SANGGUNIANG PANLUNGSOD

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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 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 various government facilities and infrastructure and the best and suitable site evaluated consist of:

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

1. Antonio Jusayan married to Felicidad Jusayan TCT No. V-69161 (Lot 9-B) M. Francisco Street, Barangay Lingunan C-021-03543

Riceland @ P30.00/per square meter Barangay Lingunan High School

2.Bengson Juan married to Josephine D. Juan TCT NO. V-78269 (Lot 775-D-1) Karuhan Road (Gen. T. de Leon Road) corner Padrigal Street, Barangay Karuhatan C-017-12895

Residential Lot @ P600/ square meters Government Facilities

3.Arsenio Chua, single TCT NO. B-24714 (Lot 127-A-5-B)

5,000 square meters portion (Total area 10,000 square meters) Mulawinan Street, Barangay Lawang Bato C-028-05511

Industrial Lot @ P1,000.00/square meter Lawang Bato Barangay Complex

4. Johnny D. Gan and Aurora D. Gan, both single TCT NO. V-66364 (Lot 2-B) 956 Square meters

V-66365 (Lot 1) 2,491 square meters

TOTAL AREA = 3,445 square meters S. De Guzman Street, Barangay Parada C-024-04740

Residential Lot @ P600.00/ sq. m.

C-024-04741

Residential Lot @P600.00/ sq. m. Parada Barangay Complex

5. Metro Lending Corporation TCT NO. V-94341 (Lot 2457-B)

1,000 square meters Esteban Street, Barangay Dalandanan C-015-04947

Residential Lot @P400.00/ sq. m. Government Facilities

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:

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

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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 me purpose or this Ordinance.

ENACTED.
DECEMBER 2, 2013.
VALENZUELA CITY, METROPOLITAN MANILA.

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

(Sgd.) HON. MARCELINO G. MORELOS
Councilor

(Sgd.) HON. ROVIN ANDREW M. FELICIANO
Councilor (Sgd.) HON. LAILANIE P. NOLASCO
Councilor

HON. CORAZON A. CORTEZ
Councilor HON. KIMBERLY ANN DV. GALANG
Councilor

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

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Councilor

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

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

ATTESTED:

(Sgd.) FLAVIO C. DIAZ
Secretary

CERTIFIED CORRECT:

(Sgd.) HON. LORENA NATIVIDAD-BORJA
Temporary Presiding Officer
Asst. Majority Floor Leader

APPROVED:

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

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