



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 6 S. 2018

AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTY IN GULOD LABAC, BATANGAS CITY FOR BRIDGE/ROADWAY 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 compensations;

WHEREAS, it is necessary for the City Government to take or expropriate the whole or portion of the following lots:

1. Transfer Certificate of Title No. T-19201 (Tax Declaration No. 0049-00120) - Memo Realty and Development Corporation;
2. Tax Declaration No. 0049-01382 - Sps. Salustiano Abacan and Cecilia Abacan;
3. Transfer Certificate of Title No. T-1066 (Tax Declaration No. 0049-01056 - Andrea Palacios married to Irineo Ambida;
4. Transfer Certificate of Title No. T-41905 (Tax Declaration No. 0049-01003 - New Top Steel Builders Center, Inc.;
5. Transfer Certificate of Title NO. T-32075 (Tax Declaration No. 0049-01035) Sps. Renato Pangilinan and Evelyn Pangilinan;
6. Tax Declaration No. 0049-01024 - Sps. Glenn B. Espina and Kriselle Ann A. Espina;
7. Tax Declaration No. 0049-00085 - Gemma B. Espina;
8. Tax Declaration No. 0049-01307 - Sps. Dennis A. Gayo and Gizen A. Gayo;
9. Tax Declaration No. 0049-01130 - Sps. Gregorio J. Espino and Carmelita M. Espino;



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10. Transfer Certificate of Title No. T-32641 (Tax Declaration No. 0049-01132) - Pelagia C. Espina;
11. Transfer Certificate of Title No. 052-2013002701 (Tax Declaration No. 0049-01198 - Pelagia Espina;
12. Tax Declaration No. 0049-01126 - Sps. Joven R. Sarmiento and Elisa A. Sarmiento;
13. Tax Declaration No. 0049-01930 - Germelina B. Abel;
14. Tax Declaration No. 0049-00033 - Edna A. Lumanglas, Arlene A. Lumanglas married to Celso Gonzales, Anabelle A. Lumanglas married to Darwin Patolot, Baby Lyn A. Lumanglas;
15. Transfer Certificate of Title No. T-24765 (Tax Declaration No. 0049-00715) - Sps. Rolly D. Tan and Grace Chua D. Tan;
16. Transfer Certificate of Title No. T-28279 (Tax Declaration No. 0049-01152) - Cynthia M. Celemin married to Wilfredo Marquez;
17. Tax Declaration No. 0049-01084 - Sps. Ferdinand A. Macaraig and Ruby M. Macaraig;
18. Tax Declaration No. 0049-01161 - Sps. Ferdinand A. Macaraig and Ruby M. Macaraig;
19. Transfer Certificate of Title No. T-4315 (Tax Declaration No. 0049-01125) - Pelagia Cantos;

as well as other properties as may be necessary for bridge/roadway purposes;

WHEREAS, it is a condition that before 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 tax declaration be deposited with the proper court;



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WHEREAS, the taking of the property and the conversion thereof into bridge/roadway will greatly benefit the public;

NOW THEREFORE, the Sangguniang Panlungsod in session duly 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 Gulod Labac, Batangas City for Bridge/Roadway 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 bridge/roadway purposes within the immediate vicinity of Gulod Labac, 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 26th day of June, 2018.



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CITY FOR BRIDGE/ROADWAY PURPOSES

ATTY. OLIVA D. TELEGATOS

Secretary

Sangguniang Panlungsod

ATTESTED:

EMILIO FRANCISCO A. BERBERABE, JR.

Presiding Officer

APPROVED:

BEVERLEY ROSE M. DIMACUHA
City Mayor

Date Approved: July 6, 2018