



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City, 1100
Tel. Nos.: (632) 929-66-26 to 29 • (632) 929-62-52
929-70-41 to 43-52

DENR MIMAROPA RECORDS SECTION
RECEIVED
05 AUG 2022
2022-06885-APDN
☒ INCOMING ☐ OUTGOING
DATE NO.

MEMORANDUM

TO : THE REGIONAL EXECUTIVE DIRECTOR
DENR, MIMAROPA Region
DENR by the Bay Bldg.,
1515 Roxas Blvd.
Ermita, Manila

FROM : THE ASSISTANT SECRETARY
Field Operations - Luzon & Visayas and Concurrent Supervising
Assistant Secretary of the Metropolitan Environmental Offices (MEOs)

SUBJECT : LETTER DTD 07/10/2022 AN APPEAL FOR DENR TO REVISIT
THE APPROVAL OF THE SUBDIVISION PLAN FOR MR.
BENIGNO C. MARCELO ON MARCH 15, 2015

DATE : 28 JUL 2022

Referred herewith is the letter dated July 10, 2022, from Mr. Bennett B. Marcelo of No. 31 Socrates Road, Puerto Princesa City, Palawan regarding the above-mentioned subject.

Please take appropriate action on the matter in coordination with the concerned party consistent with the existing policies, rules, and regulations. Copy furnish this office of the action taken citing document tracking no. DENR-ASRMD-2022-017773 for record and monitoring purposes.

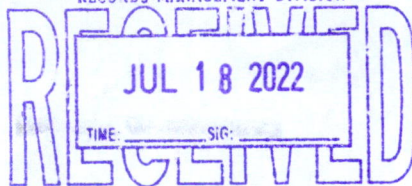
FOR COMPLIANCE.


GILBERT C. GONZALES, CESO III

Copy furnished:

MR. BENNETT B. MARCELO
No. 31 Socrates Road, Puerto Princesa City, Palawan

DEPT. OF ENVIRONMENT AND NATURAL RESOURCES
RECORDS MANAGEMENT DIVISION



July 10, 2022

MR. JIM SIMPULNA

Officer-in-Charge
Department of Environment and Natural Resources (DENR)
DENR Central Office
M24 + 878, Visayas Avenue
Quezon City
Metro Manila

Thru: **LORMELYN E. CLAUDIO**
Regional Executive Director
DENR MIMAROPA Region

FELIZARDO B. CAYATOC
DENR - PENRO Palawan

PEDRO A. VELASCO
DMO IV/OIC CENRO
CENRO-Puerto Princesa City

**RE: AN APPEAL FOR DENR TO REVISIT THE APPROVAL OF
THE SUBDIVISION PLAN FOR MR. BENIGNO C. MARCELO
ON MARCH 15, 2015**

Dear Mr. Simpulna:

Greetings! Please allow me to come to you for help with my situation today:

My father, Benjamin Clark Marcelo inherited 29.2 hectares or more specifically, 292,617 sqm., from his parents located at Barangay Tagburos, Puerto Princesa City. The area is divided into 5 lots, all titled, namely: Titles 3109, 3108, 3107, 3106 and 0742019001368. Unfortunately for my father, only a point of one lot (Title 3106) has touches the highway, which does not even allow an access road to be built as access to the highway.

There is a vacant lot measuring 10,000 sqm which, upon inquiries with the CENRO of Puerto Princesa, and the City Assessor's Office, I learned has no issued Tax Declaration, no title, and which I thought I could apply for when the titling ban for Puerto Princesa was lifted on March 5, this year.

And so I submitted my application to the CENRO Puerto Princesa on April 4, 2022. Later, I was informed by CENRO that there is a conflict which has to be resolved first at the barangay level, because Mr. Benigno Clark Marcelo, my father's brother also submitted his application for the above-mentioned area. And my uncle

said that his claim to have the sole right to apply for the said area is backed up by a Survey Plan which includes this area, approved by the DENR on March 15, 2013.

After two hearings facilitated by Punong Barangay Roberto V. Tero of Barangay Tagburos, an Agreement was reached by me and my uncle Benigno Clark Marcelo, on June 1, 2022. *Attached, please find a copy of the Agreement.*

Subsequent events happened and it was very clear that some of the provisions of the Agreement were not being followed and this - made me decide to inform Punong Barangay Tero about this and that we should go back to his office to clarify and renegotiate another Agreement, if possible. We also provided a copy of our letter to the Punong Barangay to the CENRO. *A copy of the letter to the Punong Barangay is hereby attached, dated July 7, 2022.*

There is no doubt that this conflict with my uncle might not be resolved at the barangay level and it could evolve into a case in court.

Dear Mr. Simpulna, this is why we are bringing this to your attention because we believe that DENR can help resolve the conflict.

In this connection, we would like to appeal to you to please review the subdivision plan approved for Mr. Benigno C. Marcelo. We have been informed by the City Planning Department of Puerto Princesa that normally, DENR always makes sure that no area will be left without a road access when they approve a subdivision plan.

With due respect to your office, specifically, we would like to request that we be allowed to apply for that area which right now is without title, without tax declaration, and which would allow us to have access to the main highway.

We would deeply appreciate your office for considering this plea and hopefully, grant us your favorable consideration. Thank you.

Very truly yours,

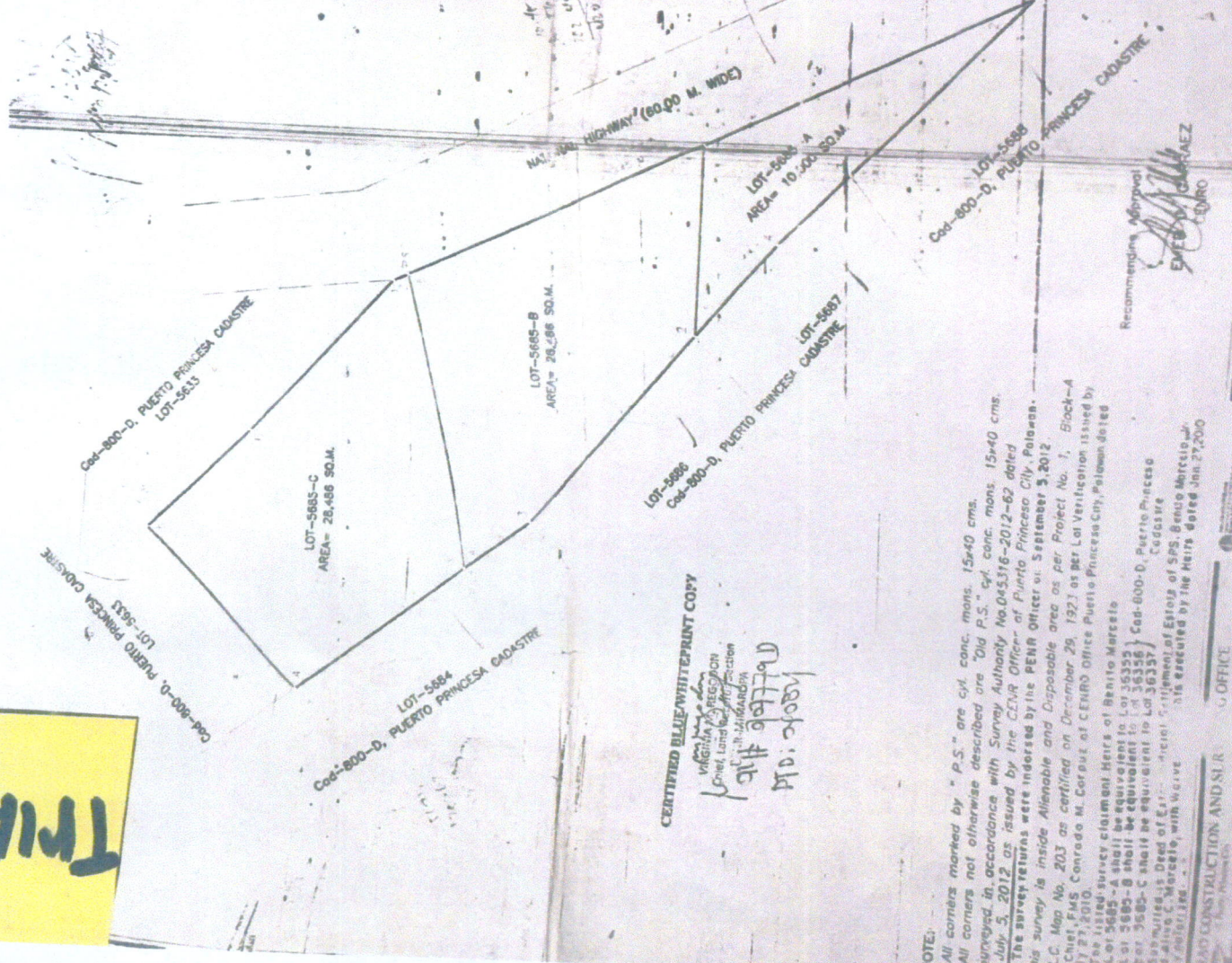
A handwritten signature in black ink, appearing to be "Bennett B. Marcelo", written over a circular stamp or seal.

BENNETT B. MARCELO

True

LINES	BEARINGS	DISTANCES
LOT-5685-A		
1-2	S 27°-08'E	202.44 m.
2-3	N 47°-41'W	144.00 m.
3-4	N 47°-41'W	60.95 m.
4-5	N 52°-01'W	78.00 m.
5-1	S 87°-14'E	120.84 m.
LOT-5685-B		
1-2	N 87°-14'W	120.84 m.
2-3	N 52°-01'W	168.09 m.
3-4	N 30°-39'W	51.91 m.
4-5	N 79°-31'E	194.89 m.
5-1	S 27°-08'E	207.56 m.
LOT-5685-C		
1-2	S 27°-08'E	10.45 m.
2-3	S 79°-31'W	194.39 m.
3-4	N 39°-39'W	125.63 m.
4-5	N 40°-34'E	142.08 m.
5-6	S 46°-50'E	92.77 m.
6-1	S 47°-58'E	144.00 m.

LOT NO.	BEARINGS	DISTANCES
5685-A	N 07°-59'W	9905.51 m.
5685-B	N 07°-59'W	9905.51 m.
5685-C	N 08°-23'W	10111.70 m.



PLAN OF LAND
OF LOT-5685
AS SURVEYED FOR
BENIGNO C. MARCELO
SITUATED IN THE
SUBDIVISION
Cod-800-D, PUERTO PRINCESA CADASTRE

RURBAN CODE: 045316
BARANGAY OF: TAGBUROS
MUN. CITY OF: PUERTO PRINCESA CITY
PROVINCE OF: PALAWAN
ISLAND OF: PALAWAN
CONTAINING AN AREA OF 86,972 SQ.
"PHC-TUPPRS 22 ZONE NO. 117"
BEARINGS: GRID
SCALE: 1:2000

I hereby certify that this is a correct plan of the survey made by me personally, or by my direct supervision in conformity with the provisions of the Public Land Act of 1903, and the rules and regulations of the Department of Environment and Natural Resources.

I further certify that this plan accurately reflects the boundaries of the property as depicted in the map on the ground by the surveying instrument used, and that the same are based on the reliable and accurate technical data and that I believe the same to be correct for the subdivision of the land and the survey of the same.

JULY 5, 2012
Date of Survey

BALAZAR, GREGORY
GEODETIC ENGINEER
No. 13-008-037
13-008-037
13-008-037

Republic of the Philippines
Department of Environment and Natural Resources
LAND MANAGEMENT SERVICES
Region Office - MIMAROPA
MANILA

The survey plan is found to be in order as per submitted survey returns of the Geodetic Engineer and recommended for approval.

APPROVED: RONALD A. REYES
REGIONAL DIRECTOR
DIVISION

This approved plan, however, shall not be construed as title to the land.

OSCAR C. DOMINGUEZ
DIVISION CHIEF
DIVISION

On Handing	On Handing	On Handing
By: OSCAR C. DOMINGUEZ	By: OSCAR C. DOMINGUEZ	By: OSCAR C. DOMINGUEZ
Date: 7-5-2012	Date: 7-5-2012	Date: 7-5-2012
Position verified by: OSCAR C. DOMINGUEZ	Position verified by: OSCAR C. DOMINGUEZ	Position verified by: OSCAR C. DOMINGUEZ
Plan prepared on Page: 117	Plan prepared on Page: 117	Plan prepared on Page: 117
Engineer's Certificate: OSCAR C. DOMINGUEZ	Engineer's Certificate: OSCAR C. DOMINGUEZ	Engineer's Certificate: OSCAR C. DOMINGUEZ
Advisory Committee: OSCAR C. DOMINGUEZ	Advisory Committee: OSCAR C. DOMINGUEZ	Advisory Committee: OSCAR C. DOMINGUEZ
Lot Data Compilation checked by: OSCAR C. DOMINGUEZ	Lot Data Compilation checked by: OSCAR C. DOMINGUEZ	Lot Data Compilation checked by: OSCAR C. DOMINGUEZ
Plotted / Input by: OSCAR C. DOMINGUEZ	Plotted / Input by: OSCAR C. DOMINGUEZ	Plotted / Input by: OSCAR C. DOMINGUEZ
Checked and Verified by: OSCAR C. DOMINGUEZ	Checked and Verified by: OSCAR C. DOMINGUEZ	Checked and Verified by: OSCAR C. DOMINGUEZ

With my conformity

B. C. Marcelino
BENIGNO C. MARCELO
(FOR SIMPLE SUBDIVISION ONLY)

VERIFICATION FEE
Paid Under
OR No. **4592319**
Date **SEPT. 26, 2012**
Luhn **16**

NOTE:
All corners marked by "P.S." are cyl. conc. mons. 15x40 cms.
All corners not otherwise described are "Old P.S." cyl. conc. mons. 15x40 cms.
Surveyed in accordance with Survey Authority No. 045316-2012-62 dated July 5, 2012 as issued by the CENR Officer of Puerto Princesa City, Palawan.
The survey returns were endorsed by the PENR Officer on September 5, 2012.
This survey is inside Alienable and Disposable area as per Project No. 1, Block-A L.C. Map No. 203 as certified on December 29, 1923 as per Lot Verification issued by Chief, FWS, Coronado M. Corpus at CENR Office Puerto Princesa City, Palawan dated July 27, 2010.
The issued survey claimant Herra of Benito Marcelino
Lot 5685-A shall be equivalent to Lot 56353
Lot 5685-B shall be equivalent to Lot 56356
Lot 5685-C shall be equivalent to Lot 56357
Submitted as Deed of Conveyance, Settlement of Estate of SPS. Benito Marcelino, with wife, Graciano C. Marcelino, with heirs
This executed by the Heirs dated Jan. 27, 2000

CERTIFIED BLUE/WHITEPRINT COPY
VIGILANT RECORD
Level Landmark
Date of Survey
Date of Survey
Date of Survey

OFFICE
CENR OFFICE
CENR OFFICE
CENR OFFICE

Csd-4B-000791



Republic of the Philippines
OFFICE OF THE CITY ASSESSOR
Puerto Princesa City



CERTIFICATION

THIS IS TO CERTIFY that as per existing tax map records of this Office, there is no issued tax declaration for Lot 5685-A identical to 36355, Csd-4B-000791-D/Cad-800-D containing an area of ten thousand square meters (10,000sq.m).

This certification is issued to Mr. Bennett B. Marcelo for whatever legal purpose it may serve him best.

Issued this 29th day of March 2022 at Puerto Princesa City.


ENGR. JOVEN C.V. BALUYUT
City Assessor

Cert. Fee :P100
O.R. No. :1671941
Date Issued :03-29-2022
Place Issued :Puerto Princesa City



September 15, 2021

CERTIFICATION
(Status of Land Classification)

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that the tract of land identified as Lot No. 3685-A, Csd-481-000791 identical to lot 36355 Cad 800-D containing an area of 10,000 square meters located in Barangay Tagburos, Puerto Princesa City has been verified to be within **AGRICULTURAL LAND (ALIENABLE AND DISPOSABLE AREA)** per approved Land Classification Map No. 203, Project No. I Block-A, certified on December 29, 1923.

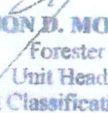
THIS IS TO FURTHER CERTIFY that the status of land stated above is subject to confirmation by the DENR Regional Office pursuant to DMC No. 2019-10 dated December 1, 2019.

This certification is issued as requested by Maria Nenette Quicho- Encarnacion on November 10, 2021.

Prepared and Projected by:


FRANKLIN P. GADIANO
Forest Technician I

Verified by:


JASON D. MONTIMOR
Forester I
Unit Head, GIS
& Land Classification Verification

Attested by:


FELIZARDO B. CAYATOC
OIC-CENRO

Registration fee: P50.00
Notary fee: P36.00
Total: P86.00
Date: 9/15/2021

MR. PEDRO A. VELASCO
DMO IV/OIC CENRO
CENRO-Puerto Princesa City
Palawan

RECEIVED
DENR-CENRO
PUERTO PRINCESA CITY

April 4, 2022

DATE: APR 04 2022
TIME: _____
NAME: a: qnm
SIGNATURE: _____

Dear CENRO VELASCO:

I am hereby submitting my application for Lot No. 5685-A IDENT to 36355, CSD-4000791-D/cad-800-D containing an area of 10,000 square meters. Per records of the CENRO and the City Assessor Office, this lot has been identified as Alienable and Disposable (A and D), and has no Tax Declaration issued, and has no other applicant and claimant.

This above-mentioned lot is in front and adjacent to the 29-hectare property of my late father, Benjamin Clark Marcelo, and his only access to the National Highway in Bgy. Tagburos, Puerto Princesa City. With this application, I am hereby submitting the following pertinent documents:

1. Duly-accomplished Application Form and Documentary Stamps
2. Notarised Punong Barangay Certification
3. Birth Certificate of the Applicant
4. Special Power of Attorney from the other heirs designating the Applicant as their Attorney-In-Fact
5. Proof of Dual Citizenship of the Applicant
6. Sworn Affidavit of four (4) disinterested person attesting that the applicant's father has been until his passing, the actual occupant of said area
7. Brief history of the Lot being applied for
8. Certification from the CENRO-Puerto Princesa that the lot applied for is classified as Alienable and Disposable in an Agricultural Land, dated September 15, 2021 prepared by Franklin P. Gadiano (Forest Technician 1) and verified by Jason D. Montimor, Unit Head and Land Classification Verification
9. Letter to the Applicant from OIC-CENRO Felizardo B. Cayatoc, dated September 1, 2021 that the lot being applied for, per their records, has no listed claimant/applicant filed
10. Statement from the Office of the City Assessor signed by Engr. Joven C.V. Baluyut, City Assessor dated March 29, 2022, stating that per their records, no tax declaration for the above-mentioned lot has been issued by their office on March 28, 2022
11. Approved Subdivision Plan of Lot-5685, Cad-800-D
12. Tax Map - Location of Lot Applied For
13. Photos of lot being applied for
14. Receipt of Application fee of P150.00

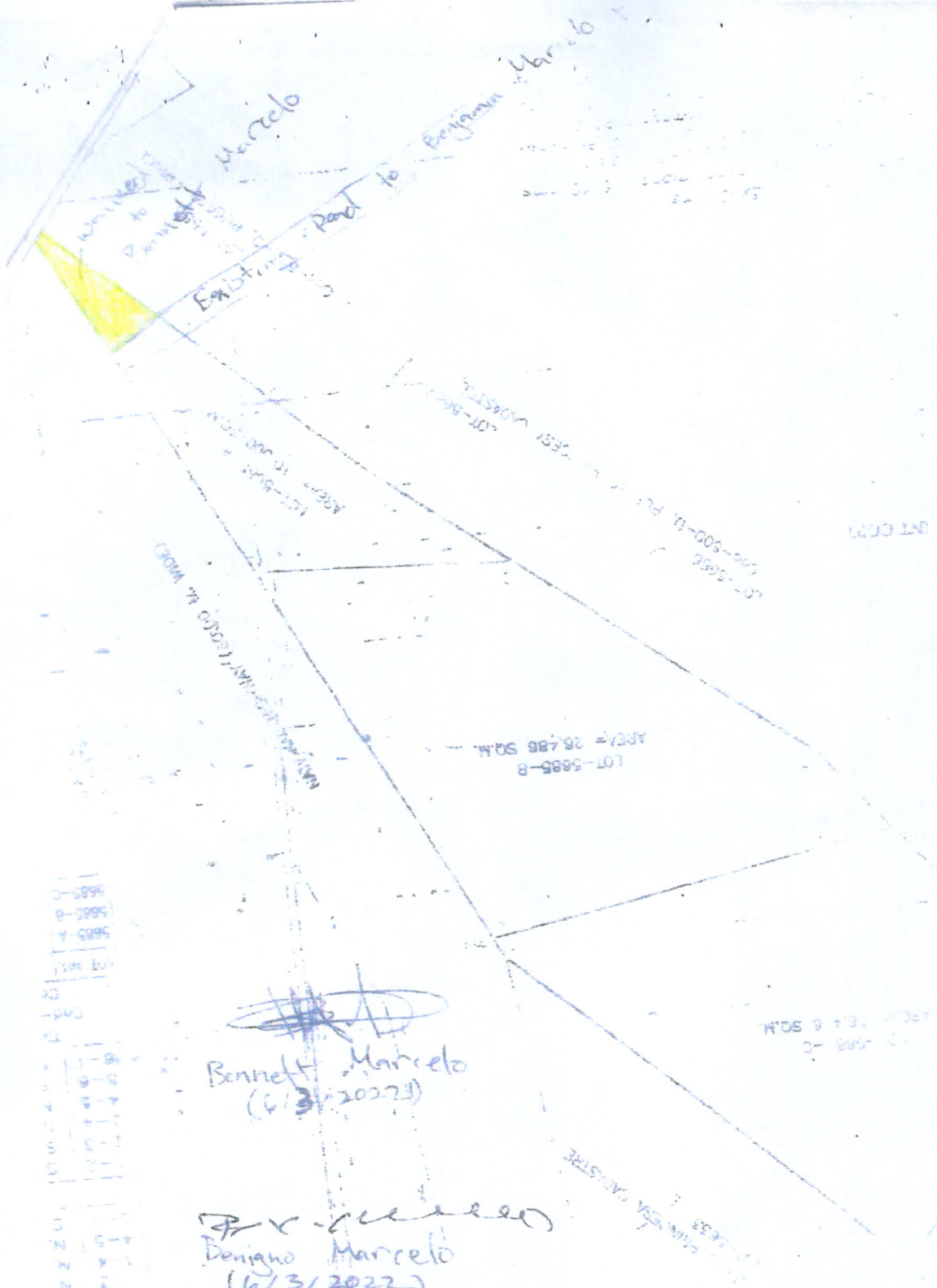
Sir, I hope that you will give this application your most favourable consideration and decision. I am available to answer any question at the following email address and contact number: bennettmarcelo85@yahoo.com and cellphone no. 09055230310. Thank you.

Sincerely yours,



BENNETT BACOSA MARCELO
Applicant







Republic of the Philippines
City of Puerto Princesa
BARANGAY TAGBUROS



TANGGAPAN NG LUPONG TAGAPAMAYAPA

BENNETT MARCELO
May Sumbong

- laban kay -

BENIGNO MARCELO
Ipinagsumbong

Barangay Bilang: 22-095
Ukol sa: _____

KASUNDUAN NG PAG-AAYOS

Kami, ang dalawang panig ay nagkakaisa at nagkakasundo na ayusin na lamang ang aming problema gaya ng mga sumusunod:

Na, kami sina **BENNET MARCELO**, nasa hustong gulang, binata at residente ng 31 Socrates Road, Barangay San Pedro, Puerto Princesa City, at ako si **BENIGNO MARCELO**, nasa hustong gulang at residente ng 27 Roxas Street, Barangay Tagumpay, Puerto Princesa City, matapos magharap sa Tanggapan ng Punong Barangay ay nagkakasundo gaya ng sumusunod na magkakaroon ng internal agreement mula sa abogado gaya ng sumusunod:

1. Ipo-proseso ni Mr. Benigno Marcelo ang application sa pagpapatitulo ng lupa na may sukat na 1 Hectare na matatagpuan sa Barangay Tagburos;
2. Magkakaroon ng panibagong survey ng lupa para sa subdivision plan nito; at
3. Ibinibigay ang Frontage na magmula sa kanto ng Hitachi hanggang at kasama na ang existing road na gamit ng pamilya ni Benjamin Marcelo papasok sa kanyang pag-aari na lupa, na humigit kumulang ang sukat na 70 meters.

At nangangako kami na susunod at tatalima ng tunay at tapat sa mga nakatakdang pag-aayos na inilalahad sa itaas.

Pinagkasunduan ngayong ika-1 ng Hunyo, 2022.

BENNETT MARCELO
May Sumbong

BENIGNO MARCELO
Ipinagsumbong

PAGPAPATUNAY

Pinatutunayan ko sa pamamagitan nito na ang sinundang pag-aayos na inilalahad sa itaas ay pinagkasunduan ng magkabilang panig nang maayos, tapat at makatutuhanan matapos kong ipaliwanag sa kanila kung ano ang kasunduang ito at ang kahihinatnan nito.

HON. ROBERTO V. TERO

MR. PEDRO A. VELASCO
DMO IV/OIC CENRO
CENRO-Puerto Princesa City
Palawan

June 17, 2022

Dear CENRO VELASCO:

I am hereby submitting a copy of the Agreement signed by Mr. Benigno C Marcelo and the undersigned done at the Bgy. Tagbueros Hall which was facilitated by Bgy Capitan Roberto V. Tero.

Since the signing of the Agreement, there has been changes which deviates from the provisions of said Agreement.

In this connection, I would like to let your office know that I have decided NOT TO WITHDRAW my application for the titling of the said 1 hectare area, which is substantiated by documents which I have submitted to your office.

There has been new data we have secured from the City Planning and the Department of Public Works and Highways (DPWH) which has a bearing related to the said titling application.

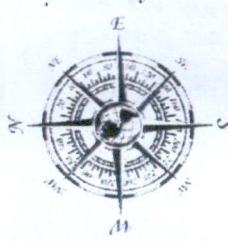
We are still hoping that the conflict between Mr. Benigno C. Marcelo and myself, as the Attorney-In-Fact of all the heirs of my late father, Mr. Benjamin C. Marcelo, can be settled amicably.

Sincerely yours,


BENNETT B. MARCELO

0905-523-0310

a map is not a basis for road claims, it is only shown as guide for TAXATION PURPOSES and NOT an ACTUAL SURVEY.

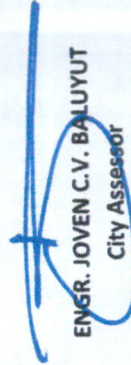


TAXMAP
BARANGAY TAGBUROS
PUERTO PRINCESA CITY

SCALE: [[Scale]]



OFFICE OF THE ASSESSOR
TAXMAPPING DIVISION
CITY OF PUERTO PRINCESA
CERTIFIED TRUE & CORRECT


ENGR. JOVEN C.V. BALUYUT
City Assessor

Prepared by: The City Assessor

O.R. No.: F.O.C.
Amount Paid: Php 00.00
Date: 12/27/2019
Time: 2:54:10 PM
Puerto Princesa City
1/1

REMINER
This Map is for
TAXATION and ASSESSMENT
Purposes ONLY



MARCELO, BENJAMIN CLARK
TITLE No. TCT-3109
LOT 668, PLS-110
AREA 54583
T.D. No.037-5040

MARCELO, BENJAMIN CLARK
TITLE No. TCT-3108
36, IDEN. TO 667, CAD-800-D/PLS-110
AREA 57105
T.D. No.037-5041

MARCELO, BENJAMIN CLARK
TITLE No. 3107
LOT 666, PLS-110
AREA 59700
T.D. No.037-5042

MARCELO, BENJAMIN CLARK
TITLE No. 3106
LOT 665, PLS-110
AREA 62075
T.D. No.037-5043

MARCELO, BENJAMIN C.
TITLE No. TCT-3105
LOT 664-A, CSD-14864
AREA 61774
T.D. No.037-5116