



Republic of the Philippines
Department of Environment and Natural Resources
Region IV-B (MIMAROPA)
Community Environment and Natural Resources Office
Aurora Blvd., San Vicente West, Calapan City

SUBJECT:

M.S.A. 045205-162

RUBEN MAGLUYAN
Applicant-Respondent

x Lot No. Isolated Lot (Msi-045205-162-D)
: Location : Ilaya, Calapan City
: Oriental Mindoro
: Area : 186 square meters

x ----- x

ORDER : REJECTION OF APPLICATION

Records of this Office shows that Ruben Magluyan had filed his M.S.A. No. 045205-162 on April 24, 2007 over a parcel of land situated at Ilaya, Calapan City, Oriental Mindoro. Further, it appears on records that said parcel of land was covered by an approved plan Msi-045205-162-D, duly approved on October 25, 2007 surveyed by Geodetic Engineer Mauro Ferraren.

Upon further scrutiny of records, and as per ocular inspection conducted it was ascertained that the area subject of the herein Miscellaneous Sales Application of Ruben Magluyan appears to be a Cadastral Road, del Rcsario Street (formerly called Calle Lawton). The said Miscellaneous Sales Application is being contested by the neighborhood particularly the family of Blesilda Asturias Villegas, hence the structure constructed by Ruben Magluyan blocked their passage from their residential house. Further, the City Engineering Office of Calapan interposes objection on such application, hence it covers a cadastral road which could never be disposed of to any private individual.

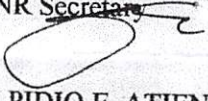
Ruben Magluyan, on the other hand alleged that they had been in actual occupation of the area for more than 30 years and that their occupation had been open, peaceful and continuous. However, the merit of his occupation could not be given weight hence he has been illegally occupying the area which appears to be a road lot and should be open to public utilization and not for the benefit of any private individual or entity.

WHEREFORE, premises considered M.S.A. No. 045205-162 of Ruben Magluyan is hereby **REJECTED** forfeiting in favor of the government whatever amount has been paid on account thereof. Further the plan Msi-045205-162-D is hereby recommended for cancellation.

SO ORDERED.

April 13, 2012.

For and by the Authority of the
DENR Secretary


ELPIDIO E. ATIENZA
CENR Officer

COPY FURNISHED:

Ms. Blesilda V. Asturias
Ilaya, Calapan City