



Republic of the Philippines
Region IV-A (Calabarzon)
PROVINCE OF CAVITE

MUNICIPALITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 13-04

Authors: SB Member Walter C. Martinez
SB Member Richard R. Parin
SB Member Christopher N. Custodio
SB Member Kerby J. Salazar

AN ORDINANCE AUTHORIZING THE MUNICIPAL MAYOR TO INITIATE THE EXPROPRIATION PROCEEDINGS OVER THE 1 379.77 SQUARE METRES PARCEL OF LAND OWNED BY RECAN REALTY AND DEVELOPMENT CORPORATION TO BE AFFECTED BY THE DEVELOPMENT OF ROAD PROJECT IN BGY. NAVARRO, GENERAL TRIAS, CAVITE.

WHEREAS, the expansion, development and creation of road networks in the Municipality of General Trias is one of the vital infrastructures needed for sustained growth development;

WHEREAS, for several years now, the Barangay road in Barangay Navarro has been used as access road in the municipality and as link to the town of Kawit and the nearby cities of Dasmarinaas and Imus;

WHEREAS, due to the municipality's industrialization and commercial progress, the number of vehicles and commuters in Poblacion area as well as in Barangay Navarro has increased dramatically;

WHEREAS, to effectively provide solution to the above-mentioned traffic congestion and offer convenience and comfort to the commuters, the widening of barangay road in Barangay Navarro has become an imperative option of the local government unit;

WHEREAS, in the option of road widening, portions of a privately land owned by Recan Realty and Development Corporation in Barangay Navarro are to be affected and should be acquired by the local government unit;

WHEREAS, the taking of above-described private property is for public use and purpose;

WHEREAS, to acquire the above-mentioned private property in Barangay Navarro, a valid and definite offer had been previously made Recan Realty and Development Corporation, but such offer was rejected;

WHEREAS, through the exercise power of eminent domain, the affected private property shall be acquired by the local government unit of General Trias through expropriation proceedings;

WHEREAS, Section 19 of the Local Government Code of 1991 provides:

xxx a local government may, through its chief executive and acting pursuant to an ordinance, exercise the power of eminent domain for public use, or purpose upon payment of just compensation, pursuant to the provisions of the constitution and pertinent laws; Provided, however, that the power of eminent domain may not be exercised unless a valid and definite offer has been previously made to the owner, and such offer

CONTINUED ON NEXT PAGE.


RICHARD R. PARIN
SB Member


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SB Member


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SB Member


MARIO C. AMANTE
SB Member







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Continuation...page 2 of Ord. No. 13-04:

AN ORDINANCE AUTHORIZING THE MUNICIPAL MAYOR TO INITIATE THE EXPROPRIATION PROCEEDINGS OVER THE 1 379.77 SQUARE METRES PARCEL OF LAND OWNED BY RECAN REALTY AND DEVELOPMENT CORPORATION TO BE AFFECTED BY THE DEVELOPMENT OF ROAD PROJECT IN BGY. NAVARRO, GENERAL TRIAS, CAVITE.

was not accepted; Provided, further, that the local government may immediately take possession of the property upon the filing of the expropriation proceedings and upon making a deposit with the proper court of at least fifteen percent (15%) of the fair market value of the property based on the current tax declaration of the property to be expropriated; Provided, finally, that the amount to be paid for the expropriated property shall be determined by the proper court, based on the fair market value at the time of the taking of the property xxx;

WHEREFORE, on motion of SB Member Walter C. Martinez duly seconded by SB Member Kerby J. Salazar, SB Member Christopher N. Custodio, SB Member Lamberto M. Carampot, SB Member Richard R. Parin, SB Member Mario C. Amante, SB Member Jonas Glyn P. Labuguen, SB Member Florencio D. Ayos, SB Member Gary A. Grepo and SB Member Jayvie Arisa I. Simpan,

BE IT ORDAINED, AS IT IS HEREBY ORDAINED, to authorize the Municipal Mayor of General Trias, Cavite to initiate the expropriation proceedings over the more or less 1 379.77 square metres private properties owned by Recan Realty and Development Corporation, which will be affected by the construction of road project in Bgy. Navarro, this municipality, to be read as follows:

Section 1. Title - Authorizing the Municipal Mayor to Initiate the Expropriation Proceedings Over the 1 379.77 Square Metres Private Land Owned by Recan Realty and Development Corporation to be Affected by the Road Widening Project in Bgy. Navarro, General Trias, Cavite.

Section 2. Scope - Authority is hereby granted to Municipal Mayor to initiate the expropriation proceedings over the land properties owned by Recan Realty and Development Corporation with an area of 1 379.77 square metres situated in Bgy. Navarro, General Trias, Cavite which will be affected by the widening of the road thereat for public use and purpose.

Section 3. The amount of Php758 873.50 (1 379.77 sq.m. x Php550.00 as per fair market value) shall be allocated for the expropriation proceedings over the private land belonging to Recan Realty and Development Corporation to be affected by the road widening project in Bgy. Navarro, General Trias, Cavite.

Section 4. Copies of this Ordinance be furnished to the Sangguniang Panlalawigan and other concerned Offices for information, guidance and appropriate action.

Section 5. Effectivity - this Ordinance shall take effect upon its approval.

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SB Member

WALTER C. MARTINEZ
SB Member

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SB Member

CHRISTOPHER N. CUSTODIO
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KERBY J. SALAZAR
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JAYVIE ARISA I. SIMPAN
SKRE President

GARY A. GREPO
LNB President

FLORENCIO D. AYOS
SB Member

JONAS GLYN P. LABUGUEN
SB Member

MARIO C. AMANTE
SB Member

Kerby J. Salazar

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Continuation...page 3 of Ord. No. 13-04:

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ENACTED under THIRD READING on 16 SEPTEMBER 2013.


KERBY J. SALAZAR
SB Member


CHRISTOPHER N. CUSTODIO
SB Member


LAMBERTO M. CARAMPOT
SB Member


WALTER C. MARTINEZ
SB Member


RICHARD R. PARIN
SB Member


MARIO C. AMANTE
SB Member



JONAS GLYN P. LABUGUEN
SB Member


FLORENCIO D. AYOS
SB Member



GARY A. GREPO
LNB President


JAYVIE ARISAN J. SIMPAN
SKF President

CERTIFIED TRUE AND CORRECT:


WENCESLAO P. CAMINGAY
Secretary to the Sanggunian

ATTESTED:


MAURITO C. SISON
Municipal Vice Mayor/Presiding Officer

APPROVED:


ANTONIO A. FERRER
Municipal Mayor