



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 44
Series of 2022

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR, VICTOR MA. REGIS N. SOTTO TO ACQUIRE BY PURCHASE OR EXPROPRIATION OF SEVERAL PARCELS OF LAND OWNED BY PATRICIO YANEZA AND JUANA CABANDONG COVERED BY ORIGINAL CERTIFICATE OF TITLE NO. 10718; SILCONS REALTY AND DEV. INC. UNDER TRANSFER CERTIFICATE OF TITLE NO. 011-2012001413; SPOUSES ARMANDO S. GUEVARRA AND ELVIRA DIZON AND SPOUSES GERONIMO D. REVILLA AND LILIA DIZON COVERED BY TRANSFER CERTIFICATE OF TITLE NO. PT-93118; JULIETA SANTOS ESPEJO AND ONOFRE S. ESPEJO COVERED BY TRANSFER CERTIFICATE OF TITLE NO. -54352-; HEIRS OF PEDRO DE SILVA AND LUCITA D. DE SILVA COVERED BY ORIGINAL CERTIFICATE OF TITLE NO. 655 LOCATED IN BARANGAY PALATIW, PASIG CITY TO BE USED FOR THE CONSTRUCTION OF A MEDIUM RISE HOUSING BUILDING FOR THE BENEFIT OF UNDERPRIVILEGED PASIGUENOS AND THOSE LIVING IN THE DANGER ZONE AND TO EXPROPRIATE THE SAME IF NEGOTIATIONS FAIL.

Author: Councilor Raymund Francis S. Rustia
Co-Authors: Entire Council

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) (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;

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, there is an urgent need for the City Government of Pasig to address the problems brought about by informal settlers and those residing in the danger zones;

WHEREAS, the City Government has evaluated several sites in which to locate the housing building and the best and suitable site evaluated consist of:

Lot Owner	Title No.	Lot Area to Be Offered for Sale
Patricio Yaneza and Juana Cabandong	OCT No. 1078	1,300 sqm.
Heirs of Pedro de Silva and Lucita Dizon, namely: Sps. George de Silva and Teresita A. de Silva; Sps. Gerardo de Silva and Alma F. De Silva; Sps. Garry de Silva and Josephina De Silva; Sps. Gabby de Silva and Beat Estiller de Silva	OCT No. 655	1,232 sqm.
Julieta Santos Espejo	TCT No. 54352	2,758 sqm.
Sps. Armando S. Guevarra & Elvira Dizon & Sps. Geronimo D. Revilla & Lilia Dizon	TCT No. PT-93118	611 sqm.
Silcons Realty and Development, Inc.	TCT No. 2012001413	3,365 sqm.
NINE THOUSAND TWO HUNDRED SIXTY-SIX (9,266) SQUARE METERS		

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



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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 measuring an aggregate total area of Nine Thousand Two Hundred Sixty-Six (9,266) square meters, more or less, located at Barangay Palatiw, Pasig City, and the payment for just thereof to the registered owners. For this purpose, the City Mayor may delegate and/or authorize the Office of the City Legal Officer – Pasig City to represent him or Office of the City Mayor to make the written offers and negotiate with the affected owners.

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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, to enter into and sign, for and on behalf of the City Government of Pasig, a Deed of Absolute Sale with the owners 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.

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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;

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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.

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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 **December 2022** at Pasig City.

Handwritten signature of Raymund Francis S. Rustia
HON. RAYMUND FRANCIS S. RUSTIA
City Councilor

Handwritten signature of Corazon M. Raymundo
HON. CORAZON M. RAYMUNDO
City Councilor

Handwritten signature of Simon Gerard R. Tantoco
HON. SIMON GERARD R. TANTOCO
City Councilor

Handwritten signature of Syvel Asilo-Gupilan
HON. SYVEL ASILO-GUPILAN
City Councilor

Handwritten signature of Paul Roman C. Santiago
HON. PAUL ROMAN C. SANTIAGO
City Councilor

Handwritten signature of Noel L. Agustin
HON. NOEL L. AGUSTIN
City Councilor

Handwritten signature of Roderick Mario U. Gonzales
HON. RODERICK MARIO U. GONZALES
City Councilor

HON. QUIN A. CRUZ
City Councilor

Handwritten signature of Regino S. Balderrama
HON. REGINO S. BALDERRAMA
City Councilor

Handwritten signature of Marion Rosalio M. Martires
HON. MARION ROSALIO M. MARTIRES
City Councilor



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HON. RIGOR J. ENRIQUEZ
LIGA President

Official Leave
HON. GEORGIA LYNNE P. CLEMENTE
SK Fed. President

[Handwritten signature]
HON. MARIA LUISA M. DE LEON
City Councilor
Minority Floor Leader

[Handwritten signature]
HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader

Attested by:

[Handwritten signature]
HON. ROBERT VINCENT JUDE B. JAWORSKI, JR.
City Vice-Mayor
Presiding Officer

APPROVED:

[Handwritten signature]
HON. VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:

[Handwritten signature]
LOIDA U. VILLANUEVA
Acting City Council Secretary