



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
 Pasig City
 Ordinance No. 16
 Series of 2015

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR MARIA BELEN A. EUSEBIO TO NEGOTIATE WITH GOVERNMENT SERVICE INSURANCE SYSTEM FOR THE ACQUISITION OF TWENTY FIVE (25) SQUARE METERS, PORTION OF A PARCEL OF LAND LOCATED AT MERALCO AVENUE, BARANGAY UGONG, PASIG CITY, COVERED AND EMBRACED BY TCT NO. PT-1174717 REGISTERED IN THE NAME OF GOVERNMENT SERVICE INSURANCE SYSTEM, OR INITIATE EXPROPRIATION PROCEEDINGS, IF NEGOTIATIONS FAILS.

Authored By: Councilor Richard C. Eusebio
 Co-Authored By: Councilors Christian G. Sia, Reynaldo R. San Buenaventura III, Augustin Alexee C. Santiago, Ferdinand A. Avis, Gregorio P. Rupisan, Jr., Rhichie Gerard T. Brown, Orlando R. Benito, Charmie Q. Benavides, Rosalio D. Martires, Wilfredo F. Sityar and LIGA Pres. Celestino U. Chua

WHEREAS, Ordinance No. 5 Series of 2011 was enacted to authorize the Honorable City Mayor to negotiate with Government Service Insurance System (GSIS) for the acquisition of of Five Hundred Forty One (541) Square Meters, more or less of Lot 3-B-1B-1 with Transfer Certificate of Title No. PT-114717 owned by Government Service Insurance System at the corner of Meralco Avenue and Julia Vargas Avenue, Barangay Ugong, Pasig City or to expropriate this lot if negotiations fails;

WHEREAS, as a result of failed negotiations, expropriation case was filed before the Regional Trial Court of Pasig City and was duly assigned at Branch 155 thereof and docketed as "City of Pasig represented by its Honorable City Mayor Robert C. Eusebio versus Government Service Insurance System (GSIS)" Special Civil Action Number 3633-PSG;

WHEREAS, on the said expropriation case, GSIS raised the issue that the portion of the property sought to be expropriated was not consistent to what was expressed in Ordinance No. 5 Series of 2011, that there exist a discrepancy as to the size of the area actually used for the road widening project vis-a-vis the area sought to be expropriated in the Ordinance No. 5 Series of 2011;

WHEREAS, to determine the alleged discrepancy, the Honorable Court ordered a joint ocular inspection and survey in the presence of both parties and commissioners and there it was found that the actual area expropriated was Five Hundred Sixty six (566) square meters or Twenty Five (25) square meters more than what was expressed in Ordinance No. 5 Series of 2011;

WHEREAS, in compliance with the order of the Honorable Court to explain the discrepancy, City of Pasig filed its explanation and stated that the same was not intentional and manifested its willingness to shoulder the cost of the excess parcel of land with an area of Twenty Five (25) square meters which was inadvertently included in the road widening project.



Republic of the Philippines
SANGGUNIANG PANLUNGSOD

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Ordinance No. 16
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-page 2 -

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NOW, THEREFORE, BE IT ORDAINED, by Sangguniang Panlungsod that:

SECTION 1. The Honorable City Mayor Maria Belen A. Eusebio is hereby authorized to negotiate and/or initiate expropriation proceedings for the acquisition of parcels of land and its structures measuring an aggregate total area of 25 square meters, more or less, located at Barangay Ugong, Pasig City, and the payment for just compensation thereof to the registered owners;

SECTION 2. The City Mayor and the City Treasurer are hereby authorized to deposit in court fifteen percent (15%) of the fair market value of the property sought to be expropriated based on the current tax declaration or so much amount as may necessary to be determined by the proper court chargeable against any available fund of the City of Pasig, subject to COA accounting, rules and regulations, in case the negotiation with the owner of the subject property fails, the City Mayor is hereby authorized to file expropriation proceedings to acquire and compensate this property.

SECTION 3. The City Mayor is further authorized in case of a negotiated sale to pay just compensation for the actual parcel of land affected by the project, in accordance with the recommendation of the City Appraisal Committee, subject to existing COA accounting, rules and regulations;

SECTION 4. The amount to be used for the payment of just compensation shall be taken from the land capital outlay of the City Government of Pasig.

SECTION 5. This Ordinance shall take effect immediately.

APPROVED, this 25th day of May 2015 at Pasig City.

REYNALDO R. SAN BUENAVENTURA III
Councilor

ORLANDO R. BENITO
Councilor

AUGUSTIN ALEXEE C. SANTIAGO
Councilor

CHARMIE Q. BENAVIDES
Councilor



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SANGGUNIANG PANLUNGSOD
Pasig City
Ordinance No. 16
Series of 2015

-page 3 -

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BERNARD A. AWIS
Councilor

Handwritten signature
ROSALIO D. MARTIRES
Councilor

Handwritten signature
GREGORIO P. RUPISAN JR.
Councilor

Handwritten signature
WILFREDO F. SITYAR
Councilor

Handwritten signature
RHICHIE GERARD T. BROWN
Councilor

Handwritten signature
CELESTINO U. CHUA
LIGA President

CHRISTIAN G. SIA
Councilor
Minority Floor Leader

Handwritten signature
RICHARD C. EUSEBIO
Councilor
Majority Floor Leader

Attested by:

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IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

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Republic of the Philippines
SANGGUNIANG PANLUNGSOD

Pasig City
Ordinance No. 16
Series of 2015

-page 4 -

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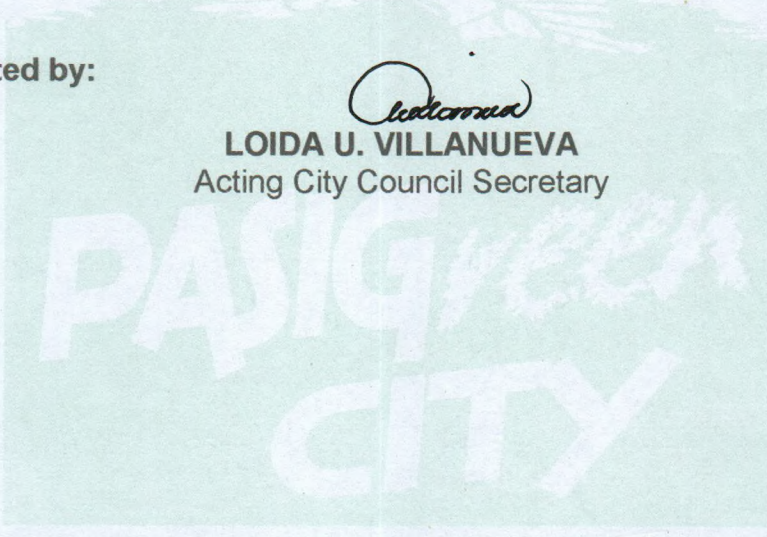
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APPROVED:

[Signature]
MARIA BELEN A. EUSEBIO
City Mayor

Attested by:

[Signature]
LOIDA U. VILLANUEVA
Acting City Council Secretary



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