



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 12 S. 2015

AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTY IN BARANGAY SAMPAGA, BATANGAS CITY FOR THE CONSTRUCTION OF ROAD RIGHT OF WAY FOR PHILIPPINE SCIENCE HIGH SCHOOL

SPONSOR : COMMITTEE ON LAWS, RULES AND REGULATIONS

WHEREAS, Section 19 of the Local Government Code authorizes the local government, through the Chief Executive, to exercise the power of eminent domain by taking private property for public use upon payment of just compensation;

WHEREAS, it is necessary for the City Government to take or expropriate the whole or portion of the lot owned by Roberto Catapang which is covered by Tax Declaration No. 0075-00568 and Julia Borbon which is covered by Tax Declaration No. 0075-03439 both located in Barangay Sampaga, Batangas City as well as other properties as may be necessary for the construction of road right of way for Philippine Science High School;

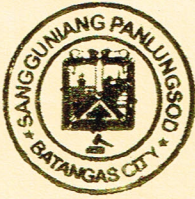
WHEREAS, it is a condition that before taking of the property may be exercised, an amount equivalent to 15% of the fair market value of the property as stated in its current tax declaration be deposited with the proper court;

WHEREAS, it is necessary that before the City of Batangas can commence expropriation proceeding under Section 19 of the Local Government Code, it is necessary that an ordinance be enacted;

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

SECTION 1. TITLE. - This Ordinance shall be called "An Ordinance Authorizing the City Government Through Its Chief Executive to Exercise the Power of Eminent Domain for the Expropriation of Private Property in Barangay Sampaga, Batangas City for the Construction of Road Right of Way for Philippine Science High School";

SECTION 2. EMINENT DOMAIN. - The City Mayor, in the name of the City Government is hereby authorized to exercise the power of eminent domain and for this purpose to commence and file with the proper court the necessary action for expropriation of the aforementioned properties covered by Tax Declaration No. 0075-00568 and Tax Declaration No. 0075-03439 and such other properties as may be necessary for school purposes within the immediate vicinity of Barangay Sampaga, Batangas City. The complaint shall join all persons, owning or claiming to own or occupying any part of the property to be expropriated.



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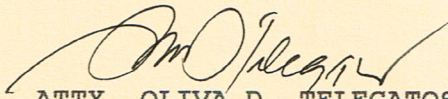
Continuation of Ordinance No. 12 S 2015

AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTY IN BARANGAY SAMPAGA, BATANGAS CITY FOR THE CONSTRUCTION OF ROAD RIGHT OF WAY FOR PHILIPPINE SCIENCE HIGH SCHOOL

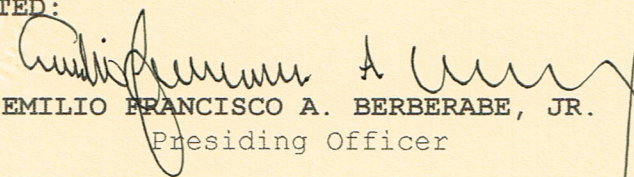
SECTION 3. APPROPRIATION. - The amount equivalent to the deposit fees and other expenses to commence the expropriation proceedings as well as the amount to be paid for the property as determined by the Court shall be appropriated from unexpended portion of the general fund of the City Government or from other lawful sources of the government.

SECTION 4. EFFECTIVITY. - This Ordinance shall take effect immediately upon approval by the City Mayor.

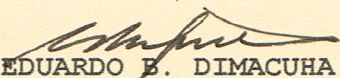
ENACTED by the Sangguniang Panlungsod of Batangas City this 13th day of July, 2015.


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

APPROVED:


EDUARDO B. DIMACUHA
City Mayor

Date Approved: July 27, 2015

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON JULY 13, 2015 AT THE SANGGUNIAN SESSION HALL**

PRESENT:

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Glenn M. Aldover,	Councilor
Hon. Claudette U. Ambida-Alday,	"
Hon. Hamilton G. Blanco,	"
Hon. Aileen Grace A. Montalbo,	"
Hon. Sergie Rex M. Atienza,	"
Hon. Armando C. Lazarte,	"
Hon. Alyssa Renee A. Cruz-Atienza,	"
Hon. Ma. Kristine Josefina G. Balmes,	"
Hon. Julian B. Villena,	"
Hon. Angelito "Dondon" A. Dimacuha,	(ABC-Rep.)
Hon. Gerardo A. dela Roca,	Councilor

"On motion of Councilor Cruz-Atienza seconded by Councilor Alday, the following Resolution was Adopted:

RESOLUTION NO. 222 S. 2015


**APPROVING ON SECOND AND FINAL READING THE PROPOSED EXPROPRIATION
ORDINANCES AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF
EXECUTIVE, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE
EXPROPRIATION OF PRIVATE PROPERTIES IN BARANGAY PALLOCAN AND
FERRY KUMINTANG IBABA, AND BARANGAY SAMPAGA, BATANGAS CITY**

RESOLVED, to approve on second and final reading the proposed expropriation ordinances entitled:

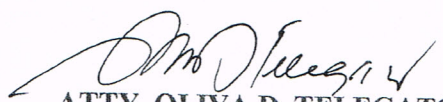
1. An Ordinance Authorizing the City Government Through Its Chief Executive, to Exercise the Power of Eminent Domain for the Expropriation of Private Property in Barangay Pallocan and Ferry, Kumintang Ibaba, Batangas City.
2. An Ordinance Authorizing the City Government Through Its Chief Executive to Exercise the Power of Eminent Domain for the Expropriation of Private Property in Barangay Sampaga, Batangas City for the Construction of Road Right of Way for Philippine Science High School.

UNANIMOUSLY APPROVED."

I hereby certify that the foregoing Resolution No. 222 S. 2015 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on July 13, 2015.


IVY AUDREY D. TELEGATOS
Board Secretary I
Sangguniang Panlungsod

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:



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COMMITTEE REPORT

SUBMITTED BY : **JOINT COMMITTEE ON LAWS, RULES AND REGULATIONS AND
COMMITTEE ON ENVIRONMENT AND URBAN DEVELOPMENT, LAND USE
AND ZONING**

SUBJECT : **EXPROPRIATION ORDINANCES**

COMMENTS / RECOMMENDATIONS:

In a letter dated May 4, 2015, the Honorable City Mayor requested the Sangguniang Panlungsod for an enactment of proposed ordinances for the expropriation of the properties connected with various projects of the City Government.


After the referral to the aforementioned Committees for study, comment and recommendation, a hearing was conducted on June 10, 2015 attended by the Chairman and members of the joint committees and other members of the Sangguniang Panlungsod. Also present were Atty. Teddy Deguito of City Legal Office, Mr. Oliver Gonzales of City ENRO, Ms. Mila Española of CSWDO, Mr. Arthur Fajilan of City Assessors Office, Engr. Sonny Godoy of CPDO, Barangay Officials and residents of Brgy. Gulod Labac, Barangay Officials and residents of Brgy. Sampaga, and Barangay Officials and residents of Brgy. Kumintang Ibaba.

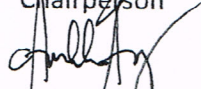
Finding no legal impediment with the subject, and finding that the proposed ordinances are in consonance with law, the Committee recommends:

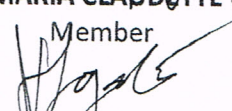
- (a) the adoption of this Committee Report and
- (b) that the Proposed Ordinances be scheduled for Second and Final Reading in the next regular session.

Respectfully submitted, June 22, 2015.

**JOINT COMMITTEE ON LAWS, RULES AND REGULATIONS AND THE COMMITTEE ON ENVIRONMENT
AND URBAN DEVELOPMENT, LAND USE AND ZONING**

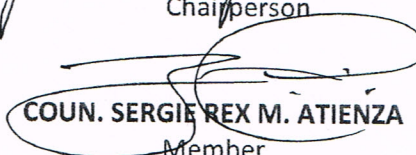

COUN. ALYSSA RENEE A. CRUZ-ATIENZA
Chairperson



COUN. MARIA CLAUDETTE U. AMBIDA-ALDAY
Member


COUN. ARMANDO C. LAZARTE
Member


COUN. AILEEN GRACE A. MONTALBO


COUN. GERARDO A. DELA ROCA
Chairperson


COUN. SERGIO REX M. ATIENZA
Member


COUN. GLENN M. ALDOVER
Member