



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

31 May 2022

Ms. MELANIE ESCAÑO SALUDAR LACRE
Alimanguan, San Vicente, Palawan

Madam,

Greetings!

On your request for land verification of Lots 3361 and 3389 of Cad. 860-D with 5.1857 and 119.5837 hectares in Bgy. Alimanguan, San Vicente, Palawan please be informed that while both are classified agricultural (alienable/disposable) and covered by subsisting public land applications (PLAs) of the Heirs of Francisco Encaño and of Lorenza Escaño, respectively; both are likewise found affected by adverse claims from the camp of Severino Tecson as evidenced by the attached Certificate to File Action. The document desired actually was already prepared when the controversy was recollected and further verifications made until inadvertently misplaced hence, our apology for the delay.

Owing to instances where mere land status certifications are utilized for subsequent transactions leading to more complicated issues, the Office chose to defer granting your request until the matter is resolved especially considering that on record, Severino Tecson, Jr. and Lorenza Escaño themselves appear to have previously registered willingness (copy of their letter of 21 Apr 2008 attached) to settle by correction survey what they both then knew and agree is necessary.

Should your camp however affirm the information that you are no longer willing to continue preliminary talks commenced until overtaken by the pandemic, we will have to require you of a position paper on why the PLAs of Francisco and Lorenza should not be amended only to cover portions they have occupied, developed or improved pursuant to Sections 92 and 95 (text provided) of CA No. 141, the Public Land Act as amended.

As our desire to accommodate everyone's concerns much depends upon their cooperation, we shall highly appreciate your considering the preceding requirement.

Very truly yours,


PABLO I. CRUZ
CENR Officer

Copy:

The RED
The PENRO
The Bgy. Council/Alimanguan, San Vicente, Palawan
file

DENR - CENRO ROXAS
RELEASED
DATE: 01 JUN 2022

BY: 

2022-06-08 58

SECTION 92. Although the maximum area of public land that may be acquired is fixed, yet the spirit of this Act is that the rule which must determine the real area to be granted is the beneficial use of the land. The concession or disposition shall be for less than the maximum area authorized if, at the time of the issuance of the patent or of the concession or disposition, it shall appear that the applicant is utilizing and is only able to utilize a smaller area, even though the application is for a greater area. For the purposes of this section, the Director of Lands is authorized to determine the area that may be granted to the applicant, and to deny or cancel or limit any application for concession, purchase, or lease if convinced of the lack of means of the applicant for using the land for the purpose for which he has requested it.

SECTION 93. Lands applied for under this Act shall conform to the legal subdivisions and shall be contiguous if comprising more than one subdivision. If subdivisions have not been made on the date of the application, the lands shall be rectangular in form so far as practicable, but it shall be endeavored to make them conform to the legal subdivision as soon as the same has been made, provided the interests of the applicant or grantee are protected; and the subdivision assigned to the applicant or grantee shall, so far as practicable, include the land improved or cultivated. The regulations to be issued for the execution of the provisions of this section shall take into account the legal subdivision to be made by the Government and the inadvisability of granting the best land at a given place to only one person. cd i

SECTION 94. In case the legal subdivisions have already been made at the time of the filing of the application, no charge shall be made for the survey; but if the legal subdivisions have not yet been made, the cost of the survey shall be charged to the Government, except in the following cases:

(a) In purchases under chapters five and ten of this Act, the cost of the survey shall be charged to the purchaser if the same is a corporation, association, or partnership; in other purchases the purchaser, whoever it be, shall pay the total cost of the survey.

(b) In leases, the cost of the survey shall be paid by the lessee; but at any time after the first five years from the approval of the lease, and during the life of the same, the lessee shall be entitled to the reimbursement of one-half of the cost of the survey, if he shows to the satisfaction of the Director of Lands that he has occupied and improved a sufficient area of the land or incurred sufficient expenses in connection therewith to warrant such reimbursement.

SECTION 95. If before the delimitation and survey of a tract of public land the President shall declare the same disposable or alienable and such land shall be actually occupied by a person other than the applicant, the Director of Lands shall inform the occupant of his prior right to apply for the land and shall give him one hundred and twenty days time in which to file the application or apply for the concession by any of the forms of disposition authorized by this Act, if such occupant is qualified to acquire a concession under this Act.

SECTION 96. As soon as any land of the public domain has been surveyed, delimited, and classified, the President may, in the order issued by him declaring it open for disposition, designate a term within which occupants with improvements but not entitled to

Brgy. Almangua,
San Vicente, Palawan

April 21, 2008

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES
OFFICER (CENRO)
Roxas, Palawan


SIR:

Kami po, ang mga nakapangalan at may lagda sa ibaba, pawaing mga lehitimong residente at aktwal na nagokupa ng mga ektaryang lupain sa Brgy. Almangua, San Vicente, ay humihiling ng inyong kapahintulutan na magsagawa ng survey sa aming lupain na kung saan alam naming mayroong pagkakameling nagawa ang mga cadastral surveyors noong mga nakaraang panahon. Kaya ninanais po namin ang pagsasagawa ng panibagong survey upang matunaw po ang naturang pagkakamali.

Umaasa po kami ng inyong kapahintulutan tunggil sa kahilingang ito sa ngalan ng hustiya.

Maraming salamat po!

Lubos na gumagalang,


SEVERINO TECSON JR.
09268774452


LORENZA ESCANO

OFFICE OF THE LUPONG TAGAPAMAYAPA

Brgy. Case No. 059-2020
For: Land Dispute

HEIRS OF FRANCISCO ESCANO
ROMEO ESCANO
BENITO ESCANO
CONCEPCION ESCANO REP. BY MELANIE LACRE
Complainant

-AGAINST

HEIRS OF SEVERINO TECSON SR.
MARIVIC T. CARBONILLA
SEVERINO TECSON JR
SAMSON TECSON
MARISSA BALDONADO
MARYLN T. BELONA
Respondent

CERTIFICATION TO FILE ACTION

This is to certify that;

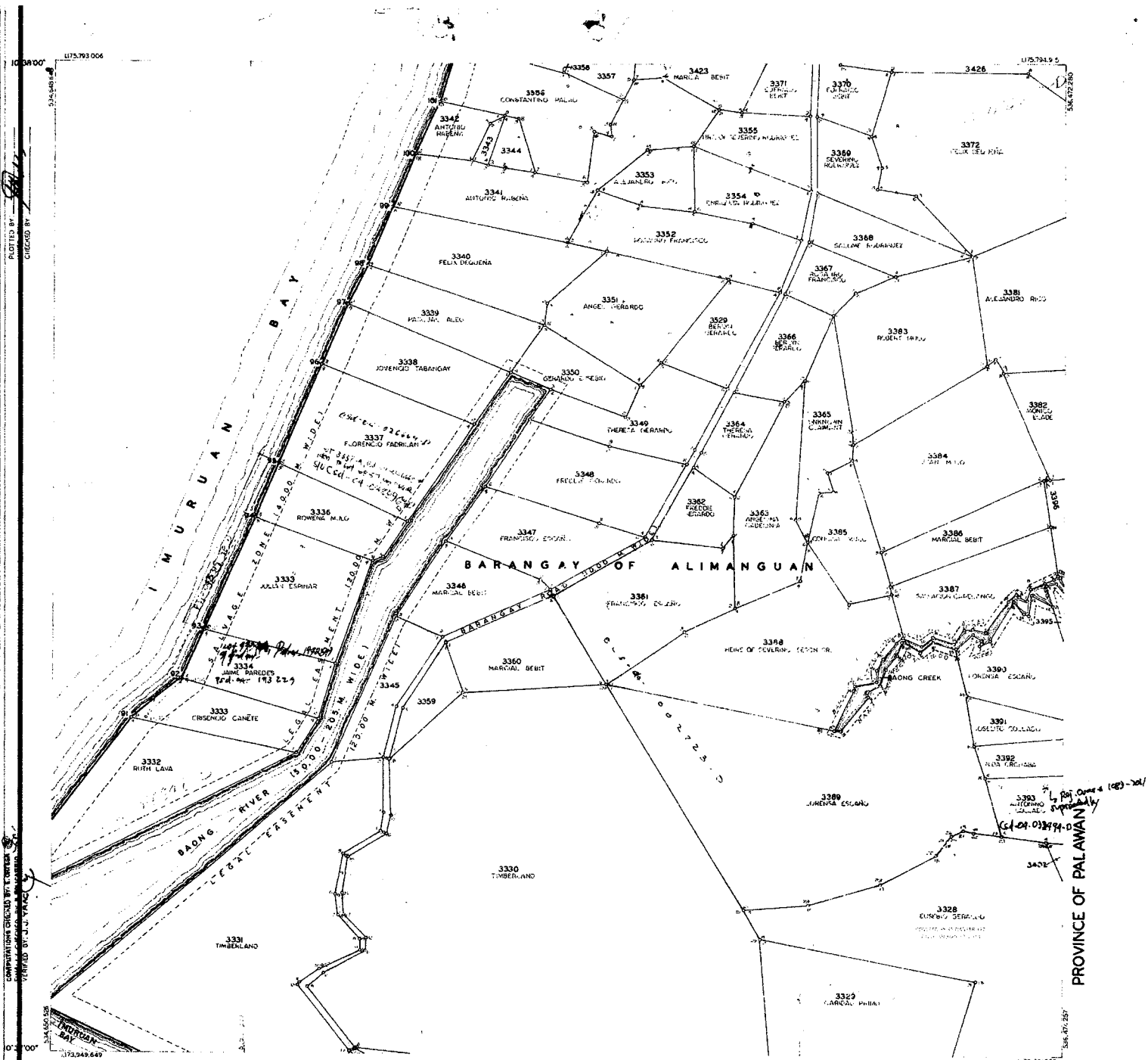
1. There has been a personal confrontation between the parties before the Punong Barangay but the mediation did not result into a settlement, and
2. The Office of the Lupong Tagapamayapa serve summon to both parties but the mediation did not result to a settlement,
3. Therefore, the corresponding complaint for the land dispute may now be filed in To the higher Court.

This 10th day of December, 2020

for 
MARJURY C. BADANOY
Pangkat/Lupon Secretary

562 ATTESTED BY 

HON. CESAR M. CABALLERO
Punong Barangay



APPROVED: MAY 21, 1989

PEDRO M. CALIMLIM
REGIONAL TECHNICAL DIRECTOR
REGION II

C.M. 10° 37' N. 119° 18' E.	C.M. 10° 38' N. 119° 19' E.	C.M. 10° 38' N. 119° 20' E.
C.M. 10° 37' N. 119° 18' E.	C.M. 10° 37' N. 119° 19' E.	C.M. 10° 37' N. 119° 20' E.
C.M. 10° 32' N. 119° 18' E.	C.M. 10° 38' N. 119° 19' E.	C.M. 10° 38' N. 119° 20' E.

SAN VICENTE CADASTRE
Cad. 860-D, CASE-3
C.M. 10° 37' N. 119° 19' E.

SCALE 1:4000
0 50 100 200 300 400 M.

PROVINCE OF PALAWAN