



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

DENR MIMAROPA RECORDS SECTION	
RECEIVED	
JAN 2023	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY _____	DATE NO. _____
TIME _____	

December 14, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR - MIMAROPA, 1515 L&S Building
Roxas, Blvd., Ermita, Manila

FROM : The Provincial Environment and
Natural Resources Officer

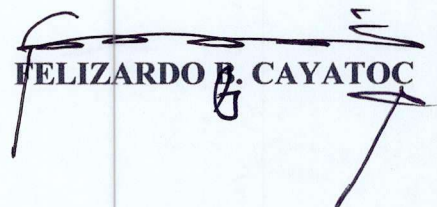
SUBJECT : **REPORT ON ALTERNATIVE DISPUTE RESOLUTION
PROCEEDINGS RE: BOUNDARY CONFLICT INVOLVING
PORTION OF LOT 138, PLS-232 LOCATED AT BARANGAY
IV, ROXAS, PALAWAN COVERED BY SURVEY AUTHORITY
NO. SA 045318-2021-07**

Respectfully forwarded is the report on the conducted Alternative Dispute Resolution (ADR) Proceeding by ADR Officer Jimmy C. Villareal along with the Amicable Settlement Agreement executed by the representatives of the above-stated land case and other pertinent documents relative to the said case.

Please be informed that during the conduct of ADR Proceeding on December 1, 2022, the parties amicably settle their boundary conflict and voluntarily executed an amicable settlement agreement. Thus, the investigation is no longer necessary and that the instant case is considered *closed and terminated*.

In view hereof, may we request for issuance of an *Order of Termination* of ADR Case No. _____ pursuant to DAO 2016-30.

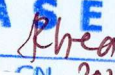
For information, record and consideration.


FELIZARDO B. CAYATOC

Cc:

CENRO – Roxas, Palawan

TSD/File *kkva
Doc. Ref. No. 2022-11 420

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By 
Date **29 DEC 2022** CN **2022-3409**



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ADR Form 12 (Voluntary/Mandatory)
Report of ADR Proceedings

IN RE:

Boundary conflict involving portion of Lot 138, PLS-232
located in Barangay IV, Roxas, Palawan covered by
Survey Authority No. SA 045318-2021-07

JOSE P. CONDE

Claimant-Complainant

PHEBE OH and

FERMIN TAGANAO, JR.

Claimant-Respondent

X-----X

REPORT ON ADR PROCEEDINGS

This controversy is respectfully returned to the LIO/Hearing Officer of CENRO Roxas, Palawan after ADR Proceedings:

Type of Complaint / Claims and Conflict:

Boundary conflict

	Date	Complainant	Authorized Representative	Respondent	Authorized Representative
1	12/1/2022	Jose P. Conde		Phebe Oh & Fermin Taganao, Jr.	
2					
3					

ACTION/s TAKEN:

[x] ADR SESSIONS:

1st Session

Date: December 1, 2022

Parties Present: Jose P. Conde, Phebe Oh and Fermin Taganao, Jr.

Proceedings:

[] For Continuation

[] For Resetting/Reason

2nd Session

Date: _____

Parties Present: _____

Proceedings:

[] For Continuation



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☐ For Resetting/Reason

3rd Session Date: _____

Parties Present: _____

Proceedings: ☐ For Continuation
☐ For Resetting/Reason

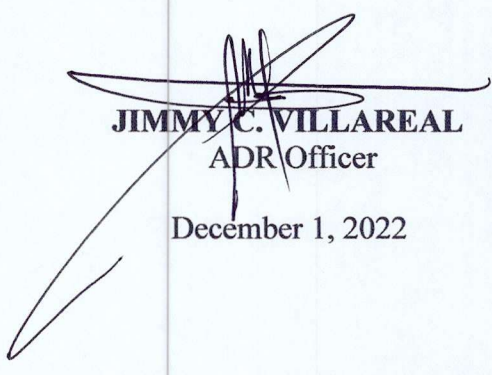
☒ SUCCESSFUL SETTLEMENT (with attachment)

☒ Compromise Agreement ☐ Withdrawal of Protest

☐ UNSUCCESSFUL SETTLEMENT (*Protest returned to Claims and Conflicts Proceedings pursuant to Section 25 of DAO No. 2016-30*)

- ☐ Protestant refuse to settle due to _____.
- ☐ Respondent refuse to settle due to _____.
- ☐ Non-appearance of parties.
- ☐ Protestant/Respondent failed/refused to submit to the required offer for Amicable Settlement.
- ☐ The submitted offer(s) for Amicable Settlement appears irreconcilable causing impasse or impossibility to come up with Compromise Agreement.
- ☐ Lack of Authority to enter Amicable Settlement.
- ☐ Others _____.

I hereby attest to the correctness of the information contained herein.


JIMMY C. VILLAREAL
ADR Officer

December 1, 2022

1. This form can be used during voluntary ADR; Voluntary ADR applies when there is no pending protest/claims and conflict case.
2. Section 23 (Failure of ADR), DENR Administrative Order No. 2016-30 dated 22 December 2016, Guidelines in the Conduct of Alternative Dispute Resolution (ADR) in Land Management and Disposition.
3. DAO 2016-31, Section 4. Formal Requirements of a Protest. The Protest shall be written clear, simple, brief and concise language either Filipino or English and must contain the names of the parties, their addresses, the material allegations, the grounds relied upon, and the documentary and other forms of evidence to support the allegations. The Protest must be accompanied by the following documents: (a) Certificate to file action from the barangay concerned, if applicable; (b) Verification and Certification of Non-Forum Shopping; (c) Proof of Payment of the Protest fee; and (d) a recent 2x2 picture of the Protestant).



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November 29, 2022

MEMORANDUM

TO : LMO III/ADR Officer Jimmy C. Villareal

FROM : THE PENRO

SUBJECT : **AUTHORITY OF THE ADRO TO CONDUCT ADR PROCEEDINGS ON THE BOUNDARY CONFLICT AMONG JOSE P. CONDE, PHEBE OH AND FERMIN TAGANAO, JR. INVOLVING A PORTION OF LOT 138, PLS-232 LOCATED IN BARANGAY IV, ROXAS, PALAWAN COVERED BY SURVEY AUTHORITY NO. SA 045318-2021-07**

In view of the agreement of the parties to undertake ADR proceedings as evidenced by the signed Agreement to Undertake ADR Proceedings, (ADR Form 4) pursuant to Section 17 of DAO No. 2016-30 dated 22 December 2016 and related laws, rules and regulations, you are hereby directed to immediately conduct ADR proceedings.

As ADR officer, you shall act with the highest degree of diligence and integrity, and perform duties not limited to the following:

1. Personally conduct the proceedings without delay;
2. Conduct the proceedings in the venue designated for the purpose;
3. Maintain neutrality and impartiality in all aspects of the proceedings;
4. Ensure that parties have understood and agreed with the terms and conditions, which will govern the ADR proceedings; and
5. In case of conflict of interest, the ADR officer shall disclose such fact, and immediately inform his/her immediate supervisor and voluntarily inhibit from the assignment.

There must be at least one (1), but not more than three (3) ADR sessions and no two (2) sessions may be held on the same day unless the parties agree otherwise. The sessions must be completed within thirty (30) days from the first ADR session.

For compliance.

FELIZARDO B. CAYATOC

TSD/File *kkva
Doc. Ref. No. 2022- 11470

DENR-PALAWAN
PENRO-RECORDS
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By PNeg
Date: 20 DEC 2022 CN 2022- 3469



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ADR Form 12 (Voluntary/Mandatory)
Report of ADR Proceedings

IN RE:

Boundary conflict involving portion of Lot 138, PLS-232
located in Barangay IV, Roxas, Palawan covered by
Survey Authority No. SA 045318-2021-07

JOSE P. CONDE
Claimant-Complainant

**PHEBE OH and
FERMIN TAGANAO, JR.**
Claimant-Respondent

x-----x

REPORT ON ADR PROCEEDINGS

This controversy is respectfully returned to the LIO/Hearing Officer of CENRO Roxas, Palawan after ADR Proceedings:

Type of Complaint / Claims and Conflict:

Boundary conflict

	Date	Complainant	Authorized Representative	Respondent	Authorized Representative
1	12/1/2022	Jose P. Conde		Phebe Oh & Fermin Taganao, Jr.	
2					
3					

ACTION/s TAKEN:

[x] ADR SESSIONS:

1st Session Date: December 1, 2022
Parties Present: Jose P. Conde, Phebe Oh and Fermin Taganao, Jr.

Proceedings: [] For Continuation
 [] For Resetting/Reason

2nd Session Date: _____
Parties Present: _____

Proceedings: [] For Continuation



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☐ For Resetting/Reason

3rd Session Date: _____

Parties Present: _____

Proceedings: ☐ For Continuation
☐ For Resetting/Reason

☒ SUCCESSFUL SETTLEMENT (with attachment)

☒ Compromise Agreement ☐ Withdrawal of Protest

☐ UNSUCCESSFUL SETTLEMENT (*Protest returned to Claims and Conflicts Proceedings pursuant to Section 25 of DAO No. 2016-30*)

☐ Protestant refuse to settle due to _____.

☐ Respondent refuse to settle due to _____.

☐ Non-appearance of parties.

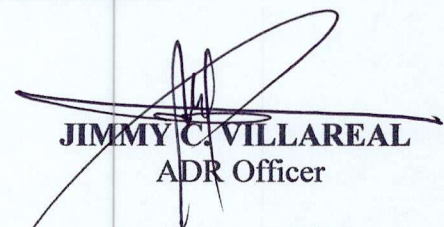
☐ Protestant/Respondent failed/refused to submit to the required offer for Amicable Settlement.

☐ The submitted offer(s) for Amicable Settlement appears irreconcilable causing impasse or impossibility to come up with Compromise Agreement.

☐ Lack of Authority to enter Amicable Settlement.

☐ Others _____.

I hereby attest to the correctness of the information contained herein.


JIMMY C. VILLAREAL
ADR Officer
December 1, 2022

1. This form can be used during voluntary ADR; Voluntary ADR applies when there is no pending protest/claims and conflict case.
2. Section 23 (Failure of ADR), DENR Administrative Order No. 2016-30 dated 22 December 2016, Guidelines in the Conduct of Alternative Dispute Resolution (ADR) in Land Management and Disposition.
3. DAO 2016-31, Section 4. Formal Requirements of a Protest. The Protest shall be written clear, simple, brief and concise language either Filipino or English and must contain the names of the parties, their addresses, the material allegations, the grounds relied upon, and the documentary and other forms of evidence to support the allegations. The Protest must be accompanied by the following documents: (a) Certificate to file action from the barangay concerned, if applicable; (b) Verification and Certification of Non-Forum Shopping; (c) Proof of Payment of the Protest fee; and (d) a recent 2x2 picture of the Protestant).



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ADR Form 9 (Voluntary)
Notice for ADR Proceeding

KASUNDUAN

ALAMIN NG LAHAT NA:

Ako si **G. JOSE P. CONDE**, nasa hustong gulang, may asawa at residente at may pahatirang sulat sa Barangay IV, Roxas, Palawan, dito ay kilala bilang **UNANG PANIG**,

at

Ako si **GNG. PHEBE C. OH**, nasa hustong gulang, biyuda at residente at may pahatirang sulat sa Barangay IV, Roxas, Palawan, at **G. FERMIN B. TAGANAO, JR.** nasa hustong gulang, may asawa at may pahatirang sulat sa Barangay IV, Roxas, Palawan, dito ay makikilala bilang **IKALAWANG PANIG**;

Na kami ay nagkaroon ng hindi pagkakaunawaan sa bahagi ng lupa na may Proposed Subdivision Plan para sa Lote Blg. 138, PLS-232, na matatagpuan sa Barangay IV (Pob.), Roxas, Palawan.

Na, matapos na kami ay maliwanagan sa mga pag-uusap sa harap ng mga kinatawan ng Tanggapan ng DENR-PENRO Palawan, aming napagpasyahang wakasan na ang alitan at nagkasundo ng naayon sa nakasaad sa ibaba nito:

1. Na, si G. Jose P. Conde ang umuukupa sa parsela ng lupa na kilala bilang Lot. No. 138-B na may sukat na 237 metro kwadrado at sina Gng. Phebe C. Oh at G. Fermin B. Taganao, Jr. ang umuukupa sa bahagi ng parsela ng lupa na kilala bilang Lot No. 138-A na may sukat na 300 metro kwadrado ang bawat isa.
2. Na, napagkasunduan ng bawat panig na ang bahagi ng lupa ng *Unang Panig* na may sukat na 70 square meters (*more or less*) ay bibilhin ni Gng. Phebe C. Oh sa halagang Php 50,000.00 at babayaran ng *installment* sa loob ng isang taon simula January 2023 hanggang December 2023.
3. Na, ang pagsasalin ng karapatan sa bahagi ng lupa na kilala bilang Lot. No. 138-B na may sukat na 70 square meters (*more or less*) mula kay G. Jose P. Conde ay isasagawa lamang kapag ang kabuuang halaga ay nabayaran ng mas maaga o sa takdang panahon.
4. Na, si G. Fermin Taganao, Jr, ay nakabili ng parsela ng lupa kina Belen P. Gerasmia at Benita P. Balderas na kilala bilang Lot No. 138-C na may sukat na 168 metro kwadrado.
5. Na, ang natitirang bahagi ng lote ng Unang Panig na may sukat na 168 square meters (*more or less*) ay ipapalit sa nabiling lupa ni G. Fermin Taganao, Jr. na kilala bilang Lot No. 138-C.
6. Na, ang bayad sa pagsusukat ng lote na nagkakahalaga ng Php 15,000.00 kada lote ay sasagutin ng *Ikalawang Panig* at ang paunang bayad na Php 7,500.00 ng bawat isa ay ibibigay kay Engr, Lucy Janet R. Pasion o kanyang *Authorize Representative* kapag



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isinagawa na ang pagsusukat at ang kabuuang bayad ay ibibigay kapag na-Approved na ang Survey Plan sa Regional Office ng DENR MIMAROPA.


Bilang katibayan at patunay, lumagda kami sa kasunduang ito sa harap ng kinatawan ng DENR-PENRO Palawan at mga saksi ngayong ika-1 ng Disyembre, 2022 dito sa DENR-PENRO Palawan.

Unang Panig:

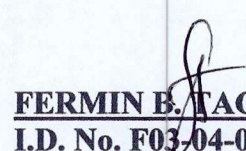

JOSE P. CONDE

I.D. No. CRN-011-1176-9773-2

Ikalawang Panig:


PHEBE C. OH

I.D. No. VIN:5318-0022A-
I2464PCO20000

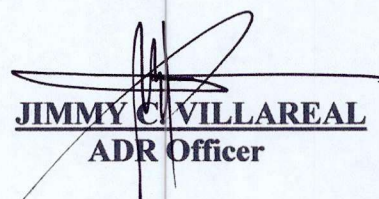

FERMIN B. TAGANAO, JR.
I.D. No. F03-04-001559

MGA SAKSI


DOMINGO CARCELER


FIDEL PRESTO

SUBSCRIBED AND SWORN TO THIS 1st day of December, 2022 at DENR-PENRO Palawan,
affiant known to me, personally appeared and signed.


JIMMY C. VILLAREAL
ADR Officer

file



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ADR Form 8 (Voluntary / Mandatory)
Notice for ADR Proceeding

IN RE: BOUNDARY CONFLICT AMONG JOSE P. CONDE, PHEBE OH, AND FERMIN TAGANAO, JR. INVOLVING LOT 138 (PORTION), PLS-232 LOCATED IN BARANGAY IV, ROXAS, PALAWAN WITH PROPOSED SUBDIVISION COVERED BY SURVEY AUTHORITY NO. SA 045318-2021-07 DATED APRIL 15, 2021

X-----X

NOTICE FOR ADR PROCEEDINGS

Mandatory ADR Proceedings

Voluntary ADR Proceedings pursuant to Agreement to Undertake

Alternative Dispute Resolution Proceedings dated 28 NOV 2022.

Pursuant to the DAO No. 2016-30 you are requested to appear on **December 1, 2022, 1:00 in the afternoon** at **PENR Office, Barangay Sta. Monica, Puerto Princesa City** for the conduct of ADR proceedings.

Your personal appearance on the above date, time, and venue is required. Should you be unavailable, you may send your ***authorized representative*** with a ***Special Power of Attorney*** granting full powers and authority to negotiate for mediated agreements, enter into amicable settlement, and enter into and sign compromise agreement.

Lawyers, in representation of their clients, shall not be allowed to participate during the ADR proceedings. Issued this *29th of November, 2022* at PENRO - Palawan, Puerto Princesa City, Philippines.

For the PENR Officer:

Jose P. Conde

DAIF NO. 2022-10958

DAVID F. DALINO

Land Management Officer III
In-Charge, Office of the PENRO

Phebe C. OH
Fermin Taganao Jr

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By *dee*
Date 29 NOV 2022 CN 22-10958

file



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Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telefax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

IN RE: **BOUNDARY CONFLICT AMONG JOSE P. CONDE, PHEBE OH, AND
FERMIN
TAGANAO, JR. INVOLVING LOT 138 (PORTION), PLS-232 LOCATED
IN BARANGAY IV, ROXAS, PALAWAN WITH PROPOSED
SUBDIVISION COVERED BY SURVEY AUTHORITY NO. SA 045318-
2021-07 DATED APRIL 15, 2021**

X-----X

**AGREEMENT TO UNDERTAKE ALTERNATIVE DISPUTE
RESOLUTION PROCEEDINGS**

We, Jose P. Conde, Phebe Oh, and Heirs of Federico Presto represented by Fermin Taganao, Jr. of the parcel of public land identified as Lot No. 138 (portion), PLS-232 with proposed subdivision plan covered by Survey Authority No. SA 045318-2021-07 dated April 15, 2021 situated at Barangay IV, Roxas, Palawan hereby declare and voluntarily agree to undergo Alternative Dispute Resolution (ADR) Proceedings in the pursuit of reaching out agreements/concessions on our dispute/s or conflict/s and work collaboratively together to obtain a mutually satisfying resolution of our issues.

This undertaking is in accordance with Section 17 of DENR Administrative Order (DAO) No. 2016-30 and all related laws, rules and regulations in the settlement of disputes and disposition of public land.

We stipulate and agree to submit all disputes, claims or controversies to the ADR Officer (ADRO) or competent authority in accordance with DAO no. 2016-30 and the terms and conditions which will govern the ADR Proceedings including those relating to obligations of confidentiality on the ADRO and on the parties.

We agree that we may stop the ADR process at any point of the proceeding by informing the ADRO and parties involved. Despite withdrawal, the parties shall continue to be bound by the confidentiality provisions of this agreement and agree not to use any information gained in the ADR sessions against other party.

We abide by this Undertaking and are fully aware that any agreements reached on the ADR proceedings shall form part of the records of the pending application and be utilized in the disposition of the public land by the concerned DENR Offices.

We mutually agree to meet on December 1, 2022 - 1:00 PM at PENRO Palawan, Barangay Sta. Monica, Puerto Princesa City for the initial ADR Proceedings and succeeding settings thereafter. Only the parties and/or duly authorized representatives shall attend the ADR proceedings.



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IN WITNESS WHEREFORE, the Parties hereto have mutually and voluntarily agreed to the above stipulations, and signed this Undertaking, at **Puerto Princesa City**, on this 28 **NOV** 2022 day of November, 2022.

For Individuals:¹


JOSE P. CONDE

Telephone Number: 09173026233

Address: Bgy. IV, Roxas, Palawan


PHEBE OH

Telephone Number:

Address: 09460 9270 7777
Bgy. IV, Roxas, Palawan



FERMIN TAGANAO, JR.

Rep.

Telephone Number:

Address: 09467 2684 871
Bgy. IV, Roxas, Palawan

Attested by:


KARLA KRISTINE V. ABALLA
Special Investigator I / Land Investigation Officer