



Republic of the Philippines  
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 22-11 S. 2023

AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN VARIOUS BARANGAYS IN BATANGAS CITY FOR BY-PASS ROAD PURPOSES

SPONSOR: COUN. NESTOR E. DIMACUHA

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 lots hereunder enumerated as well as other properties that may be necessary for the construction of a By-Pass Road:

1. ET-23 - Leandro B. Perez (Tax Declaration No. 0084-00439)
2. ET-26 - Feliciano P. Andal (Tax Declaration No. 0084-00491)
3. ET-20 - Josefa A. Bayer, widow (Tax Declaration No. 0084-00510)
4. ET-19 -Josefa A. Bayer, widow (Tax Declaration No. 0084-00390)
5. Tax Declaration No. 0084-00457 - Pedro Rosales, Jesus Rosales, Avelina Rosales, & Vicente Rosales
6. Tax Declaration No. 0084-00646 - Pedro Rosales, Jesus Rosales, Avelina Rosales, & Vicente Rosales
7. ET-33 - Mauro B. Barza, md. to Anselma Gonzales (Tax Declaration No. 0084-00928)
8. Transfer Certificate of Title No. T-32290 - Casimero Chavez, md. to Lydia Dio, et. al (Tax Declaration No. 0084-01434)
9. Transfer Certificate of Title No. T-052-2010001344 - Sps. Estelita Evangelista & Mario July Evangelista (Tax Declaration No. 0084-00556)
10. Transfer Certificate of Title No. T-39674 - Pedro Castillo, md. to Matilde Castillo (Tax Declaration No. 0084-00335)
11. Transfer Certificate of Title No. 052-2020000390 - Mary Kris C. Untalan (Tax Declaration No. 0084-01326)
12. Transfer Certificate of Title No. T-48632 - Antonio Untalan, md. to Hilaria C. Untalan, et. al (Tax Declaration No. 0084-00915)
13. Transfer Certificate of Title No. T-48631 - Leonila Untalan, md. to Nestorio Hernandez (Tax Declaration No. 0084-00249)
14. Tax Declaration No. 0084-01781 - Juliana Hernandez Asi, widow, et. al
15. Tax Declaration No. 0084-00185 -Pedro Mandigma
16. Transfer Certificate of Title No. 052-2022002040 - Jasper Bryan Ty Uy, Jamie Loraine Ty Lau, Jason Ryan Ty Lau (Tax Declaration No. 0084-01869)
17. Tax Declaration No. 0084-00158 - Hilarion Delgado, md. to Irene Delgado
18. Tax Declaration No. 0084-01778 - Juliana Hernandez Asi, widow, et. al
19. Tax Declaration No. 0084-00087 - Felipe Aclan, md. to Juana Bayer

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Continuation of Ordinance No. 22-11 S. 2023

**AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN VARIOUS BARANGAYS IN BATANGAS CITY FOR BY-PASS ROAD PURPOSES**

- 20. Transfer Certificate of Title No. 052-2016001070 -Eugeniano Delgado, md. to Eva Delgado (Tax Declaration No. 0084-01057)
- 21. Transfer Certificate of Title No. T-70662 - Dominga Delgado, widow and Joel R. Delgado (Tax Declaration No. 0084-00900)
- 22. Transfer Certificate of Title No. T-49014 - Sps. Jovendo Perez and Anacoreta D. Perez (Tax Declaration No. 0084-00072)
- 23. Transfer Certificate of Title No. T-49013 - Daniel Delgado, md. to Apolonia Bagon (Tax Declaration No. 0084-00026)
- 24. Tax Declaration No. 0084-01205 - Maritess Andal Delgado
- 25. Tax Declaration No. 0084-01204 - Sps. Nelson R. Ramos and Julita D. Ramos
- 26. Tax Declaration No. 0084-01203 - Anacoreta D. Perez, md. to Jovendo Perez
- 27. Tax Declaration No. 0084-01202 - Anacoreta D. Perez, md. to Jovendo Perez
- 28. Tax Declaration No. 0084-01206 - Eugeniano C. Delgado, md. to Eva Delgado
- 29. Transfer Certificate of Title No. 052-2022002408 - Hilaria C. Untalan, md. to Antonio P. Untalan, et. al (Tax Declaration No. 0084-01878)
- 30. Transfer Certificate of Title No. 052-2022002406 - Hilaria C. Untalan, md. to Antonio P. Untalan, et. al (Tax Declaration No. 0084-01880)
- 31. Transfer Certificate of Title No. 052-2022002407 - Republic of the Philippines, Department of Public Works and High Way (Tax Declaration No. 0084-01879)
- 32. Tax Declaration No. 0084-00407 - Pedro, Jesus, Avelina, and Vicente Rosales

**WHEREAS**, it is a condition that there should be a formal offer and negotiation between the abovenamed registered owners and the City Government of Batangas before the expropriation may be exercised;

**WHEREAS**, it is a condition that before taking of 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**, the taking of the property and the conversion thereof into a By-Pass Road will greatly benefit the public;

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

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Continuation of Ordinance No. 22-11 S. 2023

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**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 Properties in Various Barangays in Batangas City for By-Pass Road Purposes”.

**SECTION 2. AUTHORITY TO OFFER.** – The City Government through its Chief Executive is hereby authorized to negotiate with the registered owners mentioned in 2<sup>nd</sup> Whereas Clause before the expropriation may be exercised;

**SECTION 3. EMINENT DOMAIN.** – Upon failure of the negotiation, 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 mentioned in 2<sup>nd</sup> Whereas Clause and such other properties as may be necessary for by-pass road purposes in various barangays in Batangas City. The complaint shall join all persons, owning or claiming to own, or occupying, any part of the property to be expropriated;

**SECTION 4. AUTHORITY TO SIGN.** - The City Government through its Chief Executive is hereby authorized to sign, transact, and/or execute any document related to negotiated sale and/or expropriation of the subject properties on behalf of the registered owners mentioned in 2<sup>nd</sup> Whereas Clause;

**SECTION 5. 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 6. EFFECTIVITY.** - This Ordinance shall take effect immediately upon approval by the City Mayor.

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Continuation of Ordinance No. 22-11 S. 2023

**AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN VARIOUS BARANGAYS IN BATANGAS CITY FOR BY-PASS ROAD PURPOSES**

ENACTED by the Sangguniang Panlungsod of Batangas City this 18<sup>th</sup> day of April, 2023.

**ATTY. OLIVA D. TELEGATOS**  
Secretary

**ATTESTED:**

**ATTY. ALYSSA RENEE A. CRUZ**  
Presiding Officer

**APPROVED:**

**BEVERLEY ROSE A. DIMACUHA**  
City Mayor

Date Approved: APR 26 2023

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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 APRIL 18, 2023 AT THE SAMPAGUITA FARM,  
SAMPAGA, BATANGAS CITY

**PRESENT:**

|                                     |                   |
|-------------------------------------|-------------------|
| Hon. Alyssa Renee A. Cruz,          | Presiding Officer |
| Hon. Hamilton G. Blanco,            | Councilor         |
| Hon. Karlos Emmanjuel A. Buted,     | "                 |
| Hon. Andrea Loise F. Macaraig,      | "                 |
| Hon. Nestor E. Dimacuha,            | "                 |
| Hon. Oliver Z. Macatangay,          | "                 |
| Hon. Armando C. Lazarte,            | "                 |
| Hon. Nelson J. Chavez,              | "                 |
| Hon. Jose Jonash Luis F. Tolentino, | "                 |
| Hon. Zester Carlo M. Hernandez,     | "                 |
| Hon. Isidra "Ched" M. Atienza,      | "                 |
| Hon. Lorenzo A. Gamboa, Jr.,        | "                 |
| Hon. Michael C. Villena,            | "                 |
| Hon. Marjorie A. Manalo,            | ( SK-Rep.)        |
| <br>                                |                   |
| Hon. Angelito Dondon A. Dimacuha,   | (ABC-Rep.)        |

"On motion of Councilor Nestor Dimacuha seconded by Councilor Lazarte, the following Resolution was Adopted:

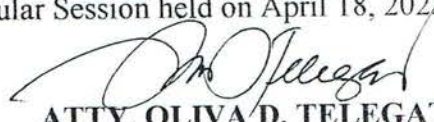
**RESOLUTION NO. 22-183 S. 2023**

**APPROVING THE ORDINANCE AUTHORIZING THE EXERCISE OF THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTIES IN VARIOUS BARANGAYS OF BATANGAS CITY FOR BY-PASS ROAD PURPOSES**


**RESOLVED**, to approve the Ordinance Authorizing the Exercise of the Power of Eminent Domain for the Expropriation of Private Properties in Various Barangays of Batangas City for By-Pass Road Purposes.

**UNANIMOUSLY APPROVED."**

I hereby certify that the foregoing Resolution No. 22-183 S. 2023 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on April 18, 2023.

  
ATTY. OLIVA D. TELEGATOS  
Secretary

**ATTESTED:**

  
ATTY. ALYSSA RENEE A. CRUZ  
Presiding Officer

ODT/ystingchuy...