



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 5
Series of 2023

Victor Ma. Sotto

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR, VICTOR MA. REGIS N. SOTTO TO ENTER INTO NEGOTIATION WITH REBECCA R. CARUNCHO FOR THE ACQUISITION OF A PARCEL OF LAND, WITH AN AREA OF 158 SQUARE METERS PORTION OF THE PROPERTY DESCRIBED UNDER TRANSFER CERTIFICATE OF TITLE NO. 6138746 LOCATED IN BARANGAY SAN MIGUEL, PASIG CITY TO BE USED AS ROAD RIGHT OF WAY TO CONNECT THE CURRENT SERVICE ROAD TO THE EXISTING EASEMENT GOING TO THE PASIG CITY MEGA DIALYSIS CENTER.

Rebecca R. Caruncho

Authors: Councilors Raymund Francis S. Rustia,
Mario Rosalio M. Martires and Maria Luisa M.
De Leon

Entire Council

Co-Authors: Entire Council

Entire Council

WHEREAS, Section 16, R.A 7160 provides that every Government until 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.

Entire Council

WHEREAS, Section 17 (a) (b) 4, R.A 7160 in relation to section 17 (a) (b) (3) (vii) provides that local government units shall likewise exercise such others powers and discharge such other function and responsibility as are necessary, appropriate or incidental to efficient and effective provision of basic service and facilities including infrastructure facilities intended to service the needs of the resident of the city and which are funded out of the city funds.

Entire Council

WHEREAS, at present, the Pasig Megadialysis Center, a Pasig City local government owned health facility needs to have an access road.

Entire Council

WHEREAS, to execute and realize this goal of the City Government of Pasig, it is a condition precedent that available parcel of land must be acquired by the government.

Entire Council

WHEREAS, the portion of the property of Rebecca R. Caruncho covered by Transfer Certificate of Title No. 6138746 with an area of One Hundred Fifty-Eight (158) square meters, more or less, located in Barangay San Miguel, Pasig City, was identified as suitable for access road going to Pasig Megadialysis Center considering its location and size.

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

Entire Council

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 area of One Hundred Fifty-Eight (158) square meters, more or less, located at Barangay San Miguel Pasig City,



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and the payment for just thereof to the registered owner. For this purpose, the City Mayor may delegate and/or authorize the Land Management and Recovery Office (LMRO) to represent him to make the written offers and negotiate with the affected owner/s.

SECTION 2. – The City Mayor is further authorized in case of a negotiated sale to pay just compensation 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.

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 the 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 road and other facilities for the benefit of residents of Pasig City;

SECTION 5. – The budgetary requirements to implement this Ordinance shall be chargeable against any available funds in the City Treasury, 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.

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SECTION 8. – This Ordinance shall take effect immediately.

APPROVED, this 12th day of **January 2023** at Pasig City.


HON. RAYMUND FRANCIS S. RUSTIA
City Councilor

On Leave
HON. CORAZON M. RAYMUNDO
City Councilor


On Leave
HON. SIMON GERARD R. TANTOCO
City Councilor


HON. SYVEL ASILO-GUPILAN
City Councilor


HON. PAUL ROMAN C. SANTIAGO
City Councilor


HON. NOEL L. AGUSTIN
City Councilor


HON. RODERICK MARIO U. GONZALES
City Councilor


HON. QUIN A. CRUZ
City Councilor


HON. REGINO S. BALDERRAMA
City Councilor


HON. MARION ROSALIO M. MARTIRES
City Councilor


HON. RIGOR J. ENRIQUEZ
LIGA President

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


HON. MARIA LUISA M. DE LEON
City Councilor
Minority Floor Leader



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LUNGSOD NG


HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader


Attested by:


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


APPROVED:


HON. VICTOR MA. REGIS N. SOTTO
City Mayor


Attested by:


LOIDA U. VILLANUEVA
Acting City Council Secretary

