





TANGGAPAN NG SANGGUNIANG PANLUNGSOD Lungsod ng Naga

City Hall Compound, J. Miranda Avenue, Naga City, 4400

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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

ORDINANCE NO. 2020-075

AN ORDINANCE EXCERCISING THE POWER OF EMINENT DOMAIN OVER A PARCEL OF LAND, MEASURING FOUR THOUSAND ONE HUNDRED NINETY (4,190) SQUARE METERS, MORE OR LESS, WHICH IS A PORTION OF A PARCEL OF LAND REGISTERED IN THE NAME OF SPOUSES ROBERT AND ROSITA ROCHA, LOCATED BARANGAY BALATAS, NAGA CITY AND COVERED UNDER TRANSFER CERTIFICATE OF TITLE NO. 55710 OF THE REGISTER OF DEEDS OF NAGA CITY FOR THE PURPOSE OF THE CITY GOVERNMENT OF NAGA'S PROPOSED CONSTRUCTION OF A HIGH SCHOOL, THE CENTER FOR SAFETY AND RESILIENCY, NAGA CITY HOSPITAL II AND OTHER GOVERNMENTAL FACILITIES IN BARANGAY BALATAS, THIS CITY, APPROPRIATING THE AMOUNT OF TWO HUNDRED FOURTEEN THOUSAND ONE HUNDRED EIGHTEEN & 40/100 PESOS (P214,118,40) TO PAY THE INITIAL JUST COMPENSATION FOR THE SUBJECT PROPERTY, CHARGEABLE AGAINST THE FACILITIES AND INFRASTRUCTURE FUND UNDER THE LOCAL DEVELOPMENT FUND, SUBJECT TO THE FINAL DETERMINATION OF THE AMOUNT NECESSARY AS JUST COMPENSATION THEREFOR, AND AUTHORIZING THE CITY MAYOR TO FILE THE NECESSARY EXPROPRIATION PROCEEDINGS IN COURT AND THE CITY LEGAL OFFICER TO APPEAR IN THE PRE-TRIAL THEREOF AND ENTER INTO COMPROMISE AGREEMENT THEREIN WITH THE CONCURRENCE OF THE SANGGUNIANG PANLUNGSOD: -

On joint and collective motion

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

SECTION 1. - Exercise of Eminent Domain. Prior efforts to acquire the parcels of land subject hereof having been rejected by the owners as to the price offered which is deemed as non-acceptance of the city's valid and definite offer to buy the property subject hereof for public purpose, the City of Naga hereby exercises its power of eminent domain over a parcel of land, measuring Four Thousand One Hundred Ninety (4,190) square meters, more or less, which is a portion of a parcel of land registered in the name of Spouses Robert and Rosita Rocha, located at Barangay Balatas, Naga City and covered under Transfer Certificate of Title No. 55710 of the Register of Deeds of Naga City;

SECTION 2. Purpose. - The power of eminent domain is being exercised over the subject properties so that it may be used as site of the city Government of Naga's proposed construction of a high school, the Center for Safety and Resiliency, Naga City Hospital II and other governmental





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facilities which are for public use or purpose or for the general welfare of the people of Naga City.

SECTION 3. Authority. The City Mayor is hereby authorized to sign and file the necessary complaint for expropriation in the proper court and, by himself or his duly authorized representative, to represent the City Government of Naga in all the stages of the proceedings thereon, to make stipulations 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, however, the same shall be subject to concurrence by the Sangguniang Panlungsod.

SECTION 4.- The amount of Two Hundred Fourteen Thousand One Hundred Eighteen & 40/100 Pesos (P214,118,40) is hereby appropriated to pay the initial just compensation for the subject property, chargeable against the Facilities and Infrastructure Fund under the Local Development Fund;

SECTION 5.- For the purpose of effecting immediate possession of the property upon filing of the expropriation proceeding, the amount equivalent to 15% of the fair market value thereof as determined by the City Assessor is hereby authorized to be immediately released to be deposited to the court as initial just compensation.

SECTION 6. Effectivity. This ordinance shall take effect immediately upon its approval.

ENACTED: August 11, 2020

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GIL A. DE LA TORRE

Secretary to the Sangguniang Panlungsod

CECILIA B. VELUZ-DE ASIS

City Vice Mayor & Presiding Officer

APPROVED:

NELSON S. LEGACION