



April 3, 2018

**NOTICE TO VACATE**

**The Proprietor**  
**SPIN DESIGNER HOTEL**  
Bgy. Maligaya, El Nido  
Palawan

Sir/Madam,


This is to notify you that by virtue of Region Memorandum Order No. 2018-003 dated February 5, 2018 creating the **Task Force El Nido Challenge**, it was surveyed and reported by the Timberland Encroachment Committee that your establishment is within a timberland area per Land Classification Map No. 1187, certified on September 7, 1935. By reason thereof, you are hereby directed to voluntarily **REMOVE THE STRUCTURE/S** you built and **VACATE THE AREA** you are occupying in violation of any or all of the following provisions of law, viz:

I. **Presidential Decree No. 705**, as amended, otherwise known as the *Revised Forestry Code of the Philippines*:

Section 20. No person may utilize, exploit, occupy, possess or conduct any activity within any forest or grazing land xxx, unless he had been authorized to do under a license agreement, license, lease or permit xxx;

Section 78. Any person who enters and occupies or possesses xxx any forestland or grazing land or part thereof xxx or refuses to vacate the area when ordered to do so, pursuant to the provisions of Section 53 hereof;

II. **Presidential Decree No. 1067**, otherwise known as *The Water Code of the Philippines*.

Article 51. The banks of rivers and streams and the shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins are subject to the easement of public use in the interest of recreation, navigation, floatage, fishing and salvage. No person shall be allowed to stay in this zone longer than what is necessary for recreation, navigation, floatage, fishing or salvage or to build structures of any kind. q/ 

III. **Republic Act No. 7586**, otherwise known as the *National Integrated Protected Areas System Act of 1992*:

**Section 20. Prohibited Acts.** – Except as may be allowed by the nature of their categories and pursuant to rules and regulations governing the same, the following acts are prohibited within protected areas:

Xxx xxx

- f. Squatting, mineral locating, or otherwise occupying any land;
- g. Constructing or maintaining any kind of structure, fence or enclosures, conducting any business enterprise without a permit;


xxx xxx

IV. **Proclamation No. 32, Series of 1998**, declaring the El Nido Marine Reserve as a Protected Area to be known as *El Nido Managed Resource Protected Area*

In view hereof, this Office is giving you a period of **THIRTY (30) DAYS** upon receipt of this Notice to comply, or present legal documents evidencing your lawful occupation over the area, otherwise, we will be compelled to refer your act of non-compliance to the Office of the Mayor of El Nido, or file a case/s against you before the proper court.

We are hoping you will give this matter your preferential and utmost attention in order to avoid a costly litigation.

Very truly yours,

  
**Atty. Gandhi G. Gagni-Flores**  
Chief, Legal Division

Noted by:

  
**Natividad Y. Bernardino, CESE**  
OIC, Regional Director

Copy furnished:

PENRO Palawan

CENRO Taytay, Palawan

The Municipal Mayor of El Nido, Palawan

The Chief of Police  
PNP, El Nido, Palawan



Department of Environment  
and Natural Resources  
**REGION 4B**



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