



Republic of the Philippines
Province of Cavite
CITY OF BACOR

Office of the Sangguniang Panlungsod

DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councilor
SICK LEAVE

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

HON. LEVY M. TELA
City Councilor

DISTRICT II

HON. ROBERTO L. ADVINCULA
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor / President Pro-Tempore

HON. REYNALDO M. FABIAN
City Councilor

HON. ROGELIO M. NOLASCO
City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

HON. SIMPLICIO G. DOMINGUEZ
City Councilor

HON. RANDY C. FRANCISCO
Barangay President
OFFICIAL BUSINESS

HON. PALM ANGEL S. BUNCIO
SK Federation President

Attested by:

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

Certified by:

HON. REYNALDO D. PALABRICA
Acting Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor

**CITY ORDINANCE NO. 335-2024
SERIES OF 2024**

AN ORDINANCE AUTHORIZING THE CITY MAYOR – HON. STRIKE B. REVILLA TO INITIATE AND FILE EXPROPRIATION PROCEEDINGS OVER THE SIX THOUSAND SQUARE METERS (6,000.00 SQMS) PORTION OF TCT No. (057-T-1288796) (0022633) 167-2021003481 UNDER THE NAME OF BRITTANY CORPORATION FOR THE ESTABLISHMENT AND CONSTRUCTION OF ROAD RIGHT OF WAY.

Sponsored by:

Hon. Alde Joselito F. Pagulayan

Co-Sponsored by:

Hon. Roberto L. Advincula, Hon. Simplicio G. Dominguez, Hon. Catherine Sarino-Evaristo, Hon. Reynaldo M. Fabian, Hon. Randy C. Francisco, Hon. Adrielito G. Gawaran, Hon. Alejandro F. Gutierrez, Hon. Rogelio M. Nolasco, and Hon. Levy M. Tela.

WHEREAS Section 19 of the Local Government Code of 1991 (Republic Act No. 7160) empowered local government units through its chief executive and, acting under an ordinance, exercised the power of eminent domain for public use;

WHEREAS, on 26 November 2018, the City Government of Bacoor filed an expropriation case over a Three Hundred Fifty-Three Thousand and Seven Hundred Ninety-Two (353,792) square meter property covered by TCT 989493 under the name of Pilar Farms Inc., which is located at Barangay Molino IV, Bacoor City for the purpose of establishing a township project;

WHEREAS, on 20 September 2023, RTC Branch 112 issued an Amended Order granting the issuance of a Writ of Possession and a Writ of Possession commanding the sheriff to transfer the possession of the property in favor of the City Government of Bacoor

WHEREAS, westward of TCT 989493, the real property of Brittany Corporation under TCT No. (057-T-1288796) (0022633) 167-2021003481 is located containing more or less Three Hundred Fifty-Three Thousand and Seven Hundred Ninety-Two square meters (353,792 sqm);

WHEREAS, TCT No. (057-T-1288796) (0022633) 167-2021003481 is covered by Tax Declaration no. 19-238-0067-43261 issued by the Office of the City Assessor, which described the use of the said property as agricultural with a total market



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City Mayor

value of EIGHT MILLION FOUR HUNDRED FORTY-FOUR THOUSAND AND SEVENTY PESOS (PHP8,444,070.00);

WHEREAS, the City Zoning Officer – Engr. Arthur San Jose has determined that the nearest and most accessible connection will require traversing into the property of Brittany Corporation under TCT No. (057-T-1288796) (0022633) 167-2021003481;

WHEREAS, it is necessary for the City Government of Bacoor to take or expropriate a portion of TCT No. (057-T-1288796) (0022633) 167-2021003481 owned by Brittany Corporation covered by Tax Declaration Number 19-238-0067-43261 located in Barangay Molino 4, necessary for the establishment and construction of a road and a road right of way;

WHEREAS, the City Zoning Officer has determined that the road right of way will require approximately **SIX THOUSAND SQUARE METERS** from the northernmost portion of the total lot area of **SIXTY-SIX THOUSAND TWO HUNDRED TWENTY-EIGHT SQUARE METERS (66,228.00 SQMS)** of TCT No. (057-T-1288796) (0022633) 167-2021003481;

WHEREAS, the Office of the City Assessor has issued an appraisal report pertaining to the 6,000 sqm portion of the subject property and has determined that the total market value thereof is **SEVEN HUNDRED SIXTY-FIVE THOUSAND PESOS (PHP765,000.00)**;

WHEREAS, the City Government of Bacoor, through its City Administrator – Atty. Aimee Torre Franca-Neri sent an Offer to Buy to Brittany Corporation on 13 December 2023 and a Final Offer to Buy on 5 January 2024 to express the City's desire to purchase the said portion of the TCT No. (057-T-1288796) (0022633) 167-2021003481 at **ONE HUNDRED TWENTY-SEVEN PESOS AND FIFTY CENTAVOS (PHP 127.50)** per square meter or **SEVEN HUNDRED SIXTY-FIVE THOUSAND PESOS (PHP765,000.00)**;

WHEREAS, despite the offers made by the City Government of Bacoor, Brittany Corporation has never responded to the said offers to buy;

WHEREAS, considering the need to develop TCT 989493 into a township project in favor of the poor, the landless, the underprivileged, and the homeless, the City Government of Bacoor must acquire the appropriate and necessary road right of way from Brittany Corporation;

WHEREAS, it is necessary that before the City of Bacoor can commence expropriation proceedings under Section 19 of the Local Government Code, an ordinance must be enacted;



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Vice President of the Barangay
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Sikreasyon President

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Sangguniang Panlungsod Secretary

Certified by:
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HON. REYNALDO D. PALABRICA
Acting Presiding Officer

Approved by:
[Signature]
HON. STRIKE B. REVILLA
City Mayor

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

Section 1. Title. This Ordinance shall be entitled "Expropriation Ordinance Over TCT No. (057-T-1288796) (0022633) 167-2021003481"

Section 2. Eminent Domain. The City Mayor, in the name of the City Government of Bacoor, is hereby authorized to exercise the power of eminent domain for this purpose and to commence and file with the proper court the appropriate and necessary expropriation case against the private owners of TCT No. (057-T-1288796) (0022633) 167-2021003481 – Brittany Corporation.

Section 3. Authorized Representative. The City Mayor or his duly authorized representatives, or through counsel, is authorized to initiate on behalf of the City Government of Bacoor to file the expropriation case for the acquisition of a portion of SIX THOUSAND SQUARE METERS from TCT No. (057-T-1288796) (0022633) 167-2021003481 of Brittany Corporation.

Section 4. Public Purpose. The expropriation of the portion of the subject property is for the establishment and construction of a road right of way, which is a critical component of the Township Project on TCT 989493 devoted primarily to the poor, landless, underprivileged and homeless, and the progress and development of the City of Bacoor;

Section 5. Appropriation. The amount equivalent to the filing fees, deposit fees, cost of the property as determined by the appropriate court, and other expenses necessary in the expropriation proceedings shall be appropriated or sourced from the General Fund of the City Government or from other lawful sources.

Section 6. 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.

ENACTED this 22nd day of January 2024 by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.



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Iga ng mga Barangay Vice President

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ON. PALM ANGEL S. BUNCIO

Attested by:

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

Certified by:

ON. REYNALDO D. PALABRICA
Acting Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor

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

Certified by:

[Signature]
HON. REYNALDO D. PALABRICA
Acting Presiding Officer

Attested by:

[Signature]
ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

[Signature]
HON. STRIKE B. REVILLA
City Mayor

Date of Approval: 13 MAR 2024