

**[VALENZUELA CITY ORDINANCE NO. 193 Series
of 2015, February 23, 2015]**

SANGGUNIANG PANLUNGSOD

**** Excerpts from the minutes of the 67TH Regular Session of the
6th City Council of Valenzuela held on February 23, 2015 at 3:10
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 PARCEL OF LAND
COVERED BY TRANSFER CERTIFICATE OF TITLE WITH NO. V-
29064 LOCATED IN TONGCO STREET, BARANGAY MAYSAN,
VALENZUELA CITY FOR THE CONSTRUCTION OF GOVERNMENT
FACILITIES AND INFRASTRUCTURES AND OTHER PUBLIC
PURPOSES AND APPROPRIATING FUNDS FOR JUST
COMPENSATION THEREOF.**

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 **RAMON L. ENCARNACION** and
Councilor **KRISTIAN ROME T. SY**

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	FAIR MARKET VALUE PER TAX DECLARATION	PURPOSE

1. Alfredo T. Ignacio married to Teresita Mercado; Virginia Selpides married to Ajerico Selpides; Cristina I. Cardenas married to Ernesto Cardenas and/or other persons claiming the same	TCT NO. V-29064 (Lot 833-B-4-C-1) 1,000 square meters	Tongco St., Barangay Maysan, Valenzuela City	C-019-08395 Residential Lot @P400.00 per square meters	Pamantasan ng Lungsod ng Valenzuela Access Road and Tricycle/ Pedicab Terminal
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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 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 i. 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	FAIR MARKET VALUE PER TAX DECLARATION	PURPOSE
1. Alfredo T. Ignacio married to	TCT NO. V-29064 (Lot	Tongco St., Barangay	C-019-08395 Residential Lot	Pamantasan ng Lungsod