



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 12
Series of 2017

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR ROBERT C. EUSEBIO TO NEGOTIATE WITH THE PROPERTY OWNER OF A PORTION OF A PARCEL OF LAND UNDER TRANSFER CERTIFICATE OF TITLE NO. 292290 UNDER THE NAME OF ROMAN CATHOLIC ARCHBISHOP OF MANILA AND TRANSFER CERTIFICATE OF TITLE NO. PT-141488 UNDER THE NAME OF MICAELA B. LARA BOTH LOCATED IN BARANGAY SAN MIGUEL FOR ROAD WIDENING PROJECT FOR THE BENEFIT OF RESIDENTS OF BARANGAY SAN MIGUEL AND TO EXPROPRIATE THE SAME IF NEGOTIATION FAILS.

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

WHEREAS, Section 16 of R.A. 7160 under the general welfare clause provides that every local government unit shall 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 19 of the same law 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 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;

WHEREAS, Section 455 (a) (2) of the same law provides that the City Mayor, as Chief Executive of the City Government, shall exercise such powers and perform such duties and functions as provided by this code and other laws; enforce all laws and ordinances relative to the governance of the city and in the exercise of the appropriate corporate powers provided for under Section 22 of the same, implement all approved policies, programs, projects, services and activities of the City;

WHEREAS, the City Government will be needing an area of One Hundred Fifty (150) square meters for the road widening;



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WHEREAS, seventy (70) square meters will be coming from the property of the Roman Catholic Archbishop of Manila under TCT No. 292290, and eighty (80) square meters from the property of Micaela B. Lara under TCT No. PT-141488;

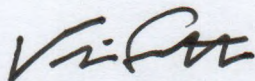
NOW, THEREFORE, be it Ordained that:

SECTION 1. The Honorable City Mayor is hereby authorized to negotiate with the property owner of a portion a parcel of land under Transfer Certificate Of Title No. 292290 under the name of Roman Catholic Archbishop Of Manila And Transfer Certificate of Title No. PT-141488 under the name of Micaela B. Lara both located in Barangay San Miguel for road widening project for the benefit of residents of Barangay San Miguel and to expropriate the same if negotiation fails.

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

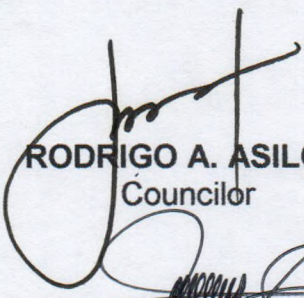
SECTION 3. That the amount to be used for the payment of just compensation shall be taken from the Land Capital Outlay provided in the CY 2017 Budget of the City of Pasig.

APPROVED, this 6th day of **April 2017** at Pasig City.


VICTOR MA. REGIS N. SOTTO
Councilor


GREGORIO P. RUPISAN JR.
Councilor

RHICHIE GERARD T. BROWN
Councilor


RODRIGO A. ASILO
Councilor


MARIO C. CONCEPCION, JR.
Councilor


ORLANDO R. BENITO
Councilor



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ALEJANDRO E. SANTIAGO
Councilor

CORAZON M. RAYMUNDO
Councilor

REGINO S. BALDERRAMA
Councilor

ROSALIO D. MARTIRES
Councilor

CELESTINO U. CHUA
LIGA President

FERDINAND A. AVIS
Councilor
Minority Floor Leader

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WILFREDO F. SITYAR
Councilor
Majority Floor Leader

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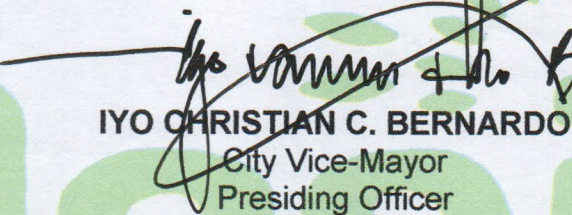
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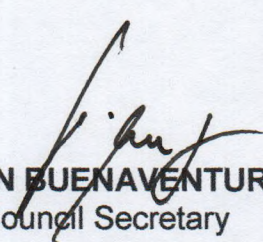
Attested by:


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



