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Republic of the Philippines
SANGGUNIANG PANLUNGSOD
Pasig City
Ordinance No. 19
Series of 2011

[Signature]

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR ROBERT C. EUSEBIO TO NEGOTIATE AND/OR INITIATE EXPROPRIATION PROCEEDINGS FOR THE ACQUISITION OF A PARCEL OF LAND MEASURING 1,586 SQUARE METERS, MORE OR LESS, LOCATED AT BARANGAY PALATIW, PASIG CITY, INVOLVING TWO (2) PARCELS OF LAND COVERED AND EMBRACED BY TCT NOS. 97473^p AND 97475^p REGISTERED IN THE NAME "JOVITO LUIS, ET. AL." AND WHICH WAS TAKEN BY THE CITY (THEN MUNICIPALITY UNDER THE ADMINISTRATION OF MAYOR EMILIANO CARUNCHO) OF PASIG IN 1980 AND USED AS MUNICIPAL ROAD NOW KNOWN AS A. SANDOVAL AVENUE.

Lorna A. Bernardo

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

[Signature]

WHEREAS, the City of Pasig, represented by its duly-authorized officials, is DIRECTED to institute the appropriate expropriation action over the subject parcel of land within fifteen (15) days from finality of this Decision, for the proper determination of just compensation due to respondents, with interest at the legal rate of six (6%) percent per annum from the time of taking until full payment is made." pursuant to the Honorable Supreme Court in its Decision dated October 13, 2009 in G.R. No. 162474, which reads as follows:

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"IN VIEW OF THE FOREGOING, the petition is PARTIALLY GRANTED. The Decision of the Court of Appeals dated November 28, 2003 is MODIFIED to read as follows:

1. The valuation of compensation and award of back rentals made by the Regional Trial court of Pasig City, Branch 155 in Civil Case No. 65937 are hereby SET ASIDE. The City of Pasig, represented by its duly-authorized officials, is DIRECTED to institute the appropriate expropriation action over the subject parcel of land within fifteen (15) days from finality of this Decision, for the proper determination of just compensation due to respondents, with interest at the legal rate of six (6%) percent per annum from the time of taking until full payment is made.
 2. The City of Pasig is ORDERED to pay respondents the amounts of P200,000.00 as exemplary damages and P200,000.00 as attorney's fees.
- No costs."

[Signature]

which is a final disposition of the Complaint for Reconveyance and/or Damages (Civil Case No. 65937) filed by the registered owners of the parcel of land covered by Transfer Certificate Nos. 97473^p and 97475^p with an area of 1,586 square meters, located at Barangay Palatiw Pasig City and which was taken by the City (then Municipality under the Administration of Mayor Emiliano Caruncho) of Pasig in 1980 and used as municipal road now known as A. Sandoval Avenue.

[Signature]

Richard C. Eusebio

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WHEREAS, the aforesaid Decision had become final and executory and the City Government officials concerned have received and recognized clarification and advice of the requisite and appropriate corresponding action on comprehended subject matter and the Decision aforesaid, whereunder it is incumbent upon the Sangguniang Panlungsod to enact and approve the necessary expropriation ordinance, authorizing the City Mayor to negotiate for the payment of just compensation for the covered property and likewise authorizing the corresponding disbursement of funds,

NOW, THEREFORE, BE IT ORDAINED THAT:

Section 1. The Honorable City Mayor Robert C. Eusebio is hereby authorized to negotiate and/or initiate expropriation proceedings for the acquisition of a parcel of land measuring 1,586 square meters, more or less, located at Barangay Palatiw, Pasig City, involving two (2) parcels of land covered and embraced by TCT Nos. 97473 and 97475 registered in the name of "Jovito Luis, et. al", and which was taken by the city (then municipality under the Administration of Mayor Emiliano Caruncho) of Pasig in 1980 and used as municipal road now known as A. Sandoval Avenue, and the payment for just compensation thereof to the registered owners pursuant to and as guided by the Supreme Court Decision dated October 13, 2009 in G.R. No. 162474.

Section 2. The budgetary requirement to implement this ordinance shall be taken from the land capital outlay of the City Budget subject to COA Rules and Regulations.

Section 3. This Ordinance shall take effect upon its approval.

APPROVED, this 21st day of July 2011 at Pasig City.

Iyo Christian C. Bernardo
IYO CHRISTIAN C. BERNARDO
 Councilor

Richard C. Eusebio
RICHARD C. EUSEBIO
 Councilor
 (Acting Majority Floor Leader)

REYNALDO R. SAN BUENAVENTURA III
 Councilor

Rodrigo B. Asilo
RODRIGO B. ASILO
 Councilor



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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

CHRISTIAN G. SIA
Councilor
Minority Floor Leader

VIRGILIO I. DEL ROSARIO
Councilor
Majority Floor Leader

Attested by:

ROSALIO D. MARTIRES
City Vice-Mayor
Presiding Officer



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APPROVED:

ROBERT C. EUSEBIO
City Mayor

Robert C. Eusebio

Attested by:

ROBERTO A. BARRETTO
Acting City Council Secretary