



Office of the Sangguniang Panlungsod

DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
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HON. SIMPLICIO G. DOMINGUEZ
City Councilor

HON. RAMON N. BAUTISTA
Liga ng mga Barangay President

HON. MAC RAVEN ESPIRITU
SK Federation President

Attested by:
ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:
HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:
HON. STRIKE B. REVILLA
City Mayor

CITY ORDINANCE NO. 332-2023
Series of 2023

AN ORDINANCE AUTHORIZING THE CITY MAYOR, HON. STRIKE B. REVILLA, TO INITIATE THE FILING OF EXPROPRIATION PROCEEDINGS FOR AND ON BEHALF OF THE CITY GOVERNMENT OF BACOR, CAVITE, INVOLVING VARIOUS PARCELS OF LAND SITUATED IN BARANGAY ALIMAS, BACOR CITY, CAVITE COVERED BY TRANSFER CERTIFICATE OF TITLE NUMBERS T-245174, T-245175, 167-2019000638, T-1192918, AND 167-2019001623 AND BY ORIGINAL CERTIFICATE OF TITLE (OCT) NUMBERS: O-82, O-85, AND O-86 REGISTERED UNDER THE NAME OF VARIOUS OWNERS OF THE SAID LOTS NAMELY: (1) MRS. CONSTANTINA IGNACIO AND MR. JEROME IGNACIO, (2) MS. MELISSA MAE DE LEON, MS. KATRINA MAE CLEMENTE AND MR. KRISTOFFER ROMM DE LEON, (3) MR. MICHAEL ANGELO HERNANDEZ GIRON, (4) MR. EMMANUEL FERNANDO MALIKSI, (5) MS. PAULA FERRER, (6) MS. MERCEDES FERRER; AND (7) MS. PAULA FERRER, MS. BENEDICTA FERRER, MR. PATROCINO FERRER, AND MS. MERCEDES FERRER FOR THE PROPOSED WIDENING OF ROAD RIGHT OF WAY ACCESS TO THE ALIMAS HOUSING PROJECT OF THE CITY GOVERNMENT AND APPROPRIATING THE NECESSARY FUNDS THEREFOR AND OTHER PURPOSES.

Sponsored by:

Hon. Alde Joselito F. Pagulayan

Co-Sponsored by:

Hon. Roberto L. Advincula, Hon. Ramon N. Bautista, Hon. Simplicio G. Dominguez, Hon. Mac Raven Espiritu, Hon. Catherine Sarino-Evaristo, Hon. Reynaldo M. Fabian, Hon. Adrielito G. Gawaran, Hon. Alejandro F. Gutierrez, Hon. Rogelio M. Nolasco, Hon. Reynaldo D. Palabrica, Hon. Michael E. Solis and Hon. Levy M. Tela.

WHEREAS, Section 19 of the Local Government Code of 1991 (Republic Act No. 7160) empowered local government units to expropriate private property for public use provided that payment of just compensation is made and that there was a valid and definite offer to buy the property which was not accepted.

WHEREAS, pursuant to Section 447(a)(3)(i) of the Local Government Code of 1991, the city government is empowered to adopt measures and perform functions as necessary to ensure the delivery of basic services and facilities, which includes, but is not



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limited to, programs and projects for low-cost housing and other mass dwellings.

WHEREAS, the City of Bacoor is home to no less than 31,023 informal settler families as of 29 November 2023. Many of the said families reside in areas that are usually exposed to flooding and other natural calamities. In compliance with the aforementioned mandate, the local government of the City of Bacoor looked for suitable sites where socialized housing projects can be erected for the benefit of the said informal settler families. After an extensive search for a suitable site, the City Government found adjacent parcels of land situated in Barangay Alima, Bacoor City, Cavite registered under the name of several persons that are suitable for the construction of a township project for the benefit of the said informal settler families (to be referred to hereinafter as the "Alima Housing Project").

WHEREAS, in adherence to Section 17(b)(3)(iii) of the Local Government Code of 1991, the city government is mandated to provide services and facilities related to public works and infrastructure projects, which include the widening of road right of way, an essential component of the proposed Alima Housing Project.

WHEREAS, offers to buy the properties have been sent to the registered owners of the lots covered under TCT Nos. T-245174, T-245175, 167-2019000638, T-1192918, and 167-2019001623 and OCT Nos. O-82, O-85, and O-86 on 17 August 2023 in separate letter-offers.

WHEREAS, the registered owners have either (a) failed to respond to the offers for more than half a year, (b) rejected the offers, or (c) proposed counteroffers.

WHEREAS, under prevailing jurisprudence, a counteroffer is always considered in law a rejection of the original offer.

WHEREAS, the Supreme Court of the Philippines, in G.R. No. 168325, has established that when one makes an offer to enter into a contract at a fixed price within a certain period, and the offeree fails to accept within that period, the offeree forfeits the right to accept.

WHEREAS, Article 1319 of the Civil Code of the Philippines mandates that consent in a contract is indicated by the meeting of the offer and the acceptance upon the object and cause of the contract, requiring that an offer be certain and the acceptance absolute.



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City Mayor

WHEREAS, in cases where an offer is made and no response is received within a reasonable timeframe, it is implied that the offer has not been accepted.

WHEREAS, a property owner's failure to respond to an LGU's offer for property acquisition within a reasonable period constitutes non-acceptance.

WHEREAS, Section 458(a)(3)(vi) of the Local Government Code empowers the Sangguniang Panlungsod to authorize the city mayor, through an ordinance, to initiate expropriation proceedings.

WHEREAS, the proposed expropriation of various parcels of land in Barangay Alima, Bacoor City, Cavite, is essential for the realization of the Alima Housing Project, which is in the interest of public welfare and benefits the local community.

NOW, THEREFORE, LET IT BE ORDAINED by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite, **THAT**:

Section 1. Authorization. - Authorization is hereby given to the City Mayor, Hon. Strike B. Revilla, or to his duly authorized representatives to initiate, on behalf of the City Government of Bacoor, Cavite, the filing of expropriation proceedings for the acquisition of various parcels of land situated in Barangay Alima, Bacoor City, Cavite for the construction of the road-right-of-way to the township project to be referred to herein as the "Alima Housing Project". The said parcels of land are covered by Transfer Certificate of Title Numbers T-245174, T-245175, 167-2019000638, T-1192918, and 167-2019001623, and Original Certificate of Title Numbers O-82, O-85, and O-86. The properties are registered under the names of Mrs. Constantina Ignacio and Mr. Jerome Ignacio, Ms. Melissa Mae De Leon, Ms. Katrina Mae Clemente and Mr. Kristoffer Romm De Leon, Mr. Michael Angelo Hernandez Giron, Mr. Emmanuel Fernando Maliksi, Ms. Paula Ferrer, Ms. Mercedes Ferrer, Ms. Paula Ferrer, Ms. Benedicta Ferrer, Mr. Patrocino Ferrer, and Ms. Mercedes Ferrer.

Section 2. Public Purpose. - The expropriation of these properties is for the purpose of widening the road right of way, which is a critical component of the Alima Housing Project, aimed at benefiting the public welfare and the local community of Bacoor City, Cavite.

Section 3. Appropriation. - The amount equivalent to the deposit fees, cost of the property as determined by the



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ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA
City Mayor

appropriate court and other expenses necessary in the expropriation proceedings shall be appropriated from the General Fund of the city government or from other lawful sources.

Section 4. Effectivity. - This Ordinance shall take effect immediately upon approval by the City Mayor and its publication at least once in a newspaper of general circulation in the City of Bacoor, Cavite.

ENACTED this 29th day of November 2023 by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance was approved in accordance with law by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. STRIKE B. REVILLA
City Mayor

Date of Approval: 11 DEC 2023