



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 38
Series of 2016

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AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR ROBERT C. EUSEBIO TO NEGOTIATE FOR THE ACQUISITION OR INSTITUTE EXPROPRIATION PROCEEDINGS FOR THE TWO HUNDRED EIGHTY FIVE AND 12/100 (285.12) SQUARE METERS OF LAND COVERED BY TAX DECLARATION NO. E-018-04596 REGISTERED IN THE NAME OF PUERICULTURE CENTER OF ROSARIO UNDER THE UMBRELLA OF RIZAL-METRO MANILA FEDERATION OF WOMEN'S CLUBS AND LEAGUE OF PUERICULTURE CENTERS REPRESENTED BY ITS PRESIDENT MRS. EDITH SAN FELIPE LOCATED AT DR. SIXTO ANTONIO AVENUE, BARANGAY ROSARIO, PASIG CITY, METRO-MANILA, FOR THE CONSTRUCTION OF A MULTI-PURPOSE CENTER, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Authored By: Councilors Ferdinand A. Avis and Wilfredo F. Sityar
Co-Authored By: Councilors Rodrigo B. Asilo, Regino S. Balderrama, Orlando R. Benito, Rhichie Gerard T. Brown, Mario C. Concepcion, Jr., Rosalio D. Martires, Corazon M. Raymundo, Gregorio P. Rupisan, Jr., Alejandro E. Santiago, Victor Ma. Regis N. Sotto, and LIGA Pres. Celestino U. Chua

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WHEREAS, under Section 16 of R.A. 7160 specifically the General Welfare Clause, the City Government of Pasig has the power and the authority to exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, Section 17 (a) and (b)(4) of the same R.A. 7160 provides that local government units shall likewise exercise such as other power and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities;

WHEREAS, the City Government of Pasig has set as one of its priority projects, the acquisition of a parcel of land under Tax Declaration No. E-018-04596 registered in the name of Puericulture Center of Rosario under the umbrella of Rizal - Metro Manila Federation of Women's Clubs and League of Puericulture Centers represented by its President, Edith San Felipe, for the establishment of a Multi-Purpose Center in Dr. Sixto Avenue, Barangay Rosario for the benefit of the residents of the City of Pasig;

WHEREAS, the aforementioned property was owned by the late EVARISTO BAUTISTA GUTIERREZ, and he allowed the use of the afore-stated property for the establishment of a center, initially for Lakas ng Manggagawa and subsequently, as a puericulture center;

WHEREAS, the administration of the puericulture center is currently being contested by the federation of Rosario Women's Club of Dra. Josefina Bernal and WOMEN'S Club of ROSARIO of Iraida Cruz together with their national affiliates;

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WHEREAS, the heirs of EVARISTO BAUTISTA GUTIERREZ, as represented by Rody Gutierrez are also contesting the ownership of the aforementioned property;

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, upon payment of just compensation, pursuant to the provisions of the Constitution and pertinent laws;

WHEREAS, there is a public need to acquire that parcel of land with a total area of Two Hundred Eighty Five and 12/100 (285.12 sqm.) square meters, more or less, for the construction of a Multi-Purpose Center.

BE IT ORDAINED, by the Sangguniang Panlungsod of Pasig in session duly assembled that:

SECTION 1. The Honorable City Mayor Robert C. Eusebio is hereby authorized to negotiate for the acquisition of or institute expropriation proceedings of the Two Hundred Eighty Five and 12/100 (285.12 sqm.) square meters of land covered by Tax Declaration No. E-018-04596 registered in the name of Puericulture Center under the umbrella of Rizal-Metro Manila Federation of Women's Clubs and League of Puericulture Centers represented by its President Mrs. Edith San Felipe located at Dr. Sixto Antonio Avenue, Barangay Rosario, Pasig City, Metro manila for the construction of a Multi-Purpose Center.

SECTION 2. The Honorable City Mayor is further authorized to pay just compensation to the Puericulture Center of Rosario or to whoever is the lawful owner for the parcel of land subject matter of this Ordinance in accordance with the recommendation of the City Appraisal Committee, subject to the existing COA rules and regulations or such amount as maybe necessary based on the recommendation of the City Appraisal Committee in case of a negotiated sale, or such

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amount as maybe fixed by the proper court in case of expropriation, chargeable against the LAND Capital Outlay of the regular budget of the City Government for the year CY 2017, subject to the usual accounting and auditing regulations.

Should there be any expropriation proceedings, the City Mayor and the City Treasurer are hereby authorized to deposit in court fifteen (15%) percent of the fair market value of the property sought to be expropriated based on the current tax declaration including court and miscellaneous fees.

SECTION 3. This Ordinance shall take effect immediate upon its approval.

APPROVED, this 15th day of **December 2016** at Pasig City.

VICTOR MA. REGIS N. SOTTO
Councilor

GREGORIO P. RUPISAN, JR.
Councilor

RHICHIE GERARD T. BROWN
Councilor

ALEJANDRO E. SANTIAGO
Councilor

RODRIGO A. ASILO
Councilor

MARIO C. CONCEPCION, JR.
Councilor

ORLANDO R. BENITO
Councilor

CORAZON M. RAYMUNDO
Councilor

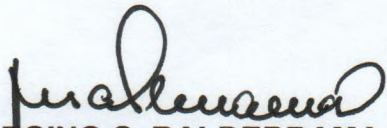


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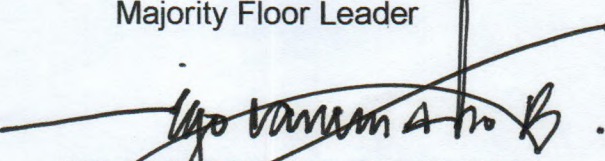

REGINO S. BALDERRAMA
Councilor



ROSALIO D. MARTIRES
Councilor

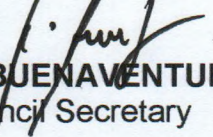
CELESTINO U. CHUA
LIGA President


FERDINAND A. AVIS
Councilor
Minority Floor Leader


WILFREDO F. SITYAR
Councilor
Majority Floor Leader

Attested by: 
IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED: 
ROBERT C. EUSEBIO
City Mayor

Attested by: 
REYNALDO R. SAN BUENAVENTURA III
Acting City Council Secretary

Confirmation



