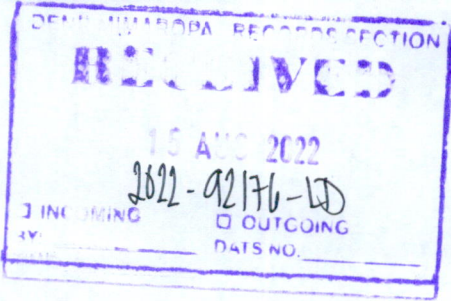


REPUBLIC OF THE PHILIPPINES
FOURTH JUDICIAL REGION
MUNICIPAL TRIAL COURT
STA. CRUZ, OCCIDENTAL MINDORO



THE DIRECTOR OF LANDS,
Petitioner,

-versus- Cadastral Case No. N-6
LRC Record No. N-240

LOT 1306, Pls-22
San Vicente, Sta. Cruz,
Occidental Mindoro

HEIRS OF FLORANTE A. TRIA,
Represented by FE M. GALSIM,
ADORACION Q. HERNANDEZ,
Heirs of PABLO DE JESUS,
MANUEL BAKUNAWA, JR., substituted
by the Heirs of ROSDILBERTO C. TAGALA
Heirs of JOSE FERNANDEZ, SR., et al., and
Heirs of Clenia Tajonera,
Claimants.

x ----- x

FORMAL OFFER OF EVIDENCE FOR THE HEIRS OF
ROSDILBERTO C. TAGALA
(In Substitution of MANUEL BAKUNAWA JR.)

CLAIMANTS, Heirs of Rosdilberto C. Tagala, in substitution of Manuel Bakunawa Jr., by counsel, and to this Honorable Court, offer their documentary evidence, as follows:

1. On July 15, 2022, herein Claimants, through counsel, were given fifteen (15) days to file their Formal Offer of Evidence or until July 30, 2022 or its next working day August 1, 2022. Hence, this pleading is timely filed.
2. The following are the exhibits for Claimants-Heirs of Rosdilberto C. Tagala:

<u>Exhibits</u>	<u>Description</u>
<u>"A"</u>	<ul style="list-style-type: none">▪ Deed of Sale executed by Manuel M. Bakunawa Jr. for Rosdilberto and Emma Tagala
<u>"D to D-1"</u>	<ul style="list-style-type: none">▪ The Tax Map of the Assessor's Office
<u>"E"</u>	<ul style="list-style-type: none">▪ The Subdivision Plan of Lot 1306, Pls-22 (Philcusa-Foa) of Sta. Cruz Land Subdivision

"F"	<ul style="list-style-type: none"> ▪ The technical description of Lot 1306-A, Csd-4A-002800 made by Engr. Estelito G. Ignacio as approved by the Chief Survey Division of the then Bureau of Lands
"I"	<ul style="list-style-type: none"> ▪ The Survey Plan dated 1953 for Heirs of Mariano Abeleda (Certified true copy is attached in the record found in page 448.)
<p>Purpose: These documentary exhibits are being offered in evidence to prove the source of property rights of the Heirs of Rosdilberto C. Tagala over the claimed area, to technically define and identify the property being claimed by the latter, and as part of the testimony of witness Emma C. Tagala and Municipal Assessor Redentor Paguagan.</p> <p>Manifestation: It is hereby requested that the marking Exhibit "I and I-1" in the Tax Map of the Assessor's Office be corrected and remarked as Exhibit "D and D-1" to conform with the marking provided for in the Judicial Affidavit of witness Emma S. Tagala.</p>	
"B and series"	<ul style="list-style-type: none"> ▪ Photographs of Claimants-Heirs of Rodilberto C. Tagala in the subject property
<p>Purpose: These pieces of documentary evidence are proof that the property subject of this case has been in possession and utilization of Spouses Rosdilberto C. Tagala and his family, even after the death of Rosdilberto on August 9, 2017, and upto present. These photographs support the representation of witness Emma Tagala that they raised their family in the claimed property, they resided therein since 1995, established their family home, and they also sent their children to Sta. Cruz public school. Further, the photographs likewise show that claimants utilized the larger part of the property for their construction business where they introduced improvements such as their house, rest house and bunkhouses.</p>	
"C"	<ul style="list-style-type: none"> ▪ Certification from the Municipal Treasurer's Office
"M"	<ul style="list-style-type: none"> ▪ Tax Declaration of Real Property
<p>Purpose: These two (2) documentary evidence are being offered to prove that the claimants have been religiously paying real property taxes due on the subject land, and that the land has no tax delinquency, to prove that the land with Property Identification Number 028-11-0011-004-15-R is the property being claimed by the Heirs of Rosdilberto Tagala; as part of the testimony of witnesses Emma S. Tagala and Municipal Assessor Redentor Paguagan.</p> <p>Manifestation: It is hereby requested that the marking Exhibit "H and H-1" in the Tax Declaration of Real Property be corrected and remarked as Exhibit "M and M-1" to avoid duplicity in the marking of evidence. The markings Exhibit "H and H-1" are requested to be maintained in the Answer.</p>	

"G to G-2"	▪ Judicial Affidavit of Emma S. Tagala
"H to H-1"	▪ Answer
<p>Purpose: These two documentary evidence are being offered in evidence as part of the testimony of witness Emma C. Tagala to prove that on March 11, 1993, Spouses Rosdilberto C. Tagala and Emma S. Tagala acquired a parcel of land from Mr. Manuel Bakunawa Jr., wherein the said land has an area of three (3) hectares, more or less, and located at Brgy. San Vicente, Sta. Cruz, Occidental Mindoro and part of Lot 1306, Pls-22; that being the claimant, Emma S. Tagala filed an Answer for herself and in behalf of co-heirs, to describe the property being claimed; to prove that they have been in possession and utilization of Spouses Tagala and family upto present; that they have been paying real property taxes thereon and were publicly and openly claiming interest in the subject land.</p>	
"J"	▪ Deed of Absolute Sale to Jose Fernandez by Carlos Tria, Florante Tria and Amada Tria Masangkay
"K"	▪ Deed of Absolute Sale document to Manuel Bakunawa Jr.
"L"	▪ Tax Receipt dated 1938
<p>Purpose:</p> <ol style="list-style-type: none"> 1. To prove that he is occupying the house constructed in a parcel of land as part of Lot 1306 being claimed by the Heirs of Francisco Tria as represented by Fe M. Galsim. 2. That the total area being claimed by the Heirs of Francisco Tria, particularly Amada Masangkay is composed of eight (8) hectares more or less. 3. To prove that upto present, since his possession in 1980, he has been in a peaceful, open and notorious possession as allowed by Fe Galsim. 4. That he planted several trees which are now of big sizes. 5. To identify his judicial affidavit and testify on the contents thereof. 6. To testify on other related matters. 	

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed that the above documentary evidence for the Heirs of Rosdilberto C. Tagala, in substitution of Manuel Bakunawa, Jr., be admitted for the purpose/s for which they are being offered.

Other just and equitable reliefs are likewise prayed for.

July 29, 2022; Mamburao for Sta. Cruz, Occidental Mindoro.


KATHRINE ANN A. ABELEDA

Counsel for Claimants-Heirs of Rosdilberto C. Tagala
Roll No. 59624

MCLE No. VII – 0021010 valid until 4/14/25

IBP No. 196784 – 2022, Occidental Mindoro

PTR No. 4766629 – 2022, Occidental Mindoro

ASILO ABELEDA LAW OFFICE AND NOTARY PUBLIC

17 San Jose St. Brgy. 7 Mamburao, Occ. Mindoro 5106

Cellphone Nos. 0908-814-675 / 0917-910-8940

Email address: kateasilo@gmail.com

Email address: kateasilo@gmail.com

Copy furnished:

ATTY. GANDHI G. GAGNI-FLORES

ATTY. JOSEPH D. DELOS SANTOS

Counsel for the Petitioner

Department of Environment and Natural Resources (DENR)

MIMAROPA Region - Legal Division

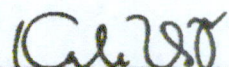
DENR by the Bay

1515 L&S Building, Roxas Blvd.,

1000 Ermita, Manila

EXPLANATION

Service of this pleading was made through mail due to time constraints and in view of lack of messengerial aide to effect personal service.


KATHRINE ANN A. ABELEDA