



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 10
Series of 2021

Benito

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR VICTOR MA. REGIS N. SOTTO TO ENTER INTO NEGOTIATION WITH CASTLETON PROPERTIES AND DEVELOPMENT CORPORATION FOR THE ACQUISITION OF A LOT WITH AN AREA OF SIX THOUSAND FIVE HUNDRED THIRTY FOUR (6,534) SQUARE METERS MORE OR LESS DESCRIBED UNDER TRANSFER CERTIFICATE OF TITLE NO. PT-108755 LOCATED AT BARANGAY SAN JOAQUIN, PASIG CITY FOR PUBLIC USE AS A MULTI-PURPOSE CENTER FOR THE BENEFIT OF THE RESIDENTS OF BARANGAY SAN JOAQUIN AND TO EXPROPRIATE THE SAME IF NEGOTIATION FAILS.

Benito

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, Jr., Rosalio D. Martires, Corazon M. Raymundo, Gregorio P. Rupisan, Jr., Reynaldo R. San Buenaventura III, Editha C. Santiago, Wilfredo F. Sityar, LIGA Pres. Rigor J. Enriquez and SK Fed. President Georgia Lynne P. Clemente

Asilo

WHEREAS, Section 16 of the Republic Act No. 7160 otherwise known as the Local Government Code ("code") provides that, every local government unit shall exercise the powers expressly granted, those necessarily implied there from, 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. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

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WHEREAS, Section 17 (b) (2) (viii) and Section 17 (b) (13) (vii) in relation to Section 17 (b) (4) of the Republic Act No. 7160 of the same code provides that, the City has the duties and responsibility of constructing infrastructure facilities intended primarily to service the needs of its residents including the construction of roads, multi-purpose buildings, housing facilities, among others;

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WHEREAS, under Section 19 of the same code further 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.



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WHEREAS, Sangguniang Panlungsod of Pasig enacted Ordinance No. 45, Series of 2018 that grants an authority to the City Mayor to enter into negotiation and/or expropriation in case the negotiation fails with the Castleton Properties and Development Corporation, however, the said ordinance was not implemented.

WHEREAS, the property of the Castleton Properties and Development Corporation described under Transfer Certificate of Tile No. PT-108755 located at Barangay San Joaquin, Pasig City with an area of Six Thousand Five Hundred Thirty Four (6,534) square meters, more or less was identified by the City Government of Pasig as suitable for the establishment of Multi-Purpose Center that will benefit the residents of Barangay San Joaquin.

NOW THEREFORE, be it **ORDAINED** as it is hereby **ORDAINED** by the Sangguniang Panglungsod of Pasig in a session duly assembled the following:

SECTION 1. – The Honorable City Mayor Victor Ma. Regis N. Sotto is hereby authorized to negotiate and/or initiate expropriation proceedings for the acquisition of the subject property owned by the Castleton Properties and Development Corporation described under Transfer Certificate of Tile No. PT-108755 located at Barangay San Joaquin, Pasig City with an area of Six Thousand Five Hundred Thirty Four (6,534) square meters, more or less was identified by the City Government of Pasig as suitable for the establishment of Multi-Purpose Center that will benefit the residents of Barangay San Joaquin and the payment for just compensation thereof to the registered owner. For this purpose, the City Mayor may delegate and/or authorize the Office of the City Legal Officer – Pasig City to represent him or the Office of the City Mayor to make the written offers and negotiate with the affected owners.

SECTION 2. – The City Mayor is further authorized in case of a negotiated sale to pay just compensation for the subject for the subject property, taking into consideration the recommendation of the City Appraisal Committee of the City Government of Pasig, the current Bureau of Internal Revenue (BIR) Zonal Value and Classification of the subject property, last recorded sales, available appraisal reports and other factors, subject to existing COA accounting rules and regulations.



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SECTION 3. – In the event that the negotiation with the owner/s of the subject property fails, the City Mayor is hereby authorized to initiate and pursue expropriation proceedings to acquire and compensate this property. 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 or so much as may be necessary to be determined by the proper court, subject to existing COA rules and regulations.

SECTION 4. – The City Mayor is authorized to engage the services of a duly licensed and qualified contractor for the design and construction of the housing building for the benefit of underprivileged Pasiguenos and those living in the danger zones;

SECTION 5. – 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, subject to existing COA rules and regulations.

SECTION 6. – Should any article, section or regulation of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole, or any portion thereof other than the article, section or regulation so declared to be unconstitutional or invalid.

SECTION 7. – All ordinances or portions of ordinances in conflict with this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 8. – This Ordinance shall take effect immediately.

APPROVED this 18th day of **March 2021** in Pasig City.

FERDINAND A. AVIS
Councilor

MARIO C. CONCEPCION, JR.
Councilor

GREGORIO P. RUPISAN JR.
Councilor

ORLANDO R. BENITO
Councilor

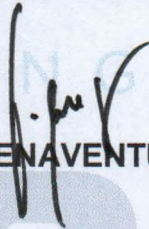


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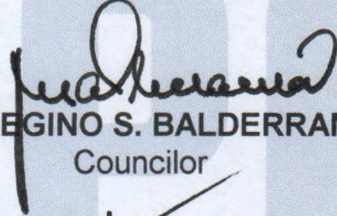
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REYNALDO R. SAN BUENAVENTURA III
Councilor


RODRIGO B. ASILO
Councilor



REGINO S. BALDERRAMA
Councilor


CORAZON M. RAYMUNDO
Councilor

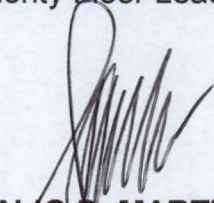

EDITHA C. SANTIAGO
Councilor


WILFREDO F. SITYAR
Councilor


RIGOR J. ENRIQUEZ
LIGA President


GEORGIA LYNNE P. CLEMENTE
SK Fed. President


RHICHIE GERARD T. BROWN
Councilor
Minority Floor Leader


ROSALIO D. MARTIRES
Councilor
Majority Floor Leader

Victor M. Regis N. Sotto



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Attested by:

Yo Christian C. Bernardo
YO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:

Victor Ma. Regis N. Sotto
VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:

Loida U. Villanueva
LOIDA U. VILLANUEVA
Acting City Council Secretary

PASIG

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