



PAMAHALAANG BAYAN NG TAYTAY TANGGAPAN NG SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR
SESSION OF THE SANGGUNIANG BAYAN, TAYTAY, RIZAL,
HELD ON JULY 9, 2009, AT THE SESSION HALL OF THE MUNICIPAL
BUILDING, TAYTAY, RIZAL**

PRESENT:

Hon. Janet DL. Mercado	- Vice Mayor/Presiding Officer
Hon. Joselito T. Calderon	- Councilor
Hon. Sharon DL. Macabebe	- "
Hon. Arturo R. Valle	- "
Hon. Reggie Lynn G. Mascardo	- "
Hon. Trece S. Cayton	- "
Hon. Anastacio V. Alcantara	- "
Hon. Dianne Eliza G. Esguerra	- "
Hon. Glenviano G. Valera	- "
Hon. Chito J. Esguerra	- ABC President
Hon. Jean Antonette M. Bermillo	- SK President

Authored/Sponsored by: Coun. Sharon DL. Macabebe
Coun. Dianne Eliza G. Esguerra
Co-Sponsored by: Vice Mayor Janet DL. Mercado
Coun. Arturo R. Valle
Coun. Reggie Lynn G. Mascardo
Coun. Trece S. Cayton
Coun. Anastacio V. Alcantara
Coun. Glenviano G. Valera
ABC Pres. Chito J. Esguerra
SK Pres. Jean Antonette M. Bermillo

ORDINANCE NO. 6

**AMENDING MUNICIPAL ORDINANCE NO. 01-2009 ENTITLED
"EXPROPRIATING THE 13.60 HECTARES (MORE OR LESS) OF
PRIVATE LAND LOCATED AT BARANGAY MUZON, TAYTAY, RIZAL
AND AUTHORIZING THE CHIEF EXECUTIVE,
HON. GEORGE RICARDO R. GACULA II TO REPRESENT AND/
OR ACT FOR AND IN BEHALF OF THE LOCAL GOVERNMENT
UNIT OF TAYTAY, RIZAL**

Be it enacted by the Sangguniang Bayan of Taytay in session duly assembled that:

SECTION 1. For purpose of this Ordinance, Municipal Ordinance No. 01-2009 is hereby amended to read as follows:

xxx

**"AN ORDINANCE AUTHORIZING THE HON. GEORGE
RICARDO R. GACULA II, MUNICIPAL MAYOR, TO
INITIATE AND UNDERTAKE EXPROPRIATION
PROCEEDINGS OVER PARCEL OF LANDS LOCATED
AT BARANGAY MUZON, TAYTAY, RIZAL FOR PUBLIC
USE OR PURPOSE"**

WHEREAS, the right of eminent domain is usually understood to be the ultimate right of the sovereign power to expropriate not only the public but the private property of all citizens within the territorial sovereignty, for public purpose (Charles Riverbridge vs. Warren Bridge, 11 Pet. 420, 641 (U.S. 1839);

[Signatures]

WHEREAS, the exercise of this inherent power of the state is expressly delegated to Local Government Units under Sec 19 R.A. 7160 otherwise known as the Local Government Code of 1991;

WHEREAS, in addition to the existing functions and responsibilities of the Municipal Government, it is further mandated to provide basic services such as the construction and maintenance of infrastructure facilities to serve the needs of our constituents;

WHEREAS, the said parcels of lands located at Barangay Muzon is the intended site for the proposed Taytay Integrated Municipal Complex which will house the various development projects identified under the Annual Investment Plan, such as but not limited to the following: Sports Complex, Ecological Park, Memorial Park, Public School and Transfer Station;

NOW THEREFORE, be it enacted by the Sangguniang Bayan in session duly assembled that:

SECTION 1. EXECUTIVE AUTHORITY

- a). For purposes of this Ordinance, the Municipal Mayor or his duly authorized representative is hereby authorized to initiate or undertake expropriation proceedings over parcels of lands of various owners herein listed below in the total area more or less of 135,136.05 sq. meters or more or less 13.60 hectares, to wit:

<u>NAME OF OWNERS</u>	<u>LOT AREA</u>	<u>AFFECTED AREA</u>
Alfonso Bautista	3,481.00 sq.m. more or less	3,481.00 sq.m. more or less
Basilisa B. Cruz	4,497.00 sq.m. more or less	4,497.00 sq.m. more or less
Sps. Reynaldo M. & Cresencia De Leon	1,994.00 sq.m. more or less	1,994.00 sq.m. more or less
Corazon T. Santos	2,340.00 sq.m. more or less	2,340.00 sq.m. more or less
Aurelia Naval	3,268.00 sq.m. more or less	3,268.00 sq.m. more or less
Marcelina Roque	2,961.00 sq.m. more or less	2,961.00 sq.m. more or less
Pedro De Borja, et. al.	2,945.00 sq.m. more or less	2,945.00 sq.m. more or less
Carmen Bandal & Rebecca De Borja	5,377.00 sq.m. more or less	5,377.00 sq.m. more or less
Marivic C. Ignacio	2,991.00 sq.m. more or less	2,991.00 sq.m. more or less
Ma. Victoria G. Gonzales	2,699.00 sq.m. more or less	2,699.00 sq.m. more or less
Eleanor T. Angeles	832.00 sq.m. more or less	832.00 sq.m. more or less
Azucena T. Gonzaga	824.00 sq.m. more or less	824.00 sq.m. more or less
Rosalinda Y. Tamayo	823.00 sq.m. more or less	823.00 sq.m. more or less
Cherry Y. Tamayo	823.00 sq.m. more or less	823.00 sq.m. more or less
Abelardo Y. Tamayo	873.00 sq.m. more or less	873.00 sq.m. more or less
Manuel Y. Tamayo, Jr.	823.00 sq.m. more or less	823.00 sq.m. more or less
Proserpina Y. Tamayo	823.00 sq.m. more or less	823.00 sq.m. more or less
Reynaldo Y. Tamayo	823.00 sq.m. more or less	823.00 sq.m. more or less
Sergia M. Vda. De Villaluz et. al.	3,906.00 sq.m. more or less	3,906.00 sq.m. more or less
Lita P. Orada	250.00 sq.m. more or less	250.00 sq.m. more or less
Lita P. Orada	150.00 sq.m. more or less	150.00 sq.m. more or less
Jerry T. Agarano, Jr.	200.00 sq.m. more or less	200.00 sq.m. more or less
Ena A. Tolentino	200.00 sq.m. more or less	200.00 sq.m. more or less
Sergia M. Vda. De Villaluz et. al.	1,305.00 sq.m. more or less	1,305.00 sq.m. more or less
Sergia M. Vda. De Villaluz et. al.	9,172.00 sq.m. more or less	9,172.00 sq.m. more or less
Raul Garovillas, et. al.	5,450.00 sq.m. more or less	5,450.00 sq.m. more or less
Marcos Francisco	2,830.00 sq.m. more or less	2,830.00 sq.m. more or less
Hernando M. Mandalig	4,442.00 sq.m. more or less	4,442.00 sq.m. more or less
Hernando M. Mandalig	4,756.00 sq.m. more or less	4,756.00 sq.m. more or less
John Doe	453.00 sq.m. more or less	453.00 sq.m. more or less
John Doe	5,443.00 sq.m. more or less	5,443.00 sq.m. more or less
Herminio Ozata & Benjamin De Leon	5,000.00 sq.m. more or less	5,000.00 sq.m. more or less
Herminio Ozata & Virginia Saraiba	2,571.75 sq.m. more or less	2,571.75 sq.m. more or less
Corazon A. Orpiano	1,050.00 sq.m. more or less	1,050.00 sq.m. more or less

Celedonia A. Escuzar	5,508.00 sq.m. more or less	2,200.00 sq.m. more or less
Ananias De Leon	1,151.00 sq.m. more or less	1,151.00 sq.m. more or less
Lucena Cruz	1,151.50 sq.m. more or less	1,151.00 sq.m. more or less
Ernesto P. Villanueva	1,150.50 sq.m. more or less	1,151.50 sq.m. more or less
Domingo Cantaco (HRS.OF)	5,000.00 sq.m. more or less	1,751.00 sq.m. more or less
Linkage Real Estate & Management Corp.	62,327.00 sq.m. more or less	7,700.00 sq.m. more or less
John Doe	2,590.00 sq.m. more or less	2,590.00 sq.m. more or less
John Doe	2,991.00 sq.m. more or less	2,991.00 sq.m. more or less
John Doe		9,000.00 sq.m. more or less
Sps. Reynaldo & Cresencia de Leon	3,660.00 sq.m. more or less	3,660.00 sq.m. more or less
Sps. Arnedo & Emilia Lopez, ct. al	496.00 sq.m. more or less	496.00 sq.m. more or less
Esmeraldo Bernardo	6,830.00 sq.m. more or less	6,830.00 sq.m. more or less
Benjamin De Leon & Julia Zapanta	1,151.30 sq.m. more or less	1,151.30 sq.m. more or less
Sps. Rogelio & Lilibeth Sison	393.00 sq.m. more or less	393.00 sq.m. more or less
Linkage Real Estate & Management Corp.	72,694.00 sq.m. more or less	72,694.00 sq.m. more or less
Adelina De Guzman	2,811.00 sq.m. more or less	2,811.00 sq.m. more or less
Andres C. Cruz, Jr.	3,742.00 sq.m. more or less	3,742.00 sq.m. more or less

- b). Provided further that the Municipality through the Local Chief Executive or his duly authorized representative 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.
- c). 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, as provided for by law.

SECTION 2. PUBLIC USE AND PURPOSE. This Ordinance intends to use and expropriate the above cited private lands for the construction and establishment of the proposed Taytay Municipal Integrated Complex which shall also be the site for various projects identified under the Annual Investment Plan such as but not limited to the following: Sports Complex Ecological Park, Memorial Park, Public School and Transfer Station;

SECTION 3. VALID AND DEFINITE OFFER. That prior to the exercise of this authority, a valid and definite offer to buy the properties has been previously made to the owners but the offer was not accepted;

SECTION 4. BUDGETARY REQUIREMENTS. The amount necessary for the implementation of this Ordinance is to be sourced from the Annual and Supplemental Budgets for the acquisition of Land;

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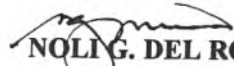
SECTION 2. REPEALING CLAUSE. This Ordinance shall amend the provisions of Municipal Ordinance No. 01-2009, and shall repeal, amend and modify such other Ordinance of provisions thereof inconsistent herewith;

SECTION 3. SEPARABILITY CLAUSE. Should any provisions of this Ordinance is declared by a competent court or authorities to be unconstitutional or invalid, such declaration shall not affect the validity of the other provisions hereof;

SECTION 4. EFFECTIVITY. This Ordinance shall take upon its approval.

ENACTED, this 9th day of July, 2009 at the Session Hall of the Municipal Building, Taytay, Rizal.

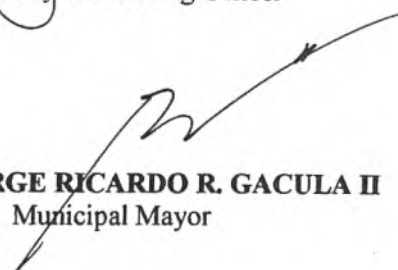
I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay during Regular Session held on the 9th day of July, 2009.


NOLI G. DEL ROSARIO
SB Secretary

ATTESTED AND CERTIFIED TO BE DULY
ENACTED BY HER HONOR


HON. JANET DL. MERCADO
Vice Mayor/Presiding Officer

APPROVED BY HIS HONOR
THE MUNICIPAL MAYOR


HON. GEORGE RICARDO R. GACULA II
Municipal Mayor