



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 48
Series of 2022

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR, VICTOR MA. REGIS N. SOTTO TO NEGOTIATE AND/OR EXERCISE THE POWER OF EMINENT DOMAIN FOR THE ACQUISITION OF A PRIVATE PROPERTY OR A PARCEL OF LAND OWNED BY ATMT CONSTRUCTION CORPORATION WITH AN AREA OF SIXTEEN THOUSAND THREE HUNDRED FORTY-SEVEN (16,347) SQUARE METERS MORE OR LESS DESCRIBED UNDER TRANSFER CERTIFICATE OF TITLE NO. 011-201700235 LOCATED AT BRGY. KALAWAAN, PASIG CITY FOR THE CONSTRUCTION OF THE CITY'S SOCIALIZED HOUSING PROJECT.

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

WHEREAS, Section 19 of Republic Act No. 7160, otherwise known as the Local Government Code authorizes the local government, through the Chief Executive and acting pursuant to an ordinance, to negotiate for the acquisition of a private property and to exercise the power of eminent domain by taking private property for public use upon payment of just compensation;

WHEREAS, Section 17 (b) (2) (viii) and Section 17 (b) (13) (vii) in relation to Section 17 (b) (4) of the same law provides that a City has the duty and responsibility of constructing infrastructure facilities intended primarily to serve the needs of its residents including, among others, housing facilities;

WHEREAS, there is an urgent need for the City Government of Pasig to acquire or expropriate the property owned by ATMT Construction Corporation which is covered by Transfer Certificate of Title No. 011-201700235 located in Barangay Kalawaan, Pasig City, containing an area of Sixteen Thousand Three Hundred Forty Seven (16,347) square meters, more or less for the construction of a socialized housing project that will address the problem of informal settler families within the City who are living in areas considered as "danger zones";

WHEREAS, the foregoing described property was determined and identified by the Pasig Urban Settlement Office as the most suitable site to construct the City's socialized housing project;

WHEREAS, it is necessary that before the City of Pasig can commence negotiation and/or expropriating proceedings under Section 19 of the Local Government Code that an ordinance be enacted;

NOW THEREFORE, the Sangguniang Panlungsod in a session duly assembled, ordains and decrees the following:



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-page 2-

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SECTION 1. EMINENT DOMAIN – The Honorable City Mayor Victor Ma. Regis N. Sotto is hereby authorized to negotiate and/or initiate expropriation proceedings for the acquisition of that parcel of land owned by ATMT Construction Corporation with an area of Sixteen Thousand Three Hundred Forty-Seven (16,347) square meters of the total Twenty Thousand Twenty-Five (20,025) square meters covered by TCT No. 011-201700235 located in Barangay Kalawaan, Pasig City, and to pay the negotiated purchase price or the just compensation, as the case may be, to the said registered owner. For this purpose, the City Mayor may delegate and/or authorize a representative through a verified written authority to represent him during the negotiation as may be allowed by existing laws.

SECTION 2. PAYMENT – The City Mayor is further authorized in case there is successful negotiation to enter into an agreement of sale and to pay the negotiated purchase price, taking into consideration the recommendation of the City Appraisal Committee and/or the Land Management and Recovery Office of the City Government of Pasig, the current Bureau of Internal Revenue Zonal Value and Classification, and other relevant factors, subject to existing Commission on Audit rules and regulations.

SECTION 3. PROCEEDINGS FOR EXPROPRIATION – In the event that the negotiation with the registered owner/s of the subject property fails, the City Mayor is hereby authorized to initiate, commence, and pursue expropriation proceedings for the acquisition of the subject property. The City Mayor and/or the City Treasurer are hereby authorized to make the necessary deposit in court in the amount of fifteen percent (15%) of the fair market value indicated in the current tax declaration of the property sought to be expropriated or the value as may be required by the proper court, subject to existing Commission on audit rules and regulations.

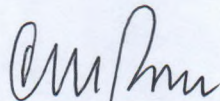
SECTION 4. APPROPRIATION – The amount to be used for the payment of a negotiated purchase price or just compensation shall be taken from the land capital outlay of the City Government of Pasig or from other lawful sources.

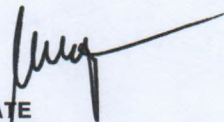
SECTION 5. EFFECTIVITY – This Ordinance shall take effect immediately upon approval by the City Mayor.

APPROVED, this 7th day of **December 2022** at Pasig City.

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HON. RAYMUND FRANCIS S. RUSTIA
City Councilor


HON. CORAZON M. RAYMUNDO
City Councilor


Victor Ma. Regis N. Sotto



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SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 48
Series of 2022

-page 3-

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Simon Gerard R. Tantoco
HON. SIMON GERARD R. TANTOCO
City Councilor

HON. SYVEL ASILO-GUPILAN
City Councilor

Paul Roman C. Santiago
HON. PAUL ROMAN C. SANTIAGO
City Councilor

HON. NOEL L. AGUSTIN
City Councilor

Roderick Mario U. Gonzales
HON. RODERICK MARIO U. GONZALES
City Councilor

HON. QUIN A. CRUZ
City Councilor

HON. REGINO S. BALDERRAMA
City Councilor

Marion Rosalio M. Martires
HON. MARION ROSALIO M. MARTIRES
City Councilor

Official Business
HON. RIGOR J. ENRIQUEZ
LIGA President

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

Maria Luisa M. de Leon
HON. MARIA LUISA M. DE LEON
City Councilor
Minority Floor Leader

Mark Gil M. de los Santos
HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader



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Ordinance No. 48
Series of 2022

-page 4-

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Attested by:

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

APPROVED:

[Signature]
HON. VICTOR MA. REGIS N. SOTTO
City Mayor

UMAAGOS ANG PAG-ASA

Attested by:

[Signature]
LOIDA U. VILLANUEVA
Acting City Council Secretary

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