

October 17, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA-Region
L&S Building, Roxas Blvd., Ermita Manila

THRU : The Assistant Regional Director for Technical Services

FROM : The OIC, PENR Officer

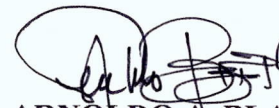
SUBJECT : **SUBMISSION OF COMPLETED STAFF WORK (CSW)
REPORT ON THE REQUEST OF MS. MARLENE RUTOR FOR
THE CONDUCT OF VERIFICATION, INSPECTION AND
INVESTIGATION OVER LOT 2999-P CAD 447-D AND LOT 3162
CAD 447-D LOCATED AT AZAGRA, SAN FERNANDO,
ROMBLON**

Respectfully submitting the Completed Staff Work report on the request of Ms. Marlene Rutor for the conduct of verification, inspection and investigation over Lot 2999-P Cad 447-d and Lot 3162 Cad 447-d located at Azagra, San Fernando, Romblon .

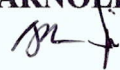
The conduct of hearing and Alternative Dispute Resolution resulted to an agreement that a relocation survey will be taken into consideration by the involved parties.

The correct technical description for Lot 3162-Cad 447-D should be requested from the Regional Office. The Geodetic Engineer of this office may also check on its technical description to correct the unclosed polygon for the said lot.

For your information, records and further instruction.



ARNOLDO A. BLAZA JR.





October 17, 2022

MEMORANDUM

FOR : The OIC, PENR Officer
Odiongan, Romblon

THRU : Chief- TSD

FROM : Chief, Monitoring and Enforcement Section

SUBJECT : **SUBMISSION OF COMPLETED STAFF WORK (CSW)
REPORT ON THE REQUEST OF MS. MARLENE RUTOR FOR
THE CONDUCT OF VERIFICATION, INSPECTION AND
INVESTIGATION OVER LOT 2999-P CAD 447-D AND LOT
3162 CAD 447-D LOCATED AT AZAGRA, SAN FERNANDO,
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For your information, records and further instruction.


JAMES M. MENDOZA



October 7, 2022

MEMORANDUM

FOR : The OIC, PENR Officer
Odiongan, Romblon

THRU : The Chief, Technical Services Division

FROM : Investigation Team

SUBJECT : **SUBMISSION OF FINAL INVESTIGATION REPORT –
COMPLETED STAFF WORK ON THE REQUEST OF MS.
MARLENE RUTOR FOR THE CONDUCT OF VERIFICATION,
INSPECTION AND INVESTIGATION OVER LOT 2999-P CAD
447-D AND LOT 3162 CAD 447-D LOCATED AT AZAGRA, SAN
FERNANDO, ROMBLON**

I. FACTUAL BACKGROUND

On May 23, 2022, the Regional Office received a handwritten letter from Ms. Marlene Rutor for a request verification, inspection and investigation over Lot 2999-P Cad 447-D and Lot 3162 Cad 447-D both located at Brgy. Azagra, San Fernando, Romblon. Portions from the said lot was purchased by the late Patria Rada-Rutor, mother of Marlene Rada, from the heirs of Bienvinido Rada. The rights from the said acquisition is being denied thus, the request.

II. LEGAL BASIS

Republic Act No. 11573, July 16, 2021

An Act Improving the Confirmation Process for Imperfect Land Titles, amending for the purpose Commonwealth Act no. 141, as amended, otherwise known as “The Public Land Act,” and Presidential Decree No. 1529, as amended, otherwise known as the “Property Registration Decree”

III. ACTIONS TAKEN

PENRO Special Order No. 22-99 was issued on August 17, 2022 and aims to conduct verification, inspection and investigation. Initial interview with Ms. Marlene was conducted through cellular phone on August 22, 2022 in order to gather needed information and set the date of actual visit for inspection and further verification and investigation.

A coordination with the Barangay Local Government Unit of Azagra was also

conducted to formalize a meeting between Ms. Marlene Rutor and the Heirs of Bienvinido Rada (for Lot 2999-P) and Antonio Lotec (for Lot 3162). An ample time is allotted so that the individuals involved, be present on the scheduled hearing, inspection and verification, set on August 31, 2022.

On August 31, 2022, Ms. Marlene Rutor, Mr. Antonio Lotec and the heirs of Bienvinido Rada were all present at the barangay hall of Brgy. Azagra, San Fernando, Romblon, in order to discuss the matter at hand.

IV. FINDINGS AND RESOLUTION

The following are the results of the investigation made:

On Lot 2999-P Cad 447-D

1. Cadastral Survey over Brgy. Azagra to which Lot 2999 belong (Case 3) was approved on December 23, 1974
2. The Survey Claimant over Lot 2999 are the Heirs of Bienvinido Rada. Presently, the lot is untitled and has subsisting application from the Heirs of Bienvinido Rada. The application remained pending due to a defective Technical Description.
3. Lot 2999 contains 2. 7201 hectares – Patria Rada Rutor purchased a parcel with an area of 1,709.5 sq. meters from Santiago Rada (brother of Bienvinido Rada) and another parcel of 1,709.5 square meters from Trinidad Rada- Rabino (wife of Santiago Rada) both, on September 18, 1992.
4. Tax Declaration for the said lot is still in the name of the Heirs of Bienvinido Rada but Patria Rutor has been paying the heirs the amount of Php 60.00 since the sale in 1997.
5. The Heirs of Bienvinido Rada are aware of the status or conflict on the lot and they wish to return Patria Rutor's payments in order to gain the lot again.
6. Ms. Marlene Rutor presented the pertinent documents regarding the sale. The heirs of Bienvinido Rada did not deny such documents.
7. Upon conflict management and Alternative Dispute Resolution conducted by the Investigating Team and Lead Alternative Dispute Resolution Officer, the Heirs of Bienvinido Rada and Ms. Marlene Rutor agreed to settle. The heirs request for survey to delineate the property of bought by Ms. Rutor's mother and the rest of Lot 2999-P shall be subdivided among the heirs. (*Appendix A*) "*Kasunduan*" between the heirs of Bienvinido Rada and Ms. Marlene Rutor

Lot 3162 Cad 447-D

1. Cadastral Survey over Brgy. Azagra to which Lot 3162 belong (Case 2) was approved on December 16, 1974
2. The Survey Claimant over Lot 3162 Cad 447-D is Paterno Rutor.
3. Lot 3162 Cad 447-D contains 52.08 square meters
4. Paterno Rutor filed for Patent application on March 3, 1975 but due to erroneous Technical Description (polygon is not closed), the application did not prosper.
5. Antonio R. Lotec Sr. filed for a Free Patent Application after claiming that he bought said lot from Santiago Hawod (married to a certain Marina Rutor) on July 28, 2015. The application did not prosper as per complaint by Ms. Lea Santiago Banzuelo, one of the heirs of Paterno Rutor.

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6. Brgy. Chairperson Reynaldo Rutor called upon the attention of Ms. Lea Rutor. Santiago-Banzuelo, for a dialogue with Mr. Antonio Lotec scheduled on July 18, 2015. Ms. Riano failed to appear on the supposed meeting.
7. Consequently, on July 2015, Mr. Lotec fenced the property, hastening the lot conflict.
8. Upon conflict management and Alternative Dispute Resolution conducted by the Investigating Team and Lead Alternative Dispute Resolution Officer, Mr. Antonio Lotec and Ms. Marlene Rutor agreed to settle by conducting a relocation survey on the area. Mr. Lotec, owner of Lot 3164 have fenced the Lot 3162, believing it is still part of his property which was bought from Santiago Hawod. He might have also encroached another property, Lot 3163, belonging to Ms. Lily S. Rutor. A relocation survey was suggested by the team and agreed to be conducted by the parties involved. *(Appendix B – Agreement between Lily S. Rutor, Marlene Rutor and Mr. Antonio Lotec.*

V. RECOMMENDATION

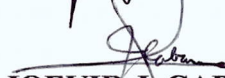
In the conduct of hearing and Alternative Dispute Resolution, a relocation survey was recommended and was taken into consideration by the involved parties.

The correct technical description for lot 3162-Cad 447-D should be requested from the Regional Office. The Geodetic Engineer of this office may also check on its technical description to correct the unclosed polygon for the said lot.

Prepared by:


ANN J. ADRIGUEZ
Special Investigator


ERIC F. HINDAP
Special Investigator


JOEVIR J. CABARON
Records Officer

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



The Investigation team with the Brgy. Chairperson of Brgy. Azagra, Hon. Reynaldo Rutor. Also present are Ms. Marlene Rutor, (wearing white blouse,,top photo) and Mr. Antonio Lotec (wearing white shirt, photo below). The mediation hearing was conducted on August 31, 2022 at Brgy. Azagra, San Fernando, Romblon



Brgy. Tabing-Dagat, Odiongan, Romblon
Tel. # 567-6187

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



The Investigation team along with the heirs of Bienvinido Rada and Ms. Marlene Rutor



Brgy. Tabing-Dagat, Odiongan, Romblon
Tel. # 567-6187

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MIMAROPA Region



Lot 3162 Cad 447, San Fernando Cadastre



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MIMAROPA Region





Republic of the Philippines
PROVINCE OF ROMBLON
Municipality of San Fernando
BARANGAY AZAGRA

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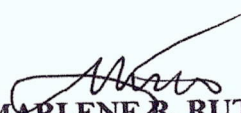
OFFICE OF THE PUNONG BARANGAY

AGREEMENT

Kami sina LILY S. RUTOR Lot Number 3163, MARLENE R. RUTOR Lot Number 3162 at ANTONIO R. LOTEC SR. Lot Number. 3164 ay napagkasunduan na magpapasukat ng kanya-kanyang Lote sa nabanggit na Numero hanggang 1st week ng Disyembre 2022. Na sa bawat panig namin ay kukuha ng kanya kanyang pribadong surveyor at kanya-kanya ding magbabayad sa aming mga surveyor.

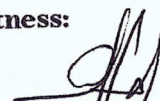
Nilagdaan ngayong 31 ng Agosto 2022 dito sa Brgy. Azagra, San Fernando, Romblon.



LILY S. RUTOR

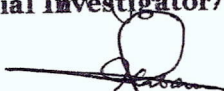

MARLENE R. RUTOR


ANTONIO R. LOTEC SR.

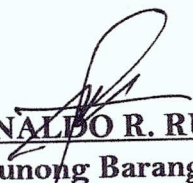
Witness:


ERIC F. MINDAP
Special Investigator/DENR


ANN J. ABRIGUEZ
Special Investigator/DENR


JOEVIR J. CABARON
Records Officer

Attested by:


REYNALDO R. RUTOR
Punong Barangay



Republika ng Pilipinas
Lalawigan ng Romblon
Bayanng San Fernando
BARANGAY AZAGRA

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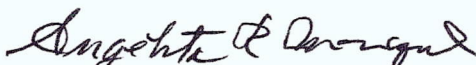
TANGGAPAN NG PUNONG BARANGAY


KASUNDUAN

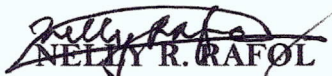
Kami sina: Flocerptida R. Remis, Angelita R. Mananquil, Emma R. Rollan, Nelly R. Rafol, Rene R. Rada, na mga anak ni Bienvenido R. Rada at Marlene R. Rutor ay nagkasundo na aayusin ang dokumento ni Marlene R. Rutor at ang lupa ni Bienvenido Rada ay papartihin ng mga anak niya kasama ang bumili at si Marlene R. Rutor. Na ihihiling sa DENR na ipapasukat nalang para magkaroon ng kanyang kanyang titulo.


Nilagdaan ngayong ika 31 ng Agosto 2022 sa Brgy. Azagra, San Fernando, Romblon.


FLOCEPTIDA R. REMIS


ANGELITA R. MANANQUIL

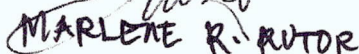

EMMA R. ROLLAN



NELLY R. RAFOL



RENE R. RADA

Witness:

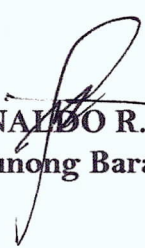

ERIC F. HINDAP
Special Investigator/DENR


MARLENE R. RUTOR


ANN J. ADRIGUEZ
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Records Officer

Attested by:


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Punong Barangay