



July 8, 2022

MEMORANDUM

FOR : Regional Executive Director
MIMAROPA Region

THRU : The ARD for Technical Services

FROM : The In-Charge, Office of the PENRO
Oriental Mindoro

SUBJECT : **LETTER OF MR. LEOPOLDO E. MUSICO RE: LAND
PROBLEM IN BARANGAY SAN VICENTE, ROXAS,
ORIENTAL, MINDORO (PCC CODE NO. GL-AKA-11-02-2021-
009/DENRCO-ASRMD-2021-030614**



This is in compliance to your memorandum dated March 24, 2022 regarding the above cited subject.

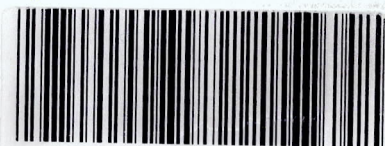
Based on the result of the actual inspection and survey, the complaint area is within the CBFM area of Stanley CBFM Association in Barangay San Vicente, Roxas, Oriental Mindoro. It was learned that the area is under the position of the complainant prior to the approval of CBFMA in year 2000. It has not been on issue of the parties concerned for almost 15 years. It was only in this year that the complainant raised the issue.

The Office concurs with the recommendation of the CENRO that the complainant shall continue their occupancy within the CBFM area without extending their claims to other forest occupants.

Attached are the pertinent documents for information and further instruction.


ALMA E. GIBE

PENRO Tracking No. 2206000892
ESD-CDS/acm



DENRPENRO2207000028



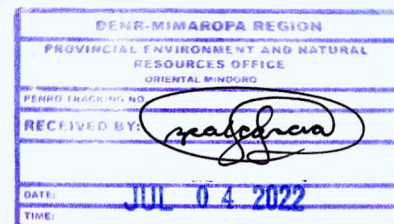
Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
Community Environment and Natural Resources Office

MEMORANDUM

FOR : The PENRO
Suqui, Calapan City

THRU : The In-Charge
Management Services Division

FROM : The CENRO
Roxas, Oriental Mindoro



SUBJECT : **LETTER OF MR. LEOPOLDO E. MUSICO RE : LAND PROBLEM IN BARANGAY SAN VICENTE, ROXAS, ORIENTAL MINDORO (PCC CODE NO. GL-AKA-11-02-2021-009/ DENRCO-ASRMD-2021-030614.**

DOCUMENTS
ATTACHED :

1. Resolution of Barangay LGU of San Vicente, Roxas attesting Anita Osorio is presently occupying portion of forestland located in San Vicente, Roxas, Oriental Mindoro.
2. Invitation Letter to Mrs. Ellina P. Musico dated May 16, 2022 to proceed in inspection and relocation survey of the complaint area.
3. Invitation Letter to Mrs. Ellina P. Musico dated May 11, 2022 to proceed in inspection and relocation survey of the complaint area.
4. Photocopy of Kasulatan ng Bilihan ng Posisyon dated November 7, 2006. submitted by Leopoldo Musico.
5. Photocopy of Kasunduan between Ricarte Montoya and Luis Osorio dated June 8, 1988.
6. Photocopy of Kasunduan between Antonio Fernandez and Luis Osorio dated April 17, 1988.
7. Photocopy of Kasunduan between Dominador Patiag and Antonio Fernandez dated August 21, 1986.
8. GIS Map showing the location of complaint area.
9. Memorandum from the In-Charge, PENRO dated April 22, 2022.
10. Memorandum from the OIC, Regional Executive Director dated March 24, 2022.

DATE : June 21, 2022



BACKGROUND INFORMATION:

This refers to memorandum from the In-charge, Office of the PENRO dated April 22, 2022 and received on May 5, 2022 reiterating the submission of update or result of the actual inspection and survey of the complaint area within the STANLEY CBFM Association and submit report or action taken with comment/s and categorical recommendations to serve as basis for further action by the Regional Office

ACTION TAKEN:

This office had done the following activities, in compliance to the above mentioned memoranda regarding appropriate action to be undertaken:

1. Prepared Letter to the complainant dated May 11, 2022, informing that the survey and inspection of the area will proceed on May 12, 2022 at around 8:30 A. M.
2. The CBFMA personnel had coordinated with Barangay LGU of San Vicente for assistance regarding inspection and survey of the complaint area on May 12, 2022 but the complainant did not appear on the scheduled time, hence the Inspection Team and representative from Brgy LGU proceeded to the complaint and adjacent area for further gathering of the data needed in GIS mapping of the said complaint area.
3. That another letter was prepared for the complainant to have their presence dated May 16, 2022 regarding inspection and survey of the complaint area. The personnel from CBFMA unit together with the complainant proceeded to the area on May 17, 2022 with the complainant providing the location of boundaries and corners of the mentioned complaint area.

FINDINGS AND OBSERVATIONS:

1. The complaint area is within the Community Based Forest Management Agreement, a tenurial instrument with production sharing agreement awarded by the government on November 11, 2000 for a period of 25 years to STANLEY CBFM Association located at Barangay San Vicente, Roxas, Oriental Mindoro.
2. The complaint area claimed by the complainants, based on GPS tracking and waypoints of corners done by combined effort of complainant and CBFM



personnel on May 17, 2022 as indicated in stripped yellow polygon in the map were consists of more or less 11.34 hectares which is contrary to the submitted document which consists of more or less 5.0 hectares shown in Kasulatan sa Bilihan ng Posisyon signed by parties concerned in the said transactions on November 7, 2006 submitted by the complainant for reference. Also, boundaries indicated in Kasulatan sa Bilihan ng Posisyon as submitted by the complainant is not identical to actual inspections and survey conducted on May 17, 2022.

3. The complaint area claimed by the complainant had overlap to the occupancy/position of Luis Osorio(Deceased) represented by Anita Osorio as indicated in the map by red polygon named Area I consist of more or less 1.07 hectares. Prior to the occupation of Luis Osorio, this area in red polygon was described in Kasunduan ng Bilihan at Pagpapaubaya ng Posisyon by Dominador Patiag to Antonio Fernandez on August 21, 1986 and later on, this position was sold by Antonio Fernandez to Luis Osorio on April 17, 1988 with boundaries stated in the documents submitted by Mrs Anita Osorio for reference. This area was being attested by the Barangay LGU of San Vicente presently occupied by Anita Osorio developed and with planted fruit crops in the area.
4. The second area overlap claimed by the complainants, was occupied by Luis Osorio (Deceased) represented by Anita Osorio indicated in the map by orange polygon named Area 2 consists of more or less 2.63 hectares. Prior to the occupation of Luis Osorio, this area in orange polygon was described in Kasunduan ng Bilihan at Pagpapaubaya ng Posisyon by Ricarte Montoya to Luis Osorio on June 8, 1988 with boundaries stated in the documents submitted by Mrs Anita Osorio for reference. This area was attested by the Barangay LGU of San Vicente presently occupied by Anita Osorio developed and with planted fruit crops in the area. Likewise, some portion of this area had been requested to Anita Osorio by Ronnie Terga, a resident within the area for cash crops production and for additional source of income from harvest of the said area.
5. Another area claimed by the complainants had overlap to the position of Petronilo Buriel, a Certificate of Stewardship Contract (CSC) Holder consists of 2.87 hectares. This area had been developed and planted with fruit crops for additional source of income and crops for soil conservation measures along with crops planted in the perimeter for boundary identification.



Likewise, this area was being presently occupied by the concerned CSC holder.

6. The complainants had extended their claim to the presently occupied CSC area in the west boundary of Petronilo Buriel's area which is covered by tenurial instrument prior to the implementation of rules and regulations regarding CBFM Strategy.
7. The complainant present position of the area consists of more or less 1.8 hectares was in the east boundary of area 1 presently occupied by Luis Osorio represented by Anita Osorio and had not been fully utilized or develop as evident by cogon grass prevalent in the area and not contributing or participative to the reforestation project of the DENR as evidently against or evading in the implementation of Upland Development Project (UDP) and National Greening Program (NGP) of the government.
8. It has been observed in the inconsistency of the statement of the complainant that in previous meeting attended by complainant, respondent and other witnesses had the complainant stated and recorded in the minutes of meeting that the complainant acknowledged the position of Luis Osorio while in recent statement of the complainant had retracted and stands that Luis Osorio had no position in the area.
9. The complaint area were in position by the forest occupants prior to the approval of CBFM Agreement on the year 2000 and had not been an issue of parties concerned for almost 15 years (2006-2021) and it is confusing to understand that in previous year the complainant had raised this issue.
10. The complainant is one of several informal claimants in the STANLEY CBFM Area without Certificate of Stewardship Contract.

RECOMMENDATIONS:

1. For peaceful position of forest occupants in the area, it might be better to maintain in status quo where the forest occupants will continue to develop the area in it's full potential where production per unit area shall be the primary consideration not in the widening of area.
2. The complainant shall likewise continue their forest occupancy in the portion of forestland within STANLEY CBFMA that they presently



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
Community Environment and Natural Resources Office

occupied without extending their claims to other forest occupants in the area.

3. In view of minimizing the boundary disputes/ resolving conflict of informal/individual claimants within CBFM areas, DAO 96-29, Article 4, Section 1 for qualified participants "Certificate of Stewardship shall be awarded to individuals or families actually occupying or tilling portions of forest lands pursuant to LOI 1260 for a period of 25 years renewable for another 25 years. It is only issued within established CBFM project with CBFMA, subject to the decision and recommendation of the PO. (DENR Administrative Order No. 98-45). The following requirements shall be:
 1. PO Resolution with attached Census of forest land occupants; Agreed rights and responsibilities of CS holders; Individual application for CS of prospective beneficiaries; community map of the area showing the parcels actually occupied, properly numbered and validated in the general meeting.
 2. Endorsement letter by the PO head.


ENGR. CAESAR E. QUEBEC
CENRO Roxas



Republika ng Pilipinas
Lalawigan ng Silangang Mindoro
Bayan ng Roxas

Barangay San Vicente

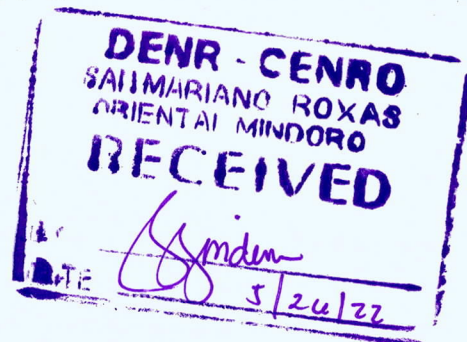
TANGGAPAN NG SANGGUNIANG BARANGAY

SINIPI MULA SA KATITIKAN NG GINAWANG REGULAR NA PAGPUPULONG NG SANGGUNIANG BARANGAY NG SAN VICENTE, ROXAS, SILANGANG MINDORO NA GINANAP NOONG IKA-18 NG MAYO, 2022 SA GANAP NA IKA 9:00 NG UMAGA SA BULWAGANG PULUNGAN NG BARANGAY.

MGA DUMALO:

KGG. RIGOR R. SADIWA
KGG. JOSEPH F. ORENCIO SR.
KGG. DOLORES E. BURIEL
KGG. BAYANI B. LAYHIP
KGG. RODEL S. SESCOAR
KGG. RONNIE I. FADEROG
KGD. ROGER D. SISON
KGD. CRISENCIANO G. MAGARSO
KGG. KEZIA G. ARIETA

Punong Barangay/Tagapangulo
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
Barangay Kagawad
SK Chairperson



HINDI DUMALO:

KAPASIYAHAN BILANG ____
Taong 2022

KAPASIYAHANG NAPAG PASYAHAN NG SANGGUNAING BARANGAY SAN VICENTE NA PATOTOHANAN NA SI ANITA OSORIO MAY SAPAT NA GULANG KASALUKUYANG NANINIRAHAN SA BARANGAY SAN MARIANO ROXAS SILANGANG MINDORO AY MAY POSISYONG LUPA NA MATATAGPUAN SA BARANGAY SAN VICENTE ROXAS SILANGANG MINDORO.

SAPAGKA'T, ang lupang posisyon na pag mamay-ari ni Anita Osorio ay nagmula o kanyang nabilli kina Ricarte Montoya at Antonio Fernandez;

SAPAGKA'T, ang nasabing bilihan ng posisyon ay may mga kaakibat na dokumento na nagmula sa Barangay San Vicente;

SAPAGKA'T, ang nasabing desisyon ay dumaan sa pagpupulong at mga dokumentong kaakibat nito;

DAHIL DITO, samunkahini Barangay Kagawad Rodel S. Sescar at pinangalawahan ni Barangay Kagawad Ronnie I. Faderog na may pagsang-ayon ang lahat ng kasapi ng Sangguniang Barangay ng Barangay San Vicente, Roxas, Silangang Mindoro ay - - -

IPINASIYA GAYA NG GINAWANG PAGPAPASIYA NG SANGGUNAING BARANGAY SAN VICENTE NA PATOTOHANAN NA SI ANITA OSORIO MAY SAPAT NA GULANG KASALUKUYANG NANINIRAHAN SA BARANGAY SAN MARIANO ROXAS SILANGANG MINDORO AY MAY POSISYONG LUPA NA MATATAGPUAN SA BARANGAY SAN VICENTE ROXAS SILANGANG MINDORO.

IPINASIYA PA RIN napaldahan ng sipi ng kapasiyahang ito ang Tanggapan ng City Environment Natural Resources Office – CENRO San Mariano Roxas Oriental Mindoro para sa kanilang kaalaman.

IPINASIYA AT PINAGTIBAY NG LAHAT: Ika-2 ng Pebrero, 2022

PINATUTUNAYAN KO ang kawastuan ng kapasiyahangito.

CATHERINE R. CASIDSID
Kalihim ng Barangay

PATOTOO:

RIGOR R. SADIWA
Punong Barangay



May 16, 2022

GINANG ELLINA P. MUSICO

Barangay San Vicente
Roxas, Oriental Mindoro

Ginang Musico

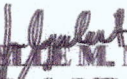
Magandang araw po!

Kayo po ay malugod naming inaanyayahan para sa gagawing Inspection at relocation Survey ng inyong posisyon na matatagpuan sa Barangay San Vicente, Roxas Or. Mindoro ngayong ika 17 ng Mayo 2022 araw ng Martes sa ganap na ika8:30 ng umaga.

Inaasahan po namin ang inyong pagtugon sa maagap at pakikipagtulungan sa nasabing Gawain upang magkaroon ng linaw ang mga nabanggit na usapin.

Maraming Salamat po!..

Sumasainyo,


MARIEL M. NGABIT
CBFM Desk Officer
DENR CENRO Roxas



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

May 11, 2022

GINANG ELLINA P. MUSICO

Barangay San Vicente
Roxas, Oriental Mindoro

Ginang Musico

Magandang araw po!


Kayo po ay malugod naming inaanyayahan para sa gagawing Inspection at relocation Survey ng inyong posisyon na matatagpuan sa Barangay San Vicente, Roxas Or. Mindoro ngayong ika 12 ng Mayo 2022 araw ng Huwebes sa ganap na ika8:30 ng umaga.

Inaasahan po namin ang inyong pagtugon sa maagap at pakikipagtulungan sa nasabing Gawain upang magkaroon ng linaw ang mga nabanggit na usapin.

Maraming Salamat po!..

Sumasainyo,


MARIELLE M. NGABIT
CBFM Desk Officer
DENR CENRO Roxas

Received by:


Republika ng Pilipinas
Lalawigan ng Silangan Mind.
Bayan ng Roxas
Barangay San Vicente

Tanggapan ng Punong Barangay
Hunyo 8, 1988

Kasunduan

Pro Residente Montoya may sapat na
gulang may asawa at mga anak namon.
Naham sa barangay San Vicente, ay may
ipinagbibiling pakayon kay ginooing Luis
Ocorio sa Palagang anim na saang pinal
ang masaking pakayon ay natapagay sa
Tanga San Vicente, ang mga karatig ay sina:
Silangan —

Kamburan — Vic Fumero

Timog — Tanga River

Hilag — Jose Pating

Ang masaking pakayon ay may luang na
2 setang humigit humulang, at mula ngay.
ito ang ang humyo 1988 ay ibinibigay ko na
kay ginooing Luis Ocorio ang karapatan, at bin
pagpangayon sa kasunduan ito ay inila
ko ang ating pangalan ngayong ito ang
humyo 1988 sa harap ng punong barang
at mga saksi.

(sa labila)

Republika Ng Pilipinas
Lalawigan Ng Silangang Mindanao
Bayan Ng Roxas
Barangay San Vicente

Tanggapan Ng Purnang Barangay
April 17, 1988

Kasunduan


Alto Antonio Fernandez may report na gulan
may asawa at mga anak na mininahan na
bata. San Vicente ay may nakilang pamilya ay
Domenado Pating at ang nakilang pamilya ay
ipinagkita kay gineang Luis Oscar na katagang
tatagang lalaki (P. Oscar) at mula sa
yan April 17, 1988 ay itinatagay to na kay gine
Luis Oscar ang kasapitan at bilang pag pang
ayan sa kasunduan ito ay inilagda to ang
bilang pangalan ngayon ito 17 ng Abril 1988 na
bawat ng purnang barangay at mga opis.

Selvi.

1. Purnang Pating
2. Purnang Salita Montaya

Antonio Fernandez
Lagda

Marilyn G. Fernandez


Doric Mopaso
purnang barangay

República ng Filipinas
Lalawigan ng Silangang Mindoro
Bayan ng Roxas
Barangay San Vicente

Tangapan ng Punong Barangay
August 21, 1986
(Kasunduan)

Alto Domestador Patriag may sapat na
gulang binata at maminahan sa bagy.

San Vicente ay nagpalay sa mga sumunang.

Alto Domestador Patriag ay may poray.

na ating ipinagbili kay ginoo Antonio

Fernandez sa bilangang malang drang para \$300

at ang mababing porayon ay nakapalagay.

sa bagy. San Vicente at ang mga karatig ay sa

East — Petronilo Bukal & Mariano Patri,

West — Vic Farnero Jr.

South — Vic Farnero Jr.

North — Sergio Maganao

At orala ngayon ita 21 ng Agosto 1986 ay ita
ibimbigay kay ginoo Antonio Fernandez sa
karapatan at bilangang pagang-ayon sa kasunduan
ito ay imilagda to ang ating pangalan sa ita
ngayon ita 21 ng Agosto 1986 sa harap ng Punong
Bagy. Bot dalawang seta:

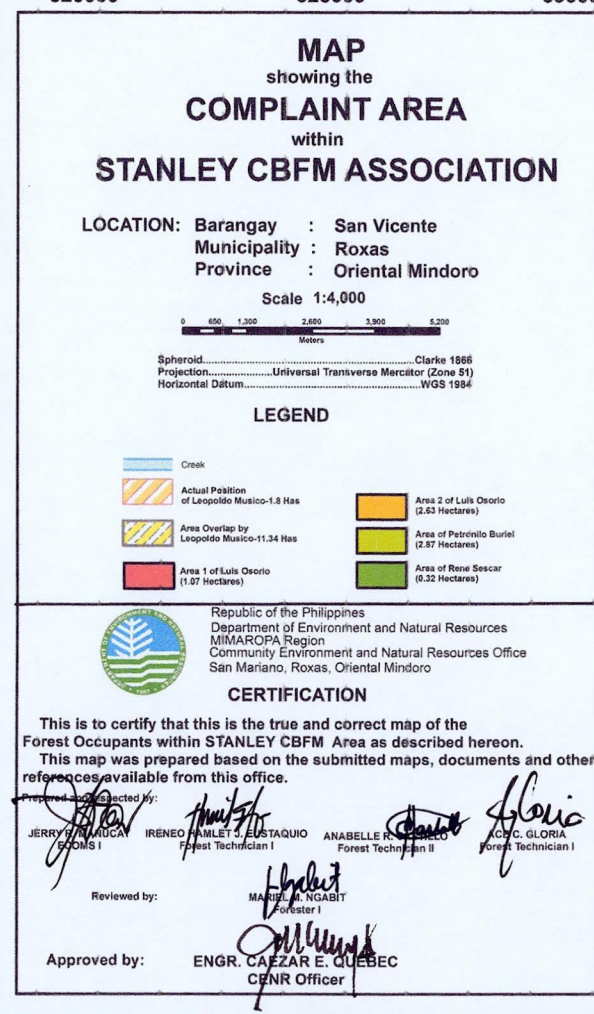
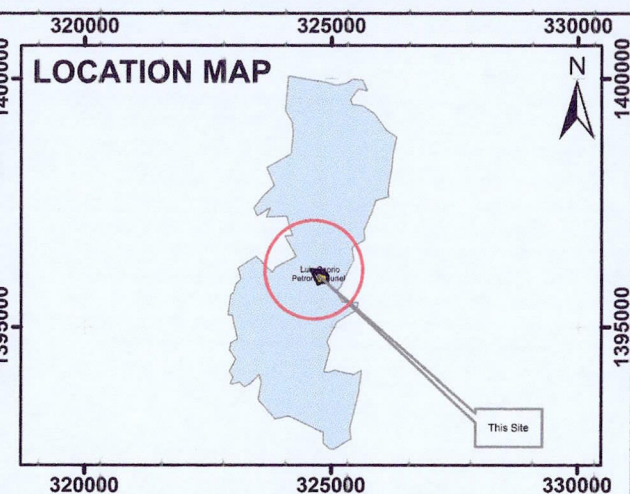
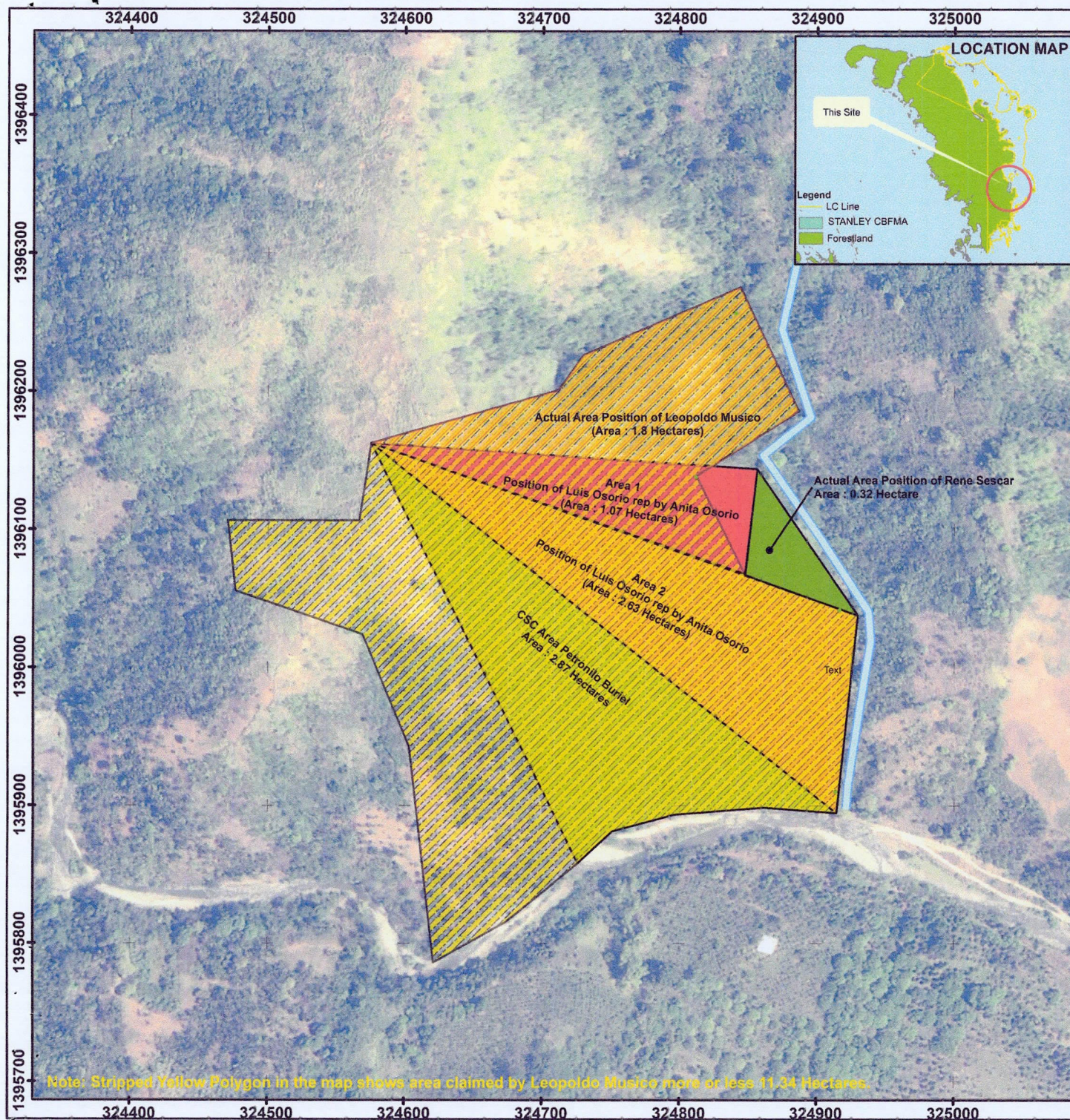
Seta

1.

2.



Domestador Patriag
Domestador Patriag
Lagda





Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Provincial Environment and Natural Resources Office

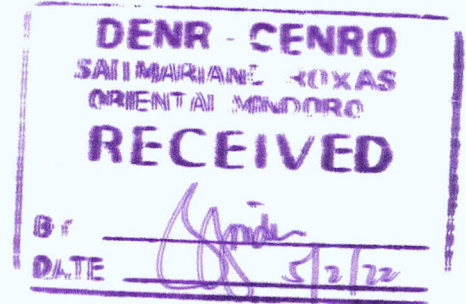
April 22, 2022

MEMORANDUM

TO : The CENR Officer
Roxas, Oriental Mindoro

FROM : The In-charge, Office of the PENR Officer
Oriental Mindoro

SUBJECT : **LETTER OF MR. LEOPOLDO E. MUSICOI RE: LAND PROBLEM IN BARANGAY SAN VICENTE, ROXAS, ORIENTAL MINDORO (PCC CODE NO. GL-AKA-11-02-2021-009/DENRCO-ASRMD-2021-030614)**



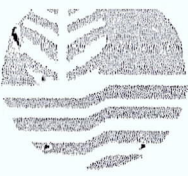
This is to reiterate the submission of update or result of the actual inspection and survey of the complaint area within the STANLEY CBFM Association. Kindly submit report o action taken with comment/s and categorical recommendations to serve as basis for further action by the Regional Office.

For compliance.

For the PENR Officer:


ALMA E. GIBE
DMO V/Chief, Technical Services Division
In-charge, Office of the PENRO

220400064



MAR 24 2022

MEMORANDUM

TO : THE PENR OFFICER
Oriental Mindoro

ATTENTION : THE CENR OFFICER
Roxas, Oriental Mindoro

FROM : THE OIC, REGIONAL EXECUTIVE DIRECTOR

SUBJECT : LETTER OF MR. LEOPOLDO E. MUSICO RE: LAND PROBLEM
IN BARANGAY SAN VICENTE, ROXAS, ORIENTAL MINDORO
(PCC CODE NO. GL-AKA-11-02-2021-009/DENR-ASRMD-
2021-030614)

This is to acknowledge receipt of your Memorandum dated January 11, 2022 and its enclosures regarding the above subject.

Based on the submitted Memorandum Report in Completed Staff Work dated December 15, 2021 of then OIC, CENRO Alma E. Gibe, this Office concur with their recommendation to conduct actual inspection and parcellary survey of the complaint area to determine the actual location occupied by the concerned forest occupants within STANLEY CBFM Association.

Relative thereto, please update this Office of any development and the result of the actual inspection and survey consistent with existing laws, rules and regulations within the prescribed period provided under R.A. 11032. Further, submit report of action taken with comment/s and categorical recommendations to serve as basis for further action by this Office.

For compliance.


LORMELYN E. CLAUDIO, CESO IV

Copy furnished:

- **Presidential Complaint Center**
Office of the President
Malacañang, Manila
- Office of the Assistant Secretary
For Field Operations-Luzon, Visayas Ave.,
Diliman, Quezon City
- Mr. Leopoldo E. Musico
Brgy. San Mariano, Roxas,
Oriental Mindoro



Department of Environment and Natural Resources
MIMAROPA Region

