



Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

P094-77

143rd Regular Session

ORDINANCE NO. SP-202, S-94

AN ORDINANCE AUTHORIZING THE HONORABLE CITY MAYOR OF QUEZON CITY TO UNDERTAKE EXPROPRIATION PROCEEDINGS FOR THE ACQUISITION OF A PORTION OF ROAD LOTS 5-C AND 5-D OF PLAN PSD-13-007769, WITH AN AREA OF TWO HUNDRED FORTY-SIX (246) SQUARE METERS, WITHIN GARDENVILLE SUBDIVISION, FOR PUBLIC USE, TO SERVE AS AN EXTENSION AND PERMANENT ACCESS ROAD/RIGHT OF WAY, LINKING ROAD LOT 2 OF ELEGANT HOMES SUBDIVISION I TO MINDANAO AVENUE, BARANGAY BAHAY TORO, QUEZON CITY.

Introduced by Councilors MOISES S. SAMSON
and MELENCIO M. CASTELO.

Sponsored by Councilors Reynaldo A. Calalay,
Alberto M. Galarpe, Antonio L. Sioson,
Victor V. Ferrer, Jr., Godofredo T.
Liban II, Ma. Fresca M. Biglang-awa,
Connie S. Angeles, Herbert M. Bautista,
Michael T. Defensor, ~~Cesar A. Dario, Jr.~~,
Eufemio C. Lagumbay, Guillermo C. Altuna,
Joseph Peter S. Sison, Bayani V. Hipol,
Ramon G. Mathay, Herminio "Butch" C.
Bautista, Bonifacio M. Rillon and
Wencerom C. Lagumbay.

WHEREAS, Section 19, R.A. No. 7160, otherwise known as the Local Government Code of 1991, provides:

"SECTION 19. Eminent Domain - A local government unit may, through its chief executive and acting pursuant to an ordinance, exercise the power of eminent domain for public use, or purpose, or welfare for the benefit of the poor and the landless, 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 was not accepted: Provided, further, that the local government unit may immediately take possession of the property upon 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