



Republic of the Philippines
SANGGUNIANG BAYAN
Taytay, Rizal

DR No. 2407 - 093

RESOLUTION NO. 441 series of 2024

A RESOLUTION AUTHORIZING THE MUNICIPAL MAYOR ALLAN MARTINE S. DE LEON, MPA, TO SIGN AND ENTER INTO A COMPROMISE AGREEMENT AND A DEED OF ABSOLUTE SALE PERTINENT TO THE JUST COMPENSATION TO BE PAID TO THE RESPONDENTS IN THE EXPROPRIATION CASE WITH SCA CASE NO. 09-937 IN THE MUNICIPALITY OF TAYTAY, PROVINCE OF RIZAL, AND FOR OTHER PURPOSES

Sponsored by: Coun. Jan Victor B. Cabitac
Co-Sponsored by: Coun. Philip Jeison J. Cruz
Coun. Patrick John P. Alcantara
Coun. John Tobit E. Cruz
Coun. Joanne Marie P. Calderon
Coun. Andres C. Cruz Jr.
LnB Pres. Roseller Z. Valera
SK Fed Pres. Janinah Olivienne D.L. Mercado

WHEREAS, Article III, Section 9 of the 1987 Philippine Constitution enshrines the power of eminent domain, provides that “[p]rivate property shall not be taken for public use without just compensation”;

WHEREAS, the Local Government Code grants the exercise of power of eminent domain for public use to a local government unit, through its local chief executive, upon payment of just compensation;

WHEREAS, the amount to be paid for the expropriated property shall be determined based on the fair market value of the property at the time of taking of said property, as provided for by the Local Government Code;

WHEREAS, Case No. SCA 09-937 for the expropriation of several properties located at Barangay Muzon, Taytay, Rizal is pending before Branch 74 of the Regional Trial Court of Antipolo City;

WHEREAS, one of the matters being considered is the possibility of reaching an amicable settlement of the case as to several landowners;

WHEREAS, some landowners manifested their willingness to settle their claim over the unnecessary cost of litigation and to finally lay to rest the Municipality’s title over the expropriated properties;

WHEREAS, the Municipal Government initiated the expropriation proceedings since 2009 and on 2 January 2014, Executive Order No. 1 series of 2014 was issued creating the Taytay Municipal Appraisal Committee, tasked to examine thoroughly the value and feasibility of the property for the specific project, recommend to the Municipal Mayor the feasibility of the proposed

properties for a specific project, and assess the price and value of land to be acquired by the Municipal Government of Taytay;

WHEREAS, on 24 January 2014, the Taytay Municipal Appraisal Committee, through the passage of Resolution No. 2014-01, established the appraised value of properties to be expropriated located at Barangay Muzon, Taytay, Rizal. Based on said Resolution No. 2014-01, the average market value of the parcel/s of land is determined at One Thousand Pesos (Php 1,000.00) per square meter;


WHEREAS, consistent with the goal of providing *Serbisyong May Ngiti* to all Taytayeños through prompt and utmost public service, this Sangguniang Bayan Resolution is being issued;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, by the 12th Sangguniang Bayan of Taytay, Rizal, in a session duly assembled, hereby AUTHORIZES THE MUNICIPAL MAYOR ALLAN MARTINE S. DE LEON, MPA, TO SIGN AND ENTER INTO A COMPROMISE AGREEMENT AND A DEED OF ABSOLUTE SALE PERTINENT TO THE JUST COMPENSATION TO BE PAID TO THE RESPONDENTS IN THE EXPROPRIATION CASE WITH SCA CASE NO. 09-937 IN THE MUNICIPALITY OF TAYTAY, PROVINCE OF RIZAL.

RESOLVED FURTHER, that copies of this Resolution be furnished to all Offices concerned for their information and appropriate action.

ADOPTED, this 22nd day of July 2024, 3:54 PM at the Sangguniang Bayan Session Hall, Municipality of Taytay, Province of Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Resolution which was duly adopted by the Sangguniang Bayan of Taytay on second reading on July 22, 2024 and was passed on third and final reading on July 22, 2024 during the 11th Special Session held on the 22nd day of July, 2024.


JULIETA M. JUANILLO
Board Sec. III / Temp. SB Secretary

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HIS HONOR


HON. ANDRES C. CRUZ JR.
Municipal Councilor / Temporary Presiding Officer