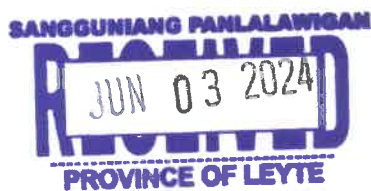


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

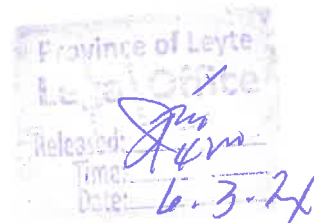
Item No.: 05

Date: 04 2024 JUN



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
May 30, 2024



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2024-02 of the Sangguniang Bayan of Palo, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 19ⁱ of the Local Government Code.

Furthermore, the opinions rendered herein are without prejudice to opinions rendered by higher authorities.

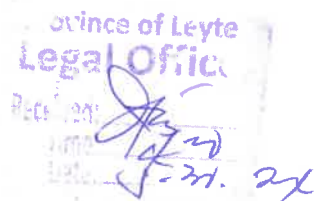

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

Section 19. Eminent Domain. - A local government unit may, through its chief executive and acting pursuant to an ordinance, exercise the power of eminent domain for public use, or purpose or welfare for the benefit of the poor and the landless, upon payment of just compensation, pursuant to the provisions of the Constitution and pertinent laws: Provided, however, That the power of eminent domain may not be exercised unless a valid and definite offer has been previously made to the owner, and such offer was not accepted: Provided, further, That the local government unit may immediately take possession of the property upon the filing of the expropriation proceedings and upon making a deposit with the proper court of at least fifteen percent (15%) of the fair market value of the property based on the current tax declaration of the property to be expropriated: Provided, finally, That, the amount to be paid for the expropriated property shall be determined by the proper court, based on the fair market value at the time of the taking of the property.


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
30 May 2024



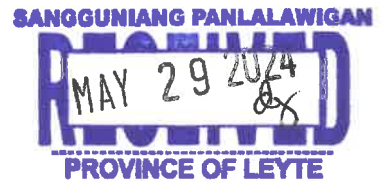
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2024-02** of the **MUNICIPALITY OF PALO, LEYTE**, entitled: An Ordinance Authorizing the Municipal Mayor to Initiate Expropriation Proceedings Over a Parcel of Land, and it's Improvements, to be Utilized and Constructed with an Annex Municipal Building in Brgy. Luntad, this Municipality.


FLORINDA JILLS UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Palo

SANGGUNIANG BAYAN



EXCERPTS FROM THE MINUTES OF THE 87TH REGULAR SESSION OF THE 2022 SANGGUNIANG BAYAN OF THE MUNICIPALITY OF PALO, PROVINCE OF LEYTE, HELD ON APRIL 2, 2024, AT THE SANGGUNIANG BAYAN SESSION HALL.

Present:

Vice-Mayor Jonathan P. Chiquillo – Presiding Officer
SB Member Andres Ian R. Sevilla
SB Member Casimero P. Villas, Jr.
SB Member Chiqui Ruth C. Uy
SB Member Aaron H. Roca
SB Member Felipe T. Ygrubay, Jr.
SB Member Antonino C. Hernit
SB Member Jan Michelle L. Dolina
SB Member Casimero B. Parado II
SB Member Gregorio Papoose V. Lantajo, Jr. – LIGA President
SB Member Mary Dwell S. Agner – SK Federation President

Absent:

N o n e.

MUNICIPAL ORDINANCE NO. 2024-02

AN ORDINANCE AUTHORIZING THE MUNICIPAL MAYOR TO INITIATE EXPROPRIATION PROCEEDINGS OVER A PARCEL OF LAND, AND ITS IMPROVEMENTS, TO BE UTILIZED AND CONSTRUCTED WITH AN ANNEX MUNICIPAL BUILDING IN BRGY. LUNTAD, THIS MUNICIPALITY.

SECTION 1. TITLE. This Ordinance shall be called “AN ORDINANCE AUTHORIZING THE MUNICIPAL MAYOR TO INITIATE EXPROPRIATION PROCEEDINGS OVER A PARCEL OF LAND, AND ITS IMPROVEMENTS, TO BE UTILIZED AND CONSTRUCTED WITH AN ANNEX MUNICIPAL BUILDING IN BRGY. LUNTAD, THIS MUNICIPALITY”.

SECTION 2. SCOPE. Authority is hereby granted to the Municipal Mayor, on behalf of Palo Municipal Government, by virtue of the power of eminent domain, to initiate expropriation proceedings over a parcel of land, and its improvements, situated in Brgy. Luntad, this Municipality, for the construction of an Annex Municipal Building, Lot No. 1017, covered by Tax Declaration Number 08-30-0004-00010.

SECTION 3. APPROPRIATION. The amount equivalent to the deposit fees and other expenses to commence the expropriation proceedings as well as the amount to be paid for the properties as determined by the Court shall be allocated from the available funds for Land Acquisition under the General Fund of the municipality.

SECTION 4. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval.

APPROVED.



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Palo

SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 87TH REGULAR SESSION OF THE 2022 SANGGUNIANG BAYAN OF THE MUNICIPALITY OF PALO, PROVINCE OF LEYTE, HELD ON APRIL 2, 2024, AT THE SANGGUNIANG BAYAN SESSION HALL.

Page 2
(Mun. Ord. No. 2024-02)

Voting on the foregoing Ordinance was as follows:

Affirmative vote : Hon. Casimero P. Villas, Jr.
Hon. Chiqui Ruth C. Uy
Hon. Aaron H. Roca
Hon. Felipe T. Ygrubay, Jr.
Hon. Antonino C. Hernit
Hon. Jan Michelle L. Dolina
Hon. Casimero B. Parado II
Hon. Gregorio Papoose V. Lantajo, Jr.
Hon. Mary Dwell S. Agner.

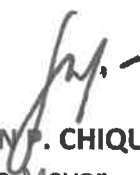
Negative vote : None.

Abstention : SB Member Andres Ian R. Sevilla

CERTIFIED CORRECT:

BRIAN VALENTE P. ELORCHA
Secretary to the Sanggunian

ATTESTED:


JONATHAN P. CHIQUILLO
Vice-Mayor
Presiding Officer


ANDRES IAN R. SEVILLA
SB Member


CASIMERO P. VILLAS, JR.
SB Member

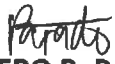

CHIQUI RUTH C. UY
SB Member

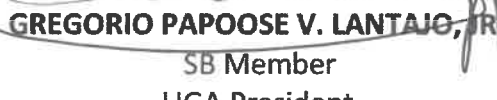

AARON H. ROCA
SB Member



FELIPE T. YGRUBAY, JR.
SB Member


ANTONINO C. HERNIT
SB Member


JAN MICHELLE L. DOLINA
SB Member


CASIMERO B. PARADO II
SB Member


GREGORIO PAPOOSE V. LANTAJÓ, JR.
SB Member
LIGA President


MARY DWELL S. AGNER
SB Member
SK Federation President

APPROVED April 30, 2024.


REMEDIOS "MATIN" L. PETILLA
Municipal Mayor



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Palo

SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that pursuant to section 59, Chapter 3, Title Two, Book I, of the Local Government Code of 1991, the undersigned had caused the posting of copies of Municipal Ordinance No. 2024-02 entitled " An Ordinance Authorizing the Municipal Mayor to Initiate Expropriation Proceedings Over a Parcel of Land, and Its Improvements, to be Utilized and Constructed with an Annex Municipal Building in Brgy. Luntad, this municipality, which was enacted by the Sangguniang Bayan on April 2, 2024 and the copies of the said ordinances were actually posted on April 30, 2024 for the period of not less than three (3) weeks therefrom, in the following conspicuous places in the Municipality of Palo.

- 1) One copy in the bulletin board at the entrance of the Palo Municipal Hall.
- 2) One copy in the Bulletin board at the Office of the Market Supervisor.

ISSUED this 29th day of May 2024, at Palo, Leyte.


BRIAN VALENTE P. ELORCHA
Secretary to the Sanggunian

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Article 2. This Appropriation Ordinance shall take effect immediately upon approval.

APPROVED.

II. Business for Third and Final Reading.

1. Draft Ordinance No. D-2024-04

An Ordinance Authorizing The Municipal Mayor To Initiate Expropriation Proceedings Over A Parcel Of Land, And Its Improvements, To Be Utilized And Constructed With An Annex Municipal Building In Barangay Luntad, This Municipality, Sponsor: Hon. Casimero B. Parado II.

- Copies of the final draft were furnished each Sangguniang Bayan Members for their perusal. Thereafter, Hon. Parado II moved for the approval of the final draft on third and final reading. The motion was duly seconded by all Sangguniang Bayan Members. Since there was no objection, the final draft was declared Approved on Third and Final Reading, thus:

MUNICIPAL ORDINANCE NO. 2024-02

AN ORDINANCE AUTHORIZING THE MUNICIPAL MAYOR TO INITIATE EXPROPRIATION PROCEEDINGS OVER A PARCEL OF LAND, AND ITS IMPROVEMENTS, TO BE UTILIZED AND CONSTRUCTED WITH AN ANNEX MUNICIPAL BUILDING IN BRGY. LUNTAD, THIS MUNICIPALITY.

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SECTION 3. APPROPRIATION. The amount equivalent to the deposit fees and other expenses to commence the expropriation proceedings as well as the amount to be paid for the properties as determined by the Court shall be allocated from the available funds for Land Acquisition under the General Fund of the municipality.

SECTION 4. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval.

APPROVED.



Handwritten signatures of officials, including the Municipal Mayor and members of the Sangguniang Bayan, are present at the bottom of the page.