

Republic of the Philippines
Province of Davao del Norte
CITY OF TAGUM

BEFORE THE 5TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 22nd REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON DECEMBER 06, 2010 AT THE SP SESSION HALL.

PRESENT:

Hon. ALLAN L. RELLON, MPA,	City Vice Mayor (Presiding Officer)
Hon. DE CARLO L. UY,	Member
Hon. MARIA LINA F. BAURA,	Member
Hon. NICANDRO T. SUAYBAGUIO, JR.,	Member
Hon. ROBERT L. SO,	Member
Hon. JOEDEL T. CAASI,	Member
Hon. OSCAR M. BERMUDEZ,	Member
Hon. ALAN D. ZULUETA,	Member
Hon. GETERITO T. GEMENTIZA,	Member
Hon. TRISTAN ROYCE R. AALA,	Member
Hon. FRANCISCO C. REMITAR,	Member
Hon. ALFREDO R. PAGDILAO,	Member (ABC Representative)
Hon. JACQUELINE GRACE Q. EDULLANTES,	Member (SKF Representative)

RESOLUTION NO. 152, S- 2010

“A RESOLUTION AUTHORIZING HON. REY T. UY, CITY MAYOR, TO FILE BEFORE A COMPETENT COURT THE PETITION FOR EXPROPRIATION OF 681 SQUARE METER PORTION OF LOT 14-B, PSD- 11-059567, SITUATED AT BARANGAY MAGUGPO WEST , TAGUM CITY COVERED BY TRANSFER CERTIFICATE OF TITLE NO. C-11501, REGISTERED IN THE NAME OF JOCELYN P. SALUDARES, FOR PURPOSES OF CONCRETE ROAD WIDENING AND COVERED DRAINAGE CONSTRUCTION.”

WHEREAS, it is the concern of the City government of Tagum to continue the implementation of infrastructure projects and /or facilities to maintain the development of these facilities for the use of its constituents, that include the concrete road widening and drainage project at Barangay Magugpo West, particularly located in front of the Tagum City Public Market;

WHEREAS, on July 22, 2010 and August 16, 2010, the Office of the City Engineer wrote letters to the landowner informing the latter that portion of her property containing an area of 681 square meters covered and embraced by Transfer Certificate of Title No. C- 11501, with Certificate of Land Ownership Award (CLOA) No. 00513432 issued by the Department of Agrarian Reform , particularly located along Dalisay – Gante Road, Barangay Magugpo West, Tagum City will be taken by the government for purposes of road widening and drainage construction;

WHEREAS, on August 16, 2010, the landowner made its reply to the City Engineer with the manifestation that commissioners should be appointed by the court to determine the just compensation of the property to be taken by the government for public purposes;

WHEREAS, Article 36 (a), Rule VI of the implementing Rules and Regulations of Republic Act 7160, otherwise known as the “ Local Government Code of 1991”, states that if the LGU fails to acquire a private property for public use, purpose, or welfare through purchase, LGU may expropriate said property through a resolution of the sanggunian authorizing its chief executive to initiate expropriation proceedings;

WHEREAS, pursuant to Section 4 of Republic Act 8472, otherwise known as the “Charter of the City of Tagum” states that the City of Tagum is mandated to exercise its power to expropriate or condemn private property to public use;

NOW THEREFORE, be it resolved as it is hereby resolved by the Sangguniang Panlungsod of Tagum to authorize the City Mayor, Hon. Rey T. Uy to file before a competent court the petition for expropriation of 681 square meter portion of lot 14-B, psd-11-059567, situated at Barangay Magugpo West, Tagum City covered by Transfer Certificate of Title No. C-11501, registered in the name of JOCELYN P. SALUDARES, for purposes of concrete road widening and covered drainage construction.

RESOLVED FURTHER, that copies of this resolution be furnished to the concerned offices for information and guidance.

CARRIED AND APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing.

REY A. BUHION
Secretary to the Sanggunian

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

ALLAN L. RELLON, MPA
City Vice Mayor
(Presiding Officer)