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Regional Executive Director

Mr. Felizardo B. Cayatoc
PENRO

Engr. Alan L. Valle
CENRO

Ms. Mildred A. Suza
Protected Area Superintendent

Re: Request for Technical Conference on the
Results of the 2 March 2022 Survey

Gentlemen/Mesdames:

On behalf of Ten Knots Phils., Inc. ("TKPI"), we write to formally request anew for the conduct of a technical conference regarding the results of the joint survey held

28 July 2022

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on 2 March 2022 in relation to TKPI's Forest Land Use Agreement for Tourism Purposes No. DENR IV-MIMAROPA-12302030-0010 ("FLAGT").

As background, the Department of Environment and Natural Resources ("DENR") awarded TKPI with the FLAGT covering 3.206 hectares of forest land located at Cadlao Island, Brgy. Buena Suerte, El Nido. The FLAGT was issued on 27 December 2005 and is valid until 30 December 2030. As early as 1998, TKPI has been in open and continuous possession of the areas covered by the FLAGT pursuant to a Special Use Permit issued by the DENR Provincial Environment and Natural Resources Office ("PENRO") on 23 September 1998.

In 2017, TKPI discovered that on 27 April 2015, the Registry of Deeds of Palawan issued Original Certificates of Titles ("OCTs") in the names of Baberlyn D. Gomez ("Mrs. Gomez") and Noel Tampe ("Mr. Tampe") with a total area of 10.6 hectares, purportedly pursuant to agricultural Free Patent Applications. The technical descriptions of the parcels of land covered by the OCTs show that they are identical to lots already delineated through a cadastral survey, particularly Cad 1037-D.

On 27 October 2021, the DENR conducted an actual ground survey to confirm the metes and bounds of the area covered by the Company's FLAGT. That survey confirmed that areas claimed by Spouses Gomez overlapped with TKPI's FLAGT. Moreover, that survey also confirmed that the OCTs are timberland, which are not alienable and disposable land of the public domain susceptible of private acquisition through a free patent application.

On 13 January 2022, a technical conference was held, which was attended by the DENR Regional Office, Community Environment and Natural Resources Office ("CENRO"), and TKPI. TKPI raised the erroneous titling of the areas claimed by Spouses Gomez and the overlap with TKPI's FLAGT. The CENRO thus committed that a reversion case will be filed against Spouses Gomez and a final survey will be conducted.

On 2 March 2022, a team composed of personnel from the DENR Regional Office, the CENRO, the DENR's geodetic engineer, and the Protected Area Officer of El Nido conducted a survey, which was also attended by TKPI's representative and Israel Gomez. However, the survey focused on the survey points of TKPI's FLAGT and left out the areas that overlap with Mrs. Gomez's and Mr. Tampe's OCTs.

Despite TKPI's multiple attempts to follow up on the results of the 2 March 2022 survey, it has yet to be informed of the same.¹

In the meantime, TKPI requests for guidance on the implementation of its FLAGT in light of the 2 March 2022 survey. TKPI maintains its position that its FLAGT should be respected until 30 December 2030.

¹ Letters dated 26 April 2022 and 28 June 2022 addressed to DENR Regional Executive Director Lormelyn E. Claudio.

We understand that the technical conference with the DENR is necessary for a definitive resolution of the pending issues discussed above. Accordingly, TKPI reiterates its request for a technical conference on the results of the 2 March 2022 survey.

We will make ourselves available to meet with you at your most convenient date and time.

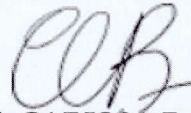
Respectfully,

ANGARA ABELLO CONCEPCION REGALA & CRUZ

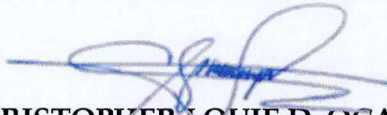
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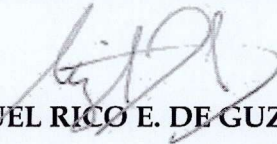
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8 September 2021

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COMMUNITY ENVIRONMENT AND NATURAL
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Attention: **Hon. Maria Lourdes G. Ferrer**
Regional Executive Director

Engr. Mr. Alan L. Valle
Officer-in-Charge, CENRO

Re: **Forest Land Use Agreement for**
Tourism Purposes No. DENR IV-
MIMAROPA-12302030-0010 issued
on 27 December 2005

Gentlemen:

We write on behalf of our client, **Ten Knots Philippines, Inc. ("TKPI")**, in relation to Forest Land Use Agreement for Tourism Purposes No. DENR IV-MIMAROPA-12302030-0010 ("FLAGT").

TKPI was previously awarded by the Department of Environment and Natural Resources ("DENR") a Forest Land Use Agreement for Tourism Purposes No. DENR IV-MIMAROPA-12302030-0010 ("FLAGT") covering 3.206 hectares of forest land located at Cadlao Island, Brgy. Buena Suerte, El Nido.¹ The FLAGT was issued on 27 December 2005 and is valid until 30 December 2030. As early 1998, TKPI has been in open, continuous, and exclusive possession of the areas covered by the FLAGT through a Special Use Permit.²

A copy of FLAGT No. DENR IV-MIMAROPA-12302030-0010 issued on 27 December 2005 is attached as Annex "A" and made an integral part hereof.

A copy of the Special Use Permit dated 6 November 1998 is attached as Annex "B" and made

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TKPI discovered that one Noel Tampe and Baberlyn Gomez secured original certificates of title ("OCTs") which cover areas that overlap with TKPI's FLAGT. In particular, the Registry of Deeds of Palawan issued Katibayan ng Orihinal na Titulo Blg. 2015000225 to Baberlyn D. Gomez, while Katibayan ng Orihinal na Titulo Blg. 2015000222 and Katibayan ng Orihinal na Titulo Blg. 2015000223 were issued to Noel Tampe. These OCTs were issued on 27 April 2015 purportedly pursuant to Free Patent Applications.

Most recently, TKPI and the Community Environment and Natural Resources Office ("CENRO") had the following exchange:

- a. On 26 July 2021, the CENRO wrote TKPI to facilitate the conduct of an actual ground survey to determine the metes and bounds of the area covered by its FLAGT, pursuant to a 19 May 2021 Memorandum from the Regional Executive Director. Said survey will be conducted with the assistance of TKPI's geodetic engineer.
- b. On 10 August 2021, TKPI received the CENRO's 6 August 2021 Third and Final Notice of Violation and Order to Vacate ("NTV"), which was also addressed to Israel and Baberlyn Gomez. In the NTV, the CENRO ordered TKPI to remove its guard house and perimeter fence which is within the 40-meter easement area. The easement area is covered by TKPI's FLAGT.
- c. On 17 August 2021, TKPI wrote the CENRO requesting that the actual ground survey be conducted sometime between 13 to 17 September 2021 due to the availability of its geodetic engineer.
- d. On 23 August 2021, TKPI wrote the CENRO confirming receipt of the NTV, and reiterating that its occupation of the 40-meter easement area should be respected. TKPI also informed the CENRO that it is awaiting the actual ground survey pursuant to CENRO's letter dated 26 July 2021.

TKPI is currently awaiting the schedule of the: (1) next technical conference with the DENR to discuss the overlap on TKPI's FLAGT and Noel Tampe's and Baberlyn Gomez' OCTs; and (2) actual ground survey to be conducted by the CENRO.

In the meantime, TKPI requests for guidance on the implementation of its FLAGT in light of the issuance of OCTs which overlap with the timberland

subject of the FLAGT. TKPI maintains its position that its FLAGT shall be respected until 30 December 2030.


We understand that the technical conference with the DENR and the actual ground survey by the CENRO are necessary for a definitive resolution of the pending issues discussed above. To facilitate such resolution, however, TKPI also respectfully requests for copies of all surveys conducted involving the areas covered by its FLAGT and the OCTs of Gomez and Tampe.

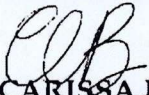
Thank you for your kind consideration and prompt attention on this matter.

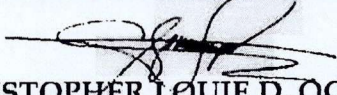
Very truly yours,

ANGARA ABELLO CONCEPCION REGALA & CRUZ

By:


SALVADOR L. PEÑA


CHRYSILLA CARISSA P. BAUTISTA


CHRISTOPHER LOUIE D. OCAMPO


JESSICA SHARLA G. BUSTAMANTE



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Region IV-B - MIMAROPA
L & S Building, 1816 Roxas Boulevard
Ermita, Manila

**FOREST LAND USE AGREEMENT for TOURISM PURPOSES
(FLAgT)**

BATHING ESTABLISHMENT

No. DENR IV-MIMAROPA-12302030-0010

is
hereby awarded to

TEN KNOTS PHILIPPINES, INC.
(TEN KNOTS DEVELOPMENT CORPORATION)
(Lessee)

Covering Three Point Two Hundred Six (3,206) hectares of forest land, located at Cadlao Island, Barangay Buena Suerta, El Nido, Palawan pursuant to Section 1838 of Republic Act No. 2711, as amended by E.O. 292, known as the Revised Administrative Code, as amended by Section 57 of P.D. 705, as amended and DAO No. 2004-28, for a period of twenty-five (25) years to expire on December 30, 2030.

Given this 27th day of December, in the year of our Lord Two Thousand and Five at the City of Manila, Philippines.


VICENTE S. PARAGAS, CESO III
OIC, ASEC for Field Operations
Concurrent Regional Executive Director
Region IV-B



Republic of the Philippines
Department of Environment and Natural Resources
Region IV-B, MIMAROPA
DENR By the Bay Building
1515 Roxas Blvd., Ermita, Manila

FOREST LAND USE AGREEMENT FOR TOURISM PURPOSES (FLAgT)

(BATHING ESTABLISHMENT)

DENR IV-MIMAROPA-12302030-0010
NUMBER

TEN KNOTS PHILIPPINES INC.
(TEN KNOTS DEVELOPMENT CORPORATION) (TKDC)
LESSEE

CADLAO ISLAND, BARANGAY BUENA SUERTE, EL NIDO, PALAWAN
LOCATION OF THE AREA

This Forest Land Use Agreement for Tourism purposes (FLAgT) made and entered into by and between the OIC, ASEC for Field Operations Concurrent Regional Executive Director of DENR IV-MIMAROPA REGION, **VICENTE S. PARAGAS, CESO III**, for and in behalf of the Republic of the Philippines, hereinafter called the LESSOR, and **TEN KNOTS PHILIPPINES INC. (TEN KNOTS DEVELOPMENT CORPORATION)**, represented by **MR. ALBERTO A. LIM**, President, with Office address at 2nd Floor Builders Centre Building, 170 Salcedo Street, Legaspi Village, 1229 Makati City, as the LESSEE.

WITNESSETH

That the LESSOR, as Regional Executive Director of DENR IV-MIMAROPA, acting under the authority of Section 1838 of Republic Act No. 2711, as amended by E.O. 292, known as the Revised Administrative Code, as amended; Section 57 of P.D. 705, as amended and DAO 2004-28, hereby grants to the LESSEE a **FOREST LAND USE AGREEMENT FOR TOURISM (FLAgT) PURPOSES (BATHING ESTABLISHMENT)** for a period of **TWENTY-FIVE (25) years** to expire on **December 30, 2030**, covering an area of **THREE POINT TWO HUNDRED-SIX (3.206) hectares** of forest land, located at **Cadlao Island, Barangay Buena Suerte, El Nido, Palawan**, the description and boundaries shown in the attached sketch/map, which forms part of this FLAgT, subject to the following conditions:

By Authority of the Secretary
Of the Department of Environment
And Natural Resources

By:

VICENTE S. PARAGAS, CESO III
LESSOR

Witness

By:

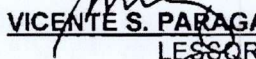
ALBERTO A. LIM
LESSEE

Witness

- I. Within six (6) months from the issuance of the FLAgT, the holder shall delineate and mark on the ground the boundaries of the FLAgT area and its zones, subject to verification by DENR, and shall preserve the monuments and other land marks indicating corners and outlines along the boundaries and within the confines of the area covered by the FLAgT;
- II. The holder shall submit within three (3) months from the issuance of the FLAgT, a Site Management Plan (SMP) for the protection of the environment and conservation of natural resources in the area. The SMP shall be accompanied with a performance bond determined based on procedures for special forest land uses;
- III. The holder shall immediately secure the required Environmental Compliance Certificate (ECC) and other necessary permits prior to conduct of any activity in the area;
- IV. The holder shall utilize the area for the purpose for which the FLAgT is granted. In the event that the area will be utilized for other purpose/s other than what is approved, said use is subject to the prior approval of the Secretary or his/her duly authorized representative;
- V. In all instances, cutting of trees within the FLAgT area shall be subject to prior clearance by the DENR in accordance with existing rules and regulations;
- VI. The holder shall strictly adopt ecological solid waste management and abide with the provisions of the Clean Water Act;
- VII. The FLAgT holder shall protect all biodiversity in the area, especially those unique, rare and endangered flora and fauna identified as such under existing laws, rules and regulations;
- VIII. To inform the RED or his duly authorized representative on any changes in the management, ownership or capital stock of the company or corporation or transfer of a majority of the stock or share of the company or corporation as provided for in PD 705, as amended;

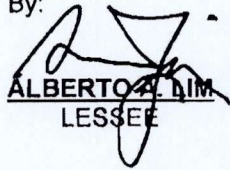
By Authority of the Secretary
Of the Department of Environment
And Natural Resources

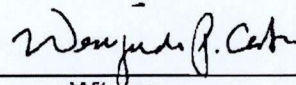
By:


VICENTE S. PARAGAS, CESO III
LESSOR


Witness

By:


ALBERTO A. LIM
LESSEE


Witness

- ~~IX~~ To surrender to the RED or his duly authorized representative, the agreement if not to be renewed on the date of expiration, or if the holder is no longer interested in the area, or in case of cancellation, immediately after the effectivity of its cancellation;
- X. In case of death of individual FLAgT holder, the heir may apply for the transfer of FLAgT within ninety (90) days upon his death;
- XI. Non-Obstruction to Navigation – This FLAgT shall not be construed as permit for the holder to obstruct the free navigation of any stream, creek or river or marine coastal area adjoining or flowing through the area, or to prohibit or interfere with the passage of people along such streams, creeks or rivers or the banks thereof, or to impede the flow and ebb of the tide to and from the interior of the swamps;
- XII. The FLAgT holder shall pay the Government Share, in the amount of P48,090.00 which is five percent (5%) of the most recent zonal value of the commercial zone within the barangay/municipality/city or province, whichever is higher and shall be paid within 30 days upon the issuance of FLAgT and annually thereafter within the same month that the FLAgT was issued. Failure to pay within the prescribed period shall be subject to surcharges of 8.33% monthly for late payment or 100% for one (1) year.
- XIII. As a guarantee of the faithful performance of and/or compliance with the Forest Laws and Regulations and the terms and conditions of the FLAgT and the payment of the government share thereof, the FLAgT holder shall post a cash bond of P96,180.00 which is twice (2x) the amount of the government share within three (3) months from the issuance of the FLAgT.

By Authority of the Secretary
Of the Department of Environment
And Natural Resources

By:

VICENTE S. PARAGAS, CESO III
LESSOR

Witness

By:

ALBERTO A. LIM
LESSEE

Witness

GROUNDS FOR SUSPENSION AND CANCELLATION OF FLAgT:

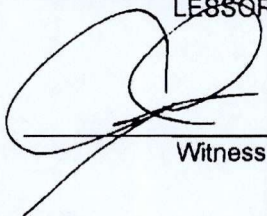
1. Failure of the FLAgT holder to settle administrative dues including government share after three (3) consecutives notices, after they become due and demandable.
2. Failure of the FLAgT holder to provide the necessary protection of the area.
3. Occupation of FLAgT holder of an area greater or other than that covered by the management agreement.
4. For allowing unauthorized person/s to use the area or any portion thereof for purposes other than what is specified in the management agreement;
5. If the privilege was obtained through fraud, misrepresentation or omission of material facts existing at the time of filing of the application.
6. Abandonment of the area or failure to exercise the privilege granted within the prescribed period of six (6) months from the issuance of the FLAgT without justifiable cause;
7. Failure to introduce improvement/development within the prescribed period as indicated in the comprehensive development/management plan.
8. Repeated violations of the provisions for cancellation.

Manila, Philippines DEC 27 2005, 200

By Authority of the Secretary
Of the Department of Environment
And Natural Resources

By:

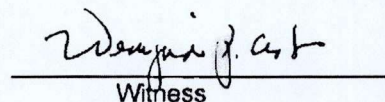
VICENTE S. PARAGAS, CESO III
LESSOR



Witness

By:


ALBERTO A. LIM
LESSEE



Witness

ACKNOWLEDGEMENT

Republic of the Philippines) ..
Manila S.S.

BEFORE me, A Notary Public for and in Manila, Philippines on
the _____ day of January, 20_____, personally
appeared the following with their respective certificate opposite their names:

NAME	COM. TAX CERT. NO.	DATE/PLACE ISSUED
<u>ALBERTO A. LIM</u>	06024981	01-19-2005/Manila
<u>VICENTE S. PARAGAS, CESO III</u>	1200321705	02-02-2005 Ilo-ilo City

Known to me to be the same persons who executed the foregoing
instruments and who acknowledged to me that the same is their free and
voluntary act and deed, as well as the free and voluntary act and deed of the
entities represented herein.

This instrument, which is the Forest Land Use Agreement for Tourism
Purposes (BATHING ESTABLISHMENT) DENR IV MIMAROPA 12302030-
0010, consists of FIVE (5) pages including this page when the
ACKNOWLEDGEMENT is written, and is signed by the parties and their
instrument on each page thereof.

WITNESS MY HAND AND SEAL, at the place and on the date written
above.

ATTY. DENNIS L. WAGAS
Notary Public NOTARY PUBLIC
UNTIL DEC. 31, 2006
PTR NO. 4547218 MLA. 1-2-06
IBP NO. 656149 MLA. IV-1-6-06
PTR No. _____ ROLL NO. 48667
Date Issued _____
Place Issued _____

Doc. No. _____
Page No. _____
Book No. _____
Series of _____



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
REGION IV
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
STA. MONICA, PUERTO PRINCESA CITY

2 000 3 0 3
Annex "B"

SPECIAL USE PERMIT (BATHING ESTABLISHMENT)

November 06, 1998

NO. DENR-IV-PENRD-110699-0006

In accordance with Section 57 of Presidential Decree No. 705, otherwise known as the Revised Forestry Code of the Philippines and DENR Administrative Order No. 98-24 dated June 2, 1998, a Special Use Permit for Bathing Establishment is hereby granted to TEN KNOTS DEVELOPMENT CORPORATION to cover 5.0 hectares of public forest land situated at Cadiao Island, Brgy. Buena Suerte, El Nido, Province of Palawan as described on the attached sketch map which form part of this permit.

This permit is subject to the existing Forest Laws, Forestry Administrative Orders and regulations and/or those which may thereafter be promulgated including the terms and conditions embodied in Annex "B", the Environmental Compliance Certificate (ECC) which form part of this permit.

The annual rental of the area shall be payable in advance at Two Hundred Fifty Pesos (P 250.00) per hectare until otherwise amended and until an appraisal or reappraisal of the land improvements therein shall have been made. Rental hereof shall eventually be based on 3% of the value of the land and 1% of the value of improvements.

The privilege granted under this permit is the use of the area by the above named permittee for BATHING ESTABLISHMENT.

This permit is NON-TRANSFERABLE AND NON-NEGOTIABLE, except as provided in Section 61 of the aforesaid Decree and expires on November 06, 1999.

BY AUTHORITY OF THE SECRETARY:


DANILO R. QUERIJERO

Provincial Environment and Natural
Resources Officer

Copy Furnished:

Secretary, DENR, Diliman, Q.C.
RED, DENR, RJV, Roxas Blvd. Manila
Director of FMB, Diliman, Q.C.
CENRO, Tsyay
File/angie

Condition : This permit is issued on the condition that the proponent shall comply with the requirements of P. D. 1586 (EIA System) prior to project implementation



ANGARA ABELLO CONCEPCION REGALA & CRUZ
LAW OFFICES

EMERICO D. DE GUZMAN
ASHA LOURDES TERESA ARNALDO-ORACION
ALEX FERNANDO S. FIDEL
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DIANNE RISHA A. CADORNA
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DALE KIMBERLY G. NOBLE
ALEEN CHARISSE P. CRUZ
LISA CLANSSA VERONICA R. VERACRUZ
GUTIERREZ LISA MARIE L. UY
PAULO R. RABANAL
JASRA KRISTINA G. RECTO
PAULA P. PLAZA
HAPOLIN L. GONZALES III
SAMANTHA BEATRICE P. KING

JOHN ANTHONY T. ALMERHO
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RYCIA VANHELLE G. CUE
JUAN MIGUEL C. DELA CRUZ
RAMON JOSE A. DIMACULANGAN
TIFFANY ANN C. DY
RAFAEL GEORGE C. FIASOL
FRANZINE F. FORONDA
AGUSTIN P. GERALDEZ
FRANCIS S. GERONIMO
JOHN KENNETH LAURENCE A. GONZALES
SHELIA VAE A. HOFJAR
KEVIN Y. HUNG
MERVIN KENNETH C. IGNACIO
FATE SARALIN M. JETUA
KARLINA ISABEL A. LAMPA
CONSTANCE MARIE C. LIM
ANGELO J. LOCONIO
HANNAH LIZETTE S. MANUEL
ROSEMY BRANCA A. MANGASER
MARY ERICA D. MANUEL
ERISTE MARIE G. MARASAS
JOSE RANULFO R. MENDOZA
MARITON B. MOLINA
CHRISTINE P. MONTEOLIVA
ZYRA G. MONTEOLIVA
ERICA JOY B. MURCIA
MICHAEL RYAN NA THRODAD
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MARIA CELIA H. POPADON
LAURIE CHRISTINE P. QUANABAO
ANDRE PHILIPPE E. RAMOS
FAYE MICHELLE L. REGIS
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JULIENNE THERESE V. SALVADORON
NESTOR FERNANDO T. SIAJON
CLYDE T. TAN
CHARLES LAURENCE S. TISON
PHILIP CONRAD D. VALES

** ON LEAVE
+ DECEASED

ACCRA LAW®

16 November 2021

5.9571

OFFICE OF THE REGIONAL EXECUTIVE DIRECTOR
DENR Region IV - MIMAROPA
DENR by the Bay, 1515 L&S Bldg.
Roxas Boulevard, Manila

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
DENR Region IV - MIMAROPA
Taytay, Palawan

Attention: Hon. Maria Lourdes G. Ferrer
Regional Executive Director

Engr. Alan L. Valle
Officer-in-Charge, CENRO

Re: Letter dated 24 September 2021

Dear Hon. Ferrer:

We write on behalf of our client, Ten Knots Philippines, Inc. ("TKPI"), in response to your letter dated 24 September 2021.

In compliance with the *Notice of Violation* ("NOV") dated 20 September 2020, which TKPI received on even date, and the *Notice of Illegal Construction* dated 30 September 2021, which TKPI received on even date, both issued by the Office of the Municipal Engineer, TKPI removed under protest all structures situated within the 40-meter easement although the same forms part of the area covered by TKPI's Forest Land Use Agreement for Tourism Purposes No. DENR IV-MIMAROPA-12302030-0010 ("FLAGT").¹

The removal of the structures is without prejudice to TKPI's right to occupy the 3.2 hectares of land covered by its FLAGT, which includes the 40-meter easement. Rest assured that TKPI intends to comply with all laws and regulations and to secure the necessary clearances and permits as may be required by law.

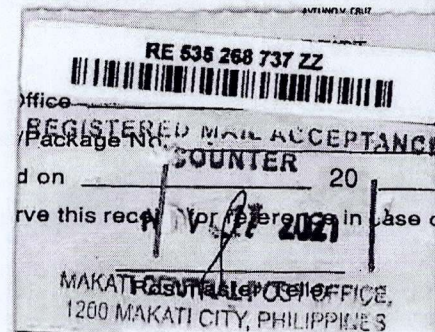
Thank you for your kind consideration and prompt attention to this matter.

Very truly yours,

ANGARA ABELLO CONCEPCION REGALA & CRUZ

Issued by the Department of Environment and Natural Resources on 27 December 2005.

REGISTERED
RETURN CARD



6/F CEBU HOLDINGS CENTER BLDG.
CEBU BUSINESS PARK (AYALA)
8000 CEBU CITY
PHILIPPINES
TELEPHONE: (632) 233-4323
(632) 233-1449
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MIRIA S. MONTECALVO-QUILATAN
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Resident Partners

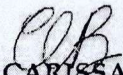
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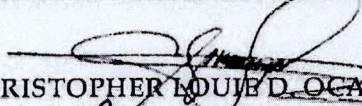
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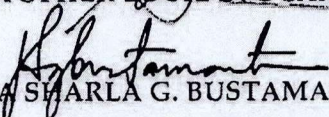
SALVADOR L. PEÑA



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ANGARA ABELLO CONCEPCION REGALA & CRUZ
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MARTIN LUGI G. SAMSON
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FELICE SUZANNE D. SORIA
SHE-MAE N. RICO
DAN BEBARD S. SABELLA
JOHN JAMIE TH. M. LESTRA-DUMPA
MARIA ALTHEA M. TREVES
JACQUELYN ANNE MARIE G. ANTONIO-GERALDEZ
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Attention: **Hon. Lormelyn E. Claudio**
Regional Executive Director

Re: **2 March 2022 Joint Survey for Forest
Land Use Agreement for Tourism
Purposes No. DENR IV-MIMAROPA-
12302030-0010**

Gentlemen:

On behalf of our client, **Ten Knots Philippines, Inc. ("TKPI")**, we write in connection with the joint survey conducted in relation to Forest Land Use Agreement for Tourism Purposes No. DENR IV-MIMAROPA-12302030-0010 ("FLAGT").

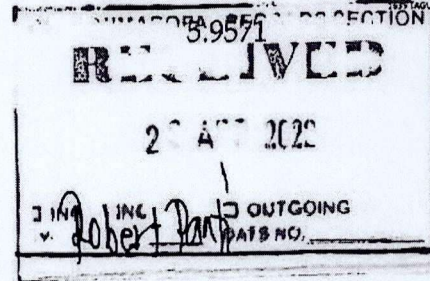
To resolve the overlap between TKPI's FLAGT and the original certificates of title ("OCT") issued to Noel Tampe and Baberlyn Gomez,¹ a team composed of personnel from the Department of Environment and Natural Resources ("DENR") Regional Office, the Community Environment and Natural Resources Office ("CENRO"), the DENR's geodetic engineer, and the Protected Area Officer of El Nido conducted a survey on 2 March 2022. TKPI representatives and Israel Gomez were present when the survey was conducted. The team found the survey points referenced in the ground survey that Engineer Nestor D. Veneracion conducted on 27 October 2021 for the DENR.

The 2 March 2022 ground survey focused on the survey points of TKPI's FLAGT but left out the areas that overlap with Noel Tampe's and Baberlyn Gomez' OCTs, which your good office confirmed to be timberland during the 13 January 2022 technical conference attended by key personnel from the DENR Regional Office and the CENRO. To recall, among the issues identified during

¹ Orihinal na Titulo Blg. 2015000225 issued to Baberlyn D. Gomez, Orihinal na Titulo Blg. 2015000222 and 2015000223 issued to Noel Tampe

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26 April 2022



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that meeting was the erroneous titling of areas that are timberland and are covered by TKPI's FLAGT. To address the issue, your good office explained that a final survey will be conducted and the titles covering timberland will be cancelled. Your good office committed that a reversion case will be filed to reclaim the timberland mistakenly covered by the OCTs.

Also during the 13 January 2022 meeting, the ongoing illegal construction of Israel Gomez in the disputed area was discussed. Your good office confirmed that the issuance of a Notice of Violation is proper because the construction activities are being undertaken without the necessary building permits. For the information of your good office, Israel Gomez continues to build permanent structures even on the foreshore areas. Attached are photos of Gomez' structures, for your consideration and usual prompt action on the matter.

In line with the foregoing developments, we kindly follow up on: (1) the results of the 2 March 2022 ground survey and all other ground verifications on the scope of TKPI's FLAGT, including the 27 October 2021 actual ground survey where it was confirmed that areas claimed by Spouses Israel and Baberyln Gomez, wherein they are performing construction works, fall within the area covered by TKPI's FLAGT; (2) the issuance of the Notice of Violation against the developers in the disputed area; and (3) any developments regarding the reversion case for the timberland erroneously titled.

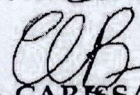
Thank you for your kind consideration and prompt attention to this matter.

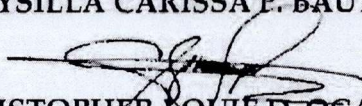
Very truly yours,

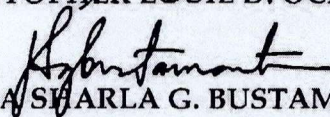
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**PROVINCIAL ENVIRONMENT AND NATURAL
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**EL NIDO-TAYTAY MANAGED RESOURCE
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Attn: Ms. Mildred A. Suza

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† DECEASED

28 June 2022

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2129 409 41
SENT THRU DHL
DATE: 29 JUN 2022

Attention: **Hon. Lormelyn E. Claudio**
Regional Executive Director

Re: **Follow-up on results of 2 March 2022
Joint Survey for Forest Land Use
Agreement for Tourism Purposes No.
DENR IV-MIMAROPA-12302030-0010**

Dear Regional Executive Director Claudio,

On behalf of our client, **Ten Knots Philippines, Inc. ("TKPI")**, we write in connection with the joint survey conducted in relation to Forest Land Use Agreement for Tourism Purposes No. DENR IV-MIMAROPA-12302030-0010 ("FLAGT").

To recall, to resolve the overlap between TKPI's FLAGT and the original certificates of title ("OCT") issued to Noel Tampe and Baberlyn Gomez, a team composed of personnel from the Department of Environment and Natural Resources ("DENR") Regional Office, the Community Environment and Natural Resources Office ("CENRO"), the DENR's geodetic engineer, and the Protected Area Officer of El Nido conducted a survey on 2 March 2022.

This survey focused on the survey points of TKPI's FLAGT but left out the areas that overlap with Noel Tampe's and Baberlyn Gomez' OCTs, which your good office confirmed to be timberland during the 13 January 2022 technical conference. During this meeting, one of the issues identified was the erroneous titling of areas that are timberland and found within TKPI's FLAGT. To address the issue, your good office explained that a final survey will be conducted and the titles covering timberland will be cancelled. Your good office committed that a reversion case will be filed to reclaim the timberland mistakenly covered by the OCTs. Your good office likewise confirmed that the issuance of a Notice of Violation is proper against illegal constructions over the disputed area.

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On 26 April 2022, TKPI wrote your good office to kindly follow up on: (1) the results of the 2 March 2022 ground survey and all other ground verifications on the scope of TKPI's FLAGT, including the 27 October 2021 actual ground survey where it was confirmed that areas claimed by Spouses Israel and Baberyln Gomez, wherein they are performing construction works, fall within the area covered by TKPI's FLAGT; (2) the issuance of the Notice of Violation against the developers in the disputed area; and (3) any developments regarding the reversion case for the timberland erroneously titled.

In the same letter, TKPI also informed your good office of the continuous construction of permanent structures even on the foreshore areas by Israel Gomez. To date, such construction for commercial purposes persists, expanding to a considerable size.

Since then, TKPI has twice contacted Protected Area Superintendent Forester Mildred Suza to inform her of the continued encroachment of the operators of Lihim Resort on the easement that falls within TKPI's FLAGT, as well as the continuous clearing of underbrush within the disputed area. On 14 June 2022, TKPI wrote to her, attaching photos of TKPI's tarpaulins that were ruined, and informing her that this is not the first time that this happened. To date, the concern remains unresolved.


In view of the foregoing developments, we respectfully reiterate our request for the issuance of the Notice of Violation against these developers. We also follow-up on the results of the 2 March 2022 ground survey and all other ground verifications on the scope of TKPI's FLAGT, and developments on the reversion of the timberland that was erroneously titled.

Thank you for your kind consideration and prompt attention to this matter.

Very truly yours,

ANGARA ABELLO CONCEPCION REGALA & CRUZ

By:


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Attn: Engr. Alan L. Valle

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Attn: Ms. Mildred A. Suza

Protected Area Superintendent

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28 June 2022

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Attention: **Hon. Lormelyn E. Claudio**
Regional Executive Director

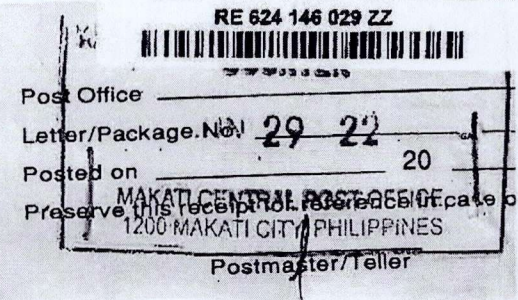
Re: **Follow-up on results of 2 March 2022**
Joint Survey for Forest Land Use
Agreement for Tourism Purposes No.
DENR IV-MIMAROPA-12302030-0010

Dear Regional Executive Director Claudio,

On behalf of our client, **Ten Knots Philippines, Inc. ("TKPI")**, we write in connection with the joint survey conducted in relation to Forest Land Use Agreement for Tourism Purposes No. **DENR IV-MIMAROPA-12302030-0010 ("FLAGT")**.

To recall, to resolve the overlap between TKPI's FLAGT and the original certificates of title ("OCT") issued to Noel Tampe and Baberlyn Gomez, a team composed of personnel from the Department of Environment and Natural Resources ("DENR") Regional Office, the Community Environment and Natural Resources Office ("CENRO"), the DENR's geodetic engineer, and the Protected Area Officer of El Nido conducted a survey on 2 March 2022.

This survey focused on the survey points of TKPI's FLAGT but left out the areas that overlap with Noel Tampe's and Baberlyn Gomez' OCTs, which your good office confirmed to be timberland during the 13 January 2022 technical conference. During this meeting, one of the issues identified was the erroneous titling of areas that are timberland and found within TKPI's FLAGT. To address the issue, your good office explained that a final survey will be conducted and the titles covering timberland will be cancelled. Your good office committed that a reversion case will be filed to reclaim the timberland mistakenly covered by the OCTs. Your good office likewise confirmed that the issuance of a Notice of Violation is proper against illegal constructions over the disputed area.



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ZYRA G. MONTEFOLCA



On 26 April 2022, TKPI wrote your good office to kindly follow up on: (1) the results of the 2 March 2022 ground survey and all other ground verifications on the scope of TKPI's FLAGT, including the 27 October 2021 actual ground survey where it was confirmed that areas claimed by Spouses Israel and Baberyln Gomez, wherein they are performing construction works, fall within the area covered by TKPI's FLAGT; (2) the issuance of the Notice of Violation against the developers in the disputed area; and (3) any developments regarding the reversion case for the timberland erroneously titled.

In the same letter, TKPI also informed your good office of the continuous construction of permanent structures even on the foreshore areas by Israel Gomez. To date, such construction for commercial purposes persists, expanding to a considerable size.

Since then, TKPI has twice contacted Protected Area Superintendent Forester Mildred Suza to inform her of the continued encroachment of the operators of Lihim Resort on the easement that falls within TKPI's FLAGT, as well as the continuous clearing of underbrush within the disputed area. On 14 June 2022, TKPI wrote to her, attaching photos of TKPI's tarpaulins that were ruined, and informing her that this is not the first time that this happened. To date, the concern remains unresolved.


In view of the foregoing developments, we respectfully reiterate our request for the issuance of the Notice of Violation against these developers. We also follow-up on the results of the 2 March 2022 ground survey and all other ground verifications on the scope of TKPI's FLAGT, and developments on the reversion of the timberland that was erroneously titled.

Thank you for your kind consideration and prompt attention to this matter.

Very truly yours,

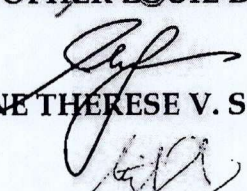
ANGARA ABELLO CONCEPCION REGALA & CRUZ

By:

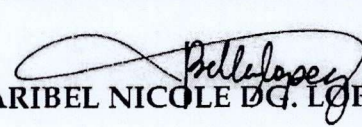

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**PROVINCIAL ENVIRONMENT AND NATURAL
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**COMMUNITY ENVIRONMENT AND
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Attn: Engr. Alan L. Valle

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EL NIDO-TAYTAY MANAGED RESOURCE PROT

Attn: Ms. Mildred A. Suza

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RE 624 146 032 ZZ
Post Office
Letter/Package No. **COUNTER**
Posted on **JUN 29 2020**
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1200 MAKATI, PHILIPPINES

RE 624 146 046 ZZ
Post Office
Letter/Package No. **COUNTER**
Posted on **JUN 29 2020**
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MAKATI CENTRAL POST OFFICE,
1200 MAKATI, PHILIPPINES

RE 624 146 050 ZZ
Post Office
Letter/Package No. **COUNTER**
Posted on **JUN 29 2020**
Preserve this receipt for reference in case of inquiry
MAKATI CENTRAL POST OFFICE,
1200 MAKATI, PHILIPPINES



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Attention: **Hon. Lormelyn E. Claudio**
Regional Executive Director

Re: **2 March 2022 Joint Survey for Forest
Land Use Agreement for Tourism
Purposes No. DENR IV-MIMAROPA-
12302030-0010**

Gentlemen:

On behalf of our client, **Ten Knots Philippines, Inc. ("TKPI")**, we write in connection with the joint survey conducted in relation to Forest Land Use Agreement for Tourism Purposes No. DENR IV-MIMAROPA-12302030-0010 ("FLAGT").

To resolve the overlap between TKPI's FLAGT and the original certificates of title ("OCT") issued to Noel Tampe and Baberlyn Gomez,¹ a team composed of personnel from the Department of Environment and Natural Resources ("DENR") Regional Office, the Community Environment and Natural Resources Office ("CENRO"), the DENR's geodetic engineer, and the Protected Area Officer of El Nido conducted a survey on 2 March 2022. TKPI representatives and Israel Gomez were present when the survey was conducted. The team found the survey points referenced in the ground survey that Engineer Nestor D. Veneracion conducted on 27 October 2021 for the DENR.

The 2 March 2022 ground survey focused on the survey points of TKPI's FLAGT but left out the areas that overlap with Noel Tampe's and Baberlyn Gomez' OCTs, which your good office confirmed to be timberland during the 13 January 2022 technical conference attended by key personnel from the DENR Regional Office and the CENRO. To recall, among the issues identified during

¹ Orihinal na Titulo Blg. 2015000225 issued to Baberlyn D. Gomez, Orihinal na Titulo Blg. 2015000222 and 2015000223 issued to Noel Tampe

26 April 2022

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that meeting was the erroneous titling of areas that are timberland and are covered by TKPI's FLAGT. To address the issue, your good office explained that a final survey will be conducted and the titles covering timberland will be cancelled. Your good office committed that a reversion case will be filed to reclaim the timberland mistakenly covered by the OCTs.

Also during the 13 January 2022 meeting, the ongoing illegal construction of Israel Gomez in the disputed area was discussed. Your good office confirmed that the issuance of a Notice of Violation is proper because the construction activities are being undertaken without the necessary building permits. For the information of your good office, Israel Gomez continues to build permanent structures even on the foreshore areas. Attached are photos of Gomez' structures, for your consideration and usual prompt action on the matter.

In line with the foregoing developments, we kindly follow up on: (1) the results of the 2 March 2022 ground survey and all other ground verifications on the scope of TKPI's FLAGT, including the 27 October 2021 actual ground survey where it was confirmed that areas claimed by Spouses Israel and Baberyln Gomez, wherein they are performing construction works, fall within the area covered by TKPI's FLAGT; (2) the issuance of the Notice of Violation against the developers in the disputed area; and (3) any developments regarding the reversion case for the timberland erroneously titled.

Thank you for your kind consideration and prompt attention to this matter.

Very truly yours,


ANGARA ABELLO CONCEPCION REGALA & CRUZ

By:


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**EL NIDO-TAYTAY MANAGED RESOURCE
PROTECTED AREA**

Attn: Ms. Mildred A. Suza

Protected Area Superintendent

Calle Real, Brgy. Masagana,

El Nido, Palawan 5313

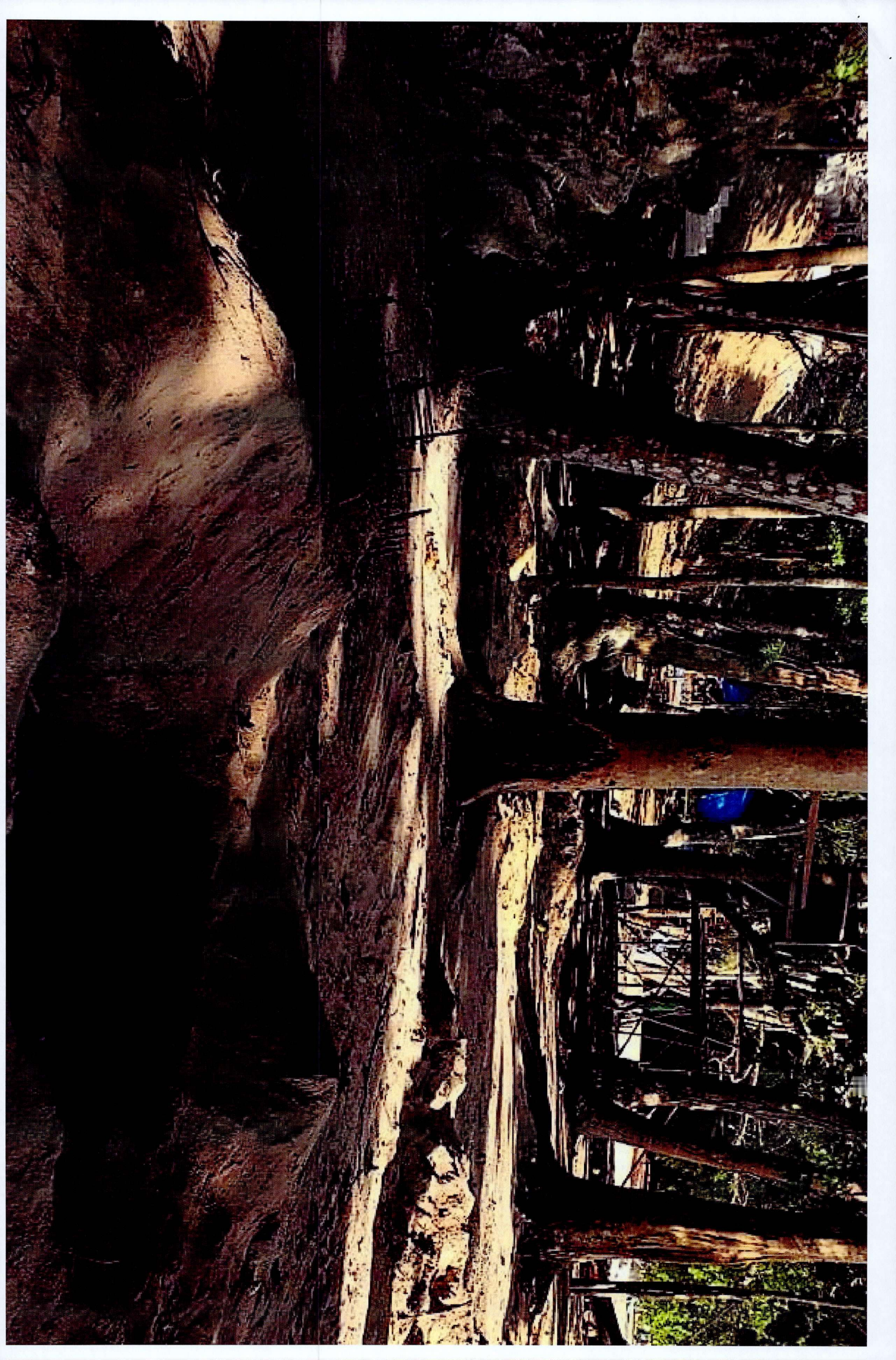
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Shot on Vivo
Vivo AI camera

