

**[ VALENZUELA CITY ORDINANCE NO. 127 Series  
of 2014, April 07, 2014 ]**

**SANGGUNIANG PANLUNGSOD**

**"Excerpts from the minutes of the 33rd Regular Session of the 6th City Council of Valenzuela held on April 7, 2014 at 2:39 P.M. at the City Council's Session Hall, 3rd Floor, Legislative Building, Valenzuela City Hall, Karuhatan. Valenzuela City, Metro Manila.**

**AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR TO ACQUIRE BY PURCHASE OR EXPROPRIATION SEVERAL PARCELS OF LAND COVERED BY TRANSFER CERTIFICATES OF TITLE WITH NOS. T-112784 AND V-54840 FOR VARIOUS GOVERNMENT FACILITIES, INFRASTRUCTURE, AND/OR PUBLIC PURPOSES LOCATED WITHIN VALENZUELA CITY AND APPROPRIATING FUNDS FOR THE JUST COMPENSATION THEREFOR.**

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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** and Councilor **RAMON L. ENCARNACION**

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**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:

<b>LOT OWNER</b>	<b>TITLE/AREA</b>	<b>LOCATION</b>	<b>MARKET VALUE PER TAX DECLARATION</b>	<b>PURPOSE</b>
<b>1. Danilo G. Co, single, and/or other persons</b>	<b>TCT NO.T-112784 (Lot 187-H-5)</b>	<b>F. Alarcon St., Malabo, Barangay</b>	<b>C-019-06038 Residential Lot @P200.00 Per square meters</b>	<b>Government Facilities</b>

claiming the same.	2,109 square meters	Maysan, Valenzuela City		
<b>2. Spouses Ernesto Cunanan and Isabelita Cunanan, and/or other persons claiming the same</b>	<b>TCT NO. V-54840 (Lot 21)</b>  <b>82.37 square meters portion of 652 square meters</b>	<b>84 Ilang-Ilang Street Don Pedro Village, Barangay Manilas, Valenzuela City</b>	<b>C-031-13922 Residential Lot</b>  <b>@P600.00 per square meter</b>	<b>Pumping Station and Flood Control Project</b>

**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 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 property described below for public use specifically for proposed government offices/facilities and infrastructure:.

LOT OWNER	TITLE/AREA	LOCATION	MARKET VALUE PER TAX DECLARATION	PURPOSE
<b>1. Danilo G.</b>	<b>TCT NO.T-</b>	<b>F. Alarcon</b>	<b>C-019-06038</b>	<b>Government</b>