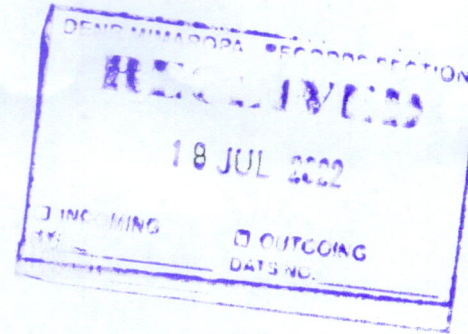


July 10, 2022

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.

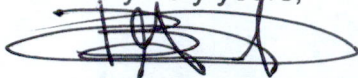
Dear Mr. Simpulna, this is why we are bringing this to your attention because we believe that DENR can help resolve the conflict.

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 horizontal line.

BENNETT B. MARCELO

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	70.00 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 39°-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.

PLAN OF LAND
OF LOT-5685
AS SURVEYED FOR
BENIGNO C. MARCELO
SITUATED IN THE
RURBAN CODE: 045316
BARANGAY OF: TAGBUROS
MUN./CITY OF: PUERTO PRINCESA CITY
PROVINCE OF: PALAWAN
ISLAND OF: PALAWAN
CONTAINING AN AREA OF **66,972** SQ
PPCS-TM/PRS 92 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 under my direct supervision in conformity with the provision of RA 8550, as amended, otherwise known as the Geodetic Engineering Act of 1993 and the rules and regulations of the Department of Environment and Natural Resources.
I further certify that this plan accurately indicates the boundaries of the property as pointed to me on the ground by the survey claimant in his authorized representative and/or based on the reliable topographic and/or technical documents and that I assume full responsibility for the technical correctness of the survey and the accuracy of the measurements set forth hereon.

BALTANAS CLAYDY
GEODETIC ENGINEER
PRC No. 135387
Date: **JULY 6, 2012**
TIN No. 135-058-837

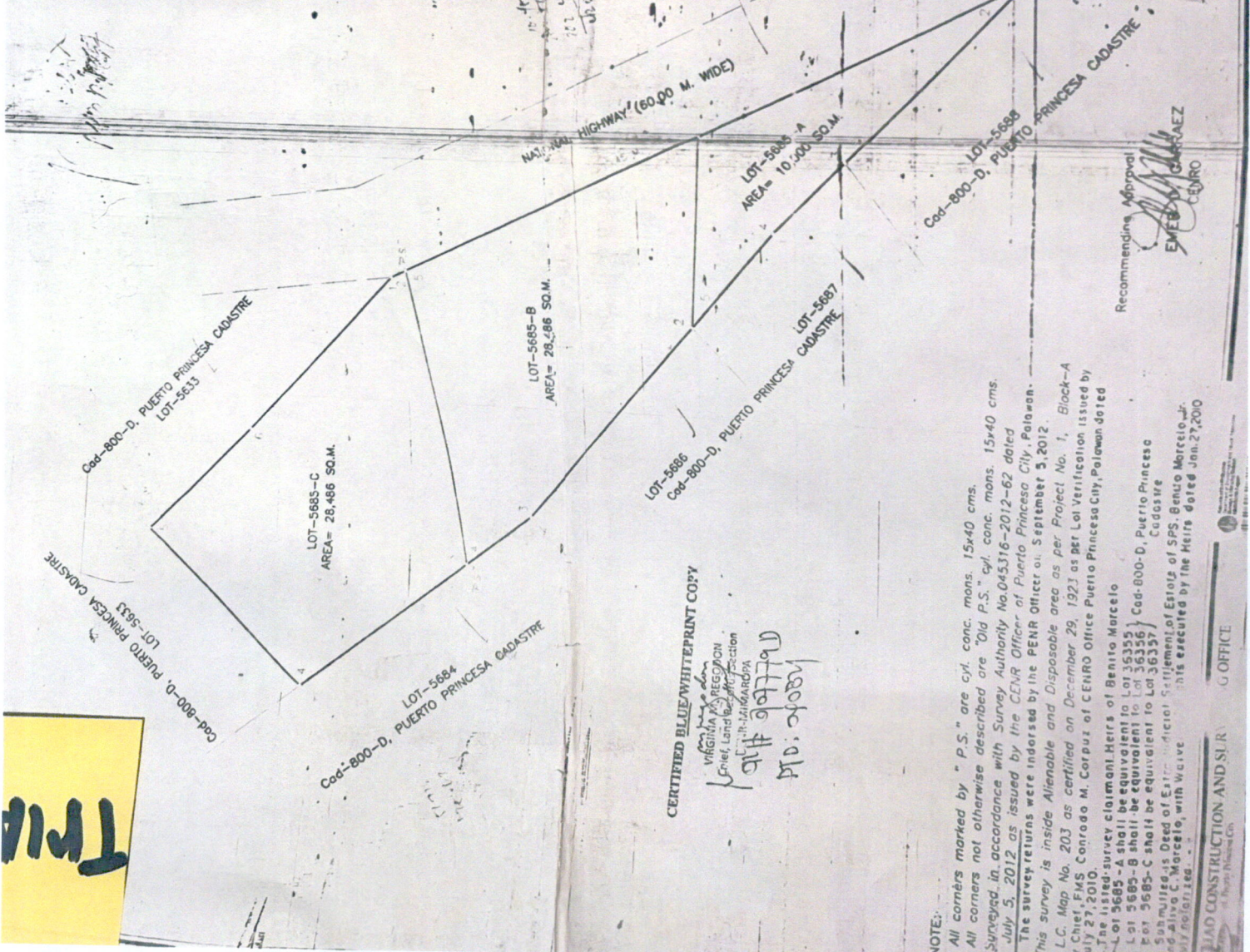
Republic of the Philippines
Department of Environment and Natural Resources
LAND MANAGEMENT SERVICES
Region Office...MINAROPA
MANILA

The survey plotted herein is found to be in order as per submitted survey returns of the Geodetic Engineer and is recommended for approval.
APPROVED: March 15, 2013
OSCAR C. DOMINGUEZ
REGIONAL SURVEYS DIVISION

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

Date Submitted for Approval	8-26-2012	Date Received	
Position verified by	8-26-2012	Position & Signature	
Field Notes checked by		Map Notes checked by	
Map Notes checked by		Lot Data Computation checked by	
Traced / linked by		Checked and Verified by	

ADDITIONAL INFORMATION AFTER DATE OF APPROVAL
13-0446
Csd-4B-000791



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 GENR Officer of Puerto Princesa City, Palawan.
The survey returns were endorsed by the PENR Officer on September 3, 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, FMS Conrado M. Corpus of CENRO Office Puerto Princesa City, Palawan dated July 27, 2010.
The listed survey claimant Heirs of Benito Marcelo
Lot 5685-A shall be equivalent to Lot 3535
Lot 5685-B shall be equivalent to Lot 3536
Lot 5685-C shall be equivalent to Lot 3537
Submittal is Obed of Estate Judicial Settlement of Estate of SPS. Benito Marcelo and alive C. Marcelo, with Waiver
Only notated.

VERIFICATION FEE
Paid Under
OR No. 4692519
Date: SEPT. 26, 2012
Lots: 16
Corners

ADAO CONSTRUCTION AND SUR
OFFICE



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)

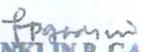
TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that the tract of land identified as Lot No. 3685-A, Csd-481-0007791 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 September 10, 2021.

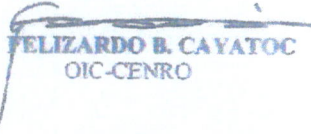
Prepared and Projected by:


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

Assessment fee: P50.00
Registration 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: 9:43 AM
NAME: [Signature]
OFFICE: [Signature]

Dear CENRO VELASCO:

I am hereby submitting my application for Lot No. 5685-A IDENT to 36355, CSD-43000791-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

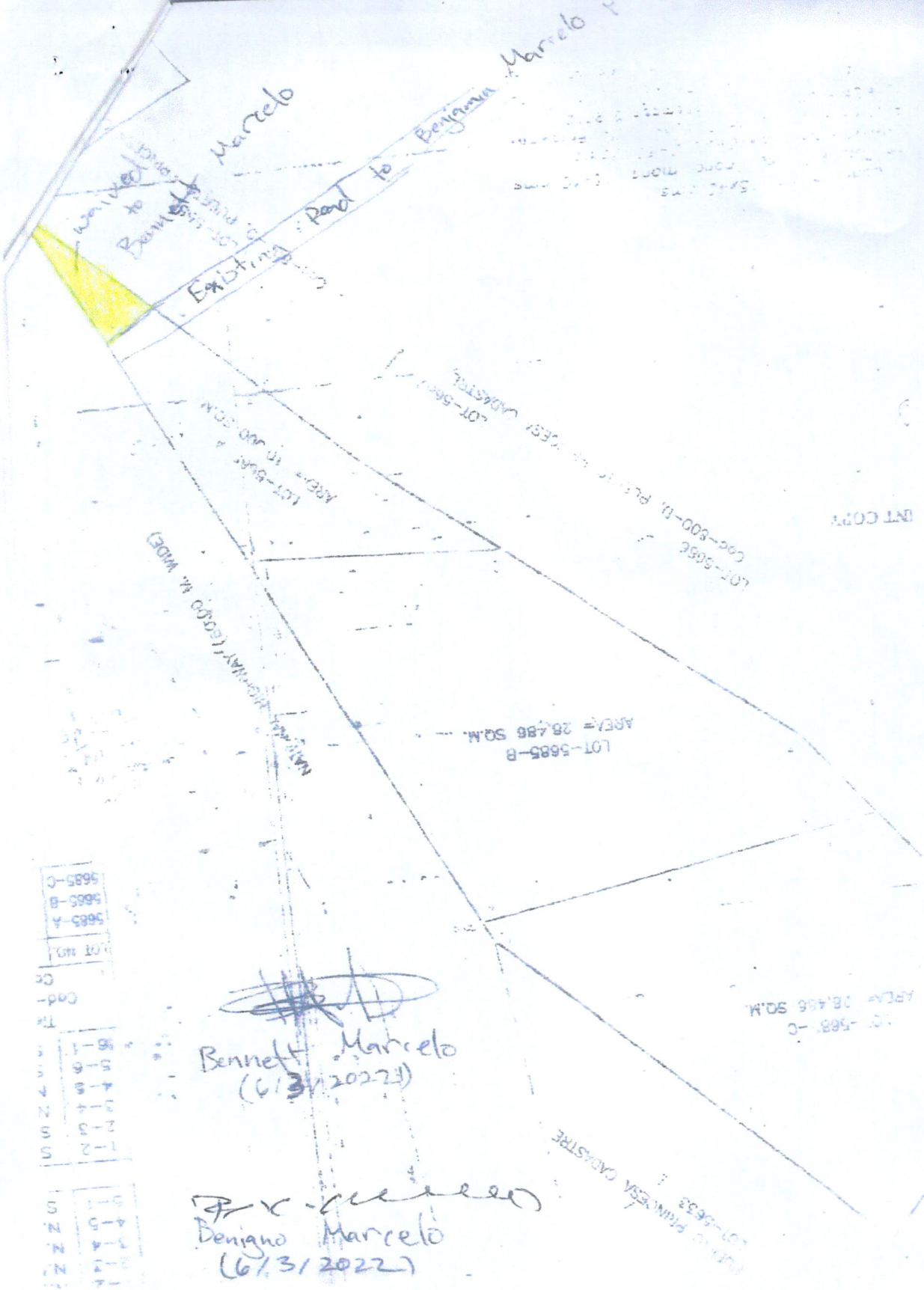
Sir, I hope that you will give this application your most favourable consideration and decision. I am available to answer any question at the following email address and contact number: bennettmarcelo85@yahoo.com and cellphone no. 09055230310. Thank you.

Sincerely yours,



BENNETT BACOSA MARCELO
Applicant





5685-C	5685-B	5685-A	LOT NO.
1-1	1-2	1-3	1
2-1	2-2	2-3	2
3-1	3-2	3-3	3
4-1	4-2	4-3	4
5-1	5-2	5-3	5
6-1	6-2	6-3	6
7-1	7-2	7-3	7
8-1	8-2	8-3	8
9-1	9-2	9-3	9
10-1	10-2	10-3	10

Bennett Marcelo
(6/3/2022)

Benigno Marcelo
(6/3/2022)

INT COPY



TANGGAPAN NG LUPONG TAGAPAMAYAPA

BENNETT MARCELO
May Sumbong

Barangay Bilang: 22-095
Ukol sa: _____

- laban kay -

BENIGNO MARCELO
Ipinagsumbong

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 Stree, 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. Tagburos 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.

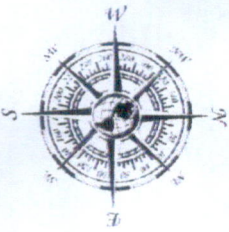
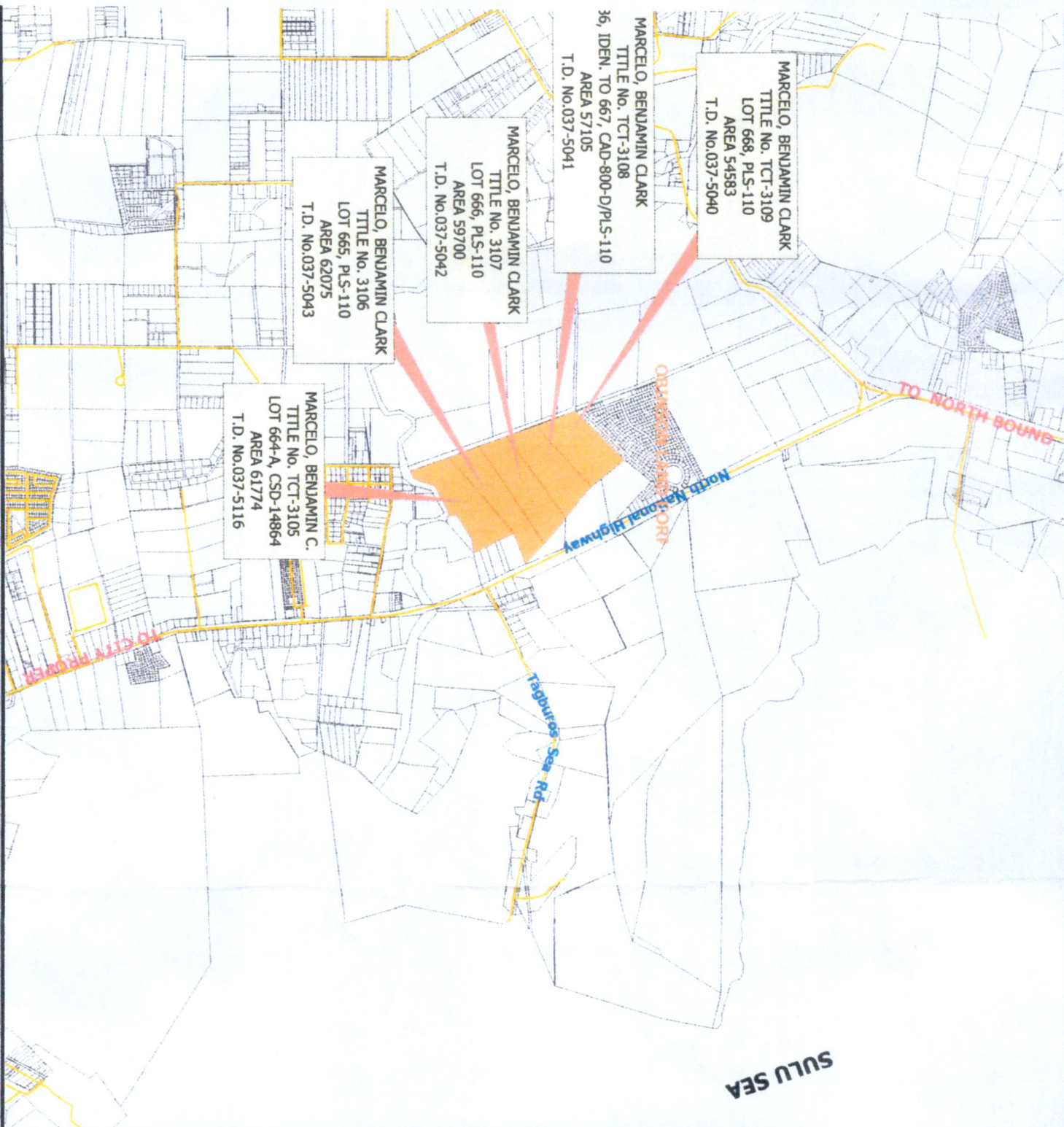
We are still hoping that the conflict between Mr. Benigno C. Marcelo and myself, as the Attorney-In-Fact of all the heirs of my late father, Mr. Benjamin C. Marcelo, can be settled amicably.

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