



DENR Mimaropa Region <mimaroparegion@denr.gov.ph>

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## Additional history of lot8200

1 message

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**LERIO LAVAYNA JR.** <lerio\_lavaynajr@yahoo.com>  
Reply-To: "LERIO LAVAYNA JR." <lerio\_lavaynajr@yahoo.com>  
To: "mimaroparegion@Denr.gov.ph" <mimaroparegion@denr.gov.ph>

Thu, Sep 30, 2021 at 1:41 PM

Bay and also as can area of stockpile of copper in the southern portion of the property. By using heavy equipment they started clearing the area by CMI by cutting trees, earth moving of nipa's, burning small trunks of trees and leaves. We do not know if there was a permit from the DENR. It was found out that it was upon the instigation of Alfonso Hidalgo.


In 1980, CMI operation stopped and later removed all their equipments and later also during that time the provincial Treasure Mr. Timoteo Magalang demanded the heirs of Pilar Arceo Lavayna to pay taxes in the amount of Php 10,000. However the Treasurer of the Municipality of Mogpog turned down our payment stating that Alfonso Hidalgo paid it already.

The heirs of Pilar Arceo Lavayna later learned about that Alfonso Hidalgo applied for titling of the property / area through the Municipality Trial Court by decrees however the application was denied / dismissed due to lack of documents / evidences to support their case and it was dismissed with finality.

Recently the quarrying of soil in the area / property were given by the DENR a least and desist order to the son of Alfonso Hidalgo Sr. and Monolithic construction pending the issue on the ownership of the property.

The entry of illegal entry of informal sectors posed again a problem in the area.

Submitted by;

  
LERIO JAPIS LAVAYNA JR.  
HEIRS OF PILAR ARCEO



## **BRIEF HISTORY OF LOT NO. 8200, cad.692-D,C15**

The Lot No. 8200, cad-D, C15 is located at Sitio Doungan/ Ulong, Brgy. Capayang, Mogpog, Marinduque with an area of more or less Seventeen Hectars 17.0 has. It is bounded by North – Road constructed by CMI, South – heirs of Labaguis, East – Doungan River, West – Julita Mateo.

The said lot was owned by Antonio Arceo brother of Don Macario Arceo with previous PSU No. 04-003759. When Antonio Arceo died it was inherited by Macario Arceo and it was inherited to Pilar Arceo. Married to Atty. Julio L. Lavayna Sr. The property / land was vegetated with nipa's where in the people of Doungan earned their income through making pawid as their livelihood and other species of trees were can be found in the area. Both spouses even expanded the nipa plantation to increase their production and income of the workers in the community.

The lists of workers in the nipa livelihood were as follows;

Nipa leave gatherer  
Felix Lacerna  
Fablan Malpal / Adrian Malpal/  
Gil Malpal  
Ricardo Lacerna  
Arcenio Japis

Weaver of Nipa to shredded bamboo  
1. Herminihildo L. Lacerna  
2. Maria Lacerna Malpal  
3. Adela Magante  
4. Salud Lacerna  
5. Predicanda L. Japis

Some of the living workers and others in community had executed affidavit as to the ownership of the property. As per our submitted affidavits sent via JRS.

After the death of spouses Pilar Arceo Lavayna and Atty Julio Lavayna Sr. the property under Tax Declaration No. 7118 1996 was inherited by Julio Lavayna Jr., Jaime Lavayna, Lerio Lavayna Sr. all deceased and Delia A. Lavayna alive. Lerio Lavayna Sr. was married to Carmencita J. Monteagudo. The Lot 8200 was under in preceding years of Tax Declaration Nos. 7118 1966, 12699 1980 until 1985 under Tax Declaration No. 05576. As per our documents on TD previously sent via JRS

During the operation of Consolidated Mines, Inc. in late 70's the area was being used as adjacent to overhead disposal of tailings coming from thickener in the mine site and dumped to Ulong

No. Annex; J this Lot is Lot 8200, cad. 692-D, C15

8. Affidavit of **Delia A. Lavayna** surviving daughter of **Pilar Arceo Lavayna** attesting her sole heirship of

lot No. 8200, cad. 692, C15 from her mother Pilar Arceo Lavayna as all her brothers were already

deceased. Annex; K

Submitted by;



Leticia Lavayna Japis

**HEIRS OF PILAR ARCEO**



### **Additional Evidences; Lot 8200, cad. 692-D, C15**

1. **Lot No. 8200, cad. 692-, C15** was not included in the Matrix/ listings of acquired properties of

Consolidated Mines, Ins. CMI through Deed of Absolute Sale and Leased Agreements.

Annexes; A,B,C.

2. Affidavit dated February 9, 1974 executed by Julio A. Lavayna Jr. son and one of the heirs of Pilar Arceo Lavayna. Annex; D

3. Affidavit dated January 9, 1974 executed by **Santiago Monteagudo** married to **Juana Magante**

Attesting that his late father –in-law **Martin Magante** transferred to him the possession of the said property as caretaker due to the health condition of the Latter. Annex; E

4. **Martin Magante and his son-in-law Santiago Monteagudo** were not in any way related as relatives up to the third degree of consanguinity with the owner Pilar Arceo Lavayna and do not have any right to sell the property to anybody even in portion or rights. As his father-in-law transferred only to his son-in-law the resumption of his being a care taker.

5. Sometime in 1965 Santiago Monteagudo as per his affidavit in consideration of Three Thousand Pesos Php 3,000 sold his rights and portion only of the property to Alfonso Hidalgo and Pascual Jardiniano.

6. The above affidavit annex E was submitted by Alfonso Hidalgo to the Mogpog Municipality Trial Court secure a title by decree only in 1996 Annex; F as evidence of acquisition of the property Lot. 8200-not even mentioned in the affidavit of Santiago Monteagudo. Affidavit is not a Deed of Sale. For failure of Alfonso Hidalgo to present evidences the case had been dismissed on July 21, 2010 Annex; G and became final and executory on May 8, 2019. Annex; H.

7. A certificate issued by the Bureau of Lands dated September 27, 1975 issued by Norberto V. Malit, District Land Officer shows that Alfonso Hidalgo owned only 9.6 hectares more or less Annex ; I and covered by Tax Declaration No. 13339 and not the lot No. 8200, cad. 692-D, C15 with a map showing the area and the adjacent Lot with Twenty hectares written in the name of Pascual Jardiniano with No PSU



September 27, 2021

**Ms. Bibiana Lyn Aguha**  
**Law Enforcement Dept.**  
**DENR-Region 4B mimaropa**  
**3<sup>rd</sup> floor, L and S Bldg.**  
**Roxas Boulevard, Manila**  
**Cel. Phon No. 0916211846**

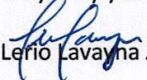
Dear Ms. Aguha,

As per your conversation with my representative, we are submitting herewith additional evidences with corresponding annexes and a brief history as to our ownership heirs of Pilar Arceo Lavayna of lot No. 8200, cad-692-D, c15 located at Brgy. Capayang, Mogpog, Marinduque.

Hoping you find the documents sent thru JRS in time and in order, also feel free to call us at cel No. 09995721849 for any needed, information at your end.

Thank you and anticipating your balance report for the said property.

Very truly yours,

  
Lorio Lavayna Japis Jr.

Sent from Yahoo Mail on Android