

MAMPY

Republika ng Pilipina. TANGGAPAN NG SANGGUNIANG PONLUNGSOD Lungsod ng Naga City Hall Compound, J. Miranda Avenue, Naga City, 1408 205-2980 local 2060 ONIC:... ORDINANCE NO. 2000 ATT:...

ORDINANCE NO. 2020-097

AN ORDINANCE EXCERCISING THE POWER OF EMINENT DOMAIN OVER A PARCEL OF LAND MEASURING THREE HUNDRED FORTY FIVE (345) AND TWO THOUSAND EIGHTY SEVEN (2,087) SQUARE METERS, MORE OR LESS, IDENTIFIED AS LOT NO. 1022-A-5 AND LOT NO. 1022-B-5, RESPECTIVELY, REGISTERED IN THE NAME OF THE HEIRS OF VICENTE CERDON, AND ANOTHER PARCEL OF LAND MEASURING TWO HUNDRED EIGHTY (280) SQUARE METERS, MORE OR LESS, IDENTIFIED AS LOT 1022-A-6 REGISTERED IN THE NAME OF ROSITA FEBRIS, ALL LOCATED IN BARANGAY SAN ISIDRO, NAGA CITY, FOR THE PURPOSE OF THE CITY GOVERNMENT OF NAGA'S SAN ISIDRO SANITARY LANDFILL PROJECT, APPROPRIATING THE AMOUNT OF SEVENTY TWO THOUSAND ONE HUNDRED TWENTY ONE & 50/100 PESOS (P72,121.50) TO COVER THE FEES FOR THE INITITATION OF THE EXPROPRIATION PROCEEDINGS AND THE DEPOSIT FOR THE ISSUANCE OF WRIT OF POSSESSION, CHARGEABLE AGAINST THE APPROPRIATION FOR ROAD NETWORKS UNDER THE CAPITAL OUTLAY OF THE CITY ENGINEER'S OFFICE, 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 :-

Sponsor: Hon. Mila S.D. Raquid-Arroyo Mulifu

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 nonacceptance 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 Three Hundred Forty Five (345) and Two Thousand Eighty Seven (2,087) square meters, more or less, identified as Lot No. 1022-A-5 and Lot No. 1022-B-5, respectively, registered in the name of the Heirs of Vicente Cerdon, and another parcel of land measuring Two Hundred Eighty (280) square meters, more or less, identified as Lot No. 1022-A-6 registered in the name of Rosita Febris, all located in Barangay San Isidro, Naga City;

SECTION 2. Purpose. - The power of eminent domain is being exercised over the subject properties for the purpose of the City Government of Naga's San Isidro Sanitary Landfill Project in Barangay San Isidro, this city, which is 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 ORDINANCE NO. 2020-097 Series 2 0 2 0

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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 Seventy Two Thousand One Hundred Twenty One & 50/100 Pesos (P72,121.50) to cover the fees for the initiation of the expropriation proceedings and the deposit for the issuance of Writ of Possession, chargeable against the appropriation for Road Networks under the Capital Outlay of the City Engineer's Office;

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: October 6, 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

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

APPROVED:

NELSON EGACION