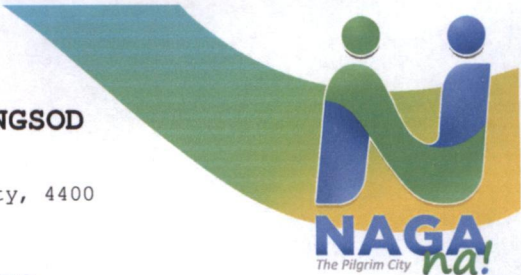




Republika ng Pilipinas
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
Lungsod ng Naga

City Hall Compound, J. Miranda Avenue, Naga City, 4400
 ✉ www.naga.gov.ph / sp@naga.gov.ph
 ☎ 205-2980 local 2060



HON. CECILIA B. VELUZ-DE ASIS
 City Vice Mayor & Presiding Officer

- City Councilors -

- | | |
|---|---|
| HON. GHIEL G. ROSALES
HON. GREGORIO R. ABONAL
HON. ELMER S. BALDEMORO
HON. SALVADOR M. DEL CASTILLO
HON. JOSE B. PEREZ
HON. ANTONIO B. BELTRAN | HON. JOSELITO S.A. DEL ROSARIO
HON. MILA S.D. RAQUID-ARROYO
HON. VIDAL P. CASTILLO
HON. JOSE C. RAÑOLA
HON. JESSIE R. ALBEUS
HON. MARY KYLE FRANCINE B. TRIPULCA |
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RESOLUTION NO. 2021-039
 VVVVVVVVVVVVVVVVVVVVVVVVVVVVVVVVVVV

RESOLUTION AUTHORIZING HIS HONOR, THE CITY MAYOR TO ENTER INTO A COMPROMISE AGREEMENT WITH THE HEIRS OF PEDRO MELITON, REPRESENTED BY ROBERTO MELITON, RELATIVE TO THE ACQUISITION OF THEIR PROPERTY LOCATED AT BARANGAY CONCEPCION PEQUEÑA, NAGA CITY, WITH AN AGGREGATE AREA OF ELEVEN THOUSAND SIX HUNDRED THIRTY SIX (11,636) SQUARE METERS NOW UTILIZED AS A PORTION OF THE ALMEDA HIGHWAY, PROVIDED THAT THE CITY LEGAL OFFICE SHALL RENDER ITS DEFINITIVE POSITION WHETHER OR NOT THE CITY SHOULD PAY INTEREST FOR JUDGMENT WHICH HAVE NOT ACTUALLY BEEN FINAL, AND SUBJECT TO THE RATIFICATION BY THE SANGGUNIANG PANLUNGSOD:-

On joint and collective motion

WHEREAS, received by the Sangguniang Panlungsod for appropriate action is the letter dated January 19, 2021 of His Honor, the City Mayor, requesting for authority to enter into a Compromise Agreement with the Heirs of Pedro Meliton, represented by Roberto Meliton, relative to the acquisition of their property with an aggregate area of Eleven Thousand Six Hundred Thirty Six (11,636) square meters now utilized as a portion of the Almeda Highway;

WHEREAS, the subject property was acquired through an expropriation proceedings filed on February 2003, docketed as Special Civil Case No. 2003-0032 pending before Branch 19 of the Regional Trial Court in Naga City;

WHEREAS, after the Regional Trial Court rendered its decision in 2016 setting the just compensation of the subject property at P1,000.00 per square meter, in 2018 this case was remanded by the Supreme Court to the RTC for further proceedings to determine just compensation, and rendered its decision on September 2020 setting the just compensation at P800.00;

WHEREAS, the city's Motion for Reconsideration was denied this January 2021, and during the 30-day period given to the city government to file its Record on Appeal, both parties re-negotiated on the terms for the possibility of

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RESOLUTON NO. 2021-039
Series 2 0 2 1

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entering into a compromise Agreement, and agreed to set the just compensation at P400.00 per square meter;

WHEREAS, once the decision becomes final, the city has to pay the amount of just compensation inclusive of interest from the time of taking (which coincided with the date of filing) in 2003 until 2020;

WHEREAS, there is a need for the City Legal Office to render its definitive position on whether or not the city government should pay interest for judgment which is not yet final;

WHEREAS, finding the grant of this authority to be in order and necessary to expedite the acquisition of the subject property;

NOW, THEREFORE, on joint and collective motion of the 13th Sangguniang Panlungsod of Naga;

BE IT RESOLVED, as it is hereby resolved, to authorize His Honor, the City Mayor to enter into a Compromise Agreement with the Heirs of Pedro Meliton, represented by Roberto Meliton, relative to the acquisition of their property located at Barangay Concepcion Pequeña, Naga City, with an aggregate area of Eleven Thousand Six Hundred Thirty Six (11,636) square meters now utilized as a portion of the Almeda Highway, provided that the City Legal Office shall render its definitive position whether or not the city should pay interest for judgment which have not actually been final, and subject to the ratification by the Sangguniang Panlungsod.

LET COPIES of this resolution be furnished His Honor, the City Mayor, and the City Legal Office, for their information.

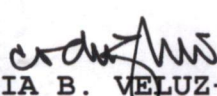
UNANIMOUSLY APPROVED.
Adopted: January 19, 2021

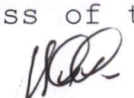
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WE HEREBY CERTIFY to the correctness of the foregoing resolution.


CECILIA B. VELUZ-DE ASIS
City Vice Mayor
& Presiding Officer


GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod