




Republic of the Philippines
Tangapan ng Sangguniang Panlungsod
 2/F City Hall Bldg., J. Miranda Ave., Con. Peq., Naga City
 ☎ 472-79-19 • 473-20-51



ORDINANCE NO. 2017-059
 VVVVVVVVVVVVVVVVVVVVVVVVV

AN ORDINANCE EXERCISING THE POWER OF EMINENT DOMAIN OVER CERTAIN PORTION OF SIX (6) PARCELS OF LAND ALL LOCATED IN BARANGAYS CARARAYAN AND SAN ISIDRO, NAGA CITY, AND AUTHORIZING THE CITY MAYOR TO FILE THE INITIATORY COMPLAINT OR PLEADING IN COURT, AND FURTHER APPROPRIATING THE AMOUNT OF ONE HUNDRED EIGHTY ONE THOUSAND TWO HUNDRED SIX & 35/100 PESOS (P181,206.35) TO COVER THE PAYMENT FOR JUST COMPENSATION, CHARGEABLE AGAINST THE LOCAL DEVELOPMENT FUND (LDF) SPECIFICALLY UNDER LETTER C, ITEM NO. 2 THEREOF FOR THE PROPOSED ROAD LEADING TO THE SAN ISIDRO SANITARY LANDFILL:-


Sponsor: Hon. Salvador M. del Castillo 

Be it ordained by the Sangguniang Panlungsod of Naga, that:

SECTION 1. - Exercise of Eminent Domain. Prior efforts to acquire the portion of parcels of land subject hereof having been rejected by the owner as to the price offered which is deemed as non-acceptance of the city's valid and definite offer to buy, the City of Naga hereby exercises its power of eminent domain over the following portions of parcel of land all located in Barangays Cararayan and San Isidro, Naga City, specifically described as follows:

REGISTERED OWNER	TD NUMBER	AREA AFFECTED (sq.m.)
Napoleon Sarto	TD 0802000601174	1,893
Napoleon Sarto	TD 0802000601176	396
Juan Sarto	TD 0802000601186	868
Flaviano Gallarte	TD 0802002400026	247
Ma. Teresa Bergantin & Elizabeth H. Bergantin	TD 0802002400076	8,533
Jose Bergantin Sr.	TD 0802002400642	284
Ma. Teresa Bergantin Elizabeth B. Miranda & Nathaniel Bergantin		
TOTAL AREA		12,221
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SECTION 2. Purpose. - The power of eminent domain is being exercised over the subject property for the proposed road leading to the San Isidro Sanitary Landfill;

SECTION 3. Authority. The City Mayor is hereby authorized to sign and file the initiatory complaint/pleading in the proper court and to represent the city in all the stages of the proceedings thereon, to make stipulations 

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and/or admissions of facts in the pre-trial, to enter into a compromise or amicable settlement, to submit to alternatives modes of dispute resolution, and to perform such acts and things as may be necessary to carry out the foregoing authority.

In case of a settlement or compromise agreement, the same shall be subject to the ratification of the Sangguniang Panlungsod.

SECTION 4. - The amount of One Hundred Eighty One Thousand Two Hundred Six & 35/100 Pesos (P181,206.35) is hereby appropriated to cover the payment for just compensation, chargeable against the Local Development Fund (LDF) specifically under letter C, Item No. 2 of the 2017 Annual Budget;

SECTION 5. Effectivity. This ordinance shall take effect immediately upon its approval.

ENACTED: August 24, 2017

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.



GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod



NELSON S. LEGACION
City Vice Mayor
& Presiding Officer

APPROVED:



JOHN G. BONGAT
City Mayor

8/25/17