



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 22-18 S. 2022

AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTY OF ASTRA REALTY CORPORATION IN BARANGAY SOROSORO IBABA, BATANGAS CITY FOR USE AS CONSTRUCTED WETLANDS

SPONSOR : COUN. ARMANDO C. LAZARTE
COMMITTEE ON ENVIRONMENT, URBAN
DEVELOPMENT, LAND USE AND ZONING

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 **ASTRA REALTY CORPORATION** which is covered by Transfer Certificate of Title No. T-65190 (Tax Declaration No. 0082-00492) located in Barangay Sorosoro Ibaba, Batangas City as well as other properties as may be necessary for use as Constructed Wetlands;

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

WHEREAS, the taking of the property and the conversion thereof into constructed wetlands will greatly benefit the public;

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 of Astra Realty Corporation in Barangay Sorosoro Ibaba, Batangas City For Use as Constructed Wetlands";

SECTION 2. EMINENT DOMAIN. - The City Mayor in the name of the City Government, is hereby authorized to exercise the power of eminent domain if necessary and for this purpose to commence and file with the proper court the action for expropriation of the aforementioned properties mentioned in the 2nd whereas clause and such other properties as may be necessary for purposes herein above stated within the immediate vicinity of Barangay Sorosoro Ibaba,



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Continuation of Ordinance No. 22-18 S. 2022

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Batangas City. The complaint shall join all persons, owning or claiming to own or occupying any part of the property to be expropriated;

SECTION 3. APPROPRIATION. - The amount equivalent to the deposit fees and other expenses to commence the expropriation proceeding as well as the amount to be paid for the property as determined by the Court is hereby 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 of the City Mayor.

ENACTED by the Sangguniang Panlungsod of Batangas City this 11th day of October, 2022.


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

APPROVED:


BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: OCT 25 2022