



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
by the National Highway, Poblacion, Taytay, Palawan 5312
Mobile: 0926-505-9335 TM 0912-171-3889 TNT
Email: cenrotaytay@denr.gov.ph

October 5, 2021

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region
1515 L & S Building, Roxas Blvd., Ermita, Manila

THRU : The Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City, Palawan

FROM : The Community Environment and
Natural Resources Officer
Taytay, Palawan

SUBJECT : **COUNTER AFFIDAVIT FOR ADMINISTRATIVE COMPLAINT
LOGGED BY J.L. JORVINA, JR., COUNSEL OF JULIE B.
GUMAYAGAY CITING IRREGULARITIES OVER LOT 259, CAD
841-D LOCATED AT BARANGAY POBLACION, TAYTAY,
PALAWAN**

Respectfully submitting is the notarized counter affidavit of the undersigned with attached annexes from Annex 1 to Annex 3d regarding the administrative complaint logged by J.L. Jorvina, Jr., counsel of Julie B. Gumayagay citing irregularities over Lot 259, Cad 841-D which portion (Lot 259-A) was eventually owned by Gumayagay located at Barangay, Poblacion, Taytay, Palawan.

Please be informed that this Office does not officially received yet the copy of the show cause memorandum as well as the complaint. Copy of the said complaint was received only thru the messenger sent by the Chief, Legal Division of the MIMAROPA Region as advance copy. It is requested that the counting of the Five (5) days shall commence upon the receipt of the official copy of the complaint.

The allegations are denied being misleading and the charge should be dismissed instantaneously for lack of legal and factual bases pursuant to the herein Respondents' Counter Position.

For information and further instruction.

**DENR CENRO
TAYTAY, PALAWAN
RELEASED**

BY: *[Signature]*
DATE: 10.11.2021 CN 3184

[Signature]
ALAN V. VALLE

**REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES
REGION IV-B MIMAROPA REGION**

VALLE, ALAN L.


Re: Administrative Complaint

C O U N T E R - A F F I D A V I T

I, **ALAN L. VALLE**, of legal age, Filipino, and with office address at Department of Environment and Natural Resources, Community Environment and Natural Resources, Barangay Poblacion, Municipality of Taytay, Province of Palawan, after having been duly sworn to in accordance with law, hereby depose and state:

I. P R E F A T O R Y S T A T E M E N T

I am the respondent in this instant case for Administrative Complaint logged by J.L. Jorvina, Jr., counsel of Julie B. Gumayagay filed in the Regional Office citing irregularities over Lot 259, Cad 841-D which portion (Lot 259-A) was eventually owned by Gumayagay. Said complaint contains allegations such as grave misconduct, gross neglect of duty, inefficiency and incompetence in the performance of my official duty. The affiant has not yet received the official copy of the complaint and show cause order. However, an advance copy the show cause memorandum of the Regional Executive Director including the complaint of Atty. Jorvina was sent thru the messenger by the Chief Legal Officer of the Regional Office. Hence, I requested to the Regional Office dated September 28, 2021 to be furnished a complete copy of the complaint together with the show cause order (Annex 1). With the foregoing premises, the counting of the



five (5) days wherein I was required to submit my counter-affidavit commence from the day wherein I received the official and complete copies of the complaint-affidavit.

II.

ADMISSIONS AND DENIALS

1. The allegation in paragraph 1 is admitted except the allegations citing office irregularities such as grave misconduct, gross neglect of duty, inefficiency and incompetence in the performance of my official duty.
2. Allegations in Paragraph 2 is misleading considering that the affiant official reporting for duty as Officer-In-Charge of CENRO-Taytay was January 9, 2019 and the mentioned letter allegedly received by the office was on year 2017 (Annex 2).
3. Allegations in paragraphs 3; 4; and 5 are denied being misleading and as may be further discussed in the Defenses and/or Counter-Position herein below stated;

III.

DEFENSES AND/OR COUNTER-POSITION

The said charge should be **DISMISSED** instantaneously for lack of legal and factual bases pursuant to the herein Respondents' Counter-Position, to wit:



4. It must be stressed that herein respondent has acted the letter dated March 1, 2021 received thru email on March 3, 2021 and it was referred to Regulation and Permitting section on March 5, 2021 then the investigation was assigned to Special Investigator on March 16, 2021 who in return had a report on April 5, 2021 (Annexes 3-3_c). On April 20, 2021, the Office responded to Atty. Jorvina regarding the status of Lot 259-A, Csd-04-032971-D and the result of the investigation on the said lot in 2017 at the request of Mr. Gumayagay through his representative Ma. Sheila Tambasen (Annexes 4-4_a).
5. The subject lot of the complaint, Lot 259, Cad 841-D, Taytay Cadastre was subdivided into two (2) lots under Csd-04-032971-D approved on March 5, 2010 and Lot 259-B was issued with patent under FP 045320-10-28818 dated November 22, 2010 in favor of Susana Pe Ma.
6. The subdivision and processing of patent over Lot 259, the affiant has lack of knowledge and information and even the inquiry on year 2017 considering that he only reported at CENRO Taytay on January 9, 2019.
7. The affiant personally scrutinized the records regarding Lot 259, Cad 841-d and as far as my opinion is concerned I have not see any irregularity in its subdivision in favor of one Susana Pe Ma to separate the 10,002 sq.m. which she bought from the Heirs of Albino Garcia by virtue of Judicial Settlement of Estate with Waiver of




Rights dated August 20, 2009 and the granting of Free Patent No. 0453-10-28818 (Annex 5-5g).

8. That based on records, there were already various letter-request, queries and complaints received by the office from Mr. Gumayagay through his representative and counsel relative to the aforesaid lot since 2017. All of these were duly addressed by the Office.
9. That the other subject of the complaint of Atty Jorvina such as Confirmatory Affidavit of Waiver and Relinquishment of Rights dated June 16, 2009 was not come across upon scrutiny of the application of Susana Pe Ma over Lot 259-B, Csd 04-032971-D. However, copy of the said documents was retrieved on the investigation report of Special Investigator I Alfredo Galasinao, Jr. relative to the Survey Authority issued for Lot 259, Cad 841-d as attachment (Annexes 6-6d).
10. That this Confirmatory Affidavit of Waiver and Relinquishment of Rights was not mentioned in the investigation report; hence, it has no contribution on the subdivision of Lot 259, Cad 841-d or on the issuance of Free Patent Application to Lot 259-B, Csd 04-032971-D.
11. The allegations of grave misconduct, gross neglect of duty, inefficiency and incompetence in the performance of my official duty has no legal and factual basis base on the information and action taken as discussed above.



I execute this Counter-Affidavit to attest to the truth of all the foregoing circumstances and to aid this Honorable Office to arrive at a just determination of the issues in this case, with prayer that the same be **DISMISSED** for lack of legal and factual bases.

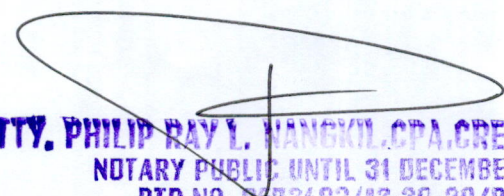
IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of September, 2021 at the Municipality of Taytay Palawan


ALAN L. VALLE
Respondent/Affiant

SUBSCRIBED AND SWORN TO before me this 30th day of September 2021. Affiant exhibited to me his Unified Multi-Purpose Identification No. CRN-0060007-5033-8.

DOC. NO. 445
PAGE NO. 90
BOOK NO. 13
SERIES OF 2021




ATTY. PHILIP RAY L. NANGKIL, CPA, CRED, CREA, JA, ENT
NOTARY PUBLIC UNTIL 31 DECEMBER 2021
PTR NO. 2872483/12-30-20/PAL
IBP NO. 153205/01-15-21/PAL
ROLL OF ATTORNEYS NO. 54960
MCLE COMPLIANCE NO. VI-0029180/4.14.2022



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
5312 Taytay, Palawan

ANNEX 1

September 28, 2021

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA
1515 L&S Bldg., Roxas Blvd.,
Ermita, Manila

THRU : The Provincial Environment and Natural
Resources Office - Palawan

FROM : The Community Environment and Natural
Resources Office – Taytay-El Nido, Palawan

SUBJECT : **SHOW ORDER MEMORANDUM DATED JULY 01, 2021 AND
LETTER OF COMPLAINT OF ATTY. J.L. JORVINA,
COUNSEL OF JULIE GUMAYAGAY RELATIVE TO LOT 259,
CAD 841-D SITUATED IN BARANGAY POBLACION,
TAYTAY, PALAWAN**

DENR CENRO
TAYTAY, PALAWAN
RELEASED
BY: *lie*
DATE: 9/28/2021 CN 3063

Respectfully requesting a copy of the above subject to formally answer the accusations and allegations of the complainant. Copy of the said memorandum was forwarded to messenger but as per records verification, this Office has not yet received a copy. Hence, no response has been submitted in this regard.

For information and records.


ALAN L. VALLE



January 10, 2019

MEMORANDUM

ANNEX 2

FOR : The Regional Executive Director
1515 L & S Building Roxas Boulevard
Ermita, Manila

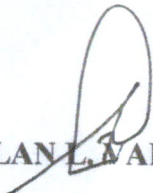
THRU : The Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City


FROM : The OIC-Community Environment and
Natural Resources Officer

SUBJECT : **REPORTING FOR DUTY**

In compliance with the Special Order No. 2018-887, be informed that the undersigned is reporting for duty effective on January 9, 2019 at 5:00 in the afternoon.

For information and record.


ALAN L. VALLE

DENR CENRO
TAYTAY, PALAWAN
RELEASED
BY: 
DATE: 01-11-2019 CN 0067

cc:

Office of the Secretary
Office of the USEC for Field Operations



ANNEX 3

April 5, 2021

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer
Taytay-El Nido, Palawan

FROM : Special Investigator I

SUBJECT : **REQUEST FOR INVESTIGATION ON APPROVAL OR
ISSUANCE OF PATENT FOR LOT 259-A, CSD-04-032971-D
LOCATED AT SITIO LOLOKION, BARANGAY POBLACION,
TAYTAY, PALAWAN**

**DENR CENRO
TAYTAY, PALAWAN
RECEIVED**
BY:
DATE: 4-12-21 CH 177

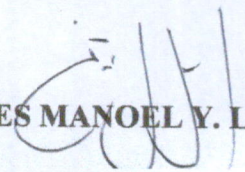
This is in reference to emailed letter request of Atty J.L. Jorvina, Jr., counsel of Mr. Julie Gumayagay dated March 1, 2021 and referred to the undersigned on March 16, 2021.

Please be informed that the undersigned no longer conducted investigation because as per records, former Special Investigator Daryl I. Pingol had already rendered an investigation conducted on 2017 (**see attached Report Memorandum**) pursuant to the request of Mr. Julie Gumayagay through Ma. Sheila P. Tambasin. However, there is no records as to whether Mr. Gumayagay was informed of the outcome of the investigation. On July 21, 2018, Mr. Gumayagay filed a complaint in DENR Action Center against this Office for inaction pertaining to illegal titling relative to the previous complaint filed by certain Sheila P. Tambasen on December 4, 2017. It was then replied by this Office on October 18, 2018 (**see attached copy**).

Further, per records verification Lot 259, Cad 841-D was subdivided into two (2) lots under Csd-04-032971-D approved on March 5, 2010 in favor of Susana Pe Ma. Portion designated as Lot 259-B, Csd-04-032971-D identical to Lot 16398, Cad 841-D containing an area of 1.0002 hectares was covered by Free Patent No. 045320-10-28818 of Susana Pe Ma issued on November 22, 2010 with Katibayan ng Orihinal na Titulo Blg. E-47199 which she acquired from Heirs of Albino Garcia by virtue of *Extrajudicial Settlement Estate with Waiver of Rights* duly subscribed by Atty. Luis E. Estiller under Doc. No. 383, Page No. 77, Book No. 44 series of 2009. While portion designated as Lot 259-A, Csd-04-032971-D identical to Lot 16397, Cad 841-D containing an area of 4.1557 hectares remains public land and free from neither public land application nor patent.

The undersigned recommended that a letter response be sent to Mr. Gumayagay through his counsel informing them of the result of the investigation conducted in 2017 and of records verification on Lot 259-A, Csd-04-032971-D.

For information and records.


JONES MANOEL Y. LAFUENTE



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
5312 Taytay, Palawan

ANNEX 3a

September 11, 2017

MEMORANDUM

TO : **The Community Environment and Natural Resources Officer**
DENR-CENRO, Taytay, Palawan

THRU : **The Chief, LPDU**
DENR-CENRO, Taytay, Palawan

FROM : **SPECIAL INVESTIGATOR I**
DENR-CENRO, Taytay, Palawan

SUBJECT : **REPORT ON THE OCULAR INSPECTION OF A PARCEL OF LOT IDENTIFIED AS LOT 259-A, CAD 841 - B SUBJECT TO CONFLICTING CLAIMS BETWEEN JULIE GUMAYAGAY, REP. BY SHEILA P. TAMBASEN VS. SUSANA P. MA, SITUATED IN SO. LANGAYAN/LOLOKION, BRGY. POBLACION, TAYTAY.**

*LPDU - for appropriate action
for info & records
Linao 9/11/17*

*DENR CENRO
TAYTAY
PALAWAN
RECEIVED
BY: [Signature]
DATE: 9/11/17 3:31 PM*

INSPECTION REPORT

Pursuant to a PENRO Memorandum dated 21 June 2017 and received by the Office of the CENRO Taytay on 12 July 2017 as well as a Letter Request dated 6 June 2017 received by the Office on 13 June 2017, the undersigned investigator proceeded to the area to conduct inspection/investigation on 29 August 2017. Hence, this report.

1. In accordance to the letter-request of the complainant dated 6 June 2017 and attached to the above-mentioned PENRO Memorandum, Julie Gumayagay (hereafter "Gumayagay") requests for an investigation over Lot 259-A allegedly purchased by him from Mrs. Nelda Garcia and all the Heirs of Albino Garcia by virtue of an *Extrajudicial Settlement of Estate with Simultaneous Waiver of Rights* sometime in August 29, 2006 (attached as **ANNEX A**).
2. However, Sheila Tambasen, the representative of Gumayagay admitted personally to the undersigned during ocular inspection on 29 August 2017, that they failed to have the portion bought properly delineated and segregated through a segregation plan by a duly licensed private geodetic engineer when they purchased the property. Allegedly, they have secured the services of Engr. Nonito Lachica but the latter has failed to issue the corresponding segregation plan despite payment of Php 18,000. Nevertheless, Tambasen provided the undersigned a copy of an unapproved



segregation plan (**ANNEX B**) showing the respective claims of the parties concerned. Ironically, Susana P. Ma, was the claimant therein of Lot 259-A and A-2 therein.

3. On site, the unidentified portion pointed to the undersigned was generally sloping to hilly with various growing crops such as coconut trees, mango trees and banana trees among others (see **Fig. 1 & 2**). Mr. Mario Sabroso (see **Fig. 3**), son of Eufemio Sabroso, neighboring lot owner, attested that it was indeed Albino Garcia who previously owned the said portion and was actually the one who planted the coconut trees among others.
4. During the inspection, Tambasen stated that the alleged survey of Lot 259-A by Susana P. Ma was without their knowledge and consent and thus protests the claim of Susana P. Ma. Thereafter, Engr. Villaroel, the alleged surveyor of Susana P. Ma, subsequently told them that the portion that they bought in 2006 will be exchanged for a portion for Lot 258 claimed by Jolito Soliva. Thus, they have allegedly in their possession a Waiver (nothing shown nor provided to the undersigned) of a portion of Lot 258 from Soliva to Gumaygay. This they also protest as they insist on the original location with an estimated area of 1.5 hectares.
5. As per records, Lot 259, CAD 1037-D was subdivided into two, i.e., Lot 259-A & 259-B as per **CSD-04-032971-D**. Lot 259-B was already patented to Susana P. Ma on 22 November 2010 with an area of 10,000 square meters under FP-045320-10-28818. **Lot 259-A**, on the other hand, with an area of **41,557 square meters** was issued a survey authority (**SA 646-2014**) in favor of **HUBERT P. MA** on **10 October 2014**.

Recommendation/s:

From the foregoing, the undersigned hereby recommends that the matter be endorsed to the Lupon of Barangay Poblacion through an appropriate complaint to be filed by Gumaygay as no complaint has yet been initiated by GUMAYAGAY at the barangay level. This is in consonance to the Katarungang Barangay Law as enshrined under the Local Government Code of 1991 (R.A. No. 7160).

At the outset, complainant GUMAYAGAY committed negligence by failing to actually determine the metes and bounds of the property he purchased. The belated submission of a proposed subdivision plan could not revoke much less set aside the already approved subdivision plan executed in favor of Susana P. Ma (CSD-04-032971-D).

Attached herewith is the photo documentation.

For information and compliance.



DARYL I. PINGOL
Special Investigator I

Photo Documentation



Fig. 1 Alleged Lot 259-A claimed by both Julie Gumaygay & Susana Ma.



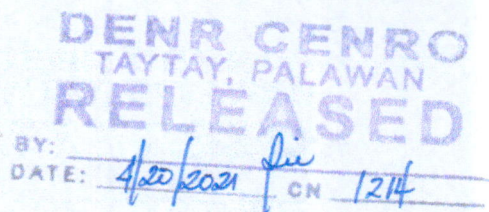
Fig. 2 Within the property.



April 20, 2021

J. L. JORVINA, JR.

Counsel for Julie Gumayagay
Rm. 1520 Cityland 10, T-2 Dela Costa cor.
Valero Sts. Salcedo Village, Makati City



Sir:

Please be informed of the receipt of your letter dated March 1, 2021 pertaining to the update on the status of Lot 259-A, Csd-04-032971-D which was received by this Office on March 3, 2021.

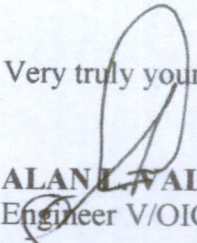
As per records verification, Lot 259-A, Csd -04-032971-D identical to Lot 16397, Cad 841-D located at Sitio Lolokion, Barangay Poblacion, Palawan containing an area of 4.1557 hectares is neither covered by public land application nor patent. However, portion of this lot covering an area of 2.5777 is subject of sale to Hubert P. Ma, et. al. by a certain Lucila Edenden married Ludigario Edenden by virtue of *Waiver of Rights* per Doc. No. 75, Page No. 15, Book. No. LXXVII, Series of 2013 of the notary records of Atty. Roland E. Pay.

As to the status of the request for investigation of Mr. Julie B. Gumayagay through his Attorney-in-Fact Ma. Sheila P. Tambasen relative to the same lot; our records reveal that there was an investigation conducted on August 29, 2017 relative to this. However, the designated investigator failed to inform Mr. Gumayagay of the result of the investigation. We apologize for this circumstances. On July 21, 2018, Mr. Gumayagay filed a complaint in DENR Action Center against this Office for inaction pertaining to illegal titling relative to the previous complaint filed by certain Sheila P. Tambasen on December 4, 2017. It was then replied by this Office on October 18, 2018 (**see attached copy**).

Further, the patent number you mentioned FP-00453320-10-208818 pertains to Lot 259-B, Csd-04-032971-D equivalent to Lot 16398, Cad 841-D of Susana P. Ma with Katibayan ng Orihinal na Titulo Blg. E-47199 containing a total area of Ten Thousand Two (10,002) square meters which she acquired from Heirs of Albino Garcia by virtue of *Extrajudicial Settlement Estate with Waiver of Rights* duly subscribed by Atty. Luis E. Estiller under Doc. No. 383, Page No. 77, Book No. 44 series of 2009.

We hope to have served you on the matter. Thank you.

Very truly yours,


ALAN L. VALLE
Engineer V/OIC, CENRO



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
5312 Taytay, Palawan

PCC Code Number GL-CAM-07-23-2018-79
ASMRD-2018-0024850

ANNEX 4a

MR. JULIE GUMAYAGAY
Indang Village, Calumpang Lejos, Indang, Cavite

Sir,

DENR CENRO October 18, 2018
TAYTAY, PALAWAN
RELEASED

BY: [Signature]
DATE: 10-18-2018 CM 19dl

Greetings!

Please be informed of our receipt of your letter dated July 21, 2018 to Director Jaime Llaguno Mabilin of the Presidential Action Center. It is a complaint, accordingly, for the inaction of this Office to your complaint filed on December 4, 2017 signed by certain Ma. Sheila P. Tambasen (Ms Tambasen hereafter). Your letter was accessed by this Office through email service with letter/memo referral through channels.

Our records actually reveal that the first letter of Ms Tambasen to this Office concerning the issue was received here on June 13, 2017. It was referred outright to the concerned unit that led to ocular/field inspection on August 29, 2017 and the report rendered on September 11, 2017 by Special Investigator Daryl I. Pingol recommending conciliation proceedings at the Office of the concerned Punong Barangay or Lupon Tagapamayapa pursuant to Presidential Decree 1508. The Chief of Licenses, Patents, and Deeds Unit confirms that Ms Tambasen was openly advised of this requirement. This was also confirmed by Ms Tambasen with me today on phone call that, accordingly, she already had brought the issue before the Barangay Local Government Unit.

Just today also per invitation, the undersigned talked here in the Office to certain Mr Rey Villaruel (Villaruel) who did the actual surveys under supervision of Engineer Nonito T. Lachica Villaruel commented that one Exceltacion Reoja (Reoja hereafter) who assisted the heirs of Albino Garcia in the sale of 2 5777 hectares to your favour was present during the delineation survey.

Please be checked also that the Katibayan ng Orihinal na Titulo Blg. E-47199 of Susana P. Ma covers Lot 259-B, Csd-04-032971-D containing ten thousand, two (10,002) square meters which she acquired through sale from the heirs of Albino Garcia per Doc No. 383, Page No. 77, Book No. 44, Series of 2009 of the notary record of Atty Luis E. Estiller of Puerto Princesa City. It is not for Lot 259-A of the same subdivision as said in your complaint. Part of this Lot 259-A, however, is also the subject of sale to Hubert P. Ma, et. al. by certain Lucila Edenden per Doc No. 30, Page No. 07, Series of 2011 of the notary record of the same Atty. Luis E. Estiller, but it is not patented (untitled) yet.

We are very much willing to respond to invitation to the conciliation proceedings at the Barangay Local Government Unit when needed. We also invite you again for a conference to simplify the issues.

Thank you.

Very truly yours,
For and in the absence of the CENRO:

[Signature]
MARIANO P. LILANG, JR.
Development Management Officer IV
In-charge of Office

Copy furnished:
PENRO-Palawan (advance copy by email service)
Regional Executive Director, DENR-MIMAROPA (advance copy by email service)
ASEC for Field Operations-Luzon (advance copy by email service)
ASEC Jaime Llaguno Mabilin (advance copy by email service)

by the National Highway, Poblacion, Taytay, Palawan
email ad: cenrotaytaypal@yahoo.com.ph
Contact Nos : 0912-171-3889 (Talk and Text) 0926-505-9335 (TM)

Republic of the Philippines
Department of Environment and Natural Resources
Region IV - MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Taytay, Palawan

ANNEX 5

VERIFIED
NOT LIVERIDGES
ANGEL
6/12/2010

Application No. 04320-2280
I hereby file this application for (mark appropriate box)
LISTED SURVEY CLAIMANT: Susana Pe Ma

☒ FREE PATENT ☐ HOMESTEAD ☐ SALES PATENT

If application is for SALES PATENT, state the purpose of sale:

☒ Agricultural ☐ Commercial/Industrial ☐ Residential

The land applied for is described as Lot No. 10,002
in Barangay POBLACION

259-B, Lot-04-032991-D, eg. to
16392, cad 241-D
POBLACION TAYTAY

My personal circumstances are:
Applicant: Susana Pe Ma
Address: Abkawan, Taytay, Pal.
Spouse name: Bonifacio Ma

Filipino, SI 13 August 1954
Civil Status: M Taytay, Pal.
Place of birth: Cebu

If application is a claim to a portion of the land of a deceased claimant, indicate name of deceased:

Name: _____ Place of birth: _____ Not applicable

V. QUESTIONS which must be answered by the applicant. (Mark appropriate box)

To the best of your knowledge, information and belief,
Is the land applied for a public agricultural land and
any mineral and natural resources?
☒ YES ☐ NO

Do you own:
a) More than 12 hectares of land? ☐ YES ☒ NO

Do you have personal or family connections,
Cultivator of the land? ☒ YES ☐ NO

b) More than 5 hectares of land? ☐ YES ☒ NO

Since when: August 2009
From whom did you acquire the land?
Heirs of Albino Garcia

At the time applied, did you:
Subject of any criminal case? ☐ YES ☒ NO

Is your occupation or other activity at the land open,
Peaceful, non-violent, and without adverse and
interference of any kind or person?
☒ YES ☐ NO

Are you a SALES applicant?
☐ YES ☒ NO

I agree to all the conditions, terms, restrictions, prohibitions, and all the laws, regulations and decrees, and I shall comply with all the qualifications and terms of the disqualifications required for this application for a patent for the public land.

I understand that I voluntarily and knowingly submit this statement and agree that the government may, without any obligation to me, require me to furnish additional information and documents, and I shall no longer be entitled to apply for any patent for the public land.

I have read and thoroughly understood this application and I affirm that the facts stated herein are true and correct to my knowledge and belief.

SUSANA PE MA

SUBSCRIBED AND SWORN to before me this 15th day of MARCH 2010 at Taytay
Palawan. 12 MARCH 2010 64110570

Application No. 04320-2280
Date of filing: Sept. 2, 2010

[Signature]
[Stamp]

VERIFIED
NOT LIVERIDGES
ANGEL
6/12/2010

Republic of the Philippines
Department of Environment and Natural Resources
Region IV - MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Taytay, Palawan

Date: 17 June, 2010

The Community Environment & Natural Resources Officer
Taytay, Palawan

ANNEX 5a


Sir:

I Certify that on 10 June, 2010, I was on and examined the land applied for by
SUSANA PE-MA married to BONIFACIO MA under FPA 0453 20 - 2280,
situated in So. LANGAYAN Barangay POBLACION Municipality of TAYTAY,
Palawan and in conformity with Circular No. 80, report the following:

1. The occupation and cultivation of the applicant as far I have been able to ascertain date from since August 2009 and is continuous, peaceful and unmolested.
2. The land was first occupied and cultivated by ALBINO GARCIA now deceased since the 1960's and continued by the applicant who acquired it through waiver of rights from the heirs of the above deceased original claimant/occupant;
3. The applicant is living and the land applied for has no adverse claimant.
4. That of the 1.0002 hectares applied for, whole hectares is actually cultivated, none hectares is cleared but not cultivated and none hectares remain untouched.
5. The improvement in the land are assorted fruit bearing trees and coconuts.
6. The same land is alienable or disposable. It is within Block I of Project 9, Land Classification Map No. 2664 established on May 15, 1970.
7. The land corresponds to Lot No. 259-B, Csd-04-032971-D, equivalent to Lot No. 163981, Taytay Cadastre Csd 341-D which has never been the subject of land registration case.
8. The applicant does not own more than twelve hectares of land even if this land is included; neither is he a CARP beneficiary.

REMARKS: Applicant is a natural born Filipino citizen and not the owner of more than twelve (12) hectares of public land inclusive of this parcel applied for. The land is free from claims and conflicts (as herein attested by the Puroong Barangay), liens and encumbrances, and is not tenanted. It was acquired by the herein applicant thru waiver of rights from the heirs of the original claimant/occupant Albino Garcia.

IN VIEW OF THE FOREGOING, approval of application and subsequent issuance of patent is respectfully recommended. Very truly yours,


ALFREDO P. GALASINAO JR.
Special Land Investigator

Respectfully forwarded to the RO, Sta. Monica, Puerto Princesa City, re: the approval of application and the issuance of corresponding patent.

EL NABUA

Community Environment & Natural Resources

Republic of the Philippines
Department of Environment and Natural Resources
Region IV - MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Taytay, Palawan

NOTICE OF APPLICATION FOR FREE PATENT

ANNEX 5b

Notice is hereby given that SUSANA PE-MA has filed with this Office his/her Free Patent Application under the provisions of Chapter VII, Commonwealth Act 141, as amended for:

Lot No. 259-B, Cd. 04-032971-P, of 10
16395, Cal 541-D Area: 10,000 Square meters

Situated in Sitio Langayan Barangay Polacion Taytay Palawan

All adverse claims to this tract of land must be filed to this Office or to the PENRO Palawan or to the DENR Region IV Office in Manila ON or BEFORE 5 th day of APRIL 2010.
Any claim not so filed will be forever barred.

[Signature]
ELY S. NABUA
CENE Officer

Republic of the Philippines)
Province of Palawan) S.S.
Municipality of Taytay)

I, SUSANA PE-MA married to BONIFACIO MA
After having been sworn to law depose and say that I am the same person who has made application for the above-described land; that a copy of the above notice was posted in a conspicuous place in the land applied for, on the bulletin board of the bario where the land is located and at the door of the municipal building on the 16th day of April 2010, until the 31st day of March 2010.

SUSANA PE MA
(Applicant)

Affestation:

I, the undersigned Barangay Official of the locality where the above-described land is located hereby attest that the affidavit of the above applicant is true and correct and this Office believes the land is lawfully owned by the applicant.

[Signature]
Hon. EVELY V. RODRIGUEZ
Punong Barangay

Barangay Polacion Taytay Palawan

SUBSCRIBED AND SWORN to before me this 5th day of April 2010
Applicant's CTC No. 0451 0570 was exhibited to me; issued at
at Taytay Palawan 12 March 2010.

[Signature]
ALFREDO D. GALANGAO JR.
Special Land Investigator



FP Application No. 045320-2280
Applicant SUSANA PE MA
Surveyed For SUSANA PE MA
Surveyed By NONITO T. LACHICA
Date of survey JUNE 28, 2009

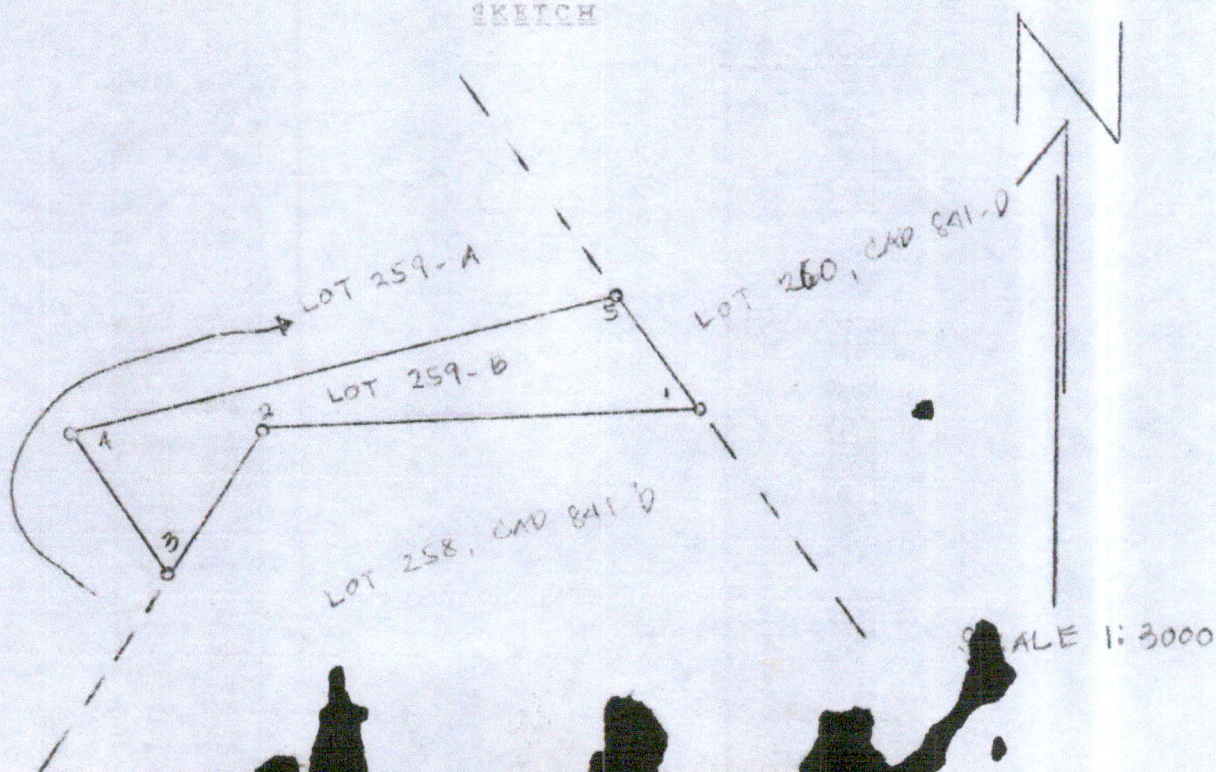
Survey No. CSD-04-032971-D / CAD 841-D
Lot No. 259-B / 16398 Area: 10,002 sq. m.
Location: POBLACION, TAYTAY, PALAWAN
Cad Map No. 10° 51' N. 119° 30' E
Date Approved MARCH 05, 2010

TECHNICAL DESCRIPTIONS

TIE LINE: N. 19° 28' W. 3,958.15 m. FROM DLLM #1, CAD 841-D, TAYTAY CADASTRE

LINE	BEARINGS	DISTANCE	LINE	BEARINGS	DISTANCE
1-2	S. 86° 05' W	190.69 m.			
2-3	S. 31° 04' W	80.84 m.			
3-4	N. 32° 15' W	78.69 m.	PS	CH	CONC
4-5	N. 74° 58' E	246.02 m.			
5-1	S. 37° 05' E	60.28 m.			

SKETCH



oT.D. Research by: Alar

Date: 03-11-2010



ANNEX 5d

FPA No. 045320- 2280

X

Lot 259-B, Csd-04-032971-D

Iden to: Lot 16398, Cad 841-D

Area 10,002 Square meters

Barangay of Poblacion

Municipality of Taytay, Province of Palawan

SUSANA PE MA

(Applicant)

X

X

ORDER: APPROVAL OF APPLICATION AND ISSUANCE OF PATENT

From the records of this case, it appears:

1. That the applicant is a natural born filipino citizen and is therefore qualified to acquire public lands through free patent;
2. That the subject land is alienable or disposable subject to disposition under the Public Land Act, Commonwealth Act 141 as amended;
3. That upon investigation conducted by Special Investigator Alfredo P. Gafasinao, Jr. it was found that the subject land has been the subject of continuous occupation and cultivation either by the applicant himself or through predecessor-in-interest since or prior to November 11, 1972;
4. That the Notice of Application for the land by the applicant had been published in accordance with law and no other person has provided a better right to the subject land;
5. That there is no adverse claim involving the land still pending determination in this Office;
6. That the claim of the applicant is, in all other respect, complete and there is no record in this Office of any obstacle to the issuance of patent.

Wherefore, the occupation and cultivation of the land above described are hereby approved and this application is hereby entered in the records of this Office as Free Patent Entry No. _____

As the applicant has already complied with the requirement of the law, it is also hereby ordered that the corresponding patent be now prepared and issued to the applicant.

So ordered, _____

PATENTED

FP 045320-10-28818

DATE ISSUED - NOV. 22, 2010

JUAN C. DELA CRUZ

Provincial Environment & Natural Resources Office

Copy furnished:

The Applicant
The Provincial Assessor
File

Republic of the Philippines)
Province of Palawan) S.S.
Municipality of TAYTAY)

ANNEX 5e

JOINT AFFIDAVIT IN SUPPORT TO FREE PATENT APPLICATION

We, EDDOR D. PINEDA married to RICARDO E. PINEDA, JR.
and GLORIA E. PINEDA married to WIDOW
Filipinos, both of legal age and residents of the municipality of TAYTAY
Province of Palawan, after having been sworn to law, depose and say:

That we personally know SUSAN R. NA who has filed
Free Patent Application No. 0453 20-2280 for Lot No.
259-B, Cpl- of 63297-D in Sitio Lampayan
Barangay Roblaan, Taytay Palawan.

That we are actual residents of the municipality where the land is located and we know very well the land applied for.

That said applicant himself or thru his predecessor-in interest has continuously occupied and cultivated the land since or prior to November 11, 1972 and the land is free from claims and conflict;

That we are not related to the applicant either by consanguinity or affinity and we are not interested in the land applied for.

That the applicant is a natural born Filipino citizen and does not own twelve hectares of the land in the country even if to include the land subject hereof.

IN WITNESS WHEREOF, we sign this affidavit this 12th day of 2010 in
the municipality of Taytay Province of Palawan.

Gapison
CTC No. 00470682
Taken on Jan. 5, 10
Taken at Pob. Taytay Pal.

Gloria E. Pineda
CTC No. 00470690
Taken on 25 Jan., 2010
Taken at Taytay, Palawan

SUBSCRIBED AND SWORN to before me on and in the same date and place stated above.

Alfredo J. Galasipao, Jr.
ALFREDO J. GALASIPAO, JR.
Special Land Investigator I

ANNEX 5g

PUERTO PRINCESA 030
PALAWAN

PALANAM

2009

ATTY. LUIS E. ESTILLER
NOTARY PUBLIC
UNTIL DEC. 31, 2010
PTR NO. 6554277
ISP NO. 707760
TIN NO. 155-521-423-
ROLL NO. 26131
PUERTO PRINCESA CITY



Republic of the Philippines
Department of Environment and Natural Resources
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Taytay 5312, Palawan

MEMORANDUM

FOR : The Regional Technical Director for Lands
DENR IV - MIMAROPA
1515 L & S Bldg., Roxas Blvd.,
Ermita, Manila

FROM : The Community Environment and
Natural Resources Officer
Taytay, Palawan

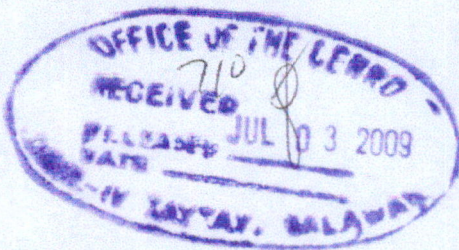
DATE : 29 June 2009

SUBJECT : SUBMISSION OF SURVEY RETURNS OF THE SUBDIVISION
SURVEY MADE OVER LOT 25 9, TAYTAY CADASTRE
CAD 341-D AT BGV. POBLACION, TAYTAY, PALAWAN

ANNEX 6

Anent the above subject we are submitting the plan and returns of the survey made thereof in accordance with duly issued survey authority by this office as attached.

The subject land being inside alienable and Disposable land zone and verified free from claims and conflicts, the herein submitted survey plan and the accompanying survey return is hereby recommended for approval.



FLORENCIO C. DIAZ



Republic of the Philippines
Department of Environment and Natural Resources
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Taytay 3312, Palawan

CERTIFICATION

ANNEX 6a

TO WHOM IT MAY CONCERN:

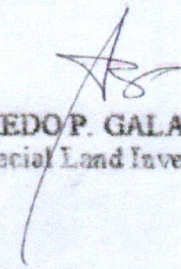
THIS IS TO CERTIFY that Lot 259, Cad 841-D, situated at So. Langayan, Bgy. Poblacion, Taytay, Palawan, and containing an area of FIFTY ONE THOUSAND FIVE HUNDRED SIXTY TWO (51,562) square meters, is classified Alienable and Disposable being inside of Block I of Project 9 per Land Classification Map No. 2664, established as such on May 15, 1970.

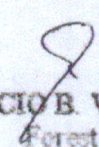
FURTHER, that above land parcel is public land claimed and occupied by one ALBIONO GARCIA as per records of Taytay Cadastre Cad 841-D.

ISSUED this 23rd day of June 2009 at Taytay, Palawan upon request of above claimant/occupant for whatever legal purpose it may serve him best.

Projected By:

Verified By:


ALFREDO P. GALASINAO, JR.
Special Land Investigator I


GAUDENCIO B. VALDEZTAMON
Forester II

Certified By:


FLORENCIO C. DIAZ
CENSO

Republic of the Philippines
Department of Environment and Natural Resources
REGION-IV
Community Environment and Natural Resources Office
Taytay, Palawan

SUBJECT:

Survey Authority for a tract
of public land located in **So. Langayan,
Poblacion, Taytay, Palawan**

ANNEX 6b

Survey Authority No. 384-2009

Date: June 23, 2009

Engr. **NONITO T. LACHICA**
Maligaya, El Nido, Palawan

Sir/ Madam:

Pursuant to DENR Administrative Order No. 38 and upon evaluation of the request of **Susana P. Ma**, to avail of your services, authority is hereby granted to you to execute the survey thereof subject to the relevant provisions of the Manual for Land Surveys in the Philippines as amended and to the conditions stated at the back hereof.

Violation of any of the aforesaid conditions, shall invalidate this authority, and damages that may result therefrom shall be your sole liability and professional responsibility.

Very truly yours,

For and by authority of
the Secretary of DENR:

Conditions accepted:

(4) **NONITO T. LACHICA**
(Signature/Name of GE)
6580
(License No.)

(3) **FLORENCIO C. DIAZ**
CENR Officer

Above request confirmed:

(1) **SUSANA P. MA**
(Signature/Name of Claimant)

Issuance of Survey Authority
Recommended:

(2) **ALFREDO P. GALASINAO, JR.**
(Signature/Name)
(Position or Designation)

Poblacion, Taytay, Pal.
(Address)

Ref: _____
Cad. Cost of P _____
Under O.R. No. _____
Dated: _____

Ref. Invest/Report _____
Paid dated: _____

Note:

For this Survey Authority to be valid, the four (4) required signatures must be present.



Republic of the Philippines
Department of Environment and Natural Resources
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Taytay 5312, Palawan

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer
Taytay, Palawan

FROM : The Special Land Investigator I
This Jurisdiction

DATE : 19 June 2009

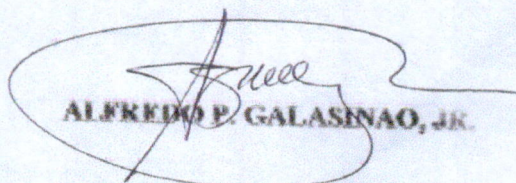
SUBJECT : INVESTIGATION REPORT RE SURVEY AUTHORITY REQUEST
OF SUSANA PE-MA FOR SUBDIVISION OF LOT 259, TAYTAY
CADASTRE CAD 841-D

ANNEX GC

Anent the above request the undersigned hereby renders his report of ocular inspection and investigation, to wit:

1. Subject request particularly covers Lot 259, Taytay Cadastre Cad 941-D situated at So. Langayan, Bgy. Poblacion, Taytay, Palawan. It contains an area of FIFTY ONE THOUSAND FIVE HUNDRED SIXTY TWO (51,562) square meters, originally surveyed in the name of one ALBINO GARCIA;
2. Above parcel is alienable and disposable being inside Block I of Project 9 per LC Map No. 2664, certified on May 15, 1970;
3. It is characterized as flat to moderately sloping agricultural land occupied and cultivated by the above survey claimant and his family. A certain ONE (1) HECTARE, more or less, was WAIVED, CEDED, and TRANSFERRED by virtue of waiver of rights of said Albino Garcia to and in favor of SUSANA PE-MA, a Filipino citizen qualified to acquire public land;
4. It is the intent of the survey to delineate the waived portion on the ground for official documentation and eventual patent issuance;
5. It is non mangroves inhabited land and is not within any civil nor military reservation, existing nor proposed;
6. Above subject parcel is free from any claims and conflicts, liens and encumbrances;
7. The requested is commissioning the services of Eng'r. Nonito T. Lachica for the purpose.

ABOVE PREMISES CONSIDERED, it is hereby recommended that corresponding survey authority be granted in accordance with the pertinent rules and regulations.


ALFREDO P. GALASINAO, JR.

CONFIRMATORY
AFFIDAVIT OF WAIVER AND RELINQUISHMENT OF RIGHTS

KNOW ALL MEN THAT:

ANNEX 6d

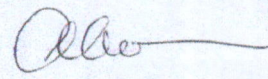
I, ALBINO GARCIA, Filipino, of legal age, widower, and a resident of Bgy. Poblacion, Taytay, Palawan, after having been sworn to law do hereby depose and say:

That I have been the occupant since the year 1970s over Lot 259, Taytay Cadastre Cad 841-D in So. Langayan, Bgy. Poblacion, Taytay, Palawan, consisting FIFTY ONE THOUSAND FIVE HUNDRED SIXTY TWO (51,562) square meters,

That sometime in 2008 I have since then relinquished/waived my interests or rights over ONE (1) HECTARE portion of above parcel to and in favor of SUSANA PE-MA, likewise Filipino, of legal age, married and resident of Taytay, Palawan;


That I am executing this affidavit freely, voluntarily and without any force of intimidation from anyone and I will stand for the Transferee's right on the land against any adverse claimant to it.

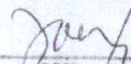
IN WITNESS WHEREOF, I herunto sign my name this 16th June 2009 at Taytay, Palawan before an Officer authorized to administer oath.


ALBINO P. GARCIA
Affiant

CFC No. 1725-J76
Taken on 03 MARCH 2009
Taken at Taytay, Palawan

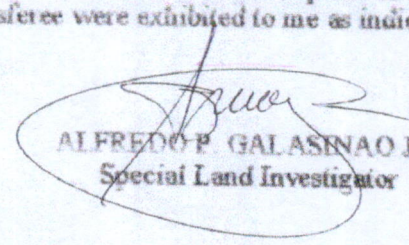
In the Presence of


Witness


Witness

Republic of the Philippines)
Province of Palawan : S.S.
Municipality of Taytay)

SUBSCRIBED AND SWORN to before me on and in the same date and place above-written. Community Tax Certificates of the transferor and transferee were exhibited to me as indicated below their respective names and signatures above.


ALFREDO P. GALASINAO JR.
Special Land Investigator