October 24, 2022



MEMORANDUM

FOR

The Regional Executive Director

1515 L&S Bldg., Roxas Blvd

Ermita Manila

FROM

The OIC, PENR Officer

Odiongan, Romblon

SUBJECT:

INDORSEMENT OF THE REPORT REGARDING THE REQUESTED DIALOGUE BY MR. AGUSTIN SALUAGE HELD AT BRGY. ESPAÑA, SAN FERNANDO, ROMBLON DATED OCTOBER 13, 2022 REGARDING LOT 1156 AND 1180 CAD 447-D SAN FERNANDO CADASTRE LOCATED AT BRGY. ESPAÑA, SAN FERNANDO, ROMBLON BEARING CODE NO. PCC CYR-02-

01-2022-081

Respectfully indorsing is the report of the above-cited subject matter.

On October 13, 2022, our staff from Regulation and Permitting Section attended the dialogue as requested by Mr. Agustin Saluage regarding the status of Lot 1156 and Lot 1180 all located in Brgy. España, San Fernando, Romblon. During discussion, it was explicitly explained to Mr. Saluage and to the participants the status of both lots wherein Lot 1156 is subject of proposed Presidential Proclamation while Lot 1180 have already been subdivided and patented to different individuals in which a list of patentees have already been provided to Mr. Saluage.

For your information and record.

FOR. ARNOLIO A BLAZA, JR

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FØR. ARNOLDO A. BLAZA, JI

C.c:

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : OIC, Chief TSD

FROM : Special Investigator/s

Land Management Inspector

SUBJECT : DIALOGUE BETWEEN DENR PENRO ROMBLON

AND MR. AGUSTIN SALUAGE TOGETHER WITH THE OTHER CLAIMANTS REGARDING LOT 1156 AND LOT 1180 CAD 447-D LOCATED AT BRGY.

ESPAÑA, SAN FERNANDO, ROMBLON

Respectfully submitted is the report, re: the above-mentioned subject

FACTS:

1.) Lot 1156 Cad 447-D located at Brgy. España, San Fernando, Romblon as a Public Land while Lot 1180 Cad 447-D located at the same barangay;

2.) Lot 1156 is a subject of Presidential Proclamation with the Municipality of San Fernando as its proponent;

3.) Lot 1180 is covered by Subdivision Plan No. Csd-04-015693, subdivided from 1180-1 to 1180-34. The following lots titled are 1180-1 to 1180-5, 1180-7 to 118-27, 1180-29, 1180-31;

OUTPUT:

- 1) The dialogue conducted on October 13, 2022 have attended by more or less 100 participants which are signatories of the petition composed of teachers, farmers, and locals of Brgy. España, San Fernando, Romblon;
- 2) It was cleared upon to the participants that Lot 1156 is subject of proposal for Presidential Proclamation for AgriTourism purposes;
- 3) That some of the signatories of the petition are professionals such as teachers while others are locals of the said barangay which are not landless;
- 4) Informed the participants that Lot 1180 is covered by Subdivision Plan No. Csd-04-015693, subdivided from 1180-1 to 1180-34 and was titled to several individuals which Mr. Saluage has a copy of the list of patentees provided by the office;

LEGAL BASIS

Commonwealth Act No. 141 of 1936

AND AN ACT TO AMEND COMPILE THE LAWS RELATIVE TO LANDS OF THE PUBLIC DOMAIN

TITLE I

TITLE AND APPLICATION OF THE ACT, LANDS TO WHICH IT REFERS, AND CLASSIFICATION, DELIMITATION, AND SURVEY — THEREOF FOR CONCESSION

SECTION 83. Upon the recommendation of the Secretary of Agriculture and Commerce, the President may designate by proclamation any tract or tracts of land of the public domain as reservations for the use of the Commonwealth of the Philippines or of any of its branches, or of the inhabitants thereof, in accordance with regulations prescribed for this purpose, or for quasi-

public uses or purposes when the public interest requires it, including reservations for highways, rights of way for railroads, hydraulic power sites, irrigation systems, communal pastures or leguas comunales, public parks, public quarries, public fishponds, workingmen's village and other improvements for the public benefit.

PRESIDENTIAL DECREE No. 1529

AMENDING AND CODIFYING THE LAWS RELATIVE TO REGISTRATION OF PROPERTY AND FOR OTHER PURPOSES

Section 48. Certificate not subject to collateral attack. A certificate of title shall not be subject to collateral attack. It cannot be altered, modified, or canceled except in a direct proceeding in accordance with law.

COMMENTS AND RECOMMENDATIONS

Per output of the recently conducted dialogue with Mr. Agustin Saluage and other claimants, it was cleared upon them that Lot 1156 is being subject for Presidential Proclaim as AgriTourism the intended use of the lot while 1180 has already been subdivided and titled to different individuals.

IN VIEW HEREOF, since Lot 1156 has already been endorsed for proclamation any claim for distribution has to wait for proclamation before any action can be executed regarding the utilization of the said property. Subsequently, the petition of Mr. Agustin Saluage as regards to Lot 1180 which have already been subdivided and titled to different individuals has to be elevated to the court since the challenge to cancel the issued patent is no longer under the jurisdiction of the Office. As Section 48 states that certificate of title shall not be subject to collateral attack. It cannot be altered, modified, or canceled except in a direct proceeding in accordance with law.

ATTACHMENTS:

1.) Geotagged pictures

Submitted by;

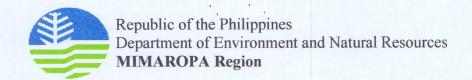
ERIC F. HANDAP Special Investigator ROMERY. GERVACIO
Land Management Inspector

Attested by:

Noted by:

MALVIN R ROCERO

Formilleza St., Brgy. Tabing-Dagat, Odiongan, Romblon Email: <u>penroromblon@denr.gov.ph</u> Tel. # (042) 567-2188



DIALOGUE BETWEEN DENR PENRO ROMBLON – RPS AND MR. AGUSTIN SALUAGE AND OTHER CLAIMANTS





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