

November 08, 2023

MR EFREN DELOS REYES

CENR OFFICER

San Jose, Occidental Mindoro

Sir

Good day.

In response to the ***Notice of Request for Issuance of Special Patent for Local Government Institution*** dated November 27, 2023 for Lots 601-604, Ts 223 posted at the bulletin Board of Barangay Poblacion, Calintaan, Occidental Mindoro please find the herein attached copy of the Opposition to the Free Patent Application for Lot 601- 604 Ts 223 filed by the Heirs of Tranquilino Ulay (Opposition for brevity) for your reference and appropriate action. Copy of this Opposition was already received by your office on September 01, 2023 through Princess P Cosme.

Claimants/ Oppositors, through counsel are registering their vehement opposition to the issuance of any kind of patent for and in favor of the Municipality of Calintaan, Occidental Mindoro on the ground clearly stated on the said Opposition.

It is further requested that, in the interest of substantial justice, equity and fair play, the issuance of patent to the Municipality of Calintaan, Occidental Mindoro, be held in abeyance pending the resolution of this Opposition of the claimants to the said Patent Application.

It is to be recalled that prior to the posting of the abovementioned Notices the claimant/oppositors who are the heirs of Tranquilino Ulay had already submitted this Opposition before your office, yet, it seems to them that the said opposition was not taken into consideration, recognized and given credit in the review and verification process of the supporting documents for the said application, thus, despite of the timely filing of the same the process still continued up to present.

It is thus, with this situation that oppositors/ claimants, through counsel are again ***registering their vehement opposition to the grant of patent*** to the municipality of Calintaan, Occidental Mindoro over lots 601-604 as they are the rightful claimants thereon since 1906 with a plea that the process for the issuance of patent application be it free patent or special patent ***be held in***

Thank you. More power

Respectfully



ATTY JENNIFER R. GARCIA-LAUDENCIA

Counsel for the Heirs of Tranquilino Ulay
Claimant/Oppositors for the Free Patent Application
Over Lots 601-604, Ts 223 of the Municipality of
Calintaan, Occidental Mindoro
Roll No 45410- May, 2000
IBP No 204216- March 29, 2022
PTR No 3521526- January 05, 2023
MCLE VII- 0017469 until 04/14/25

With my conformity



ROBERT ULAY

For : The Heirs of Tranquilino Ulay

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy Labangan Poblacion, San Jose, Occidental Mindoro

In Re: Application for Free Patent
Of the Municipality of Calintaan,
Occidental Mindoro, for Lots 601,
602, 603 and 604, Ts-223

PRINCESS P. COSME

09-01-23 10:45 am

HEIRS OF TRANQUILINO ULAY namely
VIRGINIA ULAY, CONRADO ULAY, EUFRECINO
ULAY, AMADOR ULAY, ASUNCION ULAY,
LUIS ULAY AND LEONARDO ULAY,

Oppositors/claimant

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**OPPOSITION TO THE FREE PATENT APPLICATION
FOR LOTS 601-602-603 & 604, Ts- 223 OF THE
MUNICIPALITY OF CALINTAAAN, PROVINCE OF
OCCIDENTAL MINDORO**

COMES NOW, the undersigned claimants/oppositors, by themselves,
unto this Honorable Office most respectfully aver ;

1. That claimants/ oppositors are the surviving legal heirs of Tranquilino and Enrica Pica Ulay, namely **Amador Ulay**, hereto represented by Angelina Ulay Pinalba, of legal age, Filipino, married and a resident of Brgy Poblacion, Calintaan, Occidental Mindoro; **Virginia Ulay Lineses**, hereto represented by Fredezvinda L. Isidro, of legal age, Filipino, married and a resident of Brgy Poblacion, Calintaan, Occidental Mindoro; **Asuncion Ulay Payas**, hereto represented by Myrna Luz P. Valerio, of legal age, Filipino, married and a resident of Brgy Poblacion, Calintaan, Occidental Mindoro; **Eufrecino Ulay**, , hereto represented by Robert P. Ulay, of legal age, Filipino, married and a resident of Brgy Poblacion, Calintaan, Occidental Mindoro; **Luis Ulay**, , hereto represented by Orlando Ulay, of legal age, Filipino, married and a resident of Brgy Poblacion, Calintaan, Occidental Mindoro; **Conrado Ulay**, hereto represented by Willy Ulay, of legal age, Filipino, married and a resident of Brgy Poblacion, Calintaan, Occidental Mindoro and **Leonardo Ulay**, hereto represented by Eden U Bautista, of legal

**Opposition to the Application for Free Patent
Over Lots 601 to 604, Ts 223 of the Municipality of
Calintaan, Province of Occidental Mindoro**

Heirs of Tranquilino Ulay namely Amador, Virginia, Asuncion

Eufrecino, Luis and Leonardo all surnamed Ulay, Oppositors/ Claimants

DEPT. OF LAND MANAGEMENT
MINDANAO REGION
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Occidental Mindoro they are hereto referred as **CLAIMANTS/OPPOSITORS**, where summons, notices and orders may be served upon them at the address indicated above; copy of the special power of attorney is hereto attached as **Annex 1-1-F**;

2. That the late TRANQUILINO ULAY, since 1906, and throughout his lifetime had occupied, cultivated, improved, and possessed and had been religiously paying the realty taxes on a parcel of agricultural land containing an approximate area of eighty five thousand nine hundred sixty four (85, 964) square meters located in the western outskirt of the then barrio of Calintaan, municipality of Sablayan, province of Occidental Mindoro , now known as Brgy Poblacion, municipality of Calintaan, province of Occidental Mindoro;
3. Later, this parcel of land became a residential area, where most early settlers converged to live and became part of the town center of the municipality of Calintaan, Occidental Mindoro;
4. That sometime in the year 1953 or thereabout, the Bureau of Lands survey team came to the then barrio of Calintaan, municipality of Sablayan, Province of Occidental Mindoro, now municipality of Calintaan, province of Occidental Mindoro, to survey and subdivide said barrio of Calintaan into home lots; said survey is identified as Ts- 223, for disposition to its actual occupants; the aforementioned area which was then occupied and improved for agricultural purposes by the above heirs of Tranquilino Ulay, was included in the said subdivision survey thereby creating ninety four (94) uniform sized home lots;
5. That among those ninety four (94) home lots were lots 601, 602, 603 and 604 consisting of eighteen thousand two hundred eighty one (18, 281) square meters, more or less; which is being occupied by the local government unit/ municipality of Calintaan.

**Opposition to the Application for Free Patent
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Calintaan, Province of Occidental Mindoro

**Heirs of Tranquilino Ulay namely Amador, Virginia, Asuncion
Eufreclno, Luis and Leonardo all surnamed Ulay, Oppositors/ Claimants**

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UNIVERSAL SAN JUAN
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Occidental Mindoro; with the condition that the same will be paid by the latter;

6. Unfortunately, the LGU of Calintaan, Occidental Mindoro, did not pay the said parcels of land they have been occupying; negotiations and demand for the payment of the same continued through the years however, up to present, the same did not push through;
7. On May 09, 1968, the above heirs represented by their co - heir Amador Ulay had filed a petition to the Director of Lands, Manila to regain the area covered by the aforestated sub lots, which petition is up to present pending investigation despite the lapse of time;
8. That, unbeknownst to the heirs of Tranquilino Ulay, while the case is in progress, a falsified Joint Affidavit surfaced, copy of which is hereto attached as **Annex 2**, making it appear that the heirs of Tranquilino Ulay had executed a quit claim over lots 601 to 604, Ts-223 in favor of the municipality of Calintaan, when in truth and in fact, the heirs have no knowledge over the same, had never signed the said joint affidavit nor appeared before the deputy public lands inspector, Faustino J. Credo to affirm and place under oath the said Joint Affidavit;
9. To attest that the respective signatures of the heirs of Tranquilino Ulay were falsified and fabricated, attached as **Annex 3** hereto is a copy of the joint affidavit genuinely executed by the heirs of Tranquilino Ulay for comparison of their respective signatures;
10. That this falsified joint affidavit, the herein oppositors were informed, was one of the documents submitted by the municipality of Calintaan, Occidental Mindoro before the Community Environment and Natural Resources Office (CENRO) of the San Jose, Occidental Mindoro District Office, in support of their

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Application for Free Patent over Lots 601, 602, 603 and 604, Ts 223;

11. However, to reiterate, the heirs of Tranquillino Ulay, did not consent, nor have any knowledge of the execution of the said joint affidavit, their signatures were falsified and fabricated, neither did they ever appear before Faustino Credo, then Deputy, Public Lands Inspector for the execution of the said joint affidavit; thereby making the said joint affidavit fake, spurious, counterfeit, fabricated and a forgery;

12. That for years, oppositors have been trying to get a copy of the alleged Joint Affidavit but the records of the application for Free Patent of the municipality of Calintaan over lots 601 to 604 were denied to them,

13. That all the while oppositors are with the belief that the municipality of Calintaan will not be able to process the free patent application as they have a petition to regain the said lots from the municipality as mentioned in paragraph 7 hereto; which, up to present is pending investigation; to attest to such petition, is Annex 2 is a copy of the joint affidavit stating thereon the existence of the said petition in the 4th paragraph thereof;

14. However, recently oppositors came to know that again the municipality is actively facilitating the said application for free patent so that a corresponding title could be issued in their favor and to allegedly use the same to claim certain funds from the national government; allegedly they were promised that if after four months and there is no opposition to their application, a free patent over lots 601 to 604, Ts 223 will be awarded to them;

15. From careful inquiry, stemming from the fact that apparently the application of the municipality is being facilitated with dispatch.

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copy of the Joint Affidavit from a reliable source thereby confirming the then unverified claim that there was a joint affidavit of quitclaim allegedly executed by the heirs in favor of the municipality of Calintaan over lots 601 to 604, Ts 223 consisting of eighteen thousand two hundred eighty one (18, 281) square meters;

16. That the said joint affidavit as already stated above is a falsified, spurious, fabricated document;

17. That by virtue of which, the heirs of Tranquilino Ulay, the herein oppositors, are **registering their vehement objection to the approval of the application for free patent** of the municipality of Calintaan over lots 601 to 604, Ts 223, consisting of eighteen thousand two hundred eighty one (18, 281) square meters more or less, which is part of the ninety four (94) subdivided lots occupied and improved by Tranquilino Ulay since 1906; and which is the subject of the petition to regain filed by the heirs of Tranquilino Ulay;

18. That the oppositors are registering their rightful claim over the said lots 601 to 604, Ts 223; and that the Joint Affidavit being used by the applicant, municipality of Calintaan be not given recognition for being fake, falsified, and fabricated document;

19. That pursuant to such claim, oppositors humbly but fervently requests that the application for free patent of the municipality of Calintaan over lots 601 to 604 Ts 223 consisting of eighteen thousand, two hundred eighty one (18, 281) square meters, more or less be **DENIED** since the oppositors are the rightful claimants/ occupants of the same since 1906;

20. That the declaration then, of the municipality of Calintaan, province of Occidental Mindoro in paragraph 4 of the Application

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PRINCESS P. COSME
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and applied for is not claimed or occupied by any other person x-
x-x-x" is **NOT TRUE** because, the herein OPPOSITORS/CLAIMANTS
have a long standing claim over the same being the rightful
claimants thereto since 1906;

21. Thus, this opposition;

WHEREFORE, premises considered, it is most respectfully prayed for
that in the interest of substantial justice, equity and fair play the application
for free patent of the municipality of Calintaan, province of Occidental
Mindoro over lots 601 to 604 Ts 223, consisting of eighteen thousand two
hundred eighty one (18, 281) square meters, more or less, be **DENIED** for
reasons stated above. Such other reliefs as are just and equitable under the
circumstances are likewise prayed for.

San Jose, Occidental Mindoro. August 30, 2023.


ANGELINA U. PINALBA

For: Amador Ulay

OSCA ID 01-0075


MYRNA LUZ P. VALERIO

For: Asuncion Ulay Payas

OSCA ID 01-0677


ORLANDO E. ULAY

For: Luis Ulay

TIN # 425-086-198-000


FREDEZVINDA L. ISIDRO

For Virginia Ulay Lineses

OSCA ID 01-00262


ROBERT P. ULAY

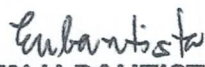
For: Eufrecino Ulay

TIN # 937-773-327


WILLY M. ULAY

For: Conrado Ulay

PRC ID 0560002


EDEN U BAUTISTA

For: Leonardo Ulay

COMELEC ID 5102-0036A-#2670 EUBA2001

**Opposition to the Application for Free Patent
Over Lots 601 to 604, Ts 223 of the Municipality of**

Calintaan, Province of Occidental Mindoro

Heirs of Tranquilino Ulay namely Amador, Virginia, Asuncion

Eufreclno, Luis and Leonardo all surnamed Ulay, Oppositors/ Claimants

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SAN JOSE DE OCCIDENTAL MINDORO
MIMAROPA REGION
PRINCESS P. COSME
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DATE: 08-01-23 10:45 AM

SUBSCRIBED AND SWORN TO BEFORE ME, this 31st day of August, 2023 at San Jose, Occidental Mindoro. I further certify that I have personally examined the affiant and is fully convinced that all their statements are true and correct fully understood by them and voluntarily gave the same

DOC NO. 338
PAGE NO. 62
BOOK NO. 1
SERIES OF 2023

ATTY. JOSE S. JACINTO, JR.
NOTARY PUBLIC
UNTIL DEC 31 2021
PTR NO. 382747-L 11/05/23
IBP NO. 252343-12/21/22
ROLL NO. 28305

VERIFICATION/CERTIFICATION

WE, Angelina U. Pinalba, Fredezvinda L Isidro, Myrna Luz P Valerio, Robert P. Ulay, Orlando Ulay, Willy M. Ulay and Eden U Bautista, all of legal age, Filipino, married and residents of Calintaan, Occidental Mindoro, after having been duly sworn to in accordance with law do hereby depose and say;

1. That we are the oppositors/claimants in the above entitled application for free patent over lots 601 to 604, Ts 223, and has caused the preparation of the aforequoted Opposition; all the allegations stated therein are all true and correct to the best of our personal knowledge and belief and based on authentic records; that the pleading is not filed to harass, cause unnecessary delay or needlessly increase the cost of litigation; that the factual allegations therein have evidentiary support or, if specifically so identified will likewise have evidentiary support after a reasonable opportunity for discovery

IN WITNESS WHEREOF, I have hereunto affixed my signature below this ____ day of August 30, 2023 at San Jose, Occidental Mindoro.

ANGELINA U. PINALBA
For: Amador Ulay
OSCA ID 05-0075

FREDEZVINDA L. ISIDRO
For Virginia Ulay Lineses
OSCA ID 01-0262

**Opposition to the Application for Free Patent
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Myrna
MYRNA LUZ P. VALERIO
For: Asuncion Ulay Payas
OSCA ID 01-0677

Robert P. Ulay
ROBERT P. ULAY
For: Eufrecino Ulay
TIN # 937-773-327

Orlando E. Ulay
ORLANDO E. ULAY
For: Luis Ulay
TIN # 425-086-198-000

Willy M. Ulay
WILLY M. ULAY
For: Conrado Ulay
PRC ID 0560002

Eden U Bautista
EDEN U BAUTISTA
For: Leonardo Ulay
COMELEC ID 5102-0036A-F2670EUBA20001

**SUBSCRIBED AND SWORN TO BEFORE ME, this 31st day of August,
2023 at San Jose, Occidental Mindoro. I further certify that I have personally
examined the affiants and is fully convinced that all their statements are
true and correct, fully understood by them and voluntarily gave the same.**

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DOC NO. 338
PAGE NO. 69
BOOK NO. 1
SERIES OF 2023

ATTY. JOSE S. JACINTO JR.
NOTARY PUBLIC
UNTIL DEC. 31, 2024
PTR NO. 352547-L 11/05/23
IBP NO. 252343-12/21/22
ROLL NO. 2SR05

Copy furnished

DANTE C. ESTEBAN
Office of the Mayor
Calintaan, Occidental Mindoro

LBC # 1397 5585 6537
08/31/2023

MA. ANTONIA "TONI" YULO-LOYZAGA
Secretary- DENR
DENR Central Office
2nd Floor, DENR Main Building
Visayas Avenue, Dilliman, Quezon City, 1100,

LBC # 1397-5535-6587
08/31/2023

HON. BENHUR ABALOS
Department Secretary
DILG- NAPOLCOM Center
Edsa cor Quezon Avenue

LBC # 1397 5535 6577
08/31/2023

**Opposition to the Application for Free Patent
Over Lots 601 to 604, Ts 223 of the Municipality of**

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MIMAROPA REGION

PRINCESS P. COSME

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09-01-23 10:45 AM

Wilhelm Suyko, CESO IV

Regional Director

Regional Office, Region IV-B- MIMAROPA, DILG

822 Quezon Avenue, Brgy Paligsahan

Dilliman, Quezon City, 1101, Metro Manila

LBC # 1397 5535 - 6597
08/31/2023

Felix S. Mirasol Jr

OIC - Office of the Regional Executive Director

Department of Environment and Natural Resources

Region IV- B (MIMAROPA Region)

1515 L & S Building, Roxas Boulevard, Ermita Manila

LBC # 1397 5535 - 6547
08/31/2023

Ernesto E. Tanada

OIC, PENRO

Brgy Payompon, Mamburao, Occidental Mindoro

LBC # 1397 - 5535 - 6557
08/31/2023

ATTY EMELYN V. TALABIS

Office of the Director

DENR- Land Management Bureau

Hizon Building Quezon Avenue

Dilliman, Quezon City 1113, Metro Manila

LBC # 1397 - 5535 - 6567
08/31/2023

Handwritten signature