



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BANSUD

OFFICE OF THE MUNICIPAL MAYOR

EXECUTIVE ORDER NO. 23 SERIES OF 2021

AN EXECUTIVE ORDER REORGANIZING THE MUNICIPAL APPRAISAL COMMITTEE, DEFINING ITS FUNCTIONS AND PRESCRIBING THE PROCEDURES IN THE ACQUISITION OF PRIVATE PROPERTY BY THE MUNICIPAL GOVERNMENT OF BANSUD FOR PUBLIC PURPOSES

WHEREAS, the Municipal Government of Bansud has been acquiring private property for public purposes;

WHEREAS, Section 201 of the Local Government Code of 1991 and Article 291 of its Implementing Rules and Regulations (IRR) provide that the Department of Finance shall promulgate the necessary rules and regulations for the classification, appraisal and assessment of real property;

WHEREAS, the Department of Finance issued the Manual on Real Property Appraisal and Assessment Operations to provide local assessment and treasury officials with guidelines that will enhance their knowledge and skills with the adoption of a uniform system of real property appraisal and assessment for taxation purposes thru Local Government Regulations No. 1-04 in October 1, 2004;

WHEREAS, the Manual on Real Property Appraisal and Assessment Operations dated January 2006, under Chapter VIII, Miscellaneous Provisions of the Manual, Section I provides that "Wherever a private property is subject to acquisition by the government for public use, that property is referred to the Provincial/City Appraisal Committee for it to determine the market value;

WHEREAS, to facilitate the acquisition of private property for public use, there is a need to provide mechanism as a guide.

NOW, THEREFORE, I, RONALDO M. MORADA, Municipal Mayor of Bansud Oriental Mindoro, by virtue of the powers vested upon me by law, do hereby order the following:

SECTION 1. Creation of Municipal Appraisal Committee, Composition and Function.

There is hereby created a Municipal Appraisal Committee to be composed of the following:

Chairman : **MR. JIMMY R. RIVERA**
Municipal Administrator

Members : **HON. CRISPIN E. CABRAL**
*SB - Committee Chairperson on
Housing and Land Use*

MR. ANSON S. CALINAO
Local Assessment Operation Officer I
Municipal Assessor's Office

ENGR. NONILON Q. MATIRA
Municipal Engineer

MS. SUSAN R. GUTIERREZ
Municipal Budget Officer

MS. ELENA H. UY
Municipal Treasurer

MR. CRISELDO A. NUESTRO
Municipal Accountant

MR. MANUEL I. REGENCIA
Municipal Planning and Development Coordinator

The Committee shall have the primary function to determine the fair market value of a private property subject for acquisition for public use. In the exercise of its function, it shall ensure that all laws, rules and regulations and other applicable issuances shall be strictly followed.

SECTION 2. Technical Working Group and its functions.

The Municipal Mayor, through the issuance of an appropriate memorandum, shall designate the members of a Technical Working Group (TWG) upon recommendation of the members of the committee.

The TWG shall perform the following functions:

1. To conduct field inspections, evaluate and appraise real properties subject for acquisition by the government.
2. To prepare and submit Appraisal Report including its recommendations and justifications that the appraised value of the subject property is fair, just and reasonable.
3. To undertake engineering works when necessary, including parcellary surveys to indicate the location and area of the site.
4. To perform all clerical, secretariat and administrative work related to the function of the committee.

SECTION 3. Coverage

The following shall be considered among others as public use, purpose or welfare:

- a. Socialized Housing
- b. Construction or extension of roads, street, sidewalks, viaducts, bridges, ferries, levees, wharves or piers.
- c. Construction or improvement of public buildings maintained and operated by the government for public use such as nurseries, health centers, or hospitals, buildings for research, breeding, or dispersal centers for animals.
- d. Establishment of parks, playgrounds or plazas.
- e. Establishment of public market places.
- f. Construction of extension wells or water supply systems.

- g. Establishment of cemeteries or crematories.
- h. Establishment of drainage systems, cesspools or sewerage systems.
- i. Construction of irrigation canals or dams.
- j. Establishment of nurseries, health centers or hospitals.
- k. Establishment of abattoirs.
- l. Building of research, breeding or dispersal centers for animals

SECTION 4. Procedure

The following procedures shall be considered in the acquisition of private property for public use as follows:

A. Procedure on Land Acquisition – Without Identified Owner/s

- i. The TWG, with due authority from the Committee, shall take care of the technical viability or setting parameters as to the area and location of the lot. The selected site shall be favourably recommended by the TWG as suitable for public use, purpose or welfare for which it is proposed to be acquired or purchased. Thereafter, the same shall be forwarded to the Committee for undertaking the necessary appraisal procedure/s.
- ii. The TWG shall then take care of the posting and other forms of notices deemed to be necessary to the public with the information of the desire the local government to purchase the lot/s. The notice shall invite possible lot owners, if any, to make an offer to sell to the local government.

B. Procedure on Land Acquisition – With Identified Land Owner/s

- i. The offer to buy private property for public use or purpose shall be in writing signed by the Municipal Mayor. It shall specify the property sought to be acquired, the reasons for its acquisition, and the price offered.
- ii. If the owner or owners accept the offer in its entirety, a contract of sale shall be executed and payment forthwith made.
- iii. If the owner or owners are willing to sell their property at a price higher than that offered to them, the Mayor shall call them to a conference for the purpose of reaching an agreement on the selling price. The Municipal Mayor shall refer to Provincial Appraisal Committee to assist in the determination of the market value of the subject property.
- iv. The contract of sale shall be supported by the following documents:
 1. Resolution of the Sangguniang Bayan authorizing the Municipal Mayor to enter into a Contract of Sale. The resolution shall specify the terms and conditions to be embodied in the contract.
 2. Ordinance appropriating the amount specified in the contract.
 3. Certification of the Treasurer as to the availability of funds together with a statement that such fund shall not be disbursed or spent for any purpose other than to pay for the purchase of the property involved.

SECTION 5. Funding.

All expenses relative to the acquisition of private property shall be taken from the available funds of the Municipal Government of Bansud subject to the usual accounting and auditing rules and regulations.


SECTION 6. Separability Clause.

If any provision of the Executive Order is declared invalid or unconstitutional, the other provisions will not be affected thereby shall remain valid and subsisting.

SECTION 7. Effectivity

This executive Order shall take effect immediately.

Signed this 20th day of September, 2021 at Bansud Oriental Mindoro.


RONALDO M. MORADA
Municipal Mayor