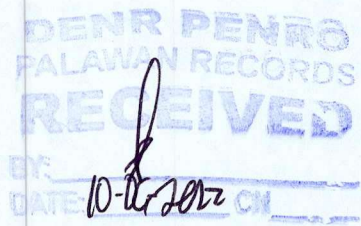




October 5, 2022

MR PEDRO A. VELASCO, DMO IV
OIC-CENRO-P.P.C.
Barangay Sta. Monica
Puerto Princesa City



Dear Sir,

Greetings!

This is in connection with the reply letter of Engr. Joven C. V. Baluyut, City Assessor, P. P. C. dated September 28, 2022, informing us of a rejection order from the Office of the Community Environment and Natural Resources pertaining to the claim of Antonio Baldera must first be presented to his office before the cancellation of Tax Declaration No. 008-2791, covering Lot No. 20787 CAD 800-D can be effected.

It is in this light that we are clarifying and asking for the rejection of FPA 045316 filed by Dandino Baldera and not of Antonio Baldera, for he has not filed one, based on the documents earlier submitted to your office that the property has been waived as shown in the attached letter dated November 10, 2020 (received by CENRO office on November 16, 2020, 8:58 a.m.)

Further, your reply letter dated December 10, 2020 shows the status of Lot 20787 CAD 800-D, which warrants our request to be granted, as follows:

1. Listed Claimant/Applicant - DANDINO BALDERA, by virtue of SINUMPAANG SALAYSAY NG PAG-ANGKIN NG LUPAIN BILANG BUKOD-TANGING TAGAPAGMANA (Affidavit of Self-Adjudication), executed by Dandino L. Baldera Sr before Atty. Jean Lou N. Aguilar dated July 23, 2020.

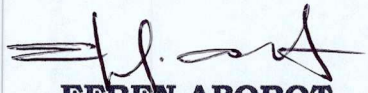
Said affidavit was executed TWENTY-FOUR (24) YEARS after the waiver of Antonio Baldera to Rosalie Dartmann was executed. Antonio Baldera's rights were transferred long time ago when he was still alive, hence Dandino Baldera cannot adjudicate what is not his or not inherited. This was affirmed by the Municipal Trial Court in Cities in its **Decision** and **Entry of Judgement** dated April 11, 2022, issuance of **Certificate of Finality** dated May 25, 2022, **Writ of Execution** dated September 15, 2022, **Notice of Writ of Execution** dated September 29, 2022 and **Certificate of Turn-Over of Possession** dated October 3, 2022. With these, we are respectfully requesting your good office to issue a rejection order for FPA 045316 filed by Dandino Baldera and also annotate the Deed of Absolute Sale of a Portion of Land of Antonio Baldera in favor of Spouses PATRICIO and LETICIA ABOROT dated May 9, 1991 at Sito Sabang, Bgy. Cabayugan, Puerto Princesa City as the same was waived TWENTY-NINE (29) YEARS before the Affidavit of Self-Adjudication was executed by Dandino Baldera and other documents we have submitted.

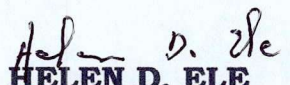
2. The record showed that portion of the subject lot was waived to Rosalie Dartmann, executed before Atty. Jaime G. Josol on October 8, 1996.

(Photocopies of documents are hereto again attached for your perusal)

We are hoping that with the documents presented, we'll be able to secure a favorable response on the matter.

Respectfully yours,


EFREN ABOROT
Attorney-In-Fact
Sps. P. and L. Aborot


HELEN D. ELE
Attorney-In-Fact
Sps. A. and R. Dartmann

Copy furnished:

1. Engr. Joven C. V. Baluyut
City Assessor
Puerto Princesa City

2. Mr Felizardo B. Cayatoc
PENRO
Sta. Monica
P.P.C., Palawan

2. Ms. Lormelyn E. Claudio, CESO IV
Regional Executive Director
15 L & S Building
Roxas Blvd.
Ermita Manila



Mr Felizardo B. Cayatoc
OIC-CENRO
City of Puerto Princesa

Dear CENRO,

Greetings of Peace!

Respectfully transmitting to your office copies of documents for information and registration for the following parcels of land:

1. **WAIVER OF RIGHTS AND IMPROVEMENTS** executed by and between ANTONIO BALDERA and ROSALIE DARTMANN for a portion of Cadastral Lot No. 20787, Cad 800-D containing an area of Forty-Three Thousand, One Hundred Forty-One (43,141) Square Meters, located at Barangay Cabayugan, Puerto Princesa City, Palawan on October 8, 1996 under Doc. No. 368; Page No. 74; Book No 67; Series of 1996, notarized by Atty. Jaime G. Josol;

- "KASUNDUAN" between ANTONIO BALDERA and ROSALIE DARTMANN executed on April 12, 1996 for a house and a lot with an area of Three Hundred (300) square meters at the Barangay Hall of Barangay Cabayugan, Puerto Princesa City, attested by the Punong Barangay Federico B. Gonzales Jr and attested by the Barangay Secretary Felipe C. Cacho.

- BARANGAY CERTIFICATION issued by Barangay Cabayugan Punong Barangay Hon. Rolly V. Francia on November 10, 2020 to Rosalie D. Dartmann, for a portion of land under Lot No. 20787, CAD-800-D, containing an area of for Forty-Three Thousand, One Hundred Forty-One (43,141) Square Meters, located at Sitio Sabang, Barangay Cabayugan, Puerto Princesa City.

2. **DEED OF SALE OF A PORTION OF LAND** executed by and between ANTONIO BALDERA and Sps. PATRICIO and LETICIA ABOROT for a parcel of land (Cadastral Lot No. 20787, Cad 800-D) containing an area of Five (5) Hectares, located at Sitio Cabayugan, Barangay Cabayugan, Puerto Princesa City, Palawan on May 9, 199 under Doc. No. 354; Page No. 55; Book No 10; Series of 1991, notarized by Atty. Luciano D. Roxas;

BARANGAY CERTIFICATION issued by Punong Barangay Hon. Rolly V. Francia on November 10, 2020 to Mr Patricio G. Aborot, for a portion of land under Lot No. 20787 Cad-800-D, containing an area Thirty-One Thousand, Sixty-Four (31,064) Square Meters, located at Sitio Sabang, Barangay Cabayugan, Puerto Princesa City.

3. **Tax Declaration No. 008-2791**, Cadastral Lot No. 20787, Cad 800-D containing an area of Seventy-Three Thousand, One Hundred Forty-One (73,141) Square Meters, located at Barangay Cabayugan, Puerto Princesa City, Palawan, registered in the name of Antonio Baldera issued by the City Assessor's Office. **NOTE: With the annotation for the above-said documents.**

4. **"AFFIDAVIT OF WAIVER OF RIGHTS"** executed by CRISANTO L. LUMUGDANG for the rights over a portion of the unregistered property and improvements identified as Cadastral Lot No. 20785 Cad 800-D in favor of ROSEMARIE E. HEPPNER, under Doc No. 357; Page No. 72; Book No. 30; Series of 1999, notarized by Atty. Tomas MR Timbancaya.

- "WAIVER OF RIGHTS" executed by ROSEMARIE E. HEPPNER for the rights over a portion of the property and improvements identified as Cadastral Lot No. 20875

DEPT. PENRO
PALAWAN RECORDS
RECEIVED

BY: *ABT*
DATE: 11-14-2020 ON 20-8/67

November 10, 2020

RECEIVED	
DATE	NOV 16 2020
TIME	8:58 AM
NAME	
POSITION	
SIGNATURE	<i>Jms</i>

Cad-800-D, located at Sitio Sabang, Barangay Cabayugan, Puerto Princesa City, in favor of NANCY F. VINLUAN, on February 23, 2012, subscribed before Atty. Tomas MR Timbancaya and entered in his notarial register as Doc. No. 397; Page No. 81; Book No. 51, Series of 2012.

- Tax Declaration No. 008-2024, Cadastral Lot 20785 Cad 800-D containing an area of Eight Thousand, Six Hundred Ninety-Five (8,695) Square Meters, located at Barangay Cabayugan, Puerto Princesa City, Palawan, registered in the name of Crisanto L. Lumugdang issued by the City Assessor's Office.

5. "DEED OF SALE OF UNREGISTERED LAND" executed by and between JOSE CONCEPCION and ROSALIE DARTMANN (for Cadastral Lot No. 20795, Cad 800-D) containing an area of Three (3.0) ^{located at Sabang, Barangay Cabayugan, Puerto Princesa City, Palawan} located at Sabang, Barangay Cabayugan, Puerto Princesa City, Palawan on August 2, 1994 under Doc. No. 250; Page No. 62; Book No. 88; Series of 1994, notarized by Atty. Zoilo C. Cruzat;

- "DEED OF SALE OF UNREGISTERED LAND" executed by and between LUZERINO V. OLIVA and JOSE CONCEPCION (for Cadastral Lot No. 20795, Cad 800-D) containing an area of Three (3.0) ^{located at Sabang, Barangay Cabayugan, Puerto Princesa City, Palawan} located at Sabang, Barangay Cabayugan, Puerto Princesa City, Palawan on October 23, 199 under Doc. No. 250; Page No. 62; Book No. 88; Series of 1994, notarized by Atty. Zoilo C. Cruzat;

- "SALE OF UNREGISTERED LAND" executed by and between BONIFACIO AVELLANO and LUZERINO V. OLIVA (for Cadastral Lot No. 20795, Cad 800-D) containing an area of Three Point Eighty-Four (3.84) hectares, located at Sabang, Barangay Cabayugan, Puerto Princesa City, Palawan on March 21, 1991 under Doc. No. 386; Page No. 78; Book No. 59; Series of 1991, notarized by Atty. Agustin M. Rocamora;

- Sworn Statement filed with the City Assessor's Office, P.P.C. by Rosalie D. Dartmann for Lot No. 20795, containing an area of Forty-Two Thousand Five Hundred Fifty-Four (42,554) Square Meters, located at Barangay Cabayugan, Puerto Princesa City, dated April 18, 1995.

6. "SALE OF RIGHTS" executed by and between ARTURO LUMUGDANG and ROSALIE DARTMANN for Cadastral Lot No. 20817, Cad 800-D containing an area of Forty Thousand, Six Hundred Eight (40,608) Square Meters, located at Barangay Cabayugan, Puerto Princesa City, Palawan on August 31, 1993 under Doc. No. 152; Page No. 31; Book No XLIV; Series of 1993, notarized by Atty. Edgar D. Palay;

- "KASUNDUAN" between EUFEMIA B. LUMUGDANG and ARTURO LUMUGDANG executed at the Office of the Acting Barangay Chairman of Barangay San Manuel on January 20, 1989 (for a parcel of land located at the Sitio Sabang, Barangay Cabayugan, Puerto Princesa City), testified by the Barangay San Manuel Acting Barangay Chairman Danilo C. Llacuna and Aurea C. Lumagdang.

- Tax Declaration No. 008-024, Cadastral Lot No. 20817 Cad 800-D, containing an area of Forty Thousand, Six Hundred Eight (40,608) Square Meters, located at Barangay Cabayugan, Puerto Princesa City, Palawan, registered in the name of Arturo Lumugdang, issued by the City Assessor's Office.

- "Notice of Assessment" of Arturo Lumugdang from the City Assessor's Office dated July 26, 1993.

Also included in the above Cadastral Lot No. 20817 Cad 800-D are the following documents below and which we are also requesting for "Certified True Copies":

1. "AFFIDAVIT" executed by PEDRO REAL acknowledging that Lot No. 20817 Cad 800-D is not his, but of Mr. ARTURO LUMUGDANG, the owner/occupant at that

time, subscribed before EDGARDO N. LIBIRAN, CENRO LAND INSPECTOR on June 14, 1993.

2. Report of Edgardo M. Libiran, Land Inspector, CENR Office, dated March 29, 1994 for Lot No. 20817 Cad 800-D, containing an area of 4.0608 hectares and received by CENRO Records Section on April 11, 1994.
3. "CERTIFICATION" dated June 30, 1993 certifying that Lot No. 20817 Cad 800-D containing an area of 4.0608 hectares located at Barangay Sabang, Puerto Princesa City, is owned and occupied by ARTURO LUMUGDANG and subscribed EDGARDO N. LIBIRAN, LAND INSPECTOR, OFFICER AUTHORIZED TO ADMINISTER OATH on July 1, 1993.
4. ORDER: REJECTION OF APPLICATION, issued by Felipe C. Ortiz, OIC-CENRO dated July 5, 1994, for Application of Free Patent of Arturo Lumugdang for Lot No. 20817.
5. Application for Free Patent No. 045316-33, located at Barangay Cabayugan, Puerto Princesa City of Rosalie D. Dartmann dated April 11, 1994 for Cadastral Lot No. 20187 Cad-800-D, containing an area of Forty Thousand Six Hundred Eight (40,608) Square Meters

Further, may we request for certified true copies of the "listed survey claimants" for Barangay Cabayugan, Puerto Princesa City, listed as follows:

- Cadastral Lot No. 20787
- Cadastral Lot No. 20785
- Cadastral Lot No. 20795
- Cadastral Lot No. 20814
- Cadastral Lot No. 20817

Praying that the above-said documents be annotated and/or registered and the request granted.

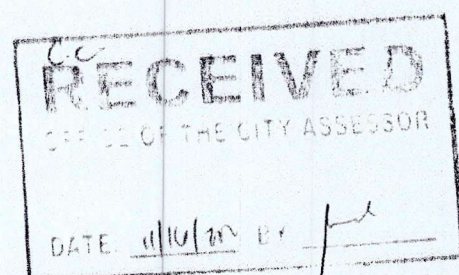
Respectfully yours,

Nicolas O. Pecache Jr.
Nicolas O. Pecache Jr
Attorney-In-Fact
G-09055231552

Helen D. Ele
Helen D. Ele
S-09281922368

Copy furnished:

- 1) Mr. Eriberto Saños
PENR Officer
Province of Palawan
- 2) Ms Ma Lourdes Ferrer
Regional Executive Director
DENR MIMAROPA Region
1515 L & S Building, Roxas Blvd.
Ermita, Manila
- 3) Engr. Joven C.V. Baluyut
City Assessor
Puerto Princesa City





Republic of the Philippines
Department of Environment and Natural Resources
Region IV- B. MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Puerto Princesa City

December 16, 2020

MR. NICOLAS O. PECACHE JR.
Bgy. Cabayugan, Puerto Princesa City
+63 905 523 1552

Dear Mr. Pecache,

Greetings!

This has reference to your letter request covering Lot Nos. 20785, 20787, 20795, 20814 and 20817, Cad-800-D located in Bgy. Cabayugan, Puerto Princesa City, Palawan.

Please be informed that based on the records of this office, the above mentioned lots has the following status, to wit:

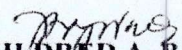
Lot No.	Name of Listed Claimant / Applicant	Application No.	Remarks
20785	Crisanto Lumugdang		Listed claimant
	Letecia Aborot	FPA (IV-26) 7179	Patented dated 12-13-85
20787	Antonio Baldera		Listed claimant
	Dandino L. Baldera Sr.	FPA-045316-unno.	
	The subject lot was covered with <i>Salaysay ng Pag-Angkin ng Lupain bilang Bukod-Tanging Tagapagmana</i> (Affidavit of Self-Adjudication) executed by Dandino L. Baldera Sr. before Atty. Jean Lou N. Aguilar under Doc. No. 16, Page No. 5, Book No. LX, Series of 2020 dated July 23, 2020. Portion of the subject lot has been waived in favor of Rosalie Dartman executed by Antonio Baldera in your favor before Atty. Jaime G. Josol under Doc. No. 368, Page No. 74, Book No. 67, Series of 1996 dated October 8, 1996		
20795	Bonifacio Avellana		Listed claimant
	Rosalie Dartmann	FPA-045316- unno.	
20814	Alejandro Lumugdang		Listed claimant
	Antonio Baldera	HA (IV-26) 11564	Subsisting
	Rosalie Dartmann	FPA-045316- unno.	
20817	Nicolas Aborot		Listed claimant
	The subject lot has been subdivided into 2 lots under subdivision plan Csd-04-015700 which has the following status, to wit:		
20817-A	Nicolas Aborot Jr.	FPA-045316-467-A	Patented dated 11-9-99
20817-B	Rogelio C. Daquer	FPA-045316-875	Patented dated 12-10-98

Be informed further that the acceptance and processing of public land applications within Puerto Princesa City is still suspended up to this moment per Memorandum dated March 2, 2020 of the Undersecretary for Field Operations, Enforcement and Muslim Affairs, DENR, Manila. Likewise, you may verify further to the Office of the Register of Deeds covering patented lots for they may possibly have registered titles in their favor.

We trust that you are properly informed.


Very truly yours,

“For and in the absence
of CENRO Officer:


MILDRED A. PASCUAL
LMO II/ Chief, RPS
Office-In-Charge

South National Highway,
Bgy. Sta. Monica Puerto Princesa City
Email Address: cenro@denr.gov.ph
Tel. Fax No.: (048) 433-0660

RECEIVED REGION IV- B. MIMAROPA

DATE 12-16-20
BY 

Republic of the Philippines
MUNICIPAL TRIAL COURT IN CITIES
4th Judicial Region
Puerto Princesa City
Branch 1

SPS. ANDREAS FERDINAND DARTMAN
& ROSALIE D. DARTMAN and SPS.
PATRICIO ABOROT & LETECIA ABOROT,
Rep. by EFREN ABOROT

Plaintiff,

CIVIL CASE NO. 2393

-versus-

for

DANDINO BALDERA, SR.
DANDINO BALDERA, JR.
NICANOR BALDERA, JASON
BALDERA, AURORA BALDERA,
CARLITO BALDERA, SHERWIN
BALDERA and RICKY BALDERA,
Defendants.

FORCIBLE ENTRY WITH DAMAGES
WITH PRAYER FOR THE ISSUANCE
OF PRELIMINARY INJUNCTION
AND/OR TEMPORARY
RESTRAINING ORDER

x-----x

NOTICE OF WRIT OF EXECUTION

DANDINO BALDERA, SR,
DANDINO BALDERA, JR
NICANOR BALDERA,
JASON BALDERA
AURORA BALDERA
CARLITO BALDERA,
SHERWIN BALDERA and
RICKY BALDERA
Bgy. Cabayugan. Puerto Princesa City

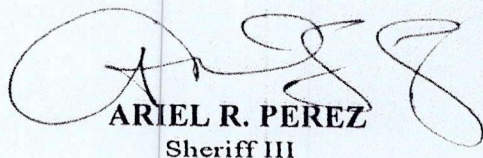
GREETINGS:

Pursuant to the Writ of Execution dated September 15, 2022, issued by Honorable **MARIA ROWENA P. SOCRATES**, Presiding Judge of this Court, in the above-entitled case, henceforth, in compliance thereto, you are hereby served a copy of the said Writ together with this Notice, giving you a period of **THREE (3) DAYS** from receipt thereof within which to Vacate the subject premises and to comply the Decision of the Honorable Court.

Likewise, formal demand is hereby made upon you to pay in cash the amounts adjudged, otherwise, the undersigned may, in his official capacity as Sheriff collect exact payment thereof in accordance with the procedure outlined by Rule 39 of the Revised Rule of Court.

Failure on your part to comply the Decision of this Court, the undersigned, much to his regret, will be constrained to enforce the said Writ of Execution in accordance with law.

Puerto Princesa City, September 29, 2022.


ARIEL R. PEREZ
Sheriff III

Republic of the Philippines
MUNICIPAL TRIAL COURT IN CITIES
4th Judicial Region
Puerto Princesa City
Branch 1

SPS. ANDREAS FERDINAND DARTMAN
AND ROSALIE D. DARTMAN AND
SPS. PATRICIO ABOROT AND LETECIA
ABOROT, Rep. by Efren Aborot,
Plaintiff,

CIVIL CASE NO. 2393

-versus-

for

DANDINO BALDERA, SR. ET. AL
Defendants.

x-----x

FORCIBLE ENTRY WITH DAMAGES
WITH PRAYER FOR THE ISSUANCE
OF PRELIMINARY INJUNCTION AND
OR TEMPORARY RESTRAINING
ORDER

WRIT OF EXECUTION

TO: THE SHERIFF
Municipal Trial Court in Cities
Puerto Princesa City

GREETING:

WHEREAS, on April 12, 2022, the Court has rendered its decision in this case the
dispositive part of which reads as follows:

“WHEREFORE, premises considered, the court hereby renders judgment:

1. Ordering defendants Dandino Baldera Sr., Dandino Baldera Jr., Jason Baldera, Aurora Baldera, Carlito Baldera, Sherwin Baldera and Ricky Baldera, their family members and other privies, agents, sucesors-in-interest or persons occupying the subject premises with the permission of defendants, to vacate Lot No. 20787 Cad-800-D and turn-over possession of the same to plaintiffs;
2. Ordering said defendants, solidarily, to pay reasonable rentals at the rate of One Thousand Pesos (Php1000.00) per month to spouses Andreas Ferdinand and Rosalie Dartman; and One Thousand Pesos (Php1000.00) per month to spouses Patricio and Letecia Aborot, from judicial demand on April 5, 2021 until finally vacated; to pay plaintiffs attorney's fees in the amount of Ten Thousand Pesos (Php10,000.00)

The case is dismissed as to Nicanor Baldera.

WHEREAS, as per Entry of Judgment issued by the Branch Clerk of Court, the decision dated April 11, 2022 has become final and executory on May 30, 2022.

WHEREAS, plaintiffs filed a Motion for Execution of the Decision of the Court which was granted in Order dated May 30, 2022.

NOW THEREFORE, you are hereby commanded to cause the execution of this Writ by demanding from defendants, **DANDINO BALDERA, SR. DANDINO BALDERA, Jr. JASON BALDERA, AURORA BALDERA, CARLITO BALDERA, SHERWIN BALDERA, and RICKY BALDERA** their family members and other privies, agents, successors-in-interest or persons occupying the premises with the permission of defendants to peacefully vacate **Lot No. 20787 Cad-800-D** located at Sitio Sabang, Barangay Cabayugan, Puerto Princesa City and turn over possession of the same to plaintiffs within three (3) working days from receipt hereof; and solidarily, to pay reasonable rentals at the rate of One Thousand Pesos (Php1000.00) per month to spouses Andreas Ferdinand and Rosalie Dartman; and One Thousand Pesos (Php1000.00) per month to spouses Patricio and Letecia Aborot from judicial demand on April 5, 2021 until vacated; and to pay plaintiffs attorneys fees in the amount of Ten Thousand Pesos (Php10,000.00), otherwise you shall oust all such persons therefrom with assistance if necessary of appropriate peace officers and employing such means as may be reasonably necessary to return possession of such property to the plaintiffs.

Payment shall be made in cash, certified bank check or other form of payment acceptable to the latter, you are further commanded to levy upon the properties of the defendants of every kind and nature of whatsoever, which may be disposed of for value and not otherwise exempt from execution, giving the defendants the option to immediately choose which property or part thereof maybe levied upon sufficient to satisfy the judgment. If the defendants do not exercise the option, you shall first levy on the personal property if any, and then on the real properties if the personal property is insufficient to answer for this judgment.

This Writ shall be returnable immediately after judgment has been satisfied in part or in full. If the judgment cannot be satisfied in full within thirty (30) days after receipt hereof, you shall report to the Court and state the reason therefore. This writ shall remain effective for a period of five (5) years from entry of judgment, but you shall make a report every thirty (30) days on the proceedings taken until the judgment is satisfied in full or this writ expires.

GIVEN UNDER MY HAND AND SEAL of this Court, this 15th day of September, 2022.

ma p.ck
MARIA ROWENA P. SOCRATES
Presiding Judge

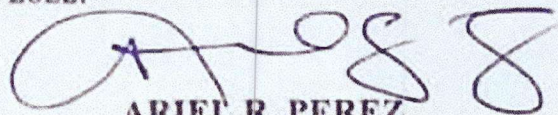
Republic of the Philippines
MUNICIPAL TRIAL COURT IN CITIES
4th Judicial Region
Puerto Princesa City

CERTIFICATE OF TURN-OVER OF POSSESSION

I, **ARIEL R. PEREZ**, Sheriff, Municipal Trial Court in Cities – Puerto Princesa City, Palawan, after having been implemented the Writ of Execution issued by **HON. MA. ROWENA P. SOCRATES**, Presiding Judge of this Court, in Civil Case No. 2393 entitled **SPS. ANDREAS FERDINAND DARTMAN & ROSALIE D. DARTMAN** and **SPS. PATRICIO ABOROT & LETECIA ABOROT**, Rep. by **EFREN ABOROT**

, **versus** **DANDINO BALDERA, SR, et al.**, do hereby formally and officially turned over the possession of the land subject of the above-mentioned case to the plaintiff herein personally.

Puerto Princesa City, this 3rd day of October 2022.

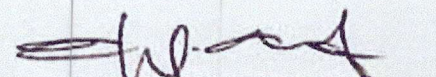

ARIEL R. PEREZ
Sheriff


X-----X

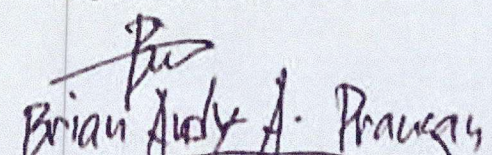
ACKNOWLEDGEMENT

I, **EFREN ABOROT**, Representative of plaintiff in the above-mentioned case, do hereby acknowledged, affirmed and confirmed to have received from Sheriff Ariel R. Perez the peaceful possession of the land in question. That the said property is now free and clear from the said defendant and that the same is to my entire and complete satisfaction.

Puerto Princesa City October 3, 2022.


EFREN ABOROT
Representative of Plaintiff


FERDINAND DARTMAN
Representative of Plaintiff


Brian Andy A. Prangay
DEAN, KAGAWAN