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SANGGUNIANG PANLUNGSOD

VALENZUELA CITY ORDINANCE NO. 137 Series of 2014, June 23, 2014

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Authored by: Councilor ANTONIO R. ESPIRITU, Councilor ROVIN ANDREW M. FELICIANO, Councilor CORAZON A. CORTEZ, Councilor 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 KRISTIAN ROME T. SY and Councilor RAMON L. ENCARNACION

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 proposed 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. LUCKY TWO CORPORATION and/or other persons claiming the same. TCT NO. V-28051 (Lot 425-A)

1,184 square meters portion of 6,907 square meters

TCT NO. V-28050 (lot 425-C)

582 square meters portion of 10,360 square meters M. Francisco Street, Barangay Lingunan, Valenzuela City C-021-00483 Riceland @P 30.00 Per square meters

C-021-00484 Riceland @P 30.00 Per square meters Access Road at Meyland Subdivision Phase V and M. Francisco Street, Barangay Lingunan.

2. WORLDWOOD REAL STATE HOLDINGS CORPORATION, and/or other persons claiming the same TCT NO. V-105620 (Lot 426-B-4-B)

5,000 square meters portion of 10,000 square meters Dulalia Street, Barangay Lingunan, Valenzuela City C-021-06738
Industrial Lot @ P1,500.00 per square meter Barangay Lingunan High School

3. SPOUSES VILLAMOR C. IGNACIO & ABIGAIL S. IGNACIO AND GAIL S. IGNACIO and/or other persons claiming the same TCT NO. V-54654 (Lot25, Blk.1)

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98 square meters Phase VI, Meyland Village, Barangay Lingunan, Valenzuela City C-021-02835
Residential Lot @ P600.00 per square meters Access Road at Meyland Subdivision, Phase V and M. Francisco Street, Barangay Lingunan

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 law and by way of issuance of proper notices to the registered owners with offer to buy the aforestated 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 the Local Government Code states, to wit:

> 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 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 property below for public use specifically for proposed government offices/facilities and infrastructure:

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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 enacted authorizing the purchase or expropriation of parcels of land as above stated and other related public use purposes 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 withdraw the expropriation case or to enter into any compromise agreement or deed of donation arising from the expropriation proceedings or case, 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.
JUNE 23, 2014.
VALENZUELA CITY, METROPOLITAN MANILA

(Sgd.) HON. ANTONIO R. ESPIRITU
Councilor
Majority Floor Leader (Sgd.) HON. ROSALIE ESTEBAN-CAYCO
Councilor
Minority Floor Leader

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

HON. CORAZON A. CORTEZ
Councilor (Sgd.) HON. KIMBERLY ANN DV. GALANG
Councilor

HON. MARLON PAULO C. ALEJANDRINO
Councilor (Sgd.) HON. CRISSHA M. PINEDA
Councilor

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

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(Sgd.) HON. RAMON L. ENCARNACION
Councilor
(President, League of Barangays)

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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