



Republika ng Pilipinas
TANGGAPAN NG SANGGUNANG PANLUNGSOD
Lungsod ng Naga

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

Govt.



ORDINANCE NO. 2020-121
XXXXXXXXXXXXXXXXXXXX

AN ORDINANCE EXERCISING THE POWER OF EMINENT DOMAIN OVER A PARCEL OF LAND, MEASURING FOUR HUNDRED EIGHTY FIVE (485) SQUARE METERS, MORE OR LESS, COVERED BY TAX DECLARATION NO. 0801000404957 REGISTERED IN THE NAME OF DOMINGO EVANGELISTA, LOCATED AT BARANGAY BALATAS, NAGA CITY, FOR THE PURPOSE OF THE CITY GOVERNMENT OF NAGA'S PROPOSED NEW BALATAS HIGH SCHOOL, AND APPROPRIATING THE AMOUNT OF ONE MILLION SIX HUNDRED SIXTY NINE THOUSAND EIGHT HUNDRED FIFTY FIVE PESOS (P1,669,855.00) TO PAY THE JUST COMPENSATION FOR THE SUBJECT PROPERTY, CHARGEABLE AGAINST THE ALLOCATION FOR DECENTRALIZED SERVICES UNDER THE LOCAL DEVELOPMENT FUND, 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 SANGGUNANG PANLUNGSOD:-

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

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 Hundred Eighty Five (485) square meters, more or less, covered by Tax Declaration No. 0801000404957 registered in the name of Domingo Evangelista, located at Barangay Balatas, Naga City;

SECTION 2. Purpose. - The power of eminent domain is being exercised over the subject property for the purpose of the City Government of Naga's proposed New Balatas High School in Barangay Balatas, 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 alternative 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 One Million Six Hundred Sixty Nine Thousand Eight Hundred Fifty Five Pesos (P1,669,855.00) is hereby appropriated to pay the just compensation for the subject

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property, chargeable against the Allocation For Decentralized Services 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 just compensation.

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

ENACTED: December 15, 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

City Mayor 12/17/2020 