



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 22-39 S. 2023

AN ORDINANCE AUTHORIZING THE CITY GOVERNMENT THROUGH ITS CHIEF EXECUTIVE TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE EXPROPRIATION OF PRIVATE PROPERTY AT BARANGAY SIRANG LUPA, BATANGAS CITY, FOR THE USE OF VARIOUS BARANGAYS FOR THE PURPOSE OF WATER SOURCE PROJECT

SPONSOR : SP MEMBER 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 lot hereunder enumerated as well as other properties that may be necessary for the construction of the water source project;

1. Tax Declaration No. 0086-01567 – Sps. Rolly D. Tan and Grace D. Tan, and Sps. Mariano O. Ng, Jr. and Margie Lorraine O. Ng

WHEREAS, it is a condition that there should be a formal offer and negotiation between the abovenamed registered owner/s 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 Water Source Project 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 at Barangay Sirang Lupa, Batangas City, for the use of Various Barangays for the Purpose of Water Source Project”.

SECTION 2. AUTHORITY TO OFFER FOR PURCHASE. – The City Government through its Chief Executive is hereby authorized to negotiate for the purchase of the affected lot with the registered owner/s herein mentioned before the expropriation may be exercised.

SECTION 3. 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 property, and such other properties as may be necessary for water source project purpose in Barangay Sirang Lupa, Batangas City. The complaint shall join all persons, owning or claiming to own, or occupying any part of the property to be expropriated.

HON. NESTOR E. DIMACUHA
J. CHAVEZ

HON. AMANDO C. LAZARTE

HON. OLIVER MACATANGAY

HON. NESTOR E. DIMACUHA

HON. ANDREA LOISE F. MACARAIG

HON. KARLOS EMBANJUELA BUTED

HON. HAMILTON G. BLANCO

HON. ANSARENE A. CRUZ

HON. MARCUS MANUEL D. CASTILLO

HON. ANGELITO DONDON A. DIMACUHA

HON. MICHAEL C. VILLENA

HON. LORRENZO A. GAMBON, JR.

HON. ISIDRA M. ATIENZA

HON. ZESTER CARLO M. HERNANDEZ

HON. JOSE JONASH LUIS F. TOLERTINO



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Continuation of Ordinance No. 22-39 S. 2023

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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 property of the registered owner/s herein mentioned.

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 the 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 of the City Mayor.

ENACTED, by the Sangguniang Panlungsod of Batangas City this 11th day of December, 2023.

ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

APPROVED:

BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: DEC 27 2023

HON. J. CHAVEZ

HON. ARMANDO C. LAZARTE

HON. OLIVER Z. MACATANGAY

HON. NESTOR E. DIMACUHA

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