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28 June 2022

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Attention: **Hon. Lormelyn E. Claudio**
Regional Executive Director

Re: **Follow-up on results of 2 March 2022**
Joint Survey for Forest Land Use
Agreement for Tourism Purposes No.
DENR IV-MIMAROPA-12302030-0010

Dear Regional Executive Director Claudio,

On behalf of our client, **Ten Knots Philippines, Inc.** ("TKPI"), we write in connection with the joint survey conducted in relation to Forest Land Use Agreement for Tourism Purposes No. DENR IV-MIMAROPA-12302030-0010 ("FLAGT").

To recall, to resolve the overlap between TKPI's FLAGT and the original certificates of title ("OCT") issued to Noel Tampe and Baberlyn Gomez, a team composed of personnel from the Department of Environment and Natural Resources ("DENR") Regional Office, the Community Environment and Natural Resources Office ("CENRO"), the DENR's geodetic engineer, and the Protected Area Officer of El Nido conducted a survey on 2 March 2022.

This survey focused on the survey points of TKPI's FLAGT but left out the areas that overlap with Noel Tampe's and Baberlyn Gomez' OCTs, which your good office confirmed to be timberland during the 13 January 2022 technical conference. During this meeting, one of the issues identified was the erroneous titling of areas that are timberland and found within TKPI's FLAGT. To address the issue, your good office explained that a final survey will be conducted and the titles covering timberland will be cancelled. Your good office committed that a reversion case will be filed to reclaim the timberland mistakenly covered by the OCTs. Your good office likewise confirmed that the issuance of a Notice of Violation is proper against illegal constructions over the disputed area.

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On 26 April 2022, TKPI wrote your good office to kindly follow up on: (1) the results of the 2 March 2022 ground survey and all other ground verifications on the scope of TKPI's FLAGT, including the 27 October 2021 actual ground survey where it was confirmed that areas claimed by Spouses Israel and Baberyln Gomez, wherein they are performing construction works, fall within the area covered by TKPI's FLAGT; (2) the issuance of the Notice of Violation against the developers in the disputed area; and (3) any developments regarding the reversion case for the timberland erroneously titled.

In the same letter, TKPI also informed your good office of the continuous construction of permanent structures even on the foreshore areas by Israel Gomez. To date, such construction for commercial purposes persists, expanding to a considerable size.

Since then, TKPI has twice contacted Protected Area Superintendent Forester Mildred Suza to inform her of the continued encroachment of the operators of Lihim Resort on the easement that falls within TKPI's FLAGT, as well as the continuous clearing of underbrush within the disputed area. On 14 June 2022, TKPI wrote to her, attaching photos of TKPI's tarpaulins that were ruined, and informing her that this is not the first time that this happened. To date, the concern remains unresolved.

In view of the foregoing developments, we respectfully reiterate our request for the issuance of the Notice of Violation against these developers. We also follow-up on the results of the 2 March 2022 ground survey and all other ground verifications on the scope of TKPI's FLAGT, and developments on the reversion of the timberland that was erroneously titled.

Thank you for your kind consideration and prompt attention to this matter.

Very truly yours,

ANGARA ABELLO CONCEPCION REGALA & CRUZ

By:



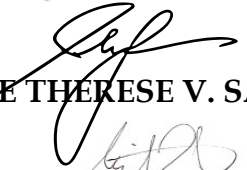
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Attn: Mr. Felizardo B. Cayatoc

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**COMMUNITY ENVIRONMENT AND
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Attn: Engr. Alan L. Valle

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EL NIDO-TAYTAY MANAGED RESOURCE PROTECTED AREA

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