

FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH XXXIX (39)
City of Calapan
rtc2cal039@judiciary.gov.ph
09239080281

June 2, 2023

Annex "A"

June 23, 2023

-oOo-

SPS. NORMA BAGOS & DEMETRIO
BAGOS,

CIVIL CASE NO. CV-16-6928

Plaintiffs,

-versus-

-for-

MILAGROS DELOS REYES-BACAY,
MARILOU D. BACAY, PETRONIO
D. BACAY, LEONISA D. BACAY,
ANGELICA D. BACAY, AMELYN
D. BACAY

Defendants.

QUIETING OF TITLE WITH
RECOVERY OF POSSESSION AND
DAMAGES WITH PRAYER FOR THE
IMMEDIATE ACTUAL INDEPENDENT
SURVEY ON THE LOCATION OF THE
PROPERTY

X - - - - - X

ORDER

In today's continuation of the presentation of plaintiffs' evidence in chief, plaintiffs-spouses Norma Bagos and Demetrio Bagos, their counsel Atty. Edelberto C. Bunquin and their witness Romeo De Mesa as well as defendants's counsel Atty. Earl Ligorio R. Turano II are attendant in court. Atty. Bunquin presented Mr. De Mesa to the witness stand who testified on direct examination by identifying his Judicial Affidavit which plaintiffs' counsel adopted as his direct examination testimony, subject to few additional questions. Cross-examination by Atty. Turano ensued. Thereafter, the Court brought the idea of having an independent survey of the disputed property by a government geodetic engineer and the counsels consequently and jointly moved for the conduct of the same.

ACCORDINGLY, as prayed for by the parties, and seeing the wisdom in verifying the exact boundaries or the meets and bounds of the disputed property, Engr. Elizabeth D. Moreno Mesina of the Provincial Environment and Natural Resources Office is hereby directed to conduct a verification survey of the property in the presence of the counsels and the parties as well as Nester Aranzado, Teodoro Bacay, and Consuelo Aranzado and to submit a Report to this Court within thirty (30) days from receipt of a copy of this Order which shall be personally served by this Court's Sheriff upon said government geodetic engineer.

The parties through counsels are directed to bring with them copies of their respective documents during the conduct of the survey so that in case the geodetic engineer needs them for reference the same are already available. In the meantime, the presentation of plaintiffs' evidence in chief shall continue on July 05, 2023 at 8:30 A.M.

SO ORDERED IN OPEN COURT.

City of Calapan, May 03, 2023.


JOSEPHINE C. CARANZO



Republic of the Philippines
 DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
 Visayas Avenue, Diliman, Quezon City
 Tel. Nos. (632) 929-6616 to 29-6617 / (632) 929-6618-57
 Website: <http://www.denr.gov.ph> | Email: web@denr.gov.ph

FEB 01 2023

MEMORANDUM

TO : The Regional Executive Director
 DENR - National Capital Region

FROM : The Undersecretary
 Legal and Administration

SUBJECT : CLARIFICATION AND GUIDANCE ON THE SURVEY OF
 LAND OUTSIDE THE JURISDICTION OF DENR BY VIRTUE
 OF COURT ORDER

This pertains to your Memorandum dated 18 July 2022 seeking for guidance on the above-stated subject, as well as your suggestion, to wit:

1. To comply with the Court's order to conduct survey over titled land;
2. To conduct the survey outside the office hours; and
3. To require payment of the minimum industry rate for geodetic engineers.

In response thereto, this Office would like to maintain that DENR has no jurisdiction to conduct surveys over titled lands since its jurisdiction is limited to the approval of subdivision plans.

Section 4 of Executive Order (E.O.) 192,¹ otherwise known as the "Reorganization Act of the Department of Environment and Natural Resources", categorically specifies the DENR's mandate, to wit:

SECTION 4. Mandate. - The Department shall be the primary government agency responsible for the conservation, management, development and proper use of the country's environment and natural resources, specifically forest and grazing land, mineral resources, including those in reservation and watershed areas, and lands of the public domain... (Emphasis supplied)

Moreover, Sections 2 to 4 of Commonwealth Act 141,² as amended, otherwise known as "The Public Land Act", categorically provide the DENR Secretary's jurisdiction over the disposition and management of the lands of the public domain, to wit:

SECTION 2. The provisions of this Act shall apply to the lands of the public domain; but timber and mineral lands shall be

PROVIDING FOR THE REORGANIZATION OF THE DEPARTMENT OF ENVIRONMENT, ENERGY AND NATURAL RESOURCES, RENAMING IT AS THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND FOR OTHER PURPOSES
 AN ACT TO AMEND AND COMPILE THE LAWS RELATIVE TO LANDS OF THE PUBLIC DOMAIN.

governed by special laws and nothing in this Act provided shall be understood or construed to change or modify the administration and disposition of the lands commonly called 'friar lands' and those which, being privately owned, have reverted to or become the property of the Commonwealth of the Philippines, which administration and disposition shall be governed by the laws at present in force or which may hereafter be enacted.

SECTION 3. The Secretary of Agriculture and Commerce shall be the executive officer charged with carrying out the provisions of this Act through the Director of Lands, who shall act under his immediate control.

SECTION 4. Subject to said control, the Director of Lands shall have direct executive control of the survey, classification, lease, sale or any other form of concession or disposition and management of the lands of the public domain, and his decisions as to questions of fact shall be conclusive when approved by the Secretary of Agriculture and Commerce.

SECTION 5. The Director of Lands, with the approval of the Secretary of Agriculture and Commerce, shall prepare and issue such forms, instructions, rules, and regulations consistent with this Act, as may be necessary and proper to carry into effect the provisions thereof and for the conduct of proceedings arising under such provisions. (Emphasis supplied)

Also, Section 1 of DENR Administrative Order (DAO) 2007-29³ as a categorically provides the DENR's policy on public land surveys, to wit:

SECTION 1. Policy and Objectives. — It is the policy of the state to accelerate the adjudication and disposition of lands of the public domain for the purpose of achieving tenurial security, land ownership equity, improvement of standard of living and stimulation of land market activities in consonance with the principles of sustainable development.

Toward these ends, the DENR shall pursue as a priority, the unification, synchronization and regulation of all surveys on, but not limited to, agricultural lands, mineral lands, forestlands, protected areas, civil and military reservations, road networks and lands for other purposes and expedite the conduct, verification and approval of surveys thereon.

Occasionally, the regular courts direct the DENR to conduct a survey over titled property. In this instance, the DENR may file manifestations with the court informing them of the DENR's jurisdiction over lands of the public domain and its lack of jurisdiction over titled lands.

Moreover, this Office is aware that in certain instances, there is a need to conduct a verification survey over a titled land. This Office agrees that the parties to such cases may hire a court-designated private geodetic engineers to conduct the needed verification survey. The findings of the verification survey may be validated or verified by the DENR based on the data available in its custody.

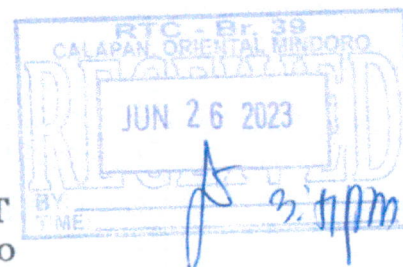
Finally, with regard to your suggestion that the DENR - NCR may comply with a court order directing it to conduct survey over titled land provided that certain conditions are met (e.g., as long as it will be done outside office hours), this Office opines that there is legal impediment in such action. It will be noted that DENR official transactions must be conducted within its official working hours and must be conducted in the prescribed manner pursuant to existing laws, rules and regulations.

In light of the foregoing discussion, this Office hopes that it has addressed the issues involved regarding the above stated subject.

For your information and proper guidance.

ATTY.  ADOBO, JR. CESO I

Republic of the Philippines
4th Judicial Region
REGIONAL TRIAL COURT
Calapan City, Oriental Mindoro
Branch 39



SPS. NORMA BAGOS & Civil Case No. CV-16-6928
DEMETRIO BAGOS,

Plaintiffs,

- versus -

For:

MILAGROS DELOS REYES-
BACAY, MARILOU D. BACAY,
PETRONIO D. BACAY, LEONISA
D. BACAY, ANGELICA D. BACAY,
AMELYN D. BACAY,

Defendants.

QUIETING OF TITLE
WITH RECOVERY OF
POSSESSION AND
DAMAGES WITH PRAYER
FOR THE IMMEDIATE
ACTUAL INDEPENDENT
SURVEY ON THE
LOCATION OF THE
PROPERTY

X ----- X

MANIFESTATION

The Provincial Environment and Natural Resources Officer (PENR Officer) of the Provincial Environment and Natural Resources Office – Oriental Mindoro (PENRO) of the Department of Environment and Natural Resources (DENR) MIMAROPA Region, through the undersigned counsel, and unto this Honorable Court, most respectfully submits this *Manifestation* and states the following:

1. The undersigned was consulted by Engineer Elizabeth D. Moreno-Mesina (Engineer Moreno-Mesina), a geodetic engineer holding the position of Engineer III from the DENR MIMAROPA Regional Office, detailed in DENR PENRO Oriental Mindoro, regarding the *Order* of this Honorable Court dated May 3, 2023 which the latter received on June 2, 2023 when she went to inquire from this Honorable Court, upon learning from her officemate that she was ordered to survey the lot subject of the instant case.
2. In the said *Order* of this Honorable Court dated May 3, 2023, the body and the dispositive portion particularly state:

"ACCORDINGLY, as prayed for
by the parties, and seeing the wisdom in

verifying the exact boundaries or the meets and bounds of the disputed property, Engr. Elizabeth D. Moreno Mesina of the Provincial Environment and Natural Resources Office is hereby directed to conduct a verification survey of the property in the presence of the counsels and the parties as well as Nester Aranzado, Teodoro Bacay, and Consuelo Aranzado and to submit a Report to this Court within thirty (30) days from receipt of a copy of this Order which shall be personally served by this Court's Sheriff upon said government geodetic engineer.

The parties through counsels are directed to bring them copies of their respective documents during the conduct of the survey so that in case the geodetic engineer needs them for reference the same are already available. In the meantime, the presentation of plaintiffs' evidence in chief shall continue on July 05, 2023 at 8:30 A.M.

SO ORDERED IN OPEN COURT."
(Underscoring Ours)

3. Prior to the consultation of Engineer Moreno-Mesina with the undersigned, the former inquired from the DENR-MIMAROPA Regional Office as to the procedure in conducting surveys pursuant to a court's order. Engineer Moreno-Mesina was given a copy of *Memorandum*¹ dated February 1, 2023 signed by Undersecretary Atty. Ernesto D. Adobo, Jr., *CESO I* with subject, "CLARIFICATION AND GUIDANCE ON THE SURVEY OF LAND OUTSIDE THE JURISDICTION OF DENR BY VIRTUE OF COURT ORDER", which she handed to the undersigned.
4. With due respect and high regard to this Honorable Court, a careful perusal of the said Memorandum shows pertinent provisions of laws and rules that substantiate that the "DENR has no jurisdiction to conduct surveys over titled lands since its jurisdiction is limited to the approval of subdivision plans."²

¹ A copy of the Memorandum dated February 1, 2023 signed by Undersecretary Atty. Ernesto D. Adobo, Jr., *CESO I* is attached hereto as Annex "A".

² Ibid, p. 1.

5. Section 4 of Executive Order No. 192, otherwise known as the "Reorganization Act of the Department of Environment and Natural Resources", categorically specifies the DENR's mandate, in this wise:

"SECTION 4. Mandate. The Department shall be the primary government agency responsible for the conservation, management, development and proper use of the country's environment and natural resources, specifically forest and grazing lands, mineral resources, including those in reservation and watershed areas, and lands of the public domain, as well as the licensing and regulation of all natural resources as may be provided for by law in order to ensure equitable sharing of the benefits derived therefrom for the welfare of the present and future generations of Filipinos." (Emphasis and Underscoring Ours)

6. Moreover, Sections 2 to 4 of Commonwealth Act No. 141, otherwise known as "The Public Land Act" which categorically provide for the DENR Secretary's jurisdiction over the disposition and management of the lands of the public domain are quoted hereunder:

"SECTION 2. The provisions of this Act shall apply to the lands of the **public domain**; but timber and mineral lands shall be governed by special laws and nothing in this Act provided shall be understood or construed to change or modify the administration and disposition of the lands commonly called "friar lands" and those which, being privately owned, have reverted to or become the property of the Commonwealth of the Philippines, which administration and disposition shall be governed by the laws at present in force or which may hereafter be enacted.

SECTION 3. The Secretary of Agriculture and Commerce shall be the executive officer charged with carrying out the provisions of this Act through the Director of Lands, who shall act under his immediate control.

SECTION 4. Subject to said control, the Director of Lands shall have direct executive control of the **survey**, classification, lease, sale or any other form of concession or disposition and management of the lands of the **public domain**, and his decisions as to questions of fact shall be conclusive when approved by the Secretary of Agriculture and Commerce." (Emphasis Ours)

7. Furthermore, Section 1 of DENR Administrative Order (DAO) 2007-29 provides for the DENR's policy on public land surveys, in this wise:

Section 1. Policy and Objectives - It is the policy of the state to accelerate the adjudication and disposition of lands of the **public domain** for the purpose of achieving tenurial security, land ownership equity, improvement of standard of living and stimulation of land market activities in consonance with the principles of sustainable development.

Toward these ends, the DENR shall pursue as a priority, the unification, synchronization and regulation of all surveys on, but not limited to, agricultural lands, mineral lands, forestlands, protected areas, civil and military reservations, road networks and lands for other purposes and expedite the conduct, verification and approval of surveys thereon." (Emphasis Ours)

8. Accordingly, as stated in the attached Memorandum,³ it was respectfully expressed by our Undersecretary that:

"[The DENR] is aware that in certain instances, there is need to conduct a verification survey over a titled land. This Office agrees that the parties to such a case may hire a court-designated private geodetic engineer to conduct the needed verification survey. The findings of the verification survey may be validated or verified by the DENR based on the data available in its custody." (Underscoring Ours)

³ Ibid.

9. Thus, in good faith and without any intention to defy the *Order* of this Honorable Court, the foregoing Manifestation is humbly and respectfully submitted to inform this Honorable Court that Engineer Moreno-Mesina cannot proceed with the conduct of the survey as explained above.

PRAYER

WHEREFORE, premises considered, it is respectfully prayed of this Honorable Court that this Manifestation be considered and made part of the record of the instant case.

Other reliefs just and equitable are likewise prayed for.

RESPECTFULLY SUBMITTED.

Calapan City, Oriental Mindoro. June 26, 2023.

**DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES**
Provincial Environment and Natural Resources Office
Tel. Nos. 2883017/2883006
Ilang-Ilang Street, Sitio II, Suqui
5200 Calapan City, Oriental Mindoro

By:


FRANCES MARGARETTE A. MENDOZA

Attorney III

Legal Division – DENR MIMAROPA Region

Roll of Attorneys No. 65579

IBP Lifetime No. 014841

MCLE Compliance No. VII-0002773

Email: denr4blegal@gmail.com

atty.margomendoza@gmail.com

EXPLANATION

Pursuant to the Revised Rules of Civil Procedure, the foregoing Motion is being served on all parties by substituted service *via* accredited courier LBC under Rule 13 of the 2019 Amendments to the Rules of Civil Procedure instead of personal service due to lack of material time and manpower. The Motion is being filed to the Honorable Court personally.


FRANCES MARGARETTE A. MENDOZA

Copy furnished:

ATTY. EDELBERTO C. BUNQUIN
2nd Floor, FaceMeg Building
Poblacion, Puerto Galera
Oriental Mindoro

LBC Tracking No. 1498 3353 9539
Date: 6/26/23

ATTY. EARL LIGORIO R. TURANO II
2nd Floor, OMPSTA Building
Gov. Ignacio Street, Brgy. Camilmil
Calapan City, Oriental Mindoro

LBC Tracking No. 1498 3353 9529
Date: 6/26/23

THE REGIONAL EXECUTIVE DIRECTOR
DENR MIMAROPA REGION
3rd Floor, 1515 DENR By the Bay Building
Roxas Boulevard, Brgy. 668
Ermita, Manila

LBC Tracking No. 1498 3353 9519
Date: 6/26/23

CHIEF, SURVEYS AND MAPPING DIVISION
DENR MIMAROPA REGION
4th Floor, 1515 DENR By the Bay Building
Roxas Boulevard, Brgy. 668
Ermita, Manila

LBC Tracking No. 1498 3353 9496
Date: 6/26/23



Republic of the Philippines
 DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
 Secretary's Office
 668, Alabang Road, Alabang, Muntinlupa City
 1550
 Tel. (02) 8506-8800, 8506-8801, 8506-8802, 8506-8803
 Fax. (02) 8506-8804, 8506-8805, 8506-8806, 8506-8807

FEB 01 2023

MEMORANDUM

TO : The Regional Executive Director
 DENR - National Capital Region

FROM : The Undersecretary
 Legal and Administration

SUBJECT: CLARIFICATION AND GUIDANCE ON THE SURVEY OF
 LAND OUTSIDE THE JURISDICTION OF DENR BY VIRTUE
 OF COURT ORDER

This pertains to your Memorandum dated 18 July 2022 seeking for guidance on the above-stated subject, as well as your suggestion, to wit:

1. To comply with the Court's order to conduct survey over titled land;
2. To conduct the survey outside the office hours; and
3. To require payment of the minimum industry rate for geodetic engineers.

In response thereto, this Office would like to maintain that DENR has no jurisdiction to conduct surveys over titled lands since its jurisdiction is limited to the approval of subdivision plans.

Section 4 of Executive Order (E.O.) 192, "otherwise known as the "Reorganization Act of the Department of Environment and Natural Resources", categorically specifies the DENR's mandate, to wit:

SECTION 4. Mandate - The Department shall be the primary government agency responsible for the conservation, management, development and proper use of the country's environment and natural resources, specifically forest and grazing land, mineral resources, including those in reservation and watershed areas, and lands of the public domain. (Emphasis supplied)

Moreover, Sections 2 to 4 of Commonwealth Act 141, as amended, otherwise known as "The Public Land Act", categorically provide the DENR Secretary's jurisdiction over the disposition and management of the lands of the public domain, to wit:

SECTION 2. The provisions of this Act shall apply to the lands of the public domain; but timber and mineral lands shall be

PROHIBITED FOR THE REORGANIZATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES REMAINING IT AS THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND FOR OTHER PURPOSES.
 SEC. 3. TO ENLARGE AND COMPLETE THE CATEGORIES OF LANDS OF THE PUBLIC DOMAIN.

governed by special laws and nothing in this Act provided shall be understood or construed to change or modify the administration and disposition of the lands commonly called "four lands" and those which, being privately owned, have reverted to or become the property of the Commonwealth of the Philippines, which administration and disposition shall be governed by the laws at present in force or which may hereafter be enacted.

SECTION 3. The Secretary of Agriculture and Commerce shall be the executive officer charged with carrying out the provisions of this Act through the Director of Lands, who shall act under his immediate control.

SECTION 4. Subject to said control, the Director of Lands shall have direct executive control of the survey, classification, lease, sale or any other form of concession or disposition and management of the lands of the public domain, and his decisions or determinations of fact shall be conclusive when approved by the Secretary of Agriculture and Commerce.

SECTION 5. The Director of Lands, with the approval of the Secretary of Agriculture and Commerce, shall prepare and issue such forms, instructions, rules, and regulations consistent with this Act as may be necessary and proper to carry into effect the provisions thereof and for the conduct of proceedings arising under such provisions. (Emphasis supplied)

Also, Section 1 of DENR Administrative Order (DAO) 2007-29¹ as a categorically discretionary DENR's policy on public land surveys, to wit:

SECTION 1. Policy and Objectives. - It is the policy of the state to accelerate the adjudication and disposition of lands of the public domain for the purpose of achieving tenurial security, land ownership equity, improvement of standard of living and stimulation of land market activities in consonance with the principles of sustainable development.

Toward these ends, the DENR shall pursue as a priority, the unification, synchronization and regulation of all surveys on, but not limited to, agricultural lands, mineral lands, forestlands, protected areas, civil and military reservations, road networks and lands for other purposes and expedite the conduct, verification and approval of surveys thereon.

Occasionally, the regular courts direct the DENR to conduct a survey over titled property. In this instance, the DENR may file manifestations with the court informing it of the DENR's jurisdiction over lands of the public domain and its lack of jurisdiction over titled lands.

Moreover, this Office is aware that in certain instances, there is a need to conduct a verification survey over a titled land. When this occurs, the parties involved may have a court designated, privately appointed, arbitrator, or conduct the needed verification survey. The findings of the verification survey may then be utilized in a judicial proceeding filed in the court with jurisdiction over the matter.

¹ DENR Administrative Order (DAO) 2007-29
http://www.denr.gov.ph/legislation/daos/2007/29.htm

Finally, with regard to your suggestion that the DENR - NCR may comply with a court order directing it to conduct survey over titled land provided that certain conditions are met (e.g., as long as it will be done outside office hours), this Office opines that there is legal impediment in such action. It will be noted that DENR official transactions must be conducted within its official working hours and must be conducted in the prescribed manner pursuant to existing laws, rules and regulations.

In light of the foregoing discussion, this Office hopes that it has addressed the issues involved regarding the above stated subject.

For your information and proper guidance

ATTY. ERNESTO D. ADOBO, JR. *[Signature]* /CSO/

REPUBLIC OF THE PHILIPPINES)
) S.S.

AFFIDAVIT OF SERVICE

I, **ATTY. FRANCES MARGARETTE A. MENDOZA**, of legal age, with office address at Department of Environment and Natural Resources – Provincial Environment and Natural Resources Office (DENR- PENRO), Ilang-Ilang Street, Sitio II, Suqui, Calapan City, Oriental Mindoro, do hereby depose and state:

That on June 26, 2023, I served a copy of the foregoing Manifestation **via accredited courier LBC** with return card in LBC Branch in XentroMall, Roxas Drive, Lumangbayan, Calapan City, Oriental Mindoro, by depositing the mail in the said branch. In a sealed envelope address to the parties below, with postage fully prepaid, and with instructions to the messenger to return the mail to the sender after ten (10) calendar days if not delivered, to wit:

ATTY. EDELBERTO C. BUNQUIN
2nd Floor, FaceMeg Building
Poblacion, Puerto Galera, Oriental Mindoro

LBC Tracking No. 1498 3353 9539

ATTY. EARL LIGORIO R. TURANO II
2nd Floor, OMPSTA Building
Gov. Ignacio Street, Brgy. Camilmil
Calapan City, Oriental Mindoro

LBC Tracking No. 1498 3353 9529

THE REGIONAL EXECUTIVE DIRECTOR
DENR MIMAROPA REGION
3rd Floor, 1515 DENR By the Bay Building
Roxas Boulevard, Brgy. 668, Ermita, Manila

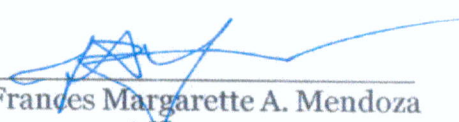
LBC Tracking No. 1498 3353 9579

CHIEF, SURVEYS AND MAPPING DIVISION
DENR MIMAROPA REGION
4th Floor, 1515 DENR By the Bay Building
Roxas Boulevard, Brgy. 668, Ermita, Manila

LBC Tracking No. 1498 3353 9496

That the original of the aforementioned tracking numbers are attached above, opposite the name of the party to prove the foregoing statement.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 26th day of June 2023 in Calapan City, Oriental Mindoro.


Atty. Frances Margarette A. Mendoza
Affiant

SUBSCRIBED AND SWORN to before me this 26th day of June 2023 in Calapan City, Oriental Mindoro, the affiant exhibiting her Driver's License No. DO5-16-004553 issued at Land Transportation Office – Calapan City, Oriental Mindoro, Philippines on July 8, 2021.

Doc No. 498;
Page No. 100;
Book No. 108;
Series of 2023.

NOTARY PUBLIC
ATTY. RAYMOND JOEL L. BALBUENA
Roll of Attorney's No. 61087
IBP Lifetime No. 010769
PTR No. 1029365
MCLE Compliance No. V11-0005057
Notarial Commission until December 31, 2024

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH XXXIX (39)

City of Calapan
rtc2cal039@judiciary.gov.ph
09239080281

-oOo-

Annex "D"

SPS. NORMA BAGOS & DEMETRIO
BAGOS,

Plaintiffs,

CIVIL CASE NO. CV-16-6928

-versus-

-for-

HEIRS OF TEODORO BACAY:
MARILOU D. BACAY, PETRONIO
D. BACAY, LEONISA D. BACAY,
ANGELICA D. BACAY, AMELYN
D. BACAY and MILAGROS
DELOS REYES,

Defendants.

QUIETING OF TITLE WITH
RECOVERY OF POSSESSION AND
DAMAGES WITH PRAYER FOR THE
IMMEDIATE ACTUAL INDEPENDENT
SURVEY ON THE LOCATION OF THE
PROPERTY

X - - - - - X

ORDER


In today's continuation of the presentation of plaintiffs' evidence in chief, plaintiffs-spouses Norma Bagos and Demetrio Bagos and their counsel Atty. Edelberto C. Bunquin as well as defendants' counsel Atty. Earl Ligorio R. Turano II and Atty. Frances Margarette A. Mendoza of the DENR are attendant in court. The Manifestation of the DENR was taken up after which Atty. Mendoza asked for time to further study the matter of whether or not to proceed with the request to be excused from conducting a verification survey as embodied in the said manifestation.

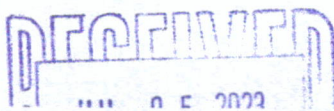
A C C O R D I N G L Y, let the continuation of the presentation of plaintiffs' evidence in chief be reset to October 04, 2023 at 8:30 A.M. in order to give way to the action of the DENR-MIMAROPA Office.

SO ORDERED IN OPEN COURT.

City of Calapan, July 05, 2023.

JCC/rad/haa/lme


JOSEPHINE C. CARANZO
Presiding Judge



RTC BRANCH Thirty Nine (39)

3/7/16

ORIGINAL

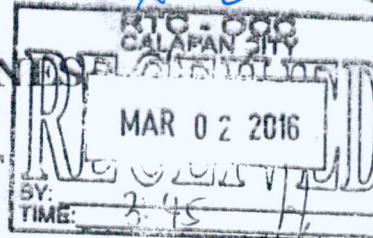
Annex "E"

REPUBLIC OF THE PHILIPPINES
FOURTH JUDICIAL REGION
REGIONAL TRIAL COURT
ORIENTAL MINDORO

CALAPAN CITY

BRANCH 39

-oOo-



Sps. NORMA BAGOS and
DEMETRIO BAGOS,
Plaintiffs,

CIVIL CASE NO. CV-14-6928

-versus-

-for-

TEODORO BACAY AND
MILAGROS DELOS REYES
Defendants.

QUIETING OF TITLE WITH
RECOVERY OF POSSESSION
AND DAMAGES WITH PRAYER
FOR THE IMMEDIATE ACTUAL
INDEPENDENT SURVEY ON
THE LOCATION OF PROPERTY

X-----X

COMPLAINT

PAID FEES 3-2
SAJ OMT 0915687-C
JOF OMT 0918029-C
Shuffi Exp. OMT 8612908-B
LRF OMT 1208490-
VCF OMT 4643833-
MEDICATION OMT 857327

COMES NOW, the plaintiff, by the undersigned counsel, and unto
this Honorable Court, most respectfully states:

I. THE PARTIES

1. Plaintiffs, Sps. NORMA BAGOS and DEMETRIO BAGOS, legal age, Filipino, and resident of Brgy. Aninuan, Puerto Galera, Oriental Mindoro and within the jurisdiction of this Honorable Court who may serve its notices, orders and other court processes upon them through the office address of their undersigned counsel.
(Plaintiffs BAGOS for brevity)
2. Defendants, TEODORO BACAY and MILAGROS DELOS REYES are both Filipinos, of legal age, with residential address at Brgy. Aninuan, Puerto Galera, Oriental Mindoro and within the jurisdiction of this Honorable Court. Any and all summons, court documents, processes and other notices and legal orders may be served them in their above stated address. (Defendants BACAY for brevity)

CERTIFIED TRUE COPY

11 JUL 2023

ATTY. ROJNEL A. DEINLA
Clerk of Court V

II. BRIEF STATEMENT OF THE CASE

3. Sometime in 1989, plaintiffs bought a portion of parcel of land from their cousins, Spouses Romeo and Consuelo De Mesa. Said land purchased by the plaintiffs from the spouses De Mesa was adjacent and beside the land owned and registered under the name of Demetrio Manalo and Nester Manalo, sibling and brother and sister of Romeo and Consuelo De Mesa.

Copy of the said Deed of Sale is hereto attached as **Annex "A"**

4. Upon relocation of the said parcels of land, geodetic engineer started to measure the portion of land subject of the purchase of the plaintiffs and the corresponding adjacent owners thereat. It was discovered in the relocation however that the parcel of land purchased by plaintiffs from DE MESA are in the area of the property of DEMETRIO and NESTER MANALO whose real property unintentionally encroached and took ONE THOUSAND SQUARE METERS (1,000 Sq. mts.) that must belong to Sps. Romeo and Consuelo De Mesa who sold said properties to the plaintiffs.

5. The blue print survey plan (PSD 045211-074744) clearly shows that theres ONE THOUSAND SQUARE METERS (1,000.00 Sq.mts.) identified and known as LOT 8210 - A, A=1,000.00 SQ. MTS. is not part of the land of Demetrio and Nester Manalo. Same must belong to the Plaintiffs BAGOS.

Copy of the blue print survey is hereto attached as **Annex "B"** and the LOT 8210 - A, belonging to the Plaintiffs is hereby marked as **Annex "B-1"**

6. Demetrio and Nester admitted that they occupied said parcel of land ONE THOUSAND SQUARE METERS (1,000 Sq. mts.) that belongs to the plaintiffs BAGOS and committed and undertook however to return the said encroachment to the plaintiffs BAGOS.

7. From then on, the plaintiffs already declared said property under their name and started to pay the corresponding real property taxes every year.

Copy of the said Tax Declaration and the Tax Receipts of payments are hereto attached as **Annex "C" and "D"**, respectively.

8. For unknown reasons however, said portion of land was occupied and possessed by defendants Mr. and Mrs. TEODORO BACAY.

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11 JUL 2023

ATTY. RONNEL A. DEINLA
Clerk of Court V

9. After series of inquiries however, plaintiffs discovered that the defendants BACAY are only banking on the belief that the property registered under the name of plaintiffs BAGOS is part of the land that he also purchased from DEMETRIO and NESTER MANALO. Moreover, defendants BACAY adamantly insisted that said property is his and in so doing, undertook measures to prevent Plaintiffs or any of their representative from getting near said property.
10. This is where the disputes arouse and escalated. Defendants, Teodoro Bacay would always threaten to inflict body injury on Plaintiffs or any of his representatives with a bladed weapon every time any of them attempted to enter the premises of the land subject matter of the instant case.
11. That on various occasions, the plaintiff and defendant were summoned at the Barangay Hall and were requested by the Barangay officials to settle the matter amicably, but to no avail. To the point that the Barangay already gave up on mediation and conciliation process and already issued the required Certificate to File Action in Court.
Copy of the said Certificate to File Action is hereto attached as **Annex "E"**
12. That likewise, plaintiffs BAGOS even offered for joint survey but the defendant Teodoro Bacay brushed aside Plaintiffs numerous offer the conduct of a joint survey of their respective properties to once and for all, determine the exact location and boundary of the properties respectively owned by them.
13. That in addition, defendants Bacay also refused to show his title or his own survey purportedly covering the property he owned because in truth and in fact the subject 1,000.00 sq. meters subject of dispute really belongs to the herein Plaintiffs BAGOS.
14. That by reason of the unjustified refusal of defendant to settle their dispute, plaintiffs was unlawfully deprived of the rightful possession of his property represented by :

III. THE FACTUAL AND LEGAL ISSUES

- I. Whether or not the lot claimed to be owned and occupied by defendant Bacay, is within or covered by the titled property of plaintiff Bagos ?*
- II. Whether or not defendants claim constitutes a cloud over plaintiff's title?*
- III. Whether or not possession of the disputed property should be declared by Court to be in favor of plaintiff?*

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Clerk of Court V

IV. DISCUSSIONS

A. FIRST CAUSE OF ACTION (QUIETING OF TITLE)

15. In *Phil-Ville Development and Housing Corporation v. Maximo Bonifacio* (G.R. No. 167391, June 8, 2011), the Supreme Court had the occasion to explain what an action for Quieting of Title is, and enunciated that:

"Quieting of title is a common law remedy for the removal of any cloud upon, doubt, or uncertainty affecting title to real property. Whenever there is a cloud on title to real property or any interest in real property by reason of any instrument, record, claim, encumbrance, or proceeding that is apparently valid or effective, but is, in truth and in fact, invalid, ineffective, voidable, or unenforceable, and may be prejudicial to said title, an action may be brought to remove such cloud or to quiet the title. In such action, the competent court is tasked to determine the respective rights of the complainant and the other claimants, not only to place things in their proper places, and make the claimant, who has no rights to said immovable, respect and not disturb the one so entitled, but also for the benefit of both, so that whoever has the right will see every cloud of doubt over the property dissipated, and he can thereafter fearlessly introduce any desired improvements, as well as use, and even abuse the property. x x x"

16. The substantive law on the matter is found in Article 476 of the Civil Code which provides, to wit:

"Art. 476. Whenever there is a cloud on title to real property or any interest therein, by reason of any instrument, record, claim, encumbrance or proceeding which is apparently valid or effective but is in truth and in fact invalid, ineffective, voidable, or unenforceable, and may be prejudicial to said title, an action may be brought to remove such cloud or to quiet the title."

An action may also be brought to prevent a cloud from being cast upon title to real property or any interest therein."

17. From the foregoing, it can be gleaned that for an action for quieting of title to prosper, the following elements must concur:

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Clerk of Court V

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y
- (1) *any instrument, record, claim, encumbrance or proceeding;*
 - (2) *which is apparently valid or effective;*
 - (3) *but is in truth and in fact invalid, ineffective, voidable, or unenforceable; and*
 - (4) *may be prejudicial to the title sought to be quieted.*

18. In the instant case, all the elements aforementioned are present.

19. It becomes apparent that the respective titles of plaintiff, BAGOS and defendant, BACAY, were derived from the title of Spouses DEMETRIO MANALO AND NESTER MANALO, by virtue of separate Absolute Sale. Otherwise stated, it appears that plaintiff and defendant both trace their respective original source of ownership and titles from MANALO.

20. It is very clear that defendant BACAY stubborn claim and insistence that his titled property covers the property owned by plaintiff BAGOS, defendant BACAY dubiously refused to present his title for comparison of the technical descriptions with that of plaintiff BAGOS or at least present competent evidence ownership, like tax declaration and tax payments and receipts to dispute plaintiff BAGOS claim over the same.

21. Plaintiffs BAGOS however have all these documents needed to prove true and real ownership over the said 1,000.00 sq mts.

22. In addition, defendant BACAY repeatedly declined to amicably settle their dispute and have their properties be surveyed by competent independent surveyors to determine the boundaries of their respective titles. Hence, the disparity in the exact location of plaintiff BAGOS and defendant BACAY's respective properties, if there be any, could be vividly illustrated and be determined.

23. Certainly, such actuations and claims of defendant BACAY, although appearing to be defensive mechanism and evasion, are in fact invalid, unless proven otherwise, and consequently cast a cloud over plaintiff BAGOS's right over the disputed property.

B. SECOND CAUSE OF ACTION
(RECOVERY OF POSSESSION)

Plaintiffs BAGOS rep-plead and re-incorporate by way of reference the foregoing allegations and likewise states that:

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Clerk of Court V

24. It is also well to note that the Supreme Court, in a Catena of cases, ruled that:

"It is settled that a Torrens title is evidence of indefeasible title to property in favor of the person in whose name the title appears. It is conclusive evidence with respect to the ownership of the land described therein. It is also settled that the titleholder is entitled to all the attributes of ownership of the property, including possession. (Urieta Vda. De Aguilar v. Alfaro, G.R. No. 164402, July 5, 2010, citing Baloloy v. Hular, 481 Phil. 398, 410 (2004) and Carvajal v. Court of Appeals, 345 Phil. 582, 594 (1997)."

25. In the present case, plaintiffs BAGOS a holder of a Torrens title over the subject property including the 1,000.00 sq.mts. represented in the survey plan. That alone could uphold plaintiffs BAGOS superior right to possess the property. Stated differently, plaintiffs BAGOS is preferred to possess said property as the titleholder of the same. Hence, possession of the same should be declared in favor of plaintiff as an attribute of his ownership.

26. However, defendant BACAY's insistence and claim over the disputed property barred and deprived plaintiff BAGOS of his rightful possession over the same.

27. Despite his rightful claim over the subject property, and notwithstanding the fact that he is the lawful possessor of it, plaintiff BAGOS could not make use and enjoy of the same.

28. It is beyond question that under Civil Code, particularly Articles 428 and 429 thereof, the owner does not only have the right to enjoy and dispose of a thing, without limitations other than those established by law, but also the right of action to exclude any person from the enjoyment and disposal thereof and recover the same if possessed by another. For this purpose, the owner may use such force as may be reasonably necessary to repel or prevent an actual or threatened unlawful physical invasion or usurpation of his property.

29. Considering the actuations of defendants BACAY, plaintiffs BAGOS were constrained to enforce one of the attributes of their ownership of the subject property and recover possession over the same through the instant action.

C. THIRD CAUSE OF ACTION (DAMAGES)

Plaintiffs BAGOS re-plead and incorporate by way of reference the foregoing allegations and finally states that:

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Clerk of Court V

30. That by reason of the unjustified claim of defendants BACAY that the subject property is covered by his titled property and thereby foreclosing plaintiffs BAGOS' lawful use and enjoyment of the same, plaintiff BAGOS suffered moral damages in the form of mental anguish, wounded feelings and other injuries a fair and reasonable appraisal of which should not be less than P100,000.00.
31. That in order to set example to the public so as not to be copied and imitated by other persons to commit the same violations or commission of infractions, the defendants must be required by court to pay the plaintiff an EXEMPLARY damage in the amount of FIFTY THOUSAND (50,000) PESOS;
32. Further, in order to protect his rights and interest, plaintiff BAGOS was constrained to litigate. Plaintiff BAGOS was likewise constrained to engage the services of a counsel for a legal and consultation fees in the amount of not less than THIRTY THOUSAND pesos and by way of Acceptance and Attorney's Fees and FIVE THOUSAND PESOS (5,000.) per hearing, meeting or conference as Appearance Fee, on top of other litigation expenses to be proven during trial.

V. P R A Y E R S

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Court that after hearing, a judgment be rendered in favor of the plaintiff and against the defendant

1. Upon filing of the foregoing complaint and raffle, to immediately order the conduct (*at the expense of both parties*) of the independent survey of the adjacent and questioned land to be witnessed by both party plaintiffs and defendants and court representative to determine the location and ownership of the said land even while the case is under determination by the Court;
2. Declaring the plaintiff as the true and lawful owner and possessor of the subject property measuring **ONE THOUSAND SQUARE METERS (1,000.00 sq.mts)**
3. Ordering the defendant to allow the surrender possession of the land in question to the plaintiff;
4. Ordering the defendant to pay the plaintiff the following amounts:

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11 JUL 2023

ATTY. ROINEL A. DEINLA
Clerk of Court V

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y
- a. Php. 100,000.00 as moral damages;
 - b. Php. 50,000.00 as exemplary damages;
 - c. Php. 30,000 attorney's fees; 5,000 per court appearances and
 - d. costs of suit.

Plaintiff likewise prays for such other relief and remedies which this Honorable Court may deem just and equitable under the premises.

Most respectfully submitted.

Puerto Galera for Calapan City, Oriental Mindoro, February 18, 2016.

ATTY. HOSPICIO I. LAYGO, JR.

Counsel for the Plaintiffs

IBP Roll no. 59679

PTR No.: 5399195, Jan. 07, 2015;

MCLE Comp. IV - 0018669, April 18, 2013

330 Encarnacion Street, Camilmil, Calapan City and

Luna Square MOTOC Terminal, Lalud, Calapan City,

Mobile no.: 0920.402.4716. Tel. No. 043.286.7616

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ATTY. RONNEL A. DEINLA
Clerk of Court V

DEED OF ABSOLUTE SALE

"B"

KNOW ALL MEN BY THESE PRESENTS:

That We, spouses ROMEO DE MESA AND CONSUELO ARANZADO, of legal ages, Filipino and a resident of Aninuan, Puerto Galera, Oriental Mindoro, Philippines, for and in consideration of the sum of EIGHT THOUSAND PESOS (P8,000.00), Philippine currency to us in hand paid by spouses DEMETRIO BAGOS AND NORMA ARANZADO, of legal ages, Filipino and a resident of Aninuan, Puerto Galera, Oriental Mindoro, Philippines, and receipt whereof is hereby acknowledged and confessed unto my entire satisfaction, does by these presents SELL, TRANSFER AND CONVEY unto the said VENDEES, their heirs and assigns my whole parcel of land of land situated at Aninuan, Puerto Galera, Oriental Mindoro, containing an area of ONE THOUSAND (1,000sq.ms.) SQUARE METERS, more or less, together with all the improvements thereon and which land is herein below described as follows to wit:

" A parcel of land situated at Aninuan, Puerto Galera, Oriental Mindoro, Philippines. Bounded on the NW., by Lot No. 8142; on the SW., by Lot No. 8211; on the NE., by Lot No. 8146; and on the W., by Lot No. 8147, containing an area of 1,000 square meters, more or less."

and which land I am the true and lawful owner thereof as evidenced by Tax Declaration No. 11002-350, filed on the records in the office of the Municipal Assessor, Puerto Galera, Oriental Mindoro and by Deed of Absolute Sale executed before Notary Public MARIANITO A. MARAVILLA, bearing Doc. # 365; Page 71; Book # XXV, Series of 1987.

That the said land is untenanted neither was it under the crop sharing nor lease hold share tenancy system and that this deed is executed in good faith and not for the purpose of circumventing the provisions of sections 11 and 13 of the Land Reform Code or the Presidential Decree No. 27.

IN WITNESS WHEREOF, We have hereunto set our hands this 6th day of April, 1989 at Calapan, Oriental Mindoro, Philippines.

Romeo de Mesa
ROMEO DE MESA

Consuelo Aranzado
CONSUELO ARANZADO

Signed in the Presence of :

Estanislao Bagos
1. ESTANISLAO BAGOS

2. ARNITA A. BUNQUIN

Arnita A. Bunquin

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF ORIENTAL MINDORO)S.S.
MUNICIPALITY OF CALAPAN)

BEFORE ME, this 6th day of April, 1989 at Calapan, Oriental Mindoro, personal appeared spouses Romeo de Mesa and Consuelo Aranzado, presenting to me their residence certificate Nos. 00225551 and 00225552 issued at Puerto Galera, Oriental Mindoro, da March 31, 1989, known to me to be the same person who executed the foregoing instrument and that they acknowledged to me that the same is her free act and deed.

WITNESS MY HAND AND SEAL, the day, year and place above written.

Doc. # 256
Page # 55
Book # 29
Series of 1989.

Marianito A. Maravilla
MARIANITO A. MARAVILLA
Notary Public
Until December 31, 1990⁸⁹
PTR. NO. 2367953-1-2-89
Calapan, Or. Mindoro
TAN # M6142-C0528-A-8

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11 JUL 2023

Atty. Ronnel A. Deinla
ATTY. RONNEL A. DEINLA
Clerk of Court V

TAX DECLARATION NO. 2006-11002-00310

DECLARATION OF REAL PROPERTY
(FILED UNDER REPUBLIC ACT NO. 7160)

Owner SPS. BAGOS, DEMETRIO & Aninuan, Pto. Galera, Or. Mdo
Address _____
Administrator ARANZADO, NORMA _____
Address _____

DESCRIPTION AND OTHER PARTICULARS OF PROPERTY

Location of Property ANINUAN, Puerto Galera, Oriental Mindoro
 Number and Street (Barangay/District) (Municipality/City/Province)


Certificate of Title No. OCT-P-1995 pt. Cadastral Lot. No. 8210 pt. Assessor's Lot No. _____
Block No. _____
Boundaries _____
Lot 8211

North W Lot 8142 _____ South Lot 8211
 East Lot 8146 _____ West Lot 8147
 (State streets, lots, or streams by which bounded or names of owners of adjoining lands)

1 (a) LAND (AGRICULTURAL/MINERAL)

OWNER'S DECLARATION			ASSESSOR'S FINDINGS				
Kind	Area	Value	Kind	Area	Class	Unit Values	Market Values
			Orchard	0.1000		13.80	13,800.00

I (b) PLANT & TREES

OWNER'S DECLARATION			ASSESSOR'S FINDINGS			
Number and Kind	Annual Product (Quantity)	Value	Number and Kind	Annual Product (Quantity)	Unit Value	Market Value
A CERTIFIED TRUE COPY  ONISIMO S. NALING Provincial Assessor			Base Market Value ——— 100% Adjustments: (a) Along — or no rd. frontage ——— 0 % (b) ——— Kms. to all weather rd. ——— 0 % (c) ——— Kms. to market (pub) ——— 6 % Total Adjustment ——— %			
			<div style="border: 2px solid black; padding: 5px; display: inline-block;"> ROD </div>			
			Total 94%			
			₱ 300.00			
Total 7-14-06			Adjusted Market Value ₱ 222.00			

II LAND (RESIDENTIAL, COMMERCIAL, INDUSTRIAL, SPECIAL)

OWNER'S DECLARATION			ASSESSOR'S FINDINGS				
Kind	Area	Value	Kind	Area	Unit Values	Adjustments	Market Value
Total		P	Total				P

IMPORTANT: Issued for taxation purposes and should not be considered as title to the property.

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ATTY. RONNEL A. DEINLA
Clerk of Court V

TAX DECLARATION OF REAL PROPERTY

D No. 2012-110002-00714 Property Identification No. 029-11-0002-018-10

Owner: SPS: BAGOS, DEMETRIO & ARANZADO, NORMA TIN: _____
 Address: Aninuan, Pto. Galera, Oriental Mindoro Telephone No. _____

Administrator/ Beneficial User: _____ TIN: _____
 Address: _____ Telephone No. _____

Location of Property: Aninuan Puerto Galera Oriental Mindoro
 (Number and Street) (Barangay/ District) (Municipality & Province/ City)

DCT/TCT/ CLOA No. P-1995-pt Survey No. _____
 DCT _____ Lot No. 8210-pt
 Dated: _____ Blk. No. _____

Boundaries:

North: W lot 8142 South: lot 8211
 East: lot 8146 West: lot 8147

KIND OF PROPERTY ASSESSED:

☒ LAND☐ MACHINERY

Brief Description: _____

☐ BUILDING☐ Others:

Specify: _____

No. of Storeys: _____

Brief Description: _____

Classification	Area	Market Value	Actual Use	Assessment Level	%	Assessed Value
Agricultural	1000	Php 19,458.00	orchard	40	%	Php 7,780.00
Agricultural		1,833.00	coco	40	%	730.00
					%	
	11000				%	
Total		Php 21,291.00				Php 8,510.00

Total Assessed Value EIGHT THOUSAND FIVE HUNDRED TEN PESOS ONLY.
 (Amount in Words)

Taxable ☒Exempt ☐Effectivity of Assessment/ Reassessment: 2012
 Qtr. Yr.

RECOMMENDING APPROVAL:

(SGD) CEASAR A. AXALAN
 Municipal Assessor

Date

APPROVED BY:

(SGD) ONISTMO S. NALING
 Provincial/City/Municipal Assessor

Date

This declaration cancels TD No. 2006-11002-00310 Owner: same name Previous A.V. Php 5,680.00

Memoranda: CERTIFIED COPY EXTRACTED FROM APPROVED FAAS

MERVIN JOHN G. LALONGISTP
 Municipal Assessor

Notes: * This declaration is for real property taxation purposes only and the valuation indicated herein are based on the schedule of unit market value prepared for the purpose and duly enacted into an Ordinance by the Sangguniang _____ under Ordinance No. _____ dated _____, 20____. It does not and cannot by itself alone confer any ownership or legal title to the property.

02/10/14

CERTIFIED TRUE COPY

11 JUL 2023

ATTY. RONNEL A. DEINLA
 Clerk of Court V

TAX DECLARATION OF REAL PROPERTY

TD No. 2012-110002-00714 Property Identification No. 029-11-0002-018-10

Owner: SPS: BAGOS, DEMETRIO & ARANZADO, NORMA TIN: _____
 Address: Aninuan, Pto. Galera, Oriental Mindoro Telephone No. _____

Administrator/ Beneficial User: _____ TIN: _____
 Address: _____ Telephone No. _____

Location of Property: Aninuan Puerto Galera Oriental Mindoro
 (Number and Street) (Barangay/ District) (Municipality & Province/ City)

OCT/TCT/ CLOA No. P-1995-pt Survey No. _____
 CCT _____ Lot No. 8210-pt
 Dated: _____ Blk. No. _____

Boundaries:
 North: W lot 8142 South: lot 8211
 East: lot 8146 West: lot 8147

KIND OF PROPERTY ASSESSED:

☒ LAND☐ MACHINERY

Brief Description: _____

☐ BUILDING☐ Others:

Specify: _____

No. of Storeys: _____

Brief Description: _____

Classification	Area	Market Value	Actual Use	Assessment Level		Assessed Value
Agricultural	1000	Php 19,458.00	orachard	40	%	Php 7,780.00
Agricultural		1,833.00	coco	40	%	730.00
					%	
	1000				%	
Total		Php 21,291.00				Php 8,510.00

Total Assessed Value EIGHT THOUSAND FIVE HUNDRED TEN PESOS ONLY.
 (Amount in Words)

Taxable ☒Exempt ☐

Effectivity of Assessment/ Reassessment: _____ 2012

Qtr. Yr.

RECOMMENDING APPROVAL:

(SGD) CEASAR A. AXALAN

Municipal Assessor

Date

APPROVED BY:

(SGD) ONISTMO S. NALING

Provincial/City/Municipal Assessor

Date

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MERVIN JOHN G. LALONGISTP
 Municipal Assessor

Notes: * This declaration is for real property taxation purposes only and the valuation indicated herein are based on the schedule of unit market value prepared for the purpose and duly enacted into an Ordinance by the Sangguniang _____ under Ordinance No. _____ dated _____, 20 _____. It does not and cannot by itself alone confer any ownership or legal title to the property.

02/10/14

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ATTY. RONEL A. DEINLA
 Clerk of Court V

Accountable Form No. 56
(Revised 1992)

ORIGINAL



Previous Tax Receipt No. 0682456 dated 12-17-13
for the year 20 14

OFFICIAL RECEIPT OF THE REPUBLIC OF THE PHILIPPINES

Provincial or City Treasurer's Real Property Tax Receipt

No. 0813203

	PROVINCE	CITY / MUNICIPALITY	DATE
	PROVINCE OF ORIENTAL MINDORO	Quezon City	12-18-14
Received from <u>Demetrio Bago</u> the sum of <u>Three Thousand Seven Hundred Eighty Eight</u> pesos (P. 3798.88) upon property described in the Assessment Rolls as follows: <u>5 Namra Charzad</u> <input checked="" type="checkbox"/> Basic Tax <input type="checkbox"/> Special Education Fund <u>3798.65</u>			

NAME OF DECLARED OWNER	LOCATION NUMBER AND STREET OR BARANGAY	LOT AND BLOCK NUMBER	TAX DECLARATION NUMBER	ASSESSED VALUE		TAX DUE	INSTALLMENT No.	PAYMENT	PAID PAYMENT	PENALTY PERCENT	TOTAL
				Land	Improvements						
	Chunvia	11072-00836A	27540			205.40	2015	275.40	275.40	(8.62)	468.18
	do	11002-10871A	81350			813.50	2015	813.50	813.50	(244.05)	1382.95
Demetrio Bago	do	11002-00837A	11,870			118.70	2015	118.70	118.70	(35.90)	200.60
	do	11002-10797B	42,620			426.20	2015	426.20	426.20	(127.86)	704.54
	do	11002-10870B	12,740			127.40	2015	127.40	127.40	(38.22)	216.58
Demetrio Bago	do	11002-10870A	43,030			430.30	2015	430.30	430.30	(129.07)	731.51
Total taxes paid by Mayor Order, Treasury Warrant of Check No. 08009A dated 4376						430.70	2015	430.70	430.70	(13.11)	74.29

- Payment without penalty may be made within the periods stated below if by installment:
1st Installment – January 1 to March 31, of the year
2nd Installment – April 1 to June 30, of the year
3rd Installment – July 1 to Sept. 30, of the year
4th Installment – October 1 to Dec. 31, of the year

Provincial or City Treasurer
Deinla
Deputy

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11 JUL 2023

ATTY. ROINEL A. DEINLA
Clerk of Court V



Republika ng Pilipinas
Lalawigan ng Silangang Mindoro
Bayan ng Puerto Galera
BARANGAY ANINUAN

TANGGAPAN NG PUNONG BARANGAY

Maysumbong

-

G. Demetrio Bagos
Gng. Norma Bagos

- laban kay-

G. Teodoro Bacay

KATIBAYAN UPANG MAKADULOG SA HUKUMAN

Ito'y nagpapatunay na:

1. Nagkaroon ng paghaharap ang magkabilang panig sa Punong Barangay subalit ang pag-aayos ay nabigo;
2. Kaya ang kaukulang sumbong sa alitan ay maaari nang maidulog sa hukuman/ Tanggapan ng Pamahalaan.

Ngayong ika- 11 ng May 2015.

Pinatutunayan:


CHARITO C. GARCIA

Punong Barangay

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11 JUL 2023


ATTY. ROIMEL A. DEINLA
Clerk of Court V

VERIFICATION and CERTIFICATION

WE, Spouses Norma Bagos and Demetrio Bagos, both of legal age, both Filipinos, and presently residing at Brgy. Aninuan, Puerto Galera, Oriental Mindoro after having been duly sworn to in accordance with law, hereby depose and state THAT:

1. We are the plaintiff in the foregoing complaint.
2. We caused the preparation and filing of the foregoing Complaint and have read and understood the contents thereof;
3. All the allegations contained therein are true and correct of our personal knowledge, information and belief and based on authentic records;
4. We certify that We have not heretofore commenced any other action or proceeding involving the same issue in the Supreme Court, the Court of Appeals, or any other tribunal of agency;
5. To the best of our knowledge, no such action or proceeding is pending in the Supreme Court, the Court of Appeals, or different Divisions thereof, or any other tribunal or agency;
6. If We should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or different Divisions thereof, or any other court, tribunal or agency, I will undertake to promptly inform the aforesaid courts and such other tribunal or agency of the fact within five (5) days there from.

IN WITNESS WHEREOF, we have hereunto set my hand this _____ day of _____, Oriental Mindoro, Philippines.

Norma Bagos
Norma Bagos
Affiants

Demetrio Bagos
Demetrio Bagos
Affiants

SUBSCRIBED AND SWORN TO before me this _____ day of September in the Province of Oriental Mindoro, Philippines, affiants exhibiting to me their valid Govt Identification Card duly issued by proper government agencies.

Docs.No. 486
Page No. 99
Book No. 24
Series of 2015.

[Signature]
Atty. EDELBERTO C. BUNQUIN
Notary Public
Until December 31, 2016
Roll of Attorneys No. 53500;
PTR NO: 6091049; January 08, 2015
SUITE F, Andromina Bldg., No. 81 Poblacion,
Puerto Galera, Oriental Mindoro.
IBP LIFETIME NO: 07790; Manila,
MCLE Comp. NO.IV : No.004100; Jan.26,2012
Mobile No.: 0915.984.1358 / 0917.861.7444
Email Add: ecbunquin@mnl.ust.edu.ph

verification.cert.
bagos.quieting of title with recovery of possession

CERTIFIED TRUE COPY

11 JUL 2023

[Signature]
ATTY. ROINEL A. DEINLA
Clerk of Court V