



August 22, 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 ON THE  
VALIDATION RE: ALLEGED CONCRETE CONSTRUCTION  
WITHIN FORESHORE AREA AND MANGROVE FOREST IN  
BARANGAY LONOS, ROMBLON, ROMBLON**

Respectfully submitting the Completed Staff Work (CSW) Report on the validation conducted, regarding the alleged concrete construction within the foreshore area and mangrove forest in Brgy. Lonos, Romblon, Romblon.

Inspection and validation undertaken revealed that there are concrete structures built within the said foreshore area. An Environment Compliance Certificate (ECC) was issued on February 11, 2008. The Building Officer of Romblon, Romblon, Engr. Leonardo M. Mendez issued a Notice of Illegal Construction to Gov. Jose Riano, spouse of Ms. Anabelle C. Riano, on August 25, 2021, for violation of the National Building Code (P.D. 1096). Meanwhile, Foreshore Lease Application was submitted to this office and is still in the process of completion, before evaluation.

For your information, records and further instruction.

  
**ARNOLDO A. BLAZA JR.**  






August 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 ON THE  
VALIDATION RE: ALLEGED CONCRETE CONSTRUCTION  
WITHIN FORESHORE AREA AND MANGROVE FOREST IN  
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For your information, records and further instruction.

  
**SHEILLA JANE M. FORLALES**





August 17, 2022

**MEMORANDUM**

**FOR** : The OIC, PENRO  
**FROM** : Investigation Team  
**SUBJECT** : **ALLEGED CONCRETE CONSTRUCTION WITHIN  
FORESHORE AREA AND MANGROVE FOREST IN  
BARANGAY LONOS, ROMBLON, ROMBLON**

**I. JUSTIFICATION**

There is a need to abide by governmental laws and policies. Application for permits, leases and deeds is a must for every occupant of government properties. The office, on the other hand, act on such matter for it is the prime goal of the government to be of service to its community and make sure that utmost service is given.

**II. LEGAL BASIS**

**DAO 2004-04, Section 2 (c) and Section 2 (f)**

“Foreshore Lease Agreement (FLA) is an agreement executed by and between the DENR and the applicant to occupy, develop, utilize and arrange the foreshore land.”

“It also provide for the easement of salvage zone which is defined under this Order as land measuring twenty (20) meters measured land ward from the interior limit of the shoreline for easement purposes”.

**Section 51 of PD 1067 (Water Code of the Philippines)**

“The river banks and streams and the shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas, and forty (40) meters in forest areas, along their margins are subject to the easement of public use in the interest of recreation, navigation, floatage, fishing, and salvage. No person shall be allowed to stay in this zone longer than what is necessary for salvage or to build structures of any kind”.



“Salvage zone is res nullius and cannot be the subject of the commerce of man part of the public domain and intended for public use; and so long as this is so, it cannot be appropriated by any person except through expresses authorization granted in due form by competent authority”.

### III. FACTUAL BACKGROUND

- **February 16, 1961** - The Cadastral Survey for Lonos, Romblon, Romblon was approved. Lot 2967 Cad 311, located at Lonos, Romblon, Romblon was declared to the Heirs of Anicito Mindo, as Survey Claimant (*Annex A – Copy of Title No- P- 25082*)
- **July 23, 2007** - Nelly Mindo-Yap, one of the heirs of Anicito Mindo, sold Lot 2967 Cad 311 containing 3,127 square meters to Jose R. Riano and Annabelle C. Riano (*Annex B – Deed of Absolute Sale executed between Nelly Mindo-Yap and Spouses Jose and Annabelle Riano; Annex C – Tax Declaration for the said tract of land*)
- **October 25, 2021** - An application for Survey Authority, filed by Ms. Annabelle C. Riano, for a portion of lot adjacent to Lot 2967- Cad 311, was submitted to this office for the purpose of Foreshore Lease Application. (*Annex D – Request Form for Survey Authority applied by Annabelle C. Riano*)
- **March 24, 2022** – The Survey Authority was approved, duly signed by the PENR Officer, Maximo C. Landrito, in favor of Engr. Jonathan M. Manzo – the Geodetic Engineer tasked to conduct survey over Lot 2967, Cad 311. (*Annex E – Survey Authority No. MCL-2022-016*)
- **March 25, 2022** – An Application for Foreshore Lease was filed by Ms. Annabelle C. Riano for the lot adjacent to Lot 2967- Cad 311.
- **July 14, 2022** – A memo was received from the Regional Executive Director, instructing this office to verify allegations of construction within the foreshore area. Prior to said memo, Assistant Regional Director Maximo C. Landrito gave initial information, in order to address the matter.

### IV. ACTIONS TAKEN


PENRO Special Order No. 22-80 (*Annex F*) was issued by this Office in order to verify the Alleged Construction within the foreshore area at Lonos, Romblon, Romblon. The investigation team conducted actual ground verification. They have first coordinated with the Municipal Mayor, Hon. Guard Montojo and the Municipal Building Officer in order to validate whether the said construction made has necessary permits, and have interviewed Jose Riano, the owner of the Lot 2967, Cad 311-D.

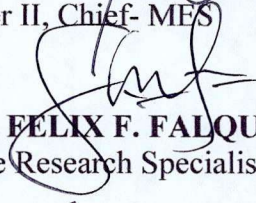


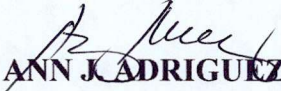
## **V. COMMENTS AND FINDINGS**

1. There are permanent structures built within the foreshore area at Lonos, Romblon, Romblon. (*Annex G - Geotagged photos*)
2. An Environment Compliance Certificate was issued on February 11, 2008. (*Annex H - ECC copy*)
3. The Building Officer of Romblon, Romblon, Engr. Leonardo M. Mendez issued a Notice of Illegal Construction to Gov. Jose Riano, spouse of Ms. Anabelle C. Riano, on August 25, 2021, for violation of the National Building Code (P.D. 1096) (*Annex I Notice of Illegal Construction*)
4. Foreshore Lease Application was submitted to this office and is still in the process of completion, before evaluation.

Prepared by:

  
**SHEILLA JANE M. FOLALES**  
Forester II, Chief- MES

  
**CARL FELIX F. FALQUERABAO**  
Science Research Specialist II, MGB

  
**ANN J. ADRIGUEZ**  
Special Investigator





The Investigation team coordinate with Hon. Guard Montojo, Municipal Chief Executive of Romblon, Romblon.





The Investigation Team interviewing Governor Jose Riano, owner of Lot 2967.





ANNEX A

0000011460

REPUBLIC OF THE PHILIPPINES  
Ministry of Justice  
Land Registration Commission  
OFFICE OF THE REGISTER OF DEEDS FOR THE... PROVINCE OF ROMBLON

Original Certificate of Title  
No. P-25082

Entered, in accordance with section 122 of Act No. 496, of the Philippine Commission, pursuant to a patent issued by the President of the Philippines, dated at Odiongan, on the 11th day of JULY, the year nineteen hundred and SEVENTY NINE

B.L. Form No. 28-13

REPUBLIC OF THE PHILIPPINES  
Ministry of Natural Resources  
BUREAU OF LANDS  
District Land Office Manila No. 1V-A-9, Odiongan, Romblon

FREE PATENT No. (1V-A-9)- 05205

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

WHEREAS, HEIRS OF ANICITO MINDO, possessing all the qualifications required by law in the premises, has fully complied with all the conditions, requirements, and provisions of P.D. No. 1073, Republic Act No. 3872 and Chapter VII of Commonwealth Act No. 141, as amended, governing the granting of free patents to native settlers, and is therefore entitled to a free patent to the following described agricultural public land situated in the sitio of barrio of LOROS, municipality of Romblon, province of Romblon, Philippines, containing an area of 0 hectares, 31 ares, 27 centares, according to the official plat of the survey thereof on file in the Bureau of Lands, Manila and described on the back hereof.

Now, THEREFORE, Know ye, That by authority of the Constitution of the Philippines, and in conformity with the provisions thereof and of the aforesaid P.D. No. 1073, Republic Act No. 3872 and Commonwealth Act No. 141, as amended, there is hereby granted unto the said HEIRS OF ANICITO MINDO, Represented by Lourdes Mindo, Filipino Citizen, of legal age, the tract of land above described, widow, and residing at Concepcion Norte, San Agustin, Romblon, Philippines, to have and to hold the said tract of land, with the appurtenances thereunto of right belonging unto the said HEIRS OF ANICITO MINDO, and to their heirs and assigns forever, subject to the provisions of sections 118, 119, 121 as amended by P.D. No. 763, 122 and 124 of Commonwealth Act No. 141, as amended, which provide that except in favor of the Government or any of its branches, units, or institutions, the land hereby acquired shall be inalienable and shall not be subject to encumbrance for a period of five (5) years from the date of this patent, and shall not be liable for the satisfaction of any debt contracted prior to the expiration of said period; that every conveyance of land acquired under the free patent provisions, when proper, shall be subject to repurchase by the applicant, his widow, or legal heirs, within a period of five years from the date of the conveyance; that it shall not be encumbered, alienated, or transferred to any person, corporation, association or partnership, not qualified to acquire lands of the public domain under said Commonwealth Act No. 141, as amended; and that it shall not be subject to any encumbrance whatsoever in favor of any corporation, association or partnership except with the consent of the grantee and the approval of the Minister of Natural Resources and solely for commercial, industrial, educational, religious or charitable purposes or for a right of way; subject to all conditions and public easements and servitudes recognized and prescribed by law especially those mentioned in sections 109, 110, 111, 112 as amended by P.D. No. 1361, 113, and 114 of Commonwealth Act No. 141, as amended, and the right of the Government to administer and protect the timber found thereon for a term of five (5) years from the date of this patent, provided, however, that the grantee or his heirs may cut and utilize such timber as may be needed for his or their personal use, and subject finally to the condition that the land granted herein shall not be used for any purpose other than that for which said land was applied and any change in land use shall be subject to the approval of the National Environment Protection Committee.

IN TESTIMONY WHEREOF, and by authority vested upon me by law, I, FERDINAND E. MARCOS, President of the Philippines, have caused these letters to be made patent, and the seal of the Republic of the Philippines to be hereunto affixed.

Given under my hand at Odiongan, Romblon, on this 11th day of JULY, in the year of Our Lord one thousand nine hundred and SEVENTY NINE

By Authority of the President  
of the Philippines  
GREGORIO R. CAILLAN  
District Land Officer

Transcribed in the "Registration Book" for the Province of Romblon, pursuant to the provisions of Section 41 of Act No. 496, on the 20th day of JULY, nineteen hundred and two thousand five at 5:00 p.m.

Concepcion Norte, San Agustin, Romblon  
(Owner's Postal Address)

CEGAR E. MADRONA

Register of Deeds II



- ANNEX B -  
**DEED OF ABSOLUTE SALE**

KNOW ALL MEN BY THESE PRESENTS:

**NELLY MINDO YAP**, of legal age, Filipino, widow and with residence and postal address at Poblacion, Sta. Maria, Romblon, herein referred to as the **SELLER**;

-and-

**JOSE R. RIANO**, of legal age, Filipino, married to **ANNABELLE C. RIANO**, with residence and postal address at Poblacion 3, Romblon, Romblon, herein referred to as the **BUYER**.

**WITNESSETH:**

**WHEREAS**, the **SELLER** is the lawful and registered owner of a parcel of land inherited from her parents which real property is situated at Brgy. Lonos, Romblon, Romblon covered with Tax Declaration No. **A11-024-00167** and more particularly described as follows:

**TAX DECLARATION NO.:A11-024-00167**

NORTH	:	SEA SHORE
EAST	:	PROVINCIAL ROAD
SOUTH	:	PROVINCIAL ROAD
WEST	:	LOT No. 2966
CADASTRAL LOT NO.	:	2967
AREA	:	0.3127 Hectares

That for and in consideration of the sum of **FIFTY THOUSAND PESOS (P 50,000.00)**, Philippine Currency, in hand paid to and receipt of which is hereby acknowledged by herein **SELLER** from the **BUYER**, said **SELLER** do hereby **TRANSFER, CEDE and CONVEY** by way of **DEED OF ABSOLUTE SALE**, the above described parcel of land consisting of **THREE THOUSAND ONE HUNDRED TWENTY SEVEN (3,127) SQUARE METERS**, more or less, free from any liens and encumbrances.

That the payment of Capital Gains Tax, updated payment of Real Property Tax, Documentary Stamp Tax, Transfer Tax and Registration Fees will be for the account of the **BUYER**.

**IN WITNESS WHEREOF**, I have hereunto signed this Absolute Deed of Sale, this 23rd day of JULY, 2007 at Romblon, Romblon



CTC No. 07973617  
Issued on 03-28-07  
Issued at Sta. Maria, Romblon

CTG No. 07520300  
Issued on 01-04-07  
Issued at Quezon City

**With my marital consent:**

CTC No. 07520299  
Issued on 01-04-07  
Issued at Quezon City

**SIGNED IN THE PRESENCE OF:**

## ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)  
Municipality of Romblon ) S.S

BEFORE ME, a Notary public in and for Romblon this 23rd day of July 2007 personally appeared **NELLY MINDO YAP, JOSE R. RIANO** and **ANNABELLE C. RIANO** with their CTC and numbers indicated below their names, both known to me and to be known to be the same persons who executed the foregoing **DEED OF ABSOLUTE SALE** and they acknowledged to me that the same is their free and voluntary act and deed.

This acknowledgment refers to a **DEED OF ABSAOLUTE SALE** of a parcel of land, consisting of two (2) pages, signed by the **PARTIES** and their instrumental witnesses on each and every page thereof.

WITNESS MY HAND AND AFFIXED MY NOTARIAL SEAL on the date  
and place first above written.

**CESAR M. MADRONA**  
NOTARY PUBLIC

NOTARY PUBLIC  
UNTIL DECEMBER 31, 2008  
FTR NO. 5107371.E  
ISSUED ON April 19, 2007  
AT ROMELON, ROMELON

Doc. No. 208  
Page No. 042  
Book No. I



- ANNEX: C -

**TAX DECLARATION OF REAL PROPERTY**

ARPN/TD No. 00602 Property Identification No. 033- 11-024-02-068

Owner: KLING, JOSE A. ALFARERIO CHUA TIN: \_\_\_\_\_

Address: 10000, 10000 Tel. No. \_\_\_\_\_

Administrator/Beneficial User: \_\_\_\_\_

Address: \_\_\_\_\_ Tel. No. \_\_\_\_\_

Location of Property:	Iloilo	Romblon	ROMBLON
(Number and Street)	(Barangay/District)	(Municipality)	(Province/City)

OCT/TCT/CLOA No. \_\_\_\_\_ Survey No. \_\_\_\_\_

CCT \_\_\_\_\_ Survey No. \_\_\_\_\_  
Lot No. 2867

Dated: \_\_\_\_\_ Blk. No. 2957 \_\_\_\_\_

North: sea shore South: Proximate

East: Provincial Road South: Provincial Road  
West: Lot 10, 2950

## KIND OF PROPERTY ASSESSED:

☒ LAND

☐ BUILDING

VERIFIED PHOTOCOPY FROM THE ORIGINAL

☐ MACHINERY

**Brief Description:**

☐ Others:

Specify:

Adjustment (%)

No. of Storeys:

**Brief Description:**

GEZAL VAN M. MAYOR  
MIJN ASSESSOR

Classification	Area	Market Value	Actual Use	AL		Assessed Value
Cocorutland	0.5127	<del>7,975.00</del>	<del>Agr.</del>	40	%	<del>7,975.00</del>
		3,240.00	Agr.	40	%	1,296.00
					%	
					%	
					%	
					%	
Total	PhP	8,120.00				PhP 3,248.00

Total Assessed Value THREE THOUSAND TWO HUNDRED FORTY EIGHT PESOS ONLY

Taxable

Exempt

### Effectivity of Assessment/Reassessment

1st	20
Qtr.	

APPROVED BY:

HARLAN M. SOLIDUM

Provincial/City/Municipal Assessor

Date \_\_\_\_\_

This TD cancels TD No.

Owner

belly bindo

Prev. A.V. Php.

2,510.00

Memoranda:

General Revision 2008

Transferred by way of Deed of Assignment

2008 ; Page No. 042; Book. No. 1; Series of 2007 Taxes fully paid.

**Notes:** ☆ This declaration is for real property taxation purposes only and the valuation indicated herein are based on the schedule of unit market value prepared for the purpose and duly enacted into an Ordinance by the Sangguniang \_\_\_\_\_ under Ordinance No. \_\_\_\_\_, 20\_\_\_\_. It does not and cannot by itself alone confer any ownership or legal title to the property.



- ANNEX D -

## REQUEST FORM



ANNABELLE

First Name

CHUA

Middle Name

RIANO

Last Name

COMPLETE ADDRESS: MANUEL ROXAS ST. BRGY 3. POBLACION, ROMBLON, ROMBLON

DATE : \_\_\_\_\_ SEX: FEMALE

CONTACT NO. : \_\_\_\_\_

The PENR Officer

DENR - Odiongan, Romblon

SIR:

Upon payment of the prescribed fees, may I respectfully request for:

☒ Survey Authority in favour of Geodetic Engineer \_\_\_\_\_

to Consolidate/Relocate/Subdivide lot/s.

Lot No. Hydant & Lq 2967

Location Lonar, Nubla, Nubla

Purpose: Application for Freehold Lease

Very Truly Yours,

ANNABELLE C. RIANO



- ANNEX E -  
MIMAROPA Region  
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE  
Odiongan, Romblon

SUBJECT: Survey Authority for a tract  
of public land located in BRGY. LONOG,  
ROMBLON, ROMBLON

SURVEY AUTHORITY NO. MCL-222-016  
Date: MAR 24 2022

Engr. JOHNNATAN M. MAZO  
BRGY. CINABLAN, ROMBLON,  
ROMBLON

Sir/Madam:

Pursuant to DENR Adm. Order No. 38 and upon request of  
ANNABELLE C. RIANO; claimant of the above described tract of public land, to avail of  
your services, authority is hereby granted to you to execute the survey thereof, subject to the relevant  
provisions of the Manual for Land Surveys in the Philippines as amended and to conditions stated at  
the back hereof.

Violation of any of the aforesaid conditions shall invalidate this authority and damages that  
may result there from shall be your sole liability and professional responsibility.

Very truly yours,

Recommending Approval:

For and by Authority of the  
Secretary of DENR:

THELMO S. HERNANDEZ  
OIC, TSD

Conditions accepted: 20

(4.) JOHNNATAN M. MAZO  
(Signature/Name of G.E.)

(3.) MAXIMO C. LANDRITO  
PENR Officer

7459  
(License No.)

Above stated request confirmed:

(1.) ANNABELLE C. RIANO  
(Signature/Name of Claimant)

MANUEL ROXAS ST. BRGY 3  
POBLACION, ROMBLON, ROMBLON.  
(Address)

Issuance of Survey Authority  
recommended:

(2.) ERIC F. HINDAP  
(Signature/Name)

SPECIAL INVESTIGATOR  
(Position or Designation)

Ref. \_\_\_\_\_  
Cad Cost of P \_\_\_\_\_ paid  
under O.R. No. \_\_\_\_\_  
dated \_\_\_\_\_

Ref. Insp./Invest. Report  
dated \_\_\_\_\_  
Survey authority OK# 627J282 10/25/21





July 1, 2022

**PENRO SPECIAL ORDER**

No. 22-80

Series of 2022

**SUBJECT : CREATION OF INVESTIGATION TEAM FOR THE ALLEGED  
CONCRETE CONSTRUCTION WITHIN FORESHORE AREA  
AND MANGROVE FOREST IN BARANGAY LONOS,  
ROMBLON, ROMBLON**


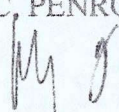
In the interest of the service and to verify the allegations regarding the concrete construction within foreshore area and mangrove forest in Brgy. Lonos, Romblon, Romblon, the selected personnel are hereby authorized to comprise the investigation team:

MES: Sheilla Jane M. Forlales, Forester II – Team Leader  
Ann J. Adriguez, Special Investigator - Member  
RPS: Eric Hindap – Special Investigator - Member  
Romer Gervacio – LMI I - Member  
EMB: Irwin A. Anzaldo – Chief, EMS- EMB - Member  
MGB: Felix Carl Falquerabao – SRS II - Member

The Investigation Team shall conduct actual ground verification, coordinate with the concerned LGU/BLGU and Municipal Engineering office and validate whether the said construction has proper permits from our Office, if any, per memorandum from the Regional Executive Director dated June 22, 2022.

They shall submit CSW with categorical recommendations and geotagged pictures of the subject area within seven (7) days after the completion of the activity.

This Order takes effect immediately.

  
**ARNOLDO A. BLAZA, JR.**  
OIC, PENRO  




- ANNEX G -



The property of Jose and Annabelle Riano located at Lonos, Romblon, (as seen from Lonos Bay)



- Annex 62 -

12°34'4"N, 122°15'4"E

accuracy: 4m

Altitude  
58 m

7/5/22  
10:09





## ENVIRONMENTAL COMPLIANCE CERTIFICATE

ECC-R4B-0801-012-9690

THIS IS TO CERTIFY THAT PROPONENT MR. JOSE R. RIANO is granted this Environmental Compliance Certificate (ECC), for the **PROPOSED BEACH RESORT DEVELOPMENT PROJECT**, located at **BRGY. LONOS, ROMBLON, ROMBLON** by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau, Region IV- MIMAROPA.

SUBJECT ONLY to the conditions and restrictions set-out in this certificate.

### PROJECT DESCRIPTION

The proposed Beach Resort Development Project, having a total land area of 3,127.0 square meters, covered by OCT No. P-25082 located at Brgy. Lonos, Romblon, Romblon Facilities enumerated to wit: 1 unit Club House, 1 unit Rest House, 6 units Pavillion, 15 units Nipa Hut Bed Rooms and 6 units Gazebo.


This Certification is issued in compliance to the requirements of Presidential Decree No. 1586, in accordance to Department Administrative Order No. 2003-30. The Bureau, however, is not precluded from reevaluating, adding, removing, and correcting any deficiencies or errors that may be found after issuance of this certificate.

Issued at Manila, Philippines this 02-11-06

Approved by:

REYNALDO R. VILLAFUERTE  
Regional Director

Recommending Approval:

  
BUENA FE A. RIOFLORIDO  
Chief, EIA Division



Republic of the Philippines  
Province of Romblon  
MUNICIPALITY OF ROMBLON  
-00000-

OFFICE OF THE BUILDING OFFICIAL

NOTICE OF ILLEGAL CONSTRUCTION

25 August 2021  
Date

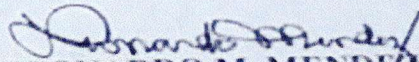
Gov. Jose R. Riano  
Romblon, Romblon

Dear Gov. Riano,

This is to inform that you have made an illegal construction/renovation/ addition/ assemblage/ demolition (others) in Sitio Parayan Barangay Lonos, Romblon, Romblon in violation of Section 301 of the "National Building Code" (PD 1096). Compliance with the following is advised to wit:

- ☒ Stop immediately all illegal building activities in your premises.
- ☒ Please submit locational clearance from zoning administrator / MPDC and clearance from Municipal Agricultural Officer (MAO)

Anticipating that this matter be accorded your serious consideration.

  
LEONARDO M. MENDEZ  
Building Official

Received by: \_\_\_\_\_  
Building owner/representative

Served by: \_\_\_\_\_  
Date \_\_\_\_\_

Copy furnished:

The PENR/CENR Officer  
Odiongan, Romblon  
The Chief of Police  
The MPDC/ Zoning Administrator  
The Municipal Agricultural Officer  
All of Romblon, Romblon