - Miguel Gertes
89. Tax Declaration No. 0047-01258 - Jennifer Gertes
90. Tax Declaration No. 0047-02077 - Consolacion Gertes, et al.
91. Tax Declaration No. 0047-01962 - Candelaria Pimentel
92. Tax Declaration No. 0047-01591 - Arceli A. Cajucom
93. Tax Declaration No. 0047-05637 - Reynaldo Ramos married to Ma. Victoria Ramos
94. Tax Declaration No. 0047-05312 - Arceli A. Cajucom
95. Tax Declaration No. 0047-00048 - Vicente Ramos
96. Tax Declaration No. 0047-00049 - Vicente Ramos
97. Tax Declaration No. 0047-00050 - Vicente Ramos
98. Tax Declaration No. 0047-05346 - Valeria Agtay, et al.
99. Tax Declaration No. 0047-00076 - Sps. Andres B. Ramos and Helen Ramos
100. Tax Declaration No. 0055-02214 - Sps. Jaime G. Gonda and Cresencia T. Gonda
101. Tax Declaration No. 0055-06380 - Antonio Driz
102. Tax Declaration No. 0055-06375 - Antonio Driz

103. Tax Declaration No. 0055-03576 - Maximina C. Garcia
104. Tax Declaration No. 0055-03393 - Florencia C. Garcia
105. Tax Declaration No. 0055-04709 - Felina C. Garcia
106. Tax Declaration No. 0055-04491 - Antonio C. Garcia
107. Tax Declaration No. 0055-00613 - Michael Francis M. Perez, et al.
108. Tax Declaration No. 0055-00191 - Michael Francis M. Perez, et al.
109. Tax Declaration No. 0055-00440 - Alejandro De Chavez
110. Tax Declaration No. 0055-02888 - Sps. Wilfredo Dela Cruz and Lucila Dela Cruz
111. Tax Declaration No. 0055-04127 - Faye M. Gualberto
112. Tax Declaration No. 0055-06313 - Amparo E. De Chavez, et al.
113. Tax Declaration No. 0055-02477 - Lydia C. De Chavez, et al.
114. Tax Declaration No. 0055-02133 - Twin Rivers Realty and Development Inc.
115. Tax Declaration No. 0055-01269 - Rustico Ramirez
116. Tax Declaration No. 0055-02110 - Sps. Hernando B. Perez and Rosario S. Perez
117. Tax Declaration No. 0055-03768 - Sps. Romualdo Panganiban and Margarita Borbon
118. Tax Declaration No. 0055-06229 -Mila M. Aclan, et al.
119. Tax Declaration No. 0055-02659 - Sps. Antonio Garing and Victoriana Quinones
120. Tax Declaration No. 0055-03854 - Sps. Ponciano Driz and Fausta De Chavez
121. Tax Declaration No. 0055-02239 - Nicandro De Chavez
122. Tax Declaration No. 0055-02240 - Sps. Nicandro De Chavez and Matilde Javier
123. Tax Declaration No. 0055-05903 - Oliva D. Cueto
124. Tax Declaration No. 0055-04545 - Fernando Driz
125. Tax Declaration No. 0055-04403 - Ildefonso Driz
126. Tax Declaration No. 0055-02604 - Sps. Alejandro De Chavez and Florencia De Chavez
127. Tax Declaration No. 0055-05901 - Nemesio De Chavez and Maria De Chavez
128. Tax Declaration No. 0055-05900 - Melquiadez De Chavez married to Emiliana M. De Chavez
129. Tax Declaration No. 0055-05899 - Trifeno De Chavez
130. Tax Declaration No. 0055-05898 - Tita D. Aguilar
131. Tax Declaration No. 0055-05897 - Andres De Chavez

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132. Tax Declaration No. 0055-02941 - Marieta Rivera
133. Tax Declaration No. 0055-06379 - Marieta Rivera
134. Tax Declaration No. 0055-06377 - Ponciano Driz married to Fausta De Chavez
135. Tax Declaration No. 0055-06376 - Sps. Benjamin Noche and Erlinda Driz
136. Tax Declaration No. 0084-00401 - Unknown
137. Tax Declaration No. 0084-00312 - Sps. Ignacio Hontiveros and Policarpia Hontiveros
138. Tax Declaration No. 0084-00313 - Sps. Ignacio Hontiveros and Policarpia Hontiveros
139. Tax Declaration No. 0084-00310 - Virginia Andal married to Lorenzo Untalan
140. Tax Declaration No.0084-00340 - Matilde Castillo
141. Tax Declaration No. 0084-00394 - Esperanza Delgado married to Alejandro Untalan
142. Tax Declaration No. 0084-00071 - Basilia Delgado married to Nicanor Castillo
143. Tax Declaration No. 0084-00070 - Sps. Nicanor Castillo and Basilia Castillo
144. Tax Declaration No. 0084-00285 - Ronald C. Arceo, et al.
145. Tax Declaration No. 0084-00687 - Sps. Pulhensio M. Abdon and Emelda M. Abdon
146. Tax Declaration No. 0084-00281 - Antonio F. Arceo
147. Tax Declaration No. 0084-00283 - Concepcion Arceo
148. Tax Declaration No. 0084-00126 - Angeles F. Arceo & Mariano O. Ng, Jr.
149. Tax Declaration No. 0084-00125 - Marino Ng. Jr.
150. Tax Declaration No. 0042-01771 - Balbina Alog
151. Tax Declaration No. 0042-00354 - Nestor A. Villena, et al.
152. Tax Declaration No. 0042-00829 - Sps. Felimon Abaya and Nicasia Abaya
153. Tax Declaration No. 0042-01772 - Nestor A. Villena, et al.
154. Tax Declaration No. 0042-00036 - Enrique Abaya married to Virgie Abaya
155. Tax Declaration No. 0042-01782 - Sps. Rolando A. Villena and Maria Felicia P. Villena
156. Tax Declaration No. 0042-01023 - Bonifacia Villena
157. Tax Declaration No. 0042-00281 - Ricardo Abaya, et al.
158. Tax Declaration No. 0042-01773 - Victor Abaya married to Sebastiana Maderazo

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159. Tax Declaration No. 0042-00037 - Enrique Abaya and Virgie Gunday
160. Tax Declaration No. 0042-00038 - Enrique Abaya married to Virgie Abaya
161. Tax Declaration No. 0042-01783 - Sps. Wilson G. Maranan and Paula Leila Y. Maranan
162. Tax Declaration No. 0042-00770 - Bonifacio Villena
163. Tax Declaration No. 0042-00290 - Aquilino Arquillo
164. Tax Declaration No. 0042-01151 - Leonora Batistil
165. Tax Declaration No. 0042-01789 - Sps. Jaime C. Silang and Imelda M. Silang
166. Tax Declaration No. 0042-01554 - Sps. Jaime C. Silang and Imelda M. Silang
167. Tax Declaratin No. 0042-01547 - Sps. Jaime Silang and Imelda Silang
168. Tax Declaration No. 0042-01788 - Sps. Bernie Abaya and Carmelita B. Abaya
169. Tax Declaration No. 0042-00901 - Enriqueta Abaya
170. Tax Declaration No. 0042-01795 - Rustico A. Ramos
171. Tax Declaration No. 0042-01796 - Gervacio V. Ramos
172. Tax Declaration No. 0042-01625 - Sps. Bernie M. Abaya and Carmelita B. Abaya
173. Tax Declaration No. 0086-01180 - Sps. Marianito C. Cueto and Marilou Ruby F. Cueto
174. Tax Declaration No. 0086-00344 - Danilo C. De Torres
175. Tax Declaration No. 0086-01197 - Sps. Silvestre D. Cueto and Susan V. Cueto
176. Tax Declaration No. 0086-01032 - Sps. Pedro Cueto and Adelaida De Torres
177. Tax Declaration No. 0086-00223 - Pedro Cueto
178. Tax Declaration No. 0086-01183 - Jose Lyndon T. Tan
179. Tax Declaration No. 0086-01184 - Marcelo V. Buquid married to Josephine B. Dimaano
180. Tax Declaration No. 0086-00947 - Miguela Mendoza
181. Tax Declaration No. 0086-01204 - Sps. Felipe Cueto and Miguela Mendoza
182. Tax Declaration No. 0086-01142 - Gaudencio E. Velasquez married to Amelia Velasquez
183. Tax Declaration No. 0086-00710 - Dionisio Cueto
184. Tax Declaration No. 0086-01204 - Sps. Felipe Cueto and Miguela Mendoza
185. Tax Declaration No. 0086-01142 - Gaudencio E. Velasquez married to Amelia Velasquez

186. Tax Declaration No. 0086-01077 - Gaudencio Velasquez married to Amelia Velasquez
187. Tax Declaration No. 0086-00979 - Delia V. Silvia married to Enrique Silvia
188. Tax Declaration No. 0086-00978 - Sps. Gaudencio E. Velasquez and Amelia M. Velasquez
189. Tax Declaration No. 0086-00977 - Sps. Gaudencio E. Velasquez and Amelia M. Velasquez
190. Tax Declaration No. 0086-00279 - Reynato G. Cueto
191. Tax Declaration No. 0086-00179 - Petronio M. Agbay, et al.
192. Tax Declaration No. 0086-00606 - Alejo Gamboa
193. Tax Declaration No. 0086-01148 - Celeste R. De Castro married to Edmon A. De Castro
194. Tax Declaration No. 0086-01170 - Mario G. Dotig, et al.
195. Tax Declaration No. 0086-00209 - Urbana G. Concepcion married to Anacoreto Concepcion
196. Tax Declaration No. 0086-00291 - Solomon Pocholo B. Gamboa
197. Tax Declaration No. 0086- 00206 - Sps. Arnold Macatangay and Charleen C. Macatangay
198. Tax Declaration No. 0086-00250 - Marta Macaraig
199. Tax Declaration No. 0086-00533 - Marianita G. Reyna married to Gilbert Reyna
200. Tax Declaration No. 0086-00415 - Expedito M. Gamboa
201. Tax Declaration No. 0086-00214 - Sps. Jonathan G. Concepcion and Melanie A. Concepcion
202. Tax Declaration No. 0086-00968 - Solomon Pocholo B. Gamboa
203. Tax Declaration No. 0086-00294 - Sps. Nicasio B. Gamboa Jr. and Sandra Kristell O. Gamboa
204. Tax Declaration No. 0086-00288 - Sps. Nicasio C. Gamboa and Lakambini B. Gamboa
205. Tax Declaration No. 0086-00644 - Sps. Francisco Atienza and Ruperta Godoy
206. Tax Declaration No. 0086-00144 - Sps. Elpidio G. Cueto and Eusebia C. Cueto
207. Tax Declaration No. 0086-00976 - Arturo Velasquez married to Agnes Velasquez
208. Tax Declaration No. 0086-01076 - Gloria Dinglasan
209. Tax Declaration No. 0086-01089 - Maximo Godoy
210. Tax Declaration No. 0086-01088 - Pedro Dinglasan
211. Tax Declaration No. 0086-00648 - Rosendo Godoy married to Norma Evangelista
212. Tax Declaration No. 0086-00328 - Paulina G. Cueto, et al.
213. Tax Declaration No. 0086-00373 - Meliton Godoy married to Rosario Alea

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214. Tax Declaration No. 0086-00272 - Sps. Leonida Jamilla and Rafael Jamilla
215. Tax Declaration No. 0086-00322 - Bibiana Godoy
216. Tax Declaration No. 0086-00948 - Sps. Perfecta G. Santos and Mateo Cantos
217. Tax Declaration No. 0086-00239 - Brigido Delos Reyes, et al.
218. Tax Declaration No. 0086-00518 - Pedro Panganiban
219. Tax Declaration No. 0086-00108 - Nicetas Aclan, et al.
220. Tax Declaration No. 0086-00065 - Isidora Javier Perez, et al.
221. Tax Declaration No. 0075-04871 - Sps. Alberto M. Maranan and Maria D. Maranan
222. Tax Declaration No. 0075-03956 - Geraldine B. Arias
223. Tax Declaration No. 0075-04872 - Sps. Mc. Gregore G. Magtibay and Wella Marie A. Magtibay
224. Tax Declaration No. 0075-04873 - Librada L. Burdeos
225. Tax Declaration No. 0075-04111 - Sps. Christopher B. Ternal and Rutchen T. Ternal
226. Tax Declaration No. 0075-01530 - Sps. Juan Ronquillo and Donata Antenor
227. Tax Declaration No. 0075-02215 - Balbino M. Dimaandal, et al.
228. Tax Declaration No. 0075-04286 - Mercedes Dimaandal
229. Tax Declaration No. 0075-04403 - Philip Suberon, et al.
230. Tax Declaration No. 0075-04404 - Sps. Rodolfo Cabading and Anicia Lopez
231. Tax Declaration No. 0075-04405 - Sps. Felipe Suberon and Juanita Lopez
232. Tax Declaration No. 0075-04407 - Sps. Emilio Lopez and Nazaria Lopez
233. Tax Declaration No. 0075-04408 - Pablo Lopez
234. Tax Declaration No. 0075-04437 - Apolinario B. Lopez married to Rosita Camagon
235. Tax Declaration No. 0075-00077 - Julito B. Lopez married to Nenita Hernandez
236. Tax Declaration No. 0075-04438 - Felicisimo Lopez
237. Tax Declaration No. 0075-04439 - Sps. Rufino A. Lopez and Basilia R. Lopez
238. Tax Declaration No. 0075-04442 - Leovigilda Dimaandal married to Celso Villablanca
239. Tax Declaration No. 0075-04443 - Norma M. Dimaandal
240. Tax Declaration No. 0075-04444 - Zosimo M. Dimaandal

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241. Tax Declaration No. 0075-02264 - Adoracion C. Arellano
242. Tax Declaration No. 0075-04265 - Bernardina L. Ramirez, et al.
243. Tax Declaration No. 0075-00167 - Sps. Marciano Camagon and Eladia Camagon
244. Tax Declaration No. 0075-04263 - Gregoria Banaag
245. Tax Declaration No. 0075-01724 - Sps. Francisco Uy and Flora Banaag
246. Tax Declaration No. 0075-01310 - Sps. Simeon L. Ramirez and Victoriana M. Ramirez
247. Tax Declaration No. 0075-00805 - Violeta R. Torres
248. Tax Declaration No. 0075-00213 - Roberta B. Falcatan
249. Tax Declaration No. 0075-03906 - National Power Corporation
250. Tax Declaration No. 0075-03371 - Lloyd D. Montalbo
251. Tax Declaration No. 0075-04080 - Buenaventura M. Dudas married to Patricia G. Dudas
252. Tax Declaratin No. 0075-04081 - Buenaventura M. Dudas married to Patricia G. Dudas
253. Tax Declaration No. 0075-04082 - Sps. Dante M. Furto and Marites H. Furto
254. Tax Declaration No. 0075-01485 -Sps. Noel B. Mañibo and Dolores M. Mañibo
255. Tax Declaration No. 0075-00902 - Prisca B. Cabual, et al.
256. Tax Declaration No. 0075-03902 - National Power Corporation
257. Tax Declaration No. 0075-03905 - National Power Corporation
258. Tax Declaration No. 0075-04285 - Emmanuel Puyo, et al.
259. Tax Declaration No. 0075-04103 - Sps. Christopher Ternal and Rutchen Ternal
260. Tax Declaration No. 0075-01166 - Sps. Christopher Ternal and Rutchen Ternal

WHEREAS, it is a condition that before taking of property may be exercised, an amount equivalent to 15% of the fair market value of the property as stated in its current tax declaration be deposited with the proper court;

WHEREAS, the taking of the property and the conversion thereof into a By-Pass Road will greatly benefit the public;

NOW THEREFORE, the Sangguniang Panlungsod in session duly assembled, ordains and decrees:

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SECTION 1. TITLE. – This Ordinance shall be called "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".

SECTION 2. EMINENT DOMAIN. – The City Mayor, in the name of the City Government is hereby authorized to exercise the power of eminent domain and for this purpose to commence and file with the proper court the necessary action for expropriation of the aforementioned properties mentioned in 2nd whereas clause and such other properties as may be necessary for by-pass road purposes in various barangays in Batangas City. The complaint shall join all persons, owning or claiming to own, or occupying, any part of the property to be expropriated;

SECTION 3. APPROPRIATION. – The amount equivalent to the deposit fees and other expenses to commence the expropriation proceedings as well as the amount to be paid for the property as determined by the Court shall be appropriated from unexpended portion of the general fund of the City Government or from other lawful sources of the government.

SECTION 4. EFFECTIVITY. – This Ordinance shall take effect immediately upon approval by the City Mayor.

ENACTED by the Sangguniang Panlungsod of Batangas City this 25th day of April, 2017.

ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:

EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

APPROVED:

BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: MAY 15, 2017

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 APRIL 25, 2017 AT THE SANGGUNIAN SESSION HALL

PRESENT:

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Glenn M. Aldover,	"
Hon. Sergie Rex M. Atienza,	"
Hon. Hamilton G. Blanco,	"
Hon. Alyssa Renee A. Cruz,	"
Hon. Oliver Z. Macatangay,	"
Hon. Armando C. Lazarte,	"
Hon. Karlos Emmanjuel A. Buted,	"
Hon. Julian B. Villena,	"
Hon. Gerardo A. dela Roca,	"
Hon. Nestor E. Dimacuha,	"
Hon. Nelson J. Chavez,	"
Hon. Angelito "Dondon" A. Dimacuha,	(ABC-Rep.)

"On motion of Councilor Cruz seconded by Councilor Lazarte, the following Resolution was Adopted:

RESOLUTION NO. 111 S. 2017

APPROVING ON SECOND AND FINAL READING THE 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 on Second and Final Reading the ordinance entitled: "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."

I hereby certify that the foregoing Resolution No. 111 S. 2017 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on April 25, 2017.

ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:

EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

ODT/pbcalleja…

Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

COMMITTEE REPORT

SUBMITTED BY : COMMITTEE ON LAWS, RULES AND REGULATIONS

SUBJECT : ORDINANCE NO. S. 2017 ENTITLED "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."

COMMENTS / RECOMMENDATIONS:

Referred to the Committee on Laws, Rules and Regulations is the above proposed ordinance for study, comment and recommendation.

A hearing was conducted on April 5, 2017 by the Committee attended by its members and with the presence of other members of the Sangguniang Panlungsod. Also present were Atty. Teodulfo A. Deguito of City Legal Office and Engr. Januario B. Godoy of the City Planning and Development Office.

Finding no legal impediment with the subject, and finding that the proposed ordinance is in consonance with law, the Committee recommends:

(a) The adoption of this Committee Report and
(b) To schedule the proposed ordinance in its second reading on the next regular session

Respectfully submitted, April 18, 2017.

THE COMMITTEE ON LAWS, RULES AND REGULATIONS

COUNCILOR ALYSSA RENEE A. CRUZ
Chairman

COUN. SERGIE REX M. ATIENZA
Member

COUN. ARMANDO C. LAZARTE
Member

COUN. GERARDO A. DELA ROCA
Member

COUN. JULIAN B. VILLENA
Member

REPUBLIC OF THE PHILIPPINES
BATANGAS CITY

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE COMMITTEE HEARING OF THE COMMITTEE ON LAWS, RULES AND REGULATIONS WHICH WAS HELD AT THE SESSION HALL ON APRIL 05, 2017 AT 1:30PM

PRESENT:

Coun. Allyssa Renee A. Cruz	Chairman
Coun. Sergie Rex M. Atienza	Member
Coun. Armando C. Lazarte	"
Coun. Julian B. Villena	"
Coun. Oliver Macatangay	"(Temporary)
VM Emilio Francisco Berberabe Jr.	Vice Mayor
Coun. Glenn M. Aldover	
Coun. Nestor E. Dimacuha	
Coun. Nelson J. Chavez	

PARTIES PRESENT:

Atty. Teodulfo A. Deguito	City Legal officer
Engr. Januario Godoy	CPDO
Ms. Nila Olivario	City Treasurer
Ms. Elizabeth Q. Delos Reyes	City Budget Officer

X - X

PANALANGIN: - Kagawad Julian Villena

3. LETTER FROM THE HONORABLE CITY MAYOR BEVERLY ROSE A. DIMACUHA, REQUESTING THE PASSAGE OF AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH IT'S EXECUTIVE, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE APPROPRIATION OF PRIVATE PROPERTIES IN VARIOUS BARANGAYS IN BATANGAS CITY FOR BY-PASS ROAD PURPOSES.

CHAIR: Okey na po, siguro kung wala na po tayong comments tungkol dito sa repurchase, tayo po ay sa pang third topic which is position items, yong creation of position items. Wala pa yong HR sa ano na muna siguro, eminent domain. Okey po.

ATTY. DEGUITO: Meron ho tayong plano, plano ang gobyerno na magkaroon ho ng isang highway from Tabangao yata to Startoll way, ibig sabihin ho hindi na dadaan sa Don Ramos yong mga trucks na malalaki direct na ho yon and it was a project that was

discussed and that was accepted, discuss and approved by President Pinoy and I was understand it was the City Mayor Eduardo B. Dimacuha who initiated the project, siya ho ang nagkuwan niyan so kailangan ho natin ngayon ay bumili ng lupa because the agreement was this, the City Government will provide the land but the Department of Public Highways will provide the structures and others, we just provide the land and they will be responsible for the rad way. Now it is necessary that there'll be an ordinance for expropriation dahil kasi ganito ho yon, I cannot make an offer unless there is an ordinance, the reason is kung sakasakali hong ako ay mag-offer pagkatapo say magpahelehele yong mga tao ay tatagal ho ng tatagal hindi ho magagawa yang karsada so I have to have authority to expropriate ibig sabihin this is time of the essence we cannot wait so we just offer, after the ordinance has been approve we offer, if it is not accepted then I file the expropriation proceedings, the expropriation proceedings is a special right, it is an extraordinary right wherin you can take the property of the individual upon filling a petition in court or a complaint in court for expropriation and I deposit a certain amount of money with the court, pagkatapos yan pasok na kami diyan and payment full payment will be made later, however I would like to emphasize that payment will be base on market value, yong ibig sabihin non ay kung anong kalakaran. Kung anong lakad doon, kung ang lakad doon ay isang libo di isang libo, kung ang lakad doon ay dalawang libo di dalawang libo, kung ang lakad ho ay lilimandaan limang daan but it will be base on market value not on the assess value, again it is on the market value prevailing at the place yan ho yon but I need an expropriation ordinance sapagkat yon ho ang nakalagay sa section 19 of the Local Government Code, ito ho yong procedure ng misunderstanding, there must first be an ordinance for expropriation then base on the ordinance for expropriation then I make an offer, we are send a letter to the owner of the property that we are you going to use your property for purposes we are offering if you accept it please accept it if you do not within a certain period of days or if you are silent in the period of days, we consider that refusal

and we file the expropriation proceedings, ganon lang ho kasimple yon.

CHAIR: Atty. Deguito, ito po ay from Startoll Way Tinga po, saan po ang pasok nito? Engr. Godoy.

ENGR. GODOY: Madam chair, permission po to reply, magandang hapon po muli. Ito pong proposed access road from Startoll Way papasok po ito doon sa Tinga Itaas, don po sa bago dumating yong access road na papuntang SIDCI yong lugar hong yon don ho bubutas ito and then it will pass across the Calumpang River then barangay San Pedro diretso siya sa Dalig Dumantay, Sampaga, Dumuclay, Sirang Lupa at lalabas sa Libjo with a total length of 10.3 kilometers more or less, ang right of way na kukunin ng nakadesign po diyan ay thirty (30) meters ang width, it will not be a toll road kaya open po yong magkabila at ito po ay magiging jurisdiction ng national government agencies sa DPWH, ang magiging role lang po ng City Government ay yong acquisition of the right of way but the construction or road will be the DPWH, yong phase 2 naman po lalabas sa may Libjo tuloy naman po ng Pinamucan Ibaba and it will traverse the following barangays.

CHAIR: Kasama na po yong phase 2 dito.

ATTY. DEGUITO: Actually I do not know that, ang akin hong, ibinigay ho sa akin ang listahan lang ng mga taong maaapektuhan but I don't know the phases, so yon ho yong mga tao ito yong properties nila so I include the persons as well as the tax declaration and their property na as where to be located as to what barangay this was located I have no knowledge.

CHAIR: Magkano pong magagastos ng City Government in the purchase of this?

ATTY. DEGUITO: Well actually, still do not know because we do not have ako hindi pa po nadating sa akin yong tunay na sukat halimbawa si Pedro gaano yong makukuha sa kanya kaso hindi ko pa ho alam but definitely as I have told you I have to make an offer and definitely I'm going to make an offer based on the assessment made by the Assessor's Office and the Engineer and also the Treasurer I think.

CHAIR: So ibig pong sabihin Atty. Deguito wala pa po

tayong kahit anong idea man lamang sa magkanong magagastos natin.

ATTY. DEGUITO: Well, we have some idea.

CHAIR: Engr. Godoy

ENGR. GODOY: If I may, don po sa ating Annual Investment Program yong regular na AIP natin ay naglagay po tayo don ng acquisition ng right of way para dito sa specific projects na 250 million and Office of the City Budget Officer naman po ay di sa budget naman nating regular may pinrovide na din siyang certain amount, ang partially survey po nitong phase 1 na ito from Tinga Itaas to Libjo ay kumpleto na, nagawa na noong private engineering company na kinontrata ng Shell at saka ng JG kasi sila yong naging counterpart ng City with regards to this technical preparation, na-identify na yong partially survey nakasubmit na sa Assessor's Office, so meron na po tayong pagbabasehan kung gaano kalaki kada parsela ng lupa at sinong may ari, yon po ay kaya may pagbabasehan na doon si Atty. Deguito with phase 1, ang ginagawa pa nilang ongoing sa kasalukuyan yong phase 2 from Libjo to Pinamucan Ibaba, so yon ay on going so meron na pong pagbabasehan don sa phase 1 at more or less ang sabi nga depende ito sa market value kasi meron diyang mga raw lands yong mga inter barangays mas mababa syempre ang market value non as compare don sa mga area na katulad sa Sampaga kasi tatraverse ito sa national road ng Sampaga to Lobo e, so medyo mataas taas yon and sa Libjo medyo mataas taas din ang market value diyan. So at least meron na pong technical basis si Atty. Deguito with regards to that projects.

CHAIR: Ito pong two hundred fifty million (250) itong ating iniisip na gagastusin for the expropriation ito po ay ibabudget natin sa general fund ng City.

ATTY. DEGUITO: Gusto ko hong, kung babasahin ho ninyo yong proposed ordinance hindi ho yan full kukunin, nakalagay ho diyan in full or portions so meron po akong makukuhang maliit, meron namang makukuha ako ay yong buo, so ganon ho yon, basta ho yong aking hinihingan ay yon ho ang affected, now as to how much for example will be affected yan ho ay idedetermine ko

pa at yon naman ay ioofer ko pa ang kukunin ko lang diyan ay kung ano ho yong maaapektuhan.

CHAIR: Thank you po, Engr. Godoy, nakita nyo po ba yong parceliary survey natin?

ENGR. GODOY: May kopya po tayo, ipinrovide ko na po sa City Assessor kasi yon ang talagang kailangan nila yong definite talaga na madadaanan at mga property owners, it was already identified at sabi ko nga pede na nilang malaman kung ano.

CHAIR: So ito po ay diretso naman po ito, hindi naman po parang palikoliko na parang madaming mga iniwasang mga o talagang dinaanan on purpose?

ENGR. GODOY: Talagang medyo talagang tinuwid nila, iniwasan na yong mga dating nageexperience na mga right of way na medyo pakilokilo kasi ito ay ang mga dadaan dito ay mga malalaking truck na galing sa industrial zone so they are really avoiding yong mga

CHAIR: Naging concern lang po natin dahil kita naman po natin siguro napapansin nyo rin sa Diversion, ang ating Diversion ay parang ahas ano po palikoliko ang lalo na pag gabi napakadilim wala naman pong ilaw, siguro po ay for safety reasons na rin at malalaking trucks ang dadaan, magaling naman po at tuwid ang proposed road na ito, Councilor Atienza.

KAG. S. ATIENZA: Thank you madam chair, maiksi lamang po with the permission of Councilor Boy. Maari po bang makahingi po ang komite and Sangguniang Panlungsod ng parceliary survey po natin? Sana po makapagprovide po tayo just for the basis of the committee and the Sanggunian, thank you po.

CHAIR: Yon po munang mga members ang unahin natin Konsehal Lazarte.

KAG. LAZARTE: Salamat po, ito pong babayarang mga kung sakaling mga lupa, gaano po kaluang?

ENGR. GODOY: Naulit ko nga po, una submit sa Assessor yong plan ano so yon pong details ay sila po ang nakakaalam nomng mga luwang.

KAG. LAZARTE: Isa pa po, yon pong mga structure road

po ba ay kasama rin sa babayaran o mga lupang lupa lamang?

ATTY. DEGUITO: Pwede ho akong sumagot doon, basta ho dumaan kami halimbawa ay naexpropriate natin o kung anumang sistema we have to pay everything, ibig sabihin we pay for the land, if there are let us say may corn doon or rice, or other improvements, buildings, we have to pay for them.

KAG. VILLENA: Paano yong mga puno.

KAG. LAZARTE: Puno

ATTY. DEGUITO: We have to assess and we have to pay, yon nga lamang ho ay one time payment, hindi natin pwedeng ikuwan na itong manggang ito ay twenty (20) years ay bubunga ay gayon ito nga ho, we pay on the basis of what is existing.

KAG. LAZARTE: Thank you.

CHAIR: Konsehal Villena

KAG. VILLENA: Thank you madam chair, siguro ho doon sa pagaassess ng ating mga puno kailangan ho siguro ay tayo ay magiging maingat doon sapagkat alam nyo ga ho na meron hong pangyayari na yong mga dinaanan ng Transmission Line nong galing Ilijan ay don ho ay miski na mga walang kakwentakwentang kahoy ay ibinibilang at di ho ay magka-connive yong magbabayad at yong babayaran dahil palibhasa ho ay private talagang namera sila ay yon ang nangyari kaya nga sabi ko ito naman ay pera ng gobyerno sana ho ay magiging maingat tayo sa pagaassess ng mga puno sapagkat diyan ho minsan nagkakaproblema, minsan ho ay puno lang ng atis ay iaassess ng laking laki parang presyo ng mangga ay don ho sa parting yon ay kapag nangyari ay kawawa naman ang gobyerno doon. Thank you.

CHAIR: Konsehal Hamilton Blanco

KAG. BLANCO: Thank you madam chair, siguro ang katanungan ko lang sir sa inyo na kung halimbawa po na sinasabi sa inyo ni sir Deguito na the ordinance then ieexpropriate po ang lupa, sa tingin nyo po kasi last year dumaan po ito sa amin kailan po kaya possible na magumpisa po ito then gaya po ng naulit dito po sa

amin sa barangay yong nadaanan ng NAPOCOR, yon po kasing ibang matatalino na mga may ari ng lupa ang ginagawa tinataniman muna ng tinataniman ng kung anuano like mahohgany, saging, kung anuman pong punong kahoy na namumuno then alam nila, naaanticipate nila na darating ang araw ito na ang dadaanan at ito na mismo yong dadaanan don po sila nakita ng ayos kaya yon po ang aking katanungan.

ATTY. DEGUITO: May I answer that, sa ngayon po ay the Congressman is in a hurry, we should consider that election is only is near already 2019 I think that it we will have no election so he is in a hurry that this be implemented immediately so pagka po ako ay nagkaroon ng pera diyan ay gagawin ko ho agad yan, you approve it then there will be the AIP then there is an availability of funds I execute immediately.

CHAIR: Konsehal Dimacuha

KAG. N. DIMACUHA: Salamat po marami po tayong dapat iconsider ano po at ianticipate na may mga taong madaling makausap at meron ding napakaligalig kausap, kung halimbawa nagoffer po ang City Government at hindi nila tinanggihan natural na don papasok or iaapply ang power of eminent domain sa ieexpropriate nating property so, halimbawa po the property was taken forcibly at ako ay nagfile ng wreath of replivin, which will prevail, yong power of eminent domain or yong wreath of replivin?

ATTY. DEGUITO: Yon pong wreath of replivin ay sa personal property lang ho yon, sa mga tricycle, sa mga kotse ganon ho yon, sa refrigerator, it does not apply to right of eminent domain, eminent domain refers to real property which is land, buildings and others, yon hong replivin ay yon ho ay pinahihila lamang natin ang mga utensils or implements, wala hong application yon, now for example after my offer, if the owner refuses I file the necessary expropriation preceedings then I execute I immediately take over the land at ang bayad ho yong complete will be discuss in court, the court decide how much will be pay because as far as I am concern after I made a deposit payment na ho yon, I would like to make it clear again, pag ako po ay nag-deposit sa court tungkol sa kuwan for all legal

purposes my deposit already payment, you are paid. Ibig sabihin ko, you prove your case in court na ang aking idineposit ay mali.

KAG. N. DIMACUHA: Okey, so meaning yong wreath of replivin hindi ho applicable diyan dahil sabi nyo nga ay sa mga personal na bagay lamang.

ATTY. DEGUITO: personal na bagay lang ho yan e, sa mga tricycle lang ho at mga motorcycles, hindi ho related yan sa eminent domain.

KAG. N. DIMACUHA: Okey thank you, so tingnan na lang po natin yong PD10952 ano po, yong road right of way. Thank you.

CHAIR: Okey po, anymore questions or comments? Councilor Glenn Aldover

KAG. ALDOVER: Actually hindi ho ako magtatanong din, pero since natawag ho ako ay paano nyo ho babayaran yong mga nagbayad nab a yong under protest? Yong mga may bayad na nagpatatak ng under protest.

ATTY. DEGUITO: Teka lang ho muna, ito ba ay yong related sa ating eminent domain or sa other ordinance.

KAG. ALDOVER: Hindi ho, kasi di ba may babayaran nyo yong ating mga lupa base sa fair market value, di ga hoy may nagbayad na may sabi nila ay tatakan nila ng under protest, ay paano nyo ho babayaran yong mga under protest na yon?

ATTY. DEGUITO: Yan ho ay kung, yon naman hong under protest ay taxes naman po yon, ito naman po ay walang relation yong taxes sa fair market value so we pay the market value of the property kung yon ho ay bayad kayo then you have to wait for the decision of the court kung dapat ibalik naming yong inyong taxes so wala hong relation yon doon.

KAG. ALDOVER: Salamat ho, nililiwanag ko lang ho.

KAG. S. ATIENZA: Madam chair,

CHAIR: Councilor Atienza

KAG. S. ATIENZA: Sa atin pong AIP, meron po tayong inilaan dito na ito naman po ay projection lamang ang nasa AIP two hundred fifty million ano po. yon pong

two hundred fifty million na yon I believe ito pong mga ieexpropriate nating ito is until hanggang barangay po, hanggang Libjo or hanggang Pinamucan na po ito?

ENGR. GODOY: Para po sa phase 1 yong ating Libjo to Tinga Itaas.

KAG. S. ATIENZA: Would you think magiging sufficient po ang ating nakalagay sa AIP or

ENGR. GODOY: Sa palagay po kasi yon pong phase 2 naman ay mga raw lands kaya medyo mababa po ang kanilang market value don.

KAG. S. ATIENZA: Thank you madam chair sapagkat nakikita ko po para kasi pong napakahaba po noon e nangangamba lamang po tayo baka po mamaya hindi na po ito pumasok sa atin pong inilagay sa ating AIP sapagkat napakahaba po nong mga kalsadang dadaanan na ito, yon lamang po madam chair, thank you.

CHAIR: Any questions po, kung wala na po ay atin pong irecognize ang presence ng ating Konsehal, Konsehala Aileen Ariola Montalbo, Konsehal Mando Lazarte and ang atin pong guest sa ating next topic from our HR mam Au Castillo and si sir Manalo Perlada.

ENGR. GODOY: Madam chairman, can I request permission to...may tatapusin lang po sa office, thank you.

CHAIR: Yes sir thank you,

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C E R T I F I C A T I O N

I hereby certify that the foregoing transcript is true and correct to the best of my knowledge, belief and understanding.

ZENY B. CUETO
Admin Assistant V

CERTIFICATION

This is to certify that this copy is the official transcript of record of the Committee Hearing held on April 05, 2017 at Sangguniang Panlungsod Session Hall.

CECILIA D. ATIENZA
Senior Admin Asst. I