



Republic of the Philippines
SANGGUNIANG PANLUNGSOD

Pasig City

Ordinance No. 17
Series of 2011

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR ROBERT C. EUSEBIO TO ENTER INTO NEGOTIATION WITH MR. ALEJANDRO V. CABRERA FOR THE ACQUISITION OF LOT 2-F-2 WITH AN AREA OF SEVENTY TWO (72) SQUARE METER PORTION OF LOT 2-F DESCRIBED UNDER TRANSFER CERTIFICATE OF TITLE NO. PT-125091 AND LOCATED IN BARANGAY PINAGBUHATAN FOR THE WIDENING OF ACACIA STREET OR EXPROPRIATE THE SAME IF NEGOTIATIONS FAIL.

Authored By: Councilors Virgilio I. Del Rosario, Iyo Christian C. Bernardo, Christian G. Sia, Reynaldo R. San Buenaventura III, Regino S. Balderrama, Augustin Alexee C. Santiago, Lorna A. Bernardo, Richard C. Eusebio, Rodrigo B. Asilo, Reynaldo F. Raymundo, Roberto E. Benito, Charmie Q. Benavides, LIGA Pres. Ferdinand A. Avis and SK President Julia Nicole B. Pua

WHEREAS, Section 17 (a) (b) 92) (viii) R.A. 7160 provides that local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate or incidental to efficient and effective provision of the basic services and facilities intended primarily to service the needs of the residents of the City and which are funded out of the City funds including but not limited to city roads, bridges and school buildings;

WHEREAS, as one of the City's priority projects, Acacia Street along Pasig River in Barangay Pinagbuhatan needs to be widened to afford easy egress and ingress in that area;

WHEREAS, Section 19, R.A. 7160 provides that a local government unit may, through its chief executive and acting pursuant to an ordinance, exercise the power of eminent domain for public use, or purpose, or welfare for the benefit of the poor and the landless, upon payment of just compensation, pursuant to the provisions of the Constitution and pertinent laws: Provided, however, that the power of eminent domain may not be exercised unless a valid and definite offer has been previously made to the owner, and such offer was not accepted: Provided, further, that the local government unit may immediately take possession of the property upon the filing of the expropriation proceedings and upon making a deposit with the proper court of at least fifteen percent (15%) of the fair market value of the property based on the current tax declaration of the property to be expropriated: Provided, finally, that the amount to be paid for the expropriated property shall be determined by the proper court, based on the fair market value at the time of the taking of the property;

NOW, THEREFORE, be it **ORDAINED** that:

Section 1. The Honorable City Mayor is hereby authorized to negotiate with Mr. Alejandro V. Cabrera for the acquisition of Lot 2-F-2 with an area of Seventy Two (72) square meter portion of Lot 2-F for the widening of Acacia Street in Barangay Pinagbuhatan.



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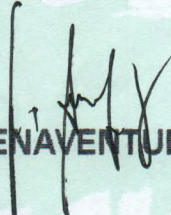
Section 2. In case negotiations with the owner of the lot fail, the City Mayor is hereby authorized to file expropriation proceedings to acquire and compensate the subject property.

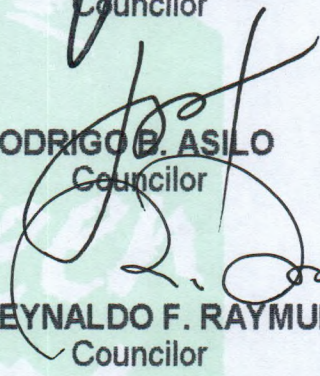
Section 3. The amount to be used for the payment of just compensation shall be taken from the Land Capital Outlay provided in the CY 2011 Budget of the City of Pasig.

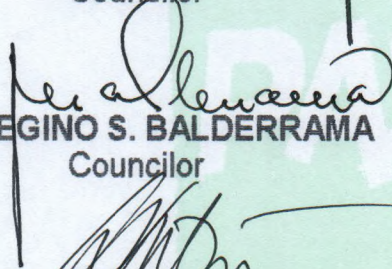
APPROVED, this 7th day of July 2011 at Pasig City.



IYO CHRISTIAN C. BERNARDO
Councilor

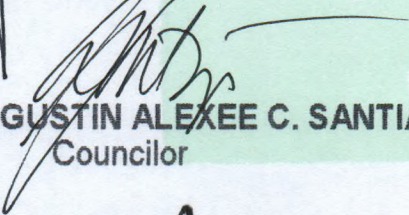

RICHARD C. EUSEBIO
Councilor

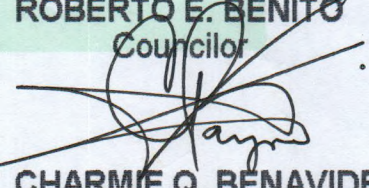

REYNALDO R. SAN BUENAVENTURA III
Councilor

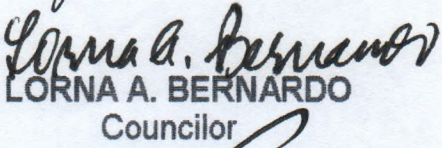

RODRIGO B. ASILO
Councilor

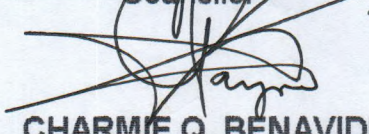

REGINO S. BALDERRAMA
Councilor


REYNALDO F. RAYMUNDO
Councilor



AUGUSTIN ALEXEE C. SANTIAGO
Councilor


ROBERTO E. BENITO
Councilor


LORNA A. BERNARDO
Councilor


CHARMIE Q. BENAVIDES
Councilor


FERDINAND A. AVIS
LIGA President


JULIA NICOLE B. PUA
SK Federation President



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CHRISTIAN G. SIA
Councilor
Minority Floor Leader

[Handwritten signature]
VIRGILIO I. DEL ROSARIO
Councilor
Majority Floor Leader

Attested by:

[Handwritten signature]
ROSALIO D. MARTIRES
City Vice-Mayor
Presiding Officer

APPROVED:

[Handwritten signature]
ROBERT C. EUSEBIO
City Mayor

Attested by:

[Handwritten signature]
ROBERTO A. BARRETTO
Acting City Council Secretary

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Lorna A. Bernante