**Litigation of Eminent Domain**

The City of Gingoog, like any other local government units, has the power of eminent domain to expropriate private property of public use or purpose for the welfare of its constituents upon payment of just compensation of the property affected. This power is resorted through the Office of the City Legal Officer which is tasked to file the Complaint for Expropriation before the appropriate court, when the owner/s or any interested parties of the properties refused to sell his/her rights and interests over the property subject *of the expropriation.*

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| **Office or Division:** | | Office of the City Legal Officer | | | |
| **Classification:** | | Highly Technical | | | |
| **Type of Transaction:** | | G2G – Government to Government, G2C – Government to Citizen | | | |
| **Who may avail:** | | Office of the City Mayor, Sangguniang Panlungsod | | | |
| **CHECKLIST OF REQUIREMENTS** | | | | **WHERE TO SECURE** | |
| 1. Lot Title | | | | Lot Owner | |
| 1. Sketch Plan of the area to be expropriated | | | | City Engineer’s Office | |
| 1. Tax Declaration | | | | Lot Owner/City Assessor’s Office | |
| 1. SP Resolution authorizing the City Mayor to expropriate | | | | Sangguniang Panlungsod | |
| 1. Availability of funds for the purpose | | | | City Treasurer’s Office | |
| 1. Other pertinent documents as may be required | | | |  | |
| **CLIENT STEPS** | **AGENCY ACTION** | | **FEES TO BE PAID** | **PROCESSING TIME** | **PERSON RESPONSIBLE** |
| 1. Submit request for expropriation with complete documents | 1. Received the request and checked the documents attached | | In accordance with the court’s computation | 10 Minutes | ***Queenie Vicefe A. Pajo***  *Admin. Aide I* Office of the City Legal Officer |
| 1. If lacking, notify department concern | | None | ***Raymund N. Suico***  *Admin. Assistant I* Office of the City Legal Officer |
| 1. Study the propriety rationale and the legal implication of the expropriation | | None | 7 Days | ***Atty. Adam B. Kee***  *Assistant City Legal Officer/*  ***Atty. Alpi Andro B. Cabatingan***  *City Legal Officer/*  ***Atty. Philip S. Galagar***  *Assistant City Civil Registrar*  Office of the City Legal Officer |
| 1. 1.4 Draft the complaint of expropriation | | None | 10 Days |
| 1. Review and note down comments and recommendations | | None | 1 Day | ***Atty. Alpi Andro B. Cabatingan***  *City Legal Officer*  Office of the City Legal Officer |
| 1. Finalize the complaint of expropriation | | None | 1 Day | ***Atty. Adam B. Kee***  *Assistant City Legal Officer/*  ***Atty. Philip S. Galagar***  *Assistant City Civil Registrar/*  ***Atty. Alpi Andro B. Cabatingan*** *City Legal Officer* Office of the City Legal Officer |
| 1. File the complaint to the proper court | | None | 1 Hour | ***Raymund N. Suico***  *Admin. Assistant I/*  ***Queenie Vicefe A. Pajo***  *Admin. Aide I* Office of the City Legal Officer |
| **TOTAL:** | | | **In accordance with the court computation** | **19 Days,  1 Hour,  10 Minutes** |  |

\*Processing Time is only up to the filing of the complaint/answers to the proper court, because this service is governed by the Rules of Court and other applicable laws, rules and regulations. The steps and cost vary depending on the nature and complexity of the case.