



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 26
Series of 2021

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR, VICTOR MA. REGIS N. SOTTO TO ENTER INTO NEGOTIATION WITH THE J & M PROPERTIES AND CONSTRUCTION CORPORATION ("JMPC"), FOR THE ACQUISITION OF A PARCEL OF LAND, WITH AN AREA OF FIFTY THREE (53) SQUARE METERS MORE OR LESS, DESCRIBED UNDER TRANSFER CERTIFICATE OF TITLE NO. PT-140844 AND THIRTY FIVE (35) SQUARE METERS MORE OR LESS, DESCRIBED UNDER TRANSFER CERTIFICATE OF TITLE NO. PT-140851 LOCATED IN INT J B MIGUEL ST., BARANGAY BAMBANG, PASIG CITY, TO BE USED FOR HOUSING PROGRAM OF THE CITY GOVERNMENT OF PASIG, AND TO EXPROPRIATE THE SAME IF NEGOTIATIONS FAIL.

Authored by: Councilor Orlando R. Benito
Co-Authored by: Councilors 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

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.

WHEREAS, Section 17 (b) (2) (viii) and Section 17 (b) (3) (vii) in relation to Section 17 (b) (4) of Republic Act No. 7160 provide 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;



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 26
Series of 2021

-page 2-

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WHEREAS, 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.

WHEREAS, the property of J & M PROPERTIES AND CONSTRUCTION CORPORATION ("JMPCC"), with an area of fifty three (53) square meters, more or less, described under Transfer Certificate of Title No. PT-140844 and thirty five (35) square meters, more or less, described under Transfer Certificate of Title No. PT-140851 located in INT J B Miguel St., Barangay Bambang, Pasig City, was identified by the Pasig Urban Settlement Office as suitable for housing program and other government projects of the City Government of Pasig considering its location adjacent to the proposed land for acquisition registered to Eastern Petroleum, and considering that it is already inhabited by informal settlers, and is thus suitable for on site development.

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, as the case maybe as provided herein, for the acquisition of the subject property registered under Transfer Certificate of Title No. PT-140844, with an area of fifty three (53) square meters, more or less, and under Transfer Certificate of Title No. PT-140851, with an area of thirty five (35) square meters, more or less, located in INT J B Miguel, Barangay Bambang, Pasig City, to be used for on site development housing program of the City Government of Pasig, and the payment of the purchase price or just compensation thereof to the registered owner, as the case may be.

For this purpose, the City Mayor may authorize the Office of the City Legal Officer – Pasig City or Office of the City Mayor to represent him in making the written offers and in negotiating with the affected owners.

PASIG

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Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 26
Series of 2021

-page 3-

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SECTION 2. – The City Mayor is further authorized in case of a negotiated sale to pay the purchase price for the subject property, as agreed upon by the parties, and subject to existing COA accounting rules and regulations.

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. For this purpose, the City Mayor shall be represented by the Office of the City Legal Officer. Moreover, 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, or as maybe determined by the proper court, in accordance with law.

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 and other government projects of the City Government of Pasig.

SECTION 5. – The amount to be used for the payment of the purchase price or 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 1st day of **July 2021** at Pasig City.



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 26
Series of 2021

-page 4-

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR, VICTOR MA. REGIS N. SOTTO TO ENTER INTO NEGOTIATION WITH THE J & M PROPERTIES AND CONSTRUCTION CORPORATION ("JMPCC"), FOR THE ACQUISITION OF A PARCEL OF LAND, WITH AN AREA OF FIFTY THREE (53) SQUARE METERS MORE OR LESS, DESCRIBED UNDER TRANSFER CERTIFICATE OF TITLE NO. PT-140844 AND THIRTY FIVE (35) SQUARE METERS MORE OR LESS, DESCRIBED UNDER TRANSFER CERTIFICATE OF TITLE NO. PT-140851 LOCATED IN INT J B MIGUEL ST., BARANGAY BAMBANG, PASIG CITY, TO BE USED FOR HOUSING PROGRAM OF THE CITY GOVERNMENT OF PASIG, AND TO EXPROPRIATE THE SAME IF NEGOTIATIONS FAIL.

FERDINAND A. AVIS
Councilor

GREGORIO P. RUPISAN JR.
Councilor

REYNALDO R. SAN BUENAVENTURA III
Councilor

REGINO S. BALDERRAMA
Councilor

EDITHA C. SANTIAGO
Councilor

MARIO C. CONCEPCION, JR.
Councilor

ORLANDO R. BENITO
Councilor

CORAZON M. RAYMUNDO
Councilor

WILFREDO F. SITYAR
Councilor

RIGOR J. ENRIQUEZ
LGA President

GEORGIA LYNNE P. CLEMENTE
SK Fed. President

RHICHIE GERARD T. BROWN
Councilor
Minority Floor Leader



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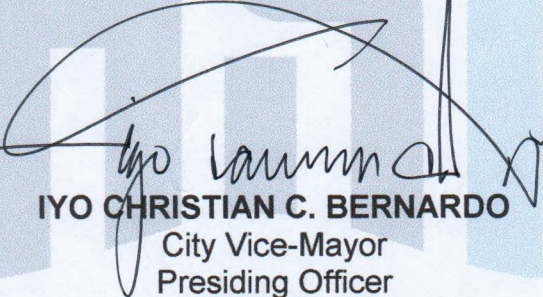
Ordinance No. 26
Series of 2021

-page 5-

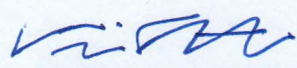
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ROSALIO D. MARTIRES
Councilor
Majority Floor Leader


Attested by:


IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:


VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:


LOIDA U. VILLANUEVA
Acting City Council Secretary