



Republic of the Philippines  
Province of Cavite  
CITY OF BACOR

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.  
City Councilor

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HON. SIMPLICIO G. DOMINGUEZ  
City Councilor

HON. RANDY C. FRANCISCO  
Liga ng mga Barangay Vice-President

HON. PALM ANGEL S. BUNCIO  
SK Federation President

Attested by:

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

Certified by:

HON. REYNALDO D. PALABRICA  
City Councilor/Acting Presiding Officer

Approved by:

HON. ROWENA BAUTISTA MENDIOLA  
Acting City Mayor

CITY ORDINANCE NO. 383-2024  
Series of 2024

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, THROUGH THE OFFICE OF THE CITY LEGAL SERVICE TO ACQUIRE THE 1,132-SQUARE METER PORTION OF THE PARCEL OF LAND COVERED BY TCT NO. 1278707 REGISTERED UNDER THE NAME OF VAA BUILDERS CORPORATION AND ALL PERSONS CLAIMING RIGHTS UNDER THEM AND THE 3,874-SQUARE METER PORTION OF THE PARCEL OF LAND COVERED BY TCT NO. 167-2018000559 REGISTERED UNDER THE NAME OF JGHM 5386A REALTY CORPORATION AND ALL PERSONS CLAIMING RIGHTS UNDER THEM FOR THE ESTABLISHMENT OF A ROAD RIGHT OF WAY AND THE CONSTRUCTION OF A PUBLIC ROAD AND APPROPRIATING THE NECESSARY FUNDS THEREFOR AND OTHER PURPOSES.

Sponsored by:

Hon. Alde Joselito F. Pagulayan

Co-Sponsored by:

Hon. Roberto L. Advincula, Hon. Randy Francisco, Hon. Simplicio G. Dominguez, Hon. Catherine Sarino-Evaristo, Hon. Reynaldo M. Fabian, 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 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, Section 4 of Republic Act No. 10160 (the "Charter of the City of Bacoor") provides that "the City shall have a common seal and may alter the same at pleasure: Provided, That any change of corporate Seal Shall be registered with the Department of the Interior and Local Government (DILG). It shall exercise the powers to levy taxes, fees and charges; to close and open roads, streets, alleys,





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*Sangguniang Panlungsod Secretary*

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*Acting City Mayor*

parks or squares; to take, purchase, receive, hold, lease, convey and dispose of real and personal property for the general interests of the City; **to expropriate or condemn private property for public use**; to contract and to be contracted with; to sue and be sued; to prosecute and defend to final judgment and execution suits wherein the City is involved or interested in; and to exercise all the powers as are granted to corporations or as hereinafter conferred. The City shall have a common seal and may alter the same at pleasure: Provided, That any change of corporate Seal Shall be registered with the Department of the Interior and Local Government (DILG). It shall exercise the powers to levy taxes, fees and charges; to close and open roads, streets, alleys, parks or squares; to take, purchase, receive, hold, lease, convey and dispose of real and personal property for the general interests of the City; to expropriate or condemn private property for public use; to contract and to be contracted with; to sue and be sued; to prosecute and defend to final judgment and execution suits wherein the City is involved or interested in; and to exercise all the powers as are granted to corporations or as hereinafter conferred." (Emphasis and underscoring supplied)

**WHEREAS**, on 04 July 2024, the Sangguniang Panlungsod received a formal request from then Acting City Mayor, Hon. Rowena Bautista-Mendiola, for the approval of an ordinance authorizing the City Mayor, Hon. Strike B. Revilla, to initiate the filing of expropriation proceedings over the 1,132-square meter portion of the parcel of land with a total area of 26,010 square meters covered by TCT No. 1278707 registered under the name of VAA BUILDERS CORPORATION (VAA BUILDERS CORPORATION is also known as V.A. Aguilar Properties INC./V.A. AGUILAR BUILDERS CORPORATION and the 3,874-square meter portion of the parcel of land covered by TCT No. 167-2018000559 with a total land area of 15,215.80 square meters registered under the name of JGHM 5386A Realty Corporation (the "subject properties").

**WHEREAS**, the subject properties are intended to be used for the establishment of a road-right-of-way and for the construction of a new road that will serve as an alternative route for commuters and motorists from Aguinaldo Highway going to the proposed Light Rail Transit 1 Extension project





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SK Federation President

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Sangguniang Panlungsod Secretary

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*[Signature]*  
HON. ROWENA BAUTISTA MENDIOLA  
Acting City Mayor

station to be constructed at Barangay Niog in Bacoor City, Cavite.

**WHEREAS**, the construction of the Niog Station of the LRT 1 Extension project in Bacoor City, Cavite is expected to increase the volume of vehicular traffic and create traffic gridlock along or near the intersection of Aguinaldo Highway and Bacoor Boulevard.

**WHEREAS**, a study conducted by the Bacoor Traffic Management Department revealed that the establishment of a road-right-of-way and the construction of a new road on the parcels of land mentioned above situated in Barangay Niog III of the City of Bacoor, Cavite will mitigate the expected influx of a greater number of motor vehicles and commuters within and in the vicinity of the said area.

**WHEREAS**, separate letters were sent to the authorized representatives of VAA Builders Corporation and JGHM 5386A Realty Corporation on various dates which contained a valid and definite offer from the City Government to buy the said parcels of land. However, the said corporations did not respond to the said offers despite their receipt of the said letters and despite the lapse of the period given to them to respond thereto.

**WHEREAS**, the Supreme Court of the Philippines in *Tuazon vs. Del Rosario-Suarez et al.*, (G.R. No. 168325, 8 December 2010) 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.

**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.





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Acting City Mayor

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

**WHEREAS**, Rule VI, Article 32 of Administrative Order No. 270 (the "Implementing Rules and Regulations of the Local Government Code of 1991") empowered LGUs through its chief executive and acting pursuant to an ordinance, to exercise the power of eminent domain for public use, purpose, or welfare of the poor and the landless, upon payment of just compensation, pursuant to the provisions of the Constitution and pertinent laws.

**WHEREAS**, the proposed expropriation of a 1,132-square meter portion of the parcel of land with a total area of 26,010 square meters covered by TCT No. 1278707 registered under the name of VAA Builders Corporation and the 3,874-square meter portion of the parcel of land covered by TCT NO. 167-2018000559 with a total land area of 15,215.80 square meters registered under the name of JGHM 5386A Realty Corporation is essential for the establishment of a road-right-of-way and for the construction of a new road that will serve as an alternative route that can be used by the general public in order to ease the traffic congestion that the construction of the LRT 1 Extension terminal in Barangay Niog III, Bacoor City, Cavite is expected to generate.

**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, through the Office of the City Legal Service, to initiate the filing of expropriation proceedings for the acquisition of a 1,132-square meter portion of the parcel of land with a total area of 26,010 square meters covered by TCT No. 1278707 registered under the name of "VAA BUILDERS CORPORATION", (VAA BUILDERS CORPORATION is also known as V.A. AGUILAR PROPERTIES INC./ V.A. AGUILAR BUILDERS CORPORATION) and all persons claiming rights under them and the 3,874-square meter portion of the parcel of land covered by TCT NO. 167-2018000559 with a total land area of 15,215.80 square meters registered under the name of JGHM 5386A





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*[Signature]*  
HON. ROWENA BAUTISTA MENDIOLA  
Acting City Mayor

Realty Corporation and all persons claiming rights under them for the construction of a new road and for the establishment of a road-right-of-way that will serve as an alternative route that can be used by the general public in order to ease the traffic congestion that the construction of the LRT 1 Extension terminal in Barangay Niog III, Bacoor City, Cavite is expected to generate.

**Section 2. Public Purpose.** - The expropriation of the subject properties is intended for the construction of a new road and the establishment of a road-right-of-way that will serve as an alternative route that can be used by the general public in order to ease the traffic congestion that the construction of the LRT 1 Extension terminal in Barangay Niog III, Bacoor City, Cavite is expected to generate along and within the vicinity of Aguinaldo Highway and Bacoor Boulevard.

**Section 3. Appropriation.** - The amount equivalent to the deposit fees, cost of the property as determined by the 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 8<sup>th</sup> day of July 2024 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:  
*[Signature]*  
HON. REYNALDO D. PALABRICA  
City Councillor/Acting Presiding Officer



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Acting City Mayor  
Date of Approval: 08 JUL 2024