



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 2 S.2018

AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTY IN BARANGAY ALANGILAN, BATANGAS CITY FOR GRAND TERMINAL EXPANSION AND OTHER PURPOSES

SPONSOR : COUN. ALYSSA RENEE A. CRUZ
COMMITTEE ON LAWS, RULES AND REGULATIONS

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 has become necessary to make expansion of the existing Grand Terminal of the buses and other transportation facilities in Barangay Alangilan, Batangas City and enter the property more particularly described as Lot 2671-B covered by Transfer Certificate of Title No. T-43518 and Tax Declaration No. 0025-01002 in the names of Melecio Nua and Melody Nua and such other properties of other persons as may be necessary for the aforesaid purpose;


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

WHEREAS, the taking of the property for expansion purposes will ease the traffic congestion in Batangas City area and will continue to greatly benefit the public;

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

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 Property in Barangay Alangilan, Batangas City for Grand Terminal Expansion and Other 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 property and such other property of other persons as may be necessary for the purpose of expanding the Grand Terminal within the immediate vicinity.





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Continuation of Ordinance No. 2 S. 2018

AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTY IN BARANGAY ALANGILAN, BATANGAS CITY FOR GRAND TERMINAL EXPANSION AND OTHER PURPOSES

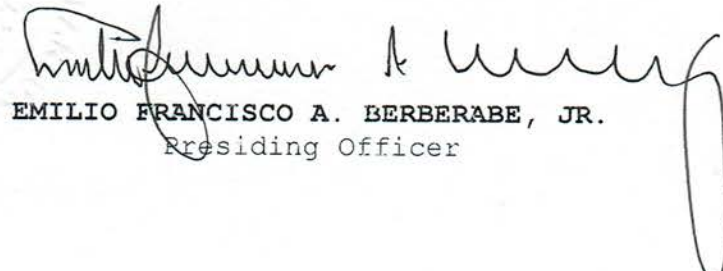
SECTION 3. APPROPRIATION - The amount equivalent to the deposit and other expenses to commence the expropriation proceedings as well as the amount to be paid for the property as determined by the Court is hereby appropriated from unexpanded portion of the general fund of the City Government.

SECTION 4. EFFECTIVITY - The Ordinance shall take effect immediately upon approval by the City Mayor.


ENACTED by the Sangguniang Panlungsod this 17th day of April, 2018.


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Residing Officer

APPROVED:


BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: April 27, 2018

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 17, 2018 AT THE SANGGUNIANG 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 Villena, the following Resolution was Adopted:

RESOLUTION NO. 129 S. 2018

ADOPTING THE REPORT OF THE COMMITTEE ON LAWS, RULES AND REGULATIONS REGARDING EXPROPRIATION ORDINANCE OF THE PROPERTY OF MELECIO AND MELODY NUA IN BARANGAY ALANGILAN, BATANGAS CITY


RESOLVED, to adopt the report of the Committee on Laws, Rules and Regulations regarding the Expropriation Ordinance of property of Melecio and Melody Nua in Barangay Alangilan, Batangas City.

UNANIMOUSLY APPROVED.”

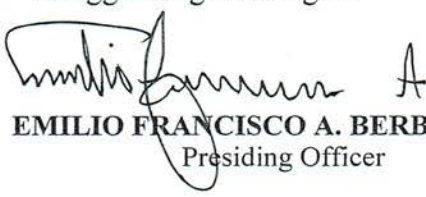
I hereby certify that the foregoing Resolution No. 129 S. 2018 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on April 17, 2018.

GERARDO M. DIMAANO
Board Secretary III
Sangguniang Panlungsod

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE JR.
Presiding Officer



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COMMITTEE REPORT

TO: THE HONORABLE SANGGUNIANG PANLUNGSOD

FROM: THE COMMITTEE ON LAWS, RULES AND REGULATIONS

SUBJECT: EXPROPRIATION ORDINANCE OF PROPERTY OF MELECIO AND MELODY NUA IN BARANGAY ALANGILAN, BATANGAS CITY.

The subject request for the expropriation ordinance was referred to the Committee on Laws, Rules and Regulations for its consideration during the Regular Session on February 27, 2018. The Committee held a hearing on April 13, 2018 and in attendance were the following:

From City Legal Office: Atty. Teodulfo A. Deguito; from City Assessor's Office: Ms. Guadalupe Judy A. Tumaming; from Batangas Ventures: Ms. Cecilia C. Mendoza and Ms. Mary Rose Banaag. Also present are the Chairman Coun. Alyssa Renee A. Cruz and Committee members Coun. Sergie Rex M. Atienza, Coun. Gerardo A. Dela Roca, Coun. Julian B. Villena and Coun. Armando C. Lazarte, and Councilors Glenn M. Aldover, Hamilton G. Blanco, Nestor Dimacuha and Nelson Chavez.

FINDINGS:

During the committee hearing, the Committee finds that it is necessary to expropriate the said property for the expansion of existing Grand Terminal and other transportation facilities in Barangay Alangilan, Batangas City.

It was also reiterated that the expansion purposes will ease the traffic congestion in Batangas City area and will greatly benefit the public.

RECOMMENDATIONS:

In view of the foregoing, the Committee hereby recommends:

1. The approval of the Ordinance attached herewith exempting it from Three-Reading Rule.
2. The adoption of this Committee Report.

Respectfully submitted, April 13, 2018.

THE COMMITTEE ON LAWS, RULES AND REGULATIONS

COUNCILOR ALYSSA RENEE A. CRUZ

Chairman

COUN. SERGIE REX M. ATIENZA

Member

COUN. JULIAN B. VILLENA

Member

COUN. GERARDO A. DELA ROCA

Member

COUN. ARMANDO C. LAZARTE

Member