

SANGGUNIANG PANLUNGSOD

VALENZUELA CITY ORDINANCE NO. 91 Series of 2013, October 14, 2013

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Authored by: Councilor ANTONIO R. ESPIRITU, Councilor ROVIN ANDREW M. FELICIANO, Councilor CORAZON A. CORTEZ, Councilor HON. MARLON PAULO C. ALEJANDRINO, Councilor JENNIFER PINGREE-ESPLANA, Councilor LORENA NATIVIDAD-BORJA, Councilor LAILANIE P. NOLASCO, Councilor KIMBERLY ANN D.V. GALANG, Councilor CRISSHA M. PINEDA, Councilor RAMON L. ENCARNACION and Councilor CRISTINA MARIE M. FELICIANO

WHEREAS, Section 16 of the Local Government Code of 1991 empowers every local government unit, including the City Government of Valenzuela, to exercise powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those essential to the promotion of the general welfare which among other things, includes the preservation of comfort and convenience of its inhabitants;

WHEREAS, the City Government has evaluated several sites in which to locate the various government facilities and infrastructure and the best and suitable site evaluated consists of:

LOT OWNER TITLE/AREA LOCATION MARKET VALUE PER TAX DECLARATION PURPOSE

1. Northhills Holding Realty and Development Corp. and/or other persons claiming the same. TCT NO. V-100985
-3,124 square meters A. Mariano St., Barangay Bagbaguin, Valenzuela City C-027-03433 1,500/sq. m. Industrial Lot Bagbaguin Barangay Complex
2. Royalseal, Incorporated (Merlita D. Ngo, single-previous owner) TCT NO. V-106678
- 1,305 square meters
V-106679
- 3,359 square meters Malinta - Novaliches Road, Barangay Paso de Blas Valenzuela City
C-023-04082
P1,500.00/square meter Commercial Lot
C-023-04081
P1,500.00/square meter Commercial Lot Paso de Blas High School
3. Leonora D. Aguila, married to Fernando G. Aguila; Edgardo Z. Dulatas, married to Constancia L. Dulatas; Luvina D. Bautista, married to Narciso Bautista; Zenaida D. Alvero, married to Gervacio Alvero; Priscila D. Tacbad, married to Renato Tacbad; Wilfredo Z. Dulata, married to Emma Dulatas; Michael Z. Dulatas, married to Ma. Lourdes T. Dulatas; Sonla D. Abuel, married to Herman Abuel; Efren Z. Dulatas, married to Ma. Luz Victoria S. Dulatas; TCT NO. V-93739

- 6,078 square meters portion Que Grande Street, Barangay Ugong, Valenzuela City C-025-14244 P400.00/square meter Residential Lot Ugong Barangay Complex

4. Equitable PCI Bank (formerly Equitable Banking Corporation) TCT Nos.

V-63073

-772 square meters

V-63074

-1,373 square meters

V-63075

-741 square meters

V-63076

-726 square meters

V-63077

-630 square meters

V-63078

-630 square meters

V-63079

-679 square meters

V-63080

-630 square meters

V-63081

-627 square meters M.H. del Pilar Street, (Arkong Sato) Palasan, Barangay Arkong Bato, Valenzuela City

C-002-02089 P1,000.00/sq.m Industrial Lot

C-002-02090 P1,000.00/sq.m Industrial Lot

C-002-02088 P1,000.00/sq.m. Industrial Lot

C-002-02087 P1,000.00/sq.m. Industrial Lot

C-002-02086 P1,000.00/sq.m. Industrial Lot

C-002-02085 P1,000.00/sq.m. Industrial Lot

C-002-02084 P1,000.00/sq.m. Industrial Lot

C-002-02083 P1,000.00/sq.m. Industrial Lot

C002-02082 P1,000.00/sq.m. Industrial Lot Arkong Bato High School

WHEREAS, the City Government of Valenzuela shall faithfully comply with the provision of our Constitution, applicable provisions of law and such other rules and regulations consistent with the observance and compliance with the due process requirements of the law by way of issuances of proper notice to the respective registered owners with offer to buy the aforesaid properties;

WHEREAS, the Local Government Code of 1991 expressly grants the local government unit the exercise of the power of eminent domain and the right to purchase and expropriate private property for public use,

WHEREAS, Section 19 Of Republic Act No. 7160 states that:

Section 19. Eminent Domain – A local government unit may through its chief executive and acting pursuant to an ordinance, exercise the power of eminent domain for public use, or purpose, or welfare for the benefit of the poor and the landless, upon payment of just compensation, pursuant to the provisions of the constitution and pertinent laws. Provided, however, that the power of eminent domain may not be exercised unless a valid and definite offer has been previously made to the owner and such offer was not accepted. Provided, further, that the local government unit may Immediately take possession of the property upon the filing of the expropriation proceedings and upon making a deposit with the proper court of at least fifteen percent (15%) of the fair

market value of the property based on the current tax declaration of the property to be expropriated: Provided finally, that the amount to be paid for the expropriated property shall be determined by the proper court, based on the fair market value at the time of the taking of the property."

WHEREAS, there is a need to enact an ordinance authorizing the City Mayor to acquire by purchase or expropriation, the following properties for various government facilities and infrastructures:

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NOW THEREFORE, be it ORDAINED as it is hereby ORDAINED by the City Council of Valenzuela in session duly assembled that an ordinance be issued authorizing the purchase or expropriation of parcels of land as above stated and other related public use purpose and appropriating funds therefor in the amount necessary for the taking, which shall be based on the assessed value of said properties for payment of just compensation;

FURTHER, this Ordinance shall authorize the Honorable City Mayor to represent the City in this particular act, to sign all documents related thereto and to perform any and all acts and deeds which are required, necessary and incidental to carry out the purpose of this Ordinance.

ENACTED.

OCTOBER 14, 2013.

VALENZUELA CITY, METROPOLITAN MANILA.

(Sgd.) HON. ANTONIO R. ESPIRITU

Councilor

Majority Floor Leader (Sgd.) HON. ROSALIE ESTEBAN-CAYCO

Councilor

Minority Floor Leader

(Sgd.) HON. MARCELINO G. MORELOS

Councilor (Sgd.) HON. LORENA NATIVIDAD-BORJA

Councilor

Asst. Majority Floor Leader

(Sgd.) HON. ROVIN ANDREW M. FELICIANO

Councilor (Sgd.) HON. LAILANIE P. NOLASCO

Councilor

(Sgd.) HON. CORAZON A. CORTEZ

Councilor (Sgd.) HON. KIMBERLY ANN DV. GALANG

Councilor

(Sgd.) HON. MARLON PAULO C. ALEJANDRINO

Councilor HON. CRISSHA M. PINEDA
Councilor

(Sgd.) HON. JENNIFER PINGREE-ESPLANA
Councilor (Sgd.) HON. KRISTIAN ROME T. SY
Councilor

(Sgd.) HON. RAMON L. ENCARNACION
Councilor
(President, League of Barangays) (Sgd.) CRISTINA MARIE M. FELICIANO
Councilor
(President, Federation of Sangguniang
Kabataan)

ATTESTED:

(Sgd.) FLAVIO C. DIAZ
Secretary

CERTIFIED CORRECT:

(Sgd.) HON. ERIC M. MARTINEZ
Presiding Officer
City Vice Mayor

APPROVED:

(Sgd.) HON. REXLON T. GATCHALIAN
City Mayor
Date Signed: _____

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