

[VALENZUELA CITY ORDINANCE NO. 84 Series of 2013, July 29, 2013]

SANGGUNIANG PANLUNGSOD

**** Excepts from the minutes of the 4th Regular Session of the 6th City Council of Valenzuela held on July 29, 2013 at 2:59 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 TITLE CERTIFICATE NOS. V-105618, (T-212189), 58369, T-102649, V-109856, (T-127219) 14706, T-114560, V-9553, V-9554, V-9555, 147618, V-33899, V-18640, V-18642, V-18643, V-106286, V-80847, V-20223, V-20219, V-20222, V-20221, V-20220, V17950-A FOR VARIOUS GOVERNMENT FACILITIES AND INFRASTRUCTURE LOCATED WITHIN VALENZUELA CITY AND APPROPRIATING FUNDS FOR THE JUST COMPENSATION THEREFOR.

Authored by: HON. ANTONIO R. ESPIRITU, Hon. MARLON PAULO C, ALEJANDRINO, Hon. LORENA NATMDAD-BORJA, Hon. CORAZON A. CORTEZ, Hon. LAILANIE P. NOLASCO, Hon. MARCELINO G. MORELOS, Hon. ROSALIE ESTEBAN-CAYCO, Hon. KRISTIAN ROME T. SY, Hon. RAMON L. ENCARNACION and Hon. 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.Warren Reyes Pardilla m/ to | TCT NO. V-105618 | Int. Service Road, Paso | C-023-04024 1,500/sq. m. | Valenzuela East Hospital |

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|--|---|--|---|--|
| Georgiana Go Pardilla and Alex D. Sitosta m/ to Patricia Yam Sitosta | (10,004 sq. m.) | de Blas | Ind. Lot | |
| 2.Uy Y. Kui m/ to Siu Sang; and Domingo Herrera m/ to Isabel L. Herrera | TCT NO. (T-212189) 58369 (8,670 SQ. M.) | Malinta (Beside PLV Main) | C-016-09830 3,670 SQ. M. Res. Lot @ 800/sq. m. 5,000 sq. m. Comm. Lot @ 2,000/ sq.m. | Government Facilities (Government Offices, Multi Purpose Building) |
| 3. Puzon Industrial Development Corporation and/ or other persons claiming the same. | TCT NO. T-102649 (80 sq. m.) | Apolonia St. Mapulang Lupa | C-026-01507 1,500/SQ. M. Ind. Lot | Front access of Mapulang Lupa Elem. School |
| 4. Rubenson Ngo Chuco m/ to Leslie Anne Yao Chuco | TCT NO. V-109856 (779 sq. m.) | Apolonia St. Mapulang Lupa | C-026-06209 600/sq.m. Res. Lot | Front access of Mapulang Lupa Elem. School |
| 5. Philippine Shares Corporation and/ or other persons claiming the same | TCT NO. (T-127219) 14706 (111,293 sq.m.) | Bignay Road, Bignay | C-030-01258 300/ SQ.M. Res, Lot | Socialized Housing- Disiplina Village II |
| 6. Sps. William Gosiaco & Belen Gosiaco | TCT NO. T-114560 7,526 sq. m.) | Que Grande St.Ugong | C-025-01364 30/sq. m. Riceland | Sitero High School Expansion |
| 7.Celayo Properties, Inc. and/or other persons claiming the same | TCT NO. V-9553 (11,628 sq.m.) V-9554 (3,000 sq. m.) V-9555 (623 sq. m.) | Beside Executive Building MacArthur Highway, Karuhatan | C-017-01209 11,523 sq. m. Res. Lot @ 800/sq.m. 104.90 sq.m. Road Lot @60/sq.m. C-017-01210 2,951.60 sq. m. Res. Lot @ 800/sq.m: 48.40 sq. m. Road Lot @ 60/sq. m. C-017-01208 521 sq. m. Res. Lot @ | Valenzuela Central Park |

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| | | | 800/sq.m. 102 sq.m. Road Lot @60/sq. m. | |
| 8. Ernesto Tan and/or other persons claiming the same | TCT NO. 147618 (8,701 sq. m.) | Malinta (Beside PLV Annex) | C-016-03866 1,000 sq.m. Res. Lot @ 600/sq. m. 7,701 sq.m. Ind. Lot @ 1,500/sq. m | PLV Expansion |
| 9. Willex Development Corporation | TCT NO. V-33899 (4,000 sq. m.) | Malinta | C-016-04934 600/sq. m. Res. Lot | PLV Expansion |
| 10. Elena Tiu Tsang m/ to Tsang Wing Fai and /or other persons claiming the same | TCT NOS. V-18640 (5,964 sq. m.) V-18642 (7,499 sq. m.) V-18643 (7,000 sq. m.) | Punturin | C-029-01024 1,500/sq. m. Ind. Lot C-029-02033 1,500/sq. m. Ind. Lot C-029-02034 1,500/sq. m. Ind. Lot | School/Health Center/Day Care and Multi Purpose Building |
| 11. Geospecialist, Inc. and/or other persons claiming the same. | TCT NO. V-106286 (30,457 sq. m.) | Rubber Master Road, Barangay Lingunan | C-021-06942 400/ sq.m. Res. Lot | Material Recovery Facilities and Cemetery with Crematorium |
| 12. Jose L. Santos, married to Teresita Gonzalez, Augusto S. Estrada, married to Adele V. Estrada, Remedios S. Camara, married to Leopoldo S. Camara, Ramon S. Estrada, married to Baby Katty G. Estrada, Gloria Vergel de Dios, married to Jose Vergel de Dios, Virginia Syjuco, widow, | TCT NO. V-80847 (5,000 sq. m. portion only (Total area -12,738 sq.m) | A. Pablo Street, Malinta | C-016-03562 P2,000/sq.m. Comm. Lot | Proposed Valenzuela Science High School Expansion |

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|--|--|--------------------------------------|--|-------------------------|
| Nelia Fandino, married to Romeo Fandino, Blanquita Gonzalez, married to Renato Gonzalez, Roman L. Santos, married to Leonora B. Quesada, Augusto Benedlcto L. Santos, married to Ma. Linda Syjuco, Juliana Sison, married to Alexander Sison, Erlinda Gozon, married to Benjamin Gozon, and Bella Barrera married to Oscar Barrera | | | | |
| 13. EYCO Properties, Inc. (Nikon Property) and/or other persons claiming the same. | TCT NOS. V-20223 (7,943/sq. m.) V-20219 (6,655 sq. m.) V-20222 (850 sq.m.) V-20221 (8,181 sq. m.) V-20220 (7,857 sq. m.) | East Service Road, Paso de Bias | C-023-00356 1,500/sq.m. Ind. Lot C-023-00355 1,500/sq. m. Ind. Lot C-023-00358 1,500/sq. m. Ind. Lot C-023-00357 1,500/sq. m. Ind. Lot C-023-00353 1,500/sq. m. Ind. Lot | Central Terminal |
| 14. Carlos L. de Leon married to Rosie F. de Leon | TCT NO. V-17950-A (7,013 sq. m.) | F. Bernardino Street, Barangay Ugong | C-025-04548 20/sq. m. Agricultural Lot | Ugong Elementary 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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| 2. Uy Y. Kui m/ to Siu Sang; and Domingo Herrera m/ to Isabel L. Herrera | TCT NO. (T-212189) 58369 (8,670 SQ. M.) | Malinta (Beside PLV Main) | C-016-09830 3,670 SQ. M. Res. Lot @ 800/sq. m. 5,000 sq. m. Comm. Lot @ 2,000/ sq.m. | Government Facilities (Government Offices, Multi Purpose Building) |
| 3. Puzon | TCT NO. T- | Apolonia St. | C-026-01507 | Front access |