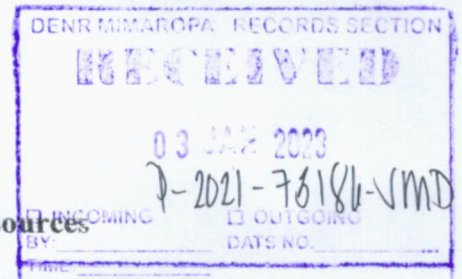




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Sta. Monica, Puerto Princesa City
Telfax No. (048) 434-8791
Email Add: penropalawan@denr.gov.ph



December 14, 2022

MEMORANDUM

FOR : The Regional Executive Director
1515 DENR by the Bay Building,
Roxas Boulevard, Barangay 668,
Ermita, Manila

THRU : The Assistant Regional Director
For Technical Services

Attn : The Chief, Legal Division

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : **LETTER DATED MAY 5, 2020 FROM EDMOND GASTANES
ON THE ALLEGED ILLEGAL CONSTRUCTION OF MS.
LORNA A. BONDOC COVERING A PARCEL OF LAND
LOCATED AT SITIO TALAUDYONG, BARANGAY
BACUNGAN, PUERTO PRINCESA CITY**

Respectfully forwarded is the Memo (with enclosures) dated December 5, 2022 of the OIC-CENR Officer **Pedro A. Velasco** of Puerto Princesa City received 7th of December 2022 by this office, consistently reiterating with their previous recommendation on the cancellation and/or amendment of Plan Csd-4-B-001469 in relation with the above subject.

For your information, evaluation and consideration.

Copy Furnished:

The CENRO
Sta. Monica, Puerto Princesa City

Doc. Ref. No. 2022-11249
TSD-RPS-DFD

FELIZARDO B. CAYATOC

**DENR-PALAWAN
PENRO-RECORDS
RELEASED**

By 21 DEC 2022 21-3442
Date: _____



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY
South National Highway, Bgy. Sta. Monica, Puerto Princesa City
Tel. Fax No.: (048) 717-0702
Email Address: cenropuertoprincesa@denr.gov.ph

December 5, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-IV, MIMAROPA Region
1515 L & S Building
Roxas Boulevard Ermita, Manila

THRU : The Provincial Environment and
Natural Resources Officer
Barangay Sta. Monica, PPC

FROM : The OIC-Community Environment and
Natural Resources Officer

SUBJECT : **LETTER DATED MAY 5, 2020 FROM EDMOND GASTANES ON
THE ALLEGED ILLEGAL CONSTRUCTION OF MS. LORNA A.
BONDOC COVERING A PARCEL OF LAND LOCATED AT
SITIO TALAUDYONG, BARANGAY BACUNGAN, PUERTO
PRINCESA CITY, PALAWAN**

**DENR PENRO
PALAWAN RECORDS
RECEIVED**

BY: [Signature]
DATE: 2-09-2022 DN 22-11249

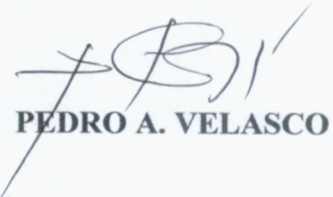
This pertains to the above-cited subject covered by Memorandum dated March 30, 2022 from PENR Officer anent to the Memorandum dated December 23, 2021 from the Regional Executive Director of the MIMAROPA Region which is asking for clarification whether other lot owners are informed of the cancellation of Plan Csd-4B-001469-D and what will be the course of action to the remaining lots covered by the said plan since the only questionable lots are lots 4 and 5.

Please be informed that an Inter-Agency Task Group headed by this office had conducted an actual inspection, inventory of occupants/owners of lots covered by the subject plan Csd-4B-001469-D on November 20, 2019 located at Sitio Talaudyong, Bgy. Bacungan, Puerto Princesa City in connection to the recovery of easement within the tourism areas including the subject area. In addition, the Inter-Agency Task Group conducted interview to the owners/representatives which was present during inventory and likewise informed them regarding the recovery of easement and the actual status of the lots which are already recommended for Cancellation and/or Amendment of the aforementioned Plan.


Be informed further that a series of investigation reports were already forwarded to your office including the report in Completed Staff Work format wherein all the recommendations are **Cancellation and/or Amendment of plan Csd-4B-001469-D considering that no potential lots that can be generated subject for disposition and titling.** Copy of the said reports and Memoranda in connection to the conflicting claims and actual status of the subject plan are hereto attached.

IN VIEW HEREOF, this Office is respectfully reiterating its recommendation which is the Cancellation and/or Amendment of plan Csd-4B-001469-D (which is more appropriate) considering the reasons and circumstances stated above (*Please see CSW, No. VI. ANALYSIS/FINDINGS, item 27. listed existing laws, rules and/or regulations*) in line with the subject land. Moreover, it is clear that lots 105-C-4 and 105-C-5 are questionable, however all the resultant lots within the western portion have the same situation that is covered by the actual 20 meters wide salvage zone/easement and 40.00 meters wide buffer zone for mangroves. Finally, the lots within Plan Csd-4B-001469-D particularly in the western portion even though there is no complaint nor dispute on the other lots, it should be included in the cancellation and/or amendment of the said plan considering the existing laws, rules and/or regulations that must be implemented and enforced by this office for all with the same case.

For your information, ready reference and evaluation.


PEDRO A. VELASCO

cc: CENRO PPC DRN: 2022-1892
RPS-vgajii

DENR MIMAROPA REGION
CENTRO PRINCESA
RELEASED
NO: 5733
DATE: 12-07-22
BY: 



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

March 30, 2022

2022-1892

MEMORANDUM

TO : The Community Environment and
Natural Resources Officer
Puerto Princesa City, Palawan

FROM : The Provincial Environment and
Natural Resources Officer

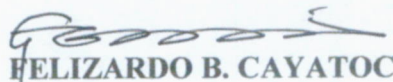
SUBJECT : LETTER DATED MAY 5, 2020 FROM EDMOND GASTANES ON
THE ALLEGED ILLEGAL CONSTRUCTION OF MS. LORNA A.
BONDOC COVERING A PARCEL OF LAND LOCATED AT SITIO
TALAUDYONG, BARANGAY BACUNGAN, PUERTO PRINCESA
CITY(12-23-2021)

ATTACHED: RED memo dated December 22, 2021

ACTIONS DESIRED:

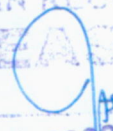
- ☒ For information and appropriate action
- ☐ For comments and recommendation s
- ☐ For immediate action and report of compliance
- ☒ Lacking requirements / Special instructions

Please submit reports complaint to the instructions of the Regional Executive Director.


FELIZARDO B. CAYATOC

DAIF Ref. 2022-2503
TSD-RPS-Utilization
JBP

DENR PENRO
PALAWAN RECORDS
RELEASED

BY: 
DATE: MAR 31 2022



DEC 23 2021


MEMORANDUM

FOR : The PENR OFFICER
Sta. Monica, Puerto Princesa City, Palawan

FROM : THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT : LETTER DATED MAY 5, 2020 FROM EDMOND GASTANES ON THE ALLEGED ILLEGAL CONSTRUCTION OF MS. LORNA A. BONDOC COVERING A PARCEL OF LAND LOCATED AT SITIO TALAUDYONG, BARANGAY BACUNGAN, PUERTO PRINCESA CITY.

DENR PENRO
PALAWAN RECORDS
RECEIVED

BY: 
DATE: 03-25-2022 22:2503

This is in connection with the calculation of plan Csd-4B-001469-D which was erroneously surveyed in the name of Eugenio Daquer, et. al, located at sitio Talaudyong Barangay Bacungan, Puerto Princesa City, Palawan.

Plan Csd-4B-001469-D comprises of nine (9) lots. Based on the reports submitted, Lot 105-C-, Csd-4B-001469-D is found to be within the salvage zone of 20.00 meters and both Lots 105-C-4 and Lot 105-C-5 are found to be within the environmental protection of 40.00 meters considering that the lots are adjacent to the mangrove areas.

Relative thereto, this office would like to clarify whether other lot owners are informed of the cancellation of plan Csd-4B-001469-D and if so, what will be the course of action to the remaining lots covered by the said plan since the only questionable lots are lots 4 and 5 only.

In this regard, kindly submit your recommendation which will be used as our basis for verification and cancellation of said survey plan.

For your immediate action.


MARIA LOURDES G. FERRER, CESO III

FN:smd/ehms



Department of Environment
and Natural Resources
MIMAROPA Region



Doc ID: 73186



RECORDS

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

April 5, 2021

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 L&S Bldg., Roxas Blvd.
Ermita, Manila 1000

Attention : ARD for Technical Services

FROM : The Provincial Environment and
Natural Resources Officer

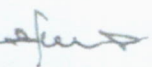
SUBJECT : LETTER DATED MAY 5, 2020 FROM EDMOND GASTANES
ON THE ALLEGED ILLEGAL CONSTRUCTION OF MS.
LORNA A. BONDOC COVERING A PARCEL OF LAND
LOCATED AT SITIO TALAUDYONG, BARANGAY
BACUNGAN, PUERTO PRINCESA CITY

DENR MIMAROPA REGION
CENRO PUERTO PRINCESA
RECEIVED
DOC NO. _____
DATE APR 27 2021
TIME 4:51 PM
NAME _____
POSITION _____
SIGNATURE _____

Respectfully returning a copy of that office Memo dated November 23, 2020 concurring the observation of the Multi-Sectoral Team created under PENRO Special Order No. 2019-059 and the recommendation for the cancellation of Plan Csd-4-B-001469-D surveyed for Eugenio Daquer, et. al. for violation of existing environmental laws, rules and regulations.

For cancellation of Plan Csd-4-B-001469-D per Manual of Authority.


For the PENRO:


JOHNNY P. LILANG
Supervising ECOMS/Chief TSD
In-Charge, Office of the PENRO

Copy furnished:

The CENRO
Sta. Monica, Puerto Princesa City

Doc. Ref. No. : 2021-2836
TSD-RPS/DFD


DATE 4-13-21 21-929

Bgy. Santa Monica, Puerto Princesa City, Palawan
Telfax No. (048) 433-5638
Email add: denrpenropalawan@gmail.com



Department of Environment and Natural Resources
Region IV - MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

June 4, 2020

MEMORANDUM

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

THRU : The Provincial Environment and
Natural Resources Office
Sta. Monica, Puerto Princesa City

FROM : The Community Environment and
Natural Resources Officer

SUBJECT : **REQUEST FOR ISSUANCE OF NOTICE TO VACATE**

**DENR PENRO
PALAWAN RECORDS
RECEIVED**

DATE: 06-08-2020 CN 7:26

This has reference to the conflicting claim among Ms. Lorna A. Bondoc, Mr. Edmond B. Gastanes, and the Heirs of Eugenio C. Daquer represented by Ms. Emily R. Daquer over Lot No. 105-C-5, Csd-4B-001469-D located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.

In order to avoid the conflict to escalate into a deeply hostile and serious level, this office is requesting for the immediate resolution of the subject case and further requesting that a **NOTICE TO VACATE** be issued to Ms. Lorna A. Bondoc together with her Leasee, Mr. Edmond B. Gastanes together with the alleged new owner/buyer of portion of Lot No. 105-C-5, Csd-4B-001469-D and the Heirs of Eugenio Daquer represented by Emily Daquer.

Please be informed that the following investigation reports were already submitted to that office in support to the request for cancellation/amendment of Plan Csd-4B-001469-D, to wit:

1. Report in a Completed Staff Work (CSW) format submitted to that office per Memorandum dated February 11, 2020;
2. Investigation Report of LMOI/LIO Valentin Gerald J. Aloria dated May 22, 2020;
3. Investigation Report of Multi-Sectoral Team created per PENRO Special Order No. 2019-059, Series of 2019; and
4. Investigation Report dated April 17, 2015 rendered by UWI/DPLI Felimon M. Jaurigue.

Be informed further that the subject area is one of the coverage of the recovery of easements/coastal rehabilitations within the City of Puerto Princesa and likewise one of the subject of our request for the immediate release of the fund intended for the demarcation activity of easements per Memorandum dated February 6, 2020 and May 4, 2020.

For further evaluation and consideration.



FELIZARDO B. CAYATOC

South National Highway, Bgy. Sta. Monica
Puerto Princesa City
Email Address: cenroppchuc@yahoo.com
Tel Fax No.: (048) 433-0660



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

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY**

February 11, 2020

MEMORANDUM

FOR : The Regional Executive Director
1515 L & S Building, Roxas Boulevard
Ermita, Manila

THRU : The OIC – Provincial Environment and
Natural Resources Officer – Palawan

FROM : The OIC – Community Environment and
Natural Resources Officer – Puerto Princesa

SUBJECT : **COMPLETED STAFF WORK (CSW) REPORT REGARDING THE
CONFLICTING CLAIM AMONG MS. LORNA A. BONDOC, MR.
EDMOND B. GASTANES, AND HEIRS OF EUGENIO C. DAQUER
REPRESENTED BY MS. EMILY R. DAQUER OVER LOT NO. 105-
C-5, CSD-4B-001469-D LOCATED AT SITIO TALAUDYONG,
BRGY. BACUNGAN, PUERTO PRINCESA CITY, PALAWAN**

CENRO PENRO
PALAWAN RECORDS
RECEIVED
DATE: 02-19-2020

This pertains to the Completed Staff Work (CSW) Report rendered by this Office regarding the above-captioned subject case.

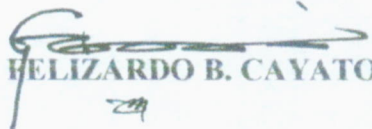
Records show that **Lot No. 105-C-5, Csd-4B-001469-D** containing an area of 5,800 square meters located at Sitio Talaudyong, Barangay Bacungan, Puerto Princesa City, Palawan was covered by both **Unnumbered Free Patent Applications of Lorna A. Bondoc and Edmond B. Gastanes** which was applied on April 18, 2016 and April 13, 2015, respectively. **However**, considering the **actual physical condition** of the said area, both applications were ordered **DROPPED** per CENRO Order dated April 18, 2016.

Furthermore, the tie line of **approved Subdivision Plan Csd-4B-001469-D** as surveyed for Eugenio Daquer, et. al. with an area of 36,145 square meters located in Brgy. Bacungan, Puerto Princesa City which was surveyed by Engr. Lucy Janet R. Pasion containing a total of eight (8) resultant lots: Lot Nos. 105-C-A up to 105-C-8 which were equivalent to Lot Nos. 46657 up to 46664, Cad. 800-D, respectively, **was found to be erroneous** and was recommended for **amendment and/or cancellation** subject for correction and proper disposition.

Moreover, **Lot No. 105-C-5, Csd-4B-001469-D** has been verified to be within **AGRICULTURAL LAND (ALIENABLE AND DISPOSABLE AREA)** per Land Classification Map No. 3620, Project No. 1-Z-A, Block II, certified on August 31, 2020. **However**, per ocular inspection/investigation and delineation survey conducted by the multi-sectoral team which was created per PENRO Special Order No. 2019-059 over the subject area, the said lot was found to be **within/inside the 20.00 meters wide salvage zone** for agricultural areas and **40.00 meters wide legal easement** for environmental bank protection. Therefore, there is **NO POTENTIAL LOT** that can be generated subject for disposition and titling.

In view of the aforementioned circumstances, the undersigned concurs with the findings and recommendations specified on the said CSW.

For your record, evaluation and resolution.


HELIZARDO B. CAYATOC

cc: **Lorna A. Bondoc**
So. Talaudyong, Brgy. Bacungan, Puerto Princesa City
Contact No. 0916-323-4841

Edmond B. Gastanes
So. Talaudyong, Brgy. Bacungan, Puerto Princesa City

Heirs of Eugenio Daquer rep. by Emily R. Daquer
Lot No. 26, Block 9, New Employees Village
Brgy. San Jose, Puerto Princesa City
Contact No. 0908-740-5315

CENRO/File

DRN-2020/RPS/*epbm

RE 108 190 192 ZZ

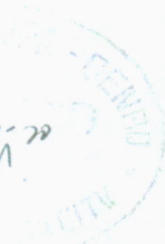

Post Office _____
Letter/Package No. Lorna A. Bondoc
Posted on _____ 20 _____
reserve this receipt for reference in case of inquiry

Postmaster/Teller

718

2-13-20







Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Province of Palawan
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

May 22, 2020

SUBJECT: INSPECTION REPORT REGARDING THE LETTER DATED MAY 5, 2020 FROM MR. EDMOND B. GASTANES PERTAINING TO THE ALLEGED ILLEGAL ACTIVITY/CONSTRUCTION IN THE AREA ALSO CLAIMED BY DRA. LORNA BONDOC LOCATED AT SITIO TALAUDYONG, BARANGAY BACUNGAN, PUERTO PRINCESA CITY, PALAWAN

The Community Environment
and Natural Resources Officer
DENR-CENRO, Bgy. Sta. Monica,
Puerto Princesa City, Palawan

Sir:

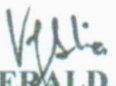
Please be informed that on May 22, 2020, the undersigned together with Mathematician Aide I Reynaldo V. Macola conducted an ocular inspection and validation regarding the above cited subject and the following were ascertained:

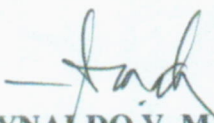
1. That the land subject for inspection is a parcel of land claimed by Dra. Lorna Bondoc identified as Lot No. 105-C-5, CSD-4B-001469-D located at Sitio Talaudyong, Bgy. Bacungan, Puerto Princesa City;
2. That the subject land was previously inspected and validated as to the actual and physical condition of the land conducted by the Composite Team created per PENRO Special Order No. 2019-059 dated October 30, 2019;
3. That the said Team reported that no possible area and/or land can be generated within Lot No. 105-C-5, CSD-4B-001469-D and Lot No. 105-C-4, CSD-4B-001469-D considering the 20.00 meters wide salvage zone and the 50.00 meters wide Buffer zone for mangroves;
4. That the allegation of Mr Edmond Gastanes regarding the illegal activity/construction within the disputed land was confirmed upon inspection dated May 22, 2020.
5. That there's still an on-going construction of cottages and/or rooms made from light materials and renovations and newly constructed comfort rooms in the disputed area identified as portion of Lot No. 105-C-5, CSD-4B-001469-D; Geotagged photos is hereto attached.
6. That according to Totic Failana, representative of the leasee, the leasee is a Korean National who introduced improvements in the area as per agreement between Dra. Bondoc.
7. That it was also observed that there was already a fenced made from concrete post and barbed wire allegedly constructed per instruction of the new owner/buyer which is also a Korean National allegedly owner/investor of Panya Resort Hotel located on the land adjoining the area where the Leasee and Dra. Bondoc made improvements; see also Geotagged photos hereto attached.

IN VIEW OF THE FOREGOING, it is respectfully recommended that a **Notice to Vacate** be issued to Dra. Lorna Bondoc and his leasee and to Mr. Edmond Gastanes and the alleged new owner/buyer of portion of Lot No. 105-C-5, CSD-4B-001469-D considering that both parties are claiming land/s which is verified to be within the 20.00 meters wide salvage zone and the 50.00 meters wide Buffer zone for mangroves.

We solemnly swear under the penalty of perjury that the above-mentioned findings are true and correct to the best of our knowledge and information.

Very truly yours,


VALENTIN GERALD J. ALORIA II
Land Management Officer I/LIO


REYNALDO V. MACOLA
Mathematician Aide I

SUBSCRIBED AND SWORN to before me on this JUN 01 2020 at Puerto Princesa City, Palawan.


FELIZARDO B. CAYATOC
OIC-CENRO

**GEOTAGGED PHOTOS DURING OCULAR INSPECTION AND VALIDATION IN
THE AREA/LAND CLAIMED BY DRA. LORNA BONDOC LOCATED AT SITIO
TALAUDYONG, BGY. BACUNGAN, PUERTO PRINCESA CITY**

Improvements/Structures within the area claimed by Dra. Lorna Bondoc (portion of Lot No. 105-C-5, CSD-4B-001469-D):





Fenced made from concrete post and barbed wire allegedly constructed per instruction of the new owner/buyer which is a Korean National located on the land adjoining to the area where Dra. Bondoc made improvements seen in the above pictures and also the alleged illegal cutting of coconut trees and burning of the same:







November 12, 2019

MEMORANDUM

FOR : The OIC-Provincial Environment & Natural Resources Officer

THRU : Technical Services Division

FROM : Multi-Sectoral Team

SUBJECT : **PENRO SPECIAL ORDER NO. 2019-059 RE: REQUEST FOR OCULAR INSPECTION AND ACTUAL SURVEY WITH RESPECT TO THE SUBDIVISION PLAN OF LOTS 105-C-4 & LOT 105-C-5, CSD-04-006512 LOCATED AT SITIO TALAUDYONG, BRGY. BACUNGAN, PPC, PALAWAN**


In compliance to the PENRO Special Order No. 2019-059 dated October 30, 2019, the undersigned together with the multi-sectoral team conducted the verification survey covering Lot 105-C-4 & Lot 105-C-5, CSD-04-006512, located at Barangay Bacungan, Puerto Princesa City, Palawan.

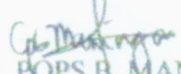
Relative to the above-given subject, the undersigned would like to inform the following findings of evaluation, to wit:

1. Lot 105-C-5 is found to be inside the salvage zone of 20.00 meters wide for the agricultural areas as provided in Article 51 of Presidential Decree 1067 otherwise known as Water Code of the Philippines. This area is restricted for recreation, navigation, floatage, fishing or to build structure of any kind.
2. Lot 105-C-5 & Lot 105-C-4 are found to be inside the environmental protection of 40.00 meters wide considering that the lots are adjacent to the mangrove areas.
3. Based on the GPS readings from the ground inspection, the subject area falls within Alienable and Disposable per LC Map No. 3620, Project No. 1-Z-A, Block I.

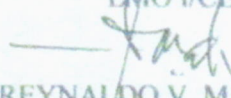
It is hereby recommended that this report be submitted to the office of the CENRO of Puerto Princesa City for information and further action.

JIMMY C. VILLAREAL
Team Leader/LMO III-On Official Travel


MILDRED A. PASCUAL
LMO II/CENRO PPC


CHRISTYL POPPS B. MANINGAS
SI/CENRO PPC


VALENTIN GERALD J. ALORIA II
LMO I/CENRO PPC


REYNALDO V. MAGOLA
MA/CENRO PPC


DONNA BELLE E. LUENGO
Asst. Team Leader/Engineer II



Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

October 30, 2019

PENRO Special Order

No. 2019-059
Series of 2019

**SUBJECT: CREATION OF A MULTI-SECTORAL TEAM TO CONDUCT
AN INVESTIGATION INVOLVING A PARCEL OF LAND
IDENTIFIED AS LOT 105-C-5, CSD-4B-001469-D LOCATED
IN BARANGAY BACUNGAN, PUERTO PRINCESA CITY**

In the interest of the service and in order to address some issues and concerns involving a parcel of land identified as Lot 105-C-5-, Csd-4B-001469-D located in Brgy. Bacungan, Puerto Princesa City, a Multi-Sectoral Team is hereby created to compose of the following:

- | | | |
|--|---|-------------------|
| 1. LMO III Jimmy C. Villareal (DENR-PENRO) | - | Team Leader |
| 2. Engr. Donna Belle Luengo (DENR-PENRO) | - | Asst. Team Leader |
| 3. SI Maria Laura Ortega (DENR-PENRO) | - | Member |
| 4. LMO II Mildred A. Pascual (DENR-CENRO) | - | Member |
| 5. LMO I Valentin Gerald J. Aloria II (DENR-CENRO) | - | Member |
| 6. SI Christyl Pops B. Maningas (DENR-CENRO) | - | Member |
| 7. MA Reynaldo V. Macola (DENR-CENRO) | - | Member |
| 8. Barangay Bacungan LGU Representative | - | Member |
- A. The team shall conduct an in-depth investigation and gather all relevant information involving the aforementioned lot;
- B. They shall determine the extent of the salvage zone/buffer zone/legal easement applicable over the subject lot and its present land classification status;
- C. They shall determine whether a parcel of land could still be generated out of the aforementioned lot qualified to be applied with public land application;
- D. The team shall submit a comprehensive report with recommendation within fifteen (15) days after completion of the field work;
- E. The travelling expenses in compliance to this Order shall be charged against their respective unit fund subject to the usual accounting and auditing rules and regulations;
- F. This Order takes effect immediately and shall be terminated upon completion of the assigned tasks.

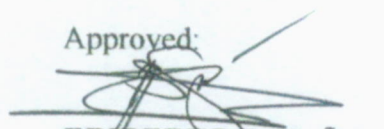
Recommending Approval:


FELIZARDO B. CAYATOC
OIC-CENRO

**DENR PENRO
PALAWAN RECORDS
RELEASED**

BY: 
DATE: 11-06-19

Approved:


ERIBERTO B. SAÑOS
OIC-PENRO



Republic of the Philippines
Department of Environment and Natural Resources
Region VI, MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
South National Highway, Sta. Monica, Puerto Princesa City, Palawan
Telephone No. (048) 433-6614 email add: cenroppchuc@yahoo.com

LMS Chief,

For further action.

4/23/15

MEMORANDUM

FOR : Emer D. Garraez
OIC - CENRO, PPC

FROM : UWI/Deputy Public Land Inspector

SUBJECT : Ocular inspection as per request of Lorna A. Bondoc

DATE : April 17, 2015

Madam,

This pertains to the actual inspection on the lot subject for application of Lorna A. Bondoc under lot No. 105-C-5 csd 4B-001469-D located at Sitio Nagtabon Brgy. Bacungan to wit:

1. That as per ocular inspection the area applied by Lorna A. Bondoc and Jojo Gastanes is the same and it is bounded on the North by West Philippine Sea and on the North East by creek.
2. That if we impose the guidelines of the water code in the Philippines it is subject to the 20 meters salvages zone from the highest tide and 20 meters as legal easement from the creek as indicated in the approved subdivision plan under csd No. 4B-001469-D.
3. That the approved csd No. 4B-001469-D is based on the approved cadastral survey area.
4. That it is found out that the area subject of two applications is within the salvages zone and legal easement.

In view of the facts it is recommended that the application of Lorna A. Bondoc and Jojo Gastanes be drop from the records and the approved subdivision plan in the name of Eugenio Daquer et. al. with Csd No. 4B-001409-D be amended subject to the actual used of the area for proper disposition.

Very Truly Yours,

FELIMON M. JADRIGUE



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

June 11, 2020

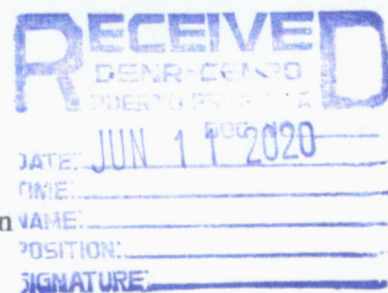
MEMORANDUM

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

ATTENTION : The Chief, Licenses, Patents and Deeds Division
The Chief, Legal Division.

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : **REQUEST FOR ISSUANCE OF NOTICE TO VACATE**



Forwarded is the Memorandum dated June 4, 2020 from CENRO Puerto Princesa City requesting for the issuance of NOTICE TO VACATE to Ms. Lorna A. Bondoc, Mr. Edmond B. Gastanes and the heirs of Eugenio C. Daquire represented by Emily R. Daquer and any other person/s or buyers claiming ownership over Lot No. 105-C-5, Csd-4B-001469 located at Sitio Talaudyong, Barangay Bacungan, Puerto Princesa City.

Please be informed that several investigation reports pertaining to the conflicting claims of Ms. Lorna Bondoc, et. al. covering lot 105-C-5, Csd-4B-001469 were already submitted to that office per attached memoranda dated February 26, 2020 and June 04, 2020.

Further, we reiterate our recommendation per memorandum dated February 26, 2020 that the Foreshore area fronting Lot No. 105-C-5, Csd-4B-001469 could be ordered open for filing of Foreshore/Miscellaneous Lease Application to applicant who has preferential rights on the said foreshore area.

For information and record

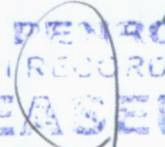
Copy Furnished.

✓ CENRO Puerto Princesa City

Doc. Ref. No. 2020-3520
TSD / ***Imojim


ERIBERTO B. SAÑOS, CESE

**DENR DENRO
PALAWAN RECORDS
RELEASED**

BY: 
DATE: 6-15-2020 C1 20-1021

Brgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 433-5638
Email add: denrpalawan@yahoo.com



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Province of Palawan
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY**

May 19, 2020

MEMORANDUM

FOR : The Regional Executive Director
1515 L & S Building, Roxas Boulevard
Ermita, Manila

THRU : The OIC-Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

FROM : The OIC-Community Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

SUBJECT : **LETTER DATED MAY 5, 2020 FROM MR. EDMOND B. GASTANES REGARDING THE ALLEGED ILLEGAL CONSTRUCTION OF MS. LORNA BONDOC, ET. AL. OVER A PARCEL OF LAND LOCATED AT SITIO TALAUDYONG, BARANGAY BACUNGAN, PUERTO PRINCESA CITY**

**DENR PENRO
PALAWAN
RECEIVED**

BY:
DATE: 05-27-2020 CN 1:34 PM

Respectfully forwarded herewith is the original copy of the letter¹ dated May 5, 2020 from Mr. Edmond B. Gastanes along with its attachments regarding the above-captioned subject.

Attached herewith is the letter² dated May 13, 2020 of this Office addressed to Mr. Edmond B. Gastanes informing him that a Completed Staff Work (CSW) Report was already forwarded to your office per memorandum-transmittal³ dated February 11, 2020 regarding the conflicting claim over Lot Nos. 105-C-4 and 105-C-5, Csd-4B-001469 located at So. Talaudyong, Brgy. Bacungan, Puerto Princesa City recommending the cancellation/amendment of approved subdivision Plan Csd-4B-001469-D as surveyed for Eugenio Daquer, et. al. subject for evaluation.

Further, per our letter⁴ dated February 28, 2020, Ms. Lorna A. Bondoc was already informed by this Office as to the result of the conducted ground validation of the composite team pursuant to PENRO Special Order No. 201-059, Series of 2019 dated October 31, 2019 which contains existing laws, policies, rules and regulations applicable on the issue which likewise prohibits occupation thereon.

For your evaluation and further instruction.

Copy furnished:

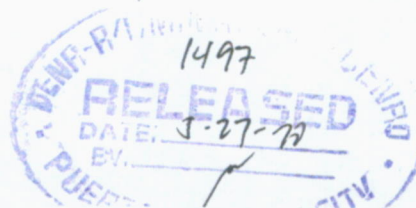
Edmond B. Gastanes
So. Talaudyong, Brgy. Bacungan, Puerto Princesa City

CENRO/File
DRN-2020/RPS

MARY JANE PEREGRINA

06/12/2020

FELIZARDO B. CAYATOC





Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Province of Palawan

February 26, 2020

MEMORANDUM

FOR : The Regional Executive Director
DENR IV-MIMAROPA Region
1515 L & S Building, Roxas Boulevard
Ermita, Manila

FROM : The OIC-Provincial Environment and
Natural Resources Officer

SUBJECT : COMPLETED STAFF WORK (CSW) REGARDING THE
CONFLICTING CLAIM AMONG MS. LORNA A. BONDOC, MR.
EDMOND B. GASTANES, AND HEIRS OF EUGENIO C.
DAQUER REPRESENTED BY MS. EMILY R. DAQUER OVER
LOT NO. 105-C-5, CSD-4B-001469-D LOCATED AT SITIO
TALAUDJONG, BRGY., BACUNGAN, PUERTO PRINCESA
CITY (DOC REF. NOS. 2020-1285 & 2020-1216)

RECEIVED
DENR - CENRO
PUERTO PRINCESA
DATE: MAR 03 2020
TIME: 9:21
NAME: [Signature]
POSITION: [Signature]
SIGNATURE: [Signature]

Forwarded is the Memorandum dated February 11, 2020 of CENRO Puerto Princesa City regarding the above-mentioned subject.

We observed that the submitted CSW informs of the chronology of events and history of the subject land. The following findings are as follows:

- Homestead Patent Applications were filed by Ms. Lorna A. Bondoc and Mr. Edmond B. Gastanes were received by CENRO Office on April 10, 2015 and April 13, 2015, respectively.
- Applied Lot No. 105-C-5, Csd-4B-001469-D was verified to be within the Agricultural Land (Alienable and Disposable) per L.C. Map No. 3620, Project No. 1-Z-A, Block II certified on August 31, 2004.
- Both unnumbered (Homestead) applications were dropped on April 18, 2016 including their claims over the said lot.
- Finally, per result of investigation conducted by the multi-sectoral team created under PENRO Special Order No. 2019-059, same lot was verified within the 20.00 meters strip of salvage zone and 40.00 meters legal easement for environmental bank protection, and hence there no potential area subject for disposition and titling.

In view hereof, it is recommended that the foreshore area fronting Lot No. 105-C-4B-001469-D could be ordered open to for Foreshore Lease Application of who among the applicants has preferential riparian rights.

For information and further instruction.

ERIBERTO B. SANOS, CESE

Copy furnished:

- CENRO PPC
- Mrs. Lorna A. Bondoc, So. Talaudjong, Brgy. Bacungan, PPC
CP No. 09163234841
- PENRO/ File/RPS rsv

Brgy. Sta. Monica, Puerto Princesa City, Palawan
Email Ad: denrpalawan@yahoo.com
Telefax No. (048) 433-5638

**DENR PENRO
PALAWAN RECORDS
RELEASED**
BY: [Signature]
DATE: 2-28-2020 C. 20-512



Republic of Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Province of Palawan
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

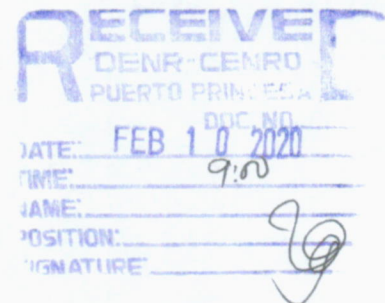
February 10, 2020

MEMORANDUM

FOR : The OIC – Community Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

FROM : Christyl Pops B. Maningas
Special Investigator I

THRU : Mildred A. Pascual
Land Mangament Officer II
Chief, Regulation and Permitting Section



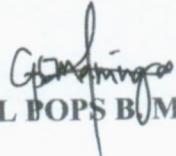
SUBJECT : **COMPLETED STAFF WORK (CSW) REPORT REGARDING THE
CONFLICTING CLAIM AMONG MS. LORNA A. BONDOC, MR.
EDMOND B. GASTANES, AND HEIRS OF EUGENIO C. DAQUER
REPRESENTED BY MS. EMILY R. DAQUER OVER LOT NO. 105-
C-5, CSD-4B-001469-D LOCATED AT SITIO TALAUDYONG,
BRGY. BACUNGAN, PUERTO PRINCESA CITY, PALAWAN**

Respectfully submitting herewith is the Completed Staff Work (CSW) Report regarding the above-captioned subject.

Please be informed that **Lot No. 105-C-5, Csd-4B-001469-D** was covered by both **Unnumbered Free Patent Applications** of **Lorna A. Bondoc** and **Edmond B. Gastanes** applied on April 18, 2016 and April 13, 2015, respectively. The subject lot was verified to be within **Agricultural Land (Alienable and Disposable Area)** per Land Classification Map No. 3620, Project No. 1-Z-A, Block II, certified on August 31, 2020. **However**, considering the **actual physical condition** of the said area, both applications were ordered **DROPPED** per CENRO Order dated April 18, 2016. Furthermore, the **tie line** of approved subdivision Plan **Csd-4B-001469-D** as surveyed for Eugenio C. Daquer which was surveyed by Engr. Lucy Janet R. Pasion was found to be **erroneous** and was recommended for **amendment and/or cancellation** subject for **correction and proper disposition**.

Moreover, a multi-sectoral team created per PENRO Special Order No. 2019-059 conducted an ocular inspection/investigation and delineation survey over the subject lot wherein it was found out that the said lot was found to be **within/inside** the **20.00 meters wide salvage zone** for agricultural areas and **40.00 meters wide legal easement** for environmental bank protection. The result, findings and recommendations of the multi-sectoral team and likewise the legal bases relevant to the subject matter were specified in the said CSW in accordance with the existing laws, rules and regulations.

For your evaluation and further instruction.


CHRISTYL POP B. MANINGAS

cc: **CENRO** file
DRN-2020/RPS/*cpbm



COMPLETED STAFF WORK

I. FACTS/BACKGROUND

This pertains to the conflicting claim among Ms. Lorna A. Bondoc, Mr. Edmond B. Gastanes and Heirs of Eugenio Daquer represented by Ms. Emily R. Daquer over a parcel of land identified as Lot No. 105-C-5, Csd-4B-001469-D containing an area of 5,800 square meters located at Sitio Talaudyong, Barangay Bacungan, Puerto Princesa City.

The subject lot has been verified to be within **AGRICULTURAL LAND (ALIENABLE AND DISPOSABLE AREA)** per Land Classification Map No. 3620, Project No. 1-Z-A, Block I, certified on August 31, 2004. However, the actual physical condition of the said lot appears to be within/inside the 20.00 meters wide salvage zone for agricultural areas and likewise within/inside the 40.00 meters wide easement for environmental bank protection considering that such is adjacent to a mangroves area.

Wherefore, rendered herewith is the Completed Staff Work (CSW) Report containing the available records/documents filed before this Office involving the subject lot.

II. LEGAL BASIS/APPLICABLE ISSUANCES

- Commonwealth Act No. 141 or the Public Land Act, as amended
- Presidential Decree No. 1067 or the Water Code of the Philippines
- Presidential Proclamation No. 2152 dated December 29, 1981, declaring the entire Province of Palawan and certain parcels of the public domain and/or parts of the country as Mangrove Swamp Forest Reserves

III. COORDINATION WITH THE AGENCIES INVOLVED

- DENR-CENRO Puerto Princesa
- DENR-PENRO Palawan
- City Clerk of Court
- City Registry of Deeds

IV. DOCUMENTS ATTACHED

	Date	Particulars
1	November 29, 1984	Cadastral Map showing the subject lot.
2	March 10, 2006	Affidavit of Waiver of Rights executed by Eugenio C. Daquer in favor of Nolasco G. Tayag over portion of Lot No. 21954, Cad. 800-D with an area of 6,000 square meters more or less located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City. (Photocopy only) Subscribed and sworn to before Chief, Land Management Services Renato S. Gonzaga on even date.
3	August 07, 2013	Special Power of Attorney executed by Nolasco G. Tayag, Jr. , appointing Lorna Aukay Bondoc as his true and lawful attorney-in-fact to represent him in any transactions with DENR, Palawan to execute and sign in his behalf any document regarding the property located at Talaudyong, Puerto Princesa City, Palawan measuring 6,000 square meters, more or less, purchased from Eugenio Daquer and any papers necessary for the purpose. (Photocopy only) Subscribed and sworn to before Notary Public on even date.
4	August 14, 2013	Letter from Nolasco G. Tayag, Jr. represented by Lorna Aukay Bondoc informing this Office that Nolasco G. Tayag, Jr. is the claimant and actual occupant of a portion of Lot No. 105-C, Csd-045316-012087-D with an area of 6,000 square meters more or less located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City which was acquired by virtue of Waiver of Rights from Eugenio Daquer and likewise requesting for issuance of survey authority over the said lot.
5	August 15, 2013	Waiver of Rights executed by Eugenio Daquer in favor of Edmond B. Gastanes over a parcel of land identified as Lot No. 105-C, Csd-04-012087-D located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City which was covered by Tax Declaration No. 002-22269 with Property Identifixation No. 134-03-002-35-039. Subscribed and sworn to before Notary Public Atty. Peter Q. Maristela on even date.
6	September 12, 2014	Approved Subdivision Plan Csd-4B-001469-D subdividing Lot No. 105-C, Csd-045316-012087-D as surveyed for Eugenio Daquer, et. al. with an area of 36,145 square meters located in Brgy. Bacungan, Puerto Princesa City as surveyed by Engr. Lucy Janet R. Pasion. The said Plan Csd-4B-001469-D has a total of eight (8) resultant lots: Lot Nos. 105-C-1 up to 105-C-8 which were equivalent to Lot Nos. 46657 up to 46664, Cad. 800-D,

		<p>respectively. The said lots contain the following area:</p> <p>Lot No. 105-C-1 = 303 sq. m. Lot No. 105-C-2 = 800 sq. m. Lot No. 105-C-3 = 1,168 sq. m. Lot No. 105-C-4 = 1,000 sq. m. Lot No. 105-C-5 = 5,800 sq. m. Lot No. 105-C-6 = 2,842 sq. m. Lot No. 105-C-7 = 21,137 sq. m. Lot No. 105-C-8 = 1,306 sq. m.</p> <p>Note: However, it was observed that there is an existing Lot No. 105-C-9 with an area of 1,789 sq. m. (without technical description) on the approved plan.</p>
7	September 16, 2014	<p>Unnumbered Homestead Patent Application of Edmond B. Gastanes over Lot No. 105-C-5, Csd-4B-001469-D identical to Lot No. 46661, Cad. 800-D with an area of 5,800 square meters located in Brgy. Bacungan, Puerto Princesa City.</p> <p>Subscribed and Sworn to before Land Investigator/Land Inspector Roland G. Talabucon on even date.</p>
8	March 5, 2015	Tax Map Location from the Office of the City Assessor Tax Mapping Division of the City of Puerto Princesa showing the subject lot.
9	April 1, 2015	Letter from Bobby Lopez Castro requesting for an inspection/investigation and issuance of survey authority over Lot No. 7, Gss-4A-000059 with an area of 4,000 square meters located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
10	April 7, 2015	Letter from Lorna A. Bondoc addressed to Punong Barangay of Bacungan Gualberto Manaeg requesting for the intervention of its barangay tanod regarding the unauthorized/illegal construction of the people of Jecsir Araiz and Eugenio Daquer within the premises of Lot No. 21954, Cad. 800-D located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
11	April 8, 2015	Letter from Lorna A. Bondoc requesting this Office that the approved survey plan over Lot No. 105-C, Csd-045316-012087-D be held in abeyance for there is an error in the technical description which needs to be rectified to conform with the area contained in their Waiver of Rights to avoid double sale over the said lot.
12	April 8, 2015	Affidavit of Waiver of Rights executed by Nolasco G. Tayag in favor of Lorna Bondoc over a portion of Lot No. 21954, Cad. 800-D located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.

		Subscribed and Sworn to before Notary Public Atty. Rodolfo S. Uyengco. Esq. on even date.
13	April 10, 2015	<p>Unnumbered Homestead Patent Application of Lorna A. Bondoc over Lot No. 105-C-5, Csd-4B-001469-D with an area of 5,800 square meters located in Brgy. Bacungan, Puerto Princesa City.</p> <p>Subscribed and Sworn to before Notary Public Atty. David D. Jaranilla on even date.</p>
14	April 14, 2015	<p>Letter-protest filed by Lorna A. Bondoc over a portion of Lot No. 21954, Cad. 900-D with an area of 6,000 square meters more or less located in Brgy. Bacungan, Puerto Princesa City with information that the approved subdivision plan under Csd-4B-001469-D in the name of Eugenio Daquer, et. al. located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City allegedly does not reflect the correct tie line and requesting the same to be held in abeyance due to the fraudulent resale of Mr. Eugenio Daquer of her acquired lot to Jojo Gastanes in which they both applied the same area for titling before this Office.</p> <p>Subscribed and Sworn to before Notary Public Atty. Gideon Rey V. Guayco on even date.</p>
15	April 15, 2015	Certification from Hon. Gualberto J. Manaeg of Barangay Bacungan certifying that Lorna A. Bondoc is the actual occupant of portion of Lot No. 21954, Cad. 800-D containing an area of 6,000 square meters more or less located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
16	April 15, 2015 (Date received)	Undated letter from Hon. Gualberto J. Manaeg of Barangay Bacungan endorsing the land problem of Lorna A. Bondoc against Edmond Gastanes located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
17	April 17, 2015	Investigation Report rendered by Deputy Public Land Inspector Felimon M. Jaurigue regarding the conducted ocular inspection as per request of Lorna A. Bondoc over Lot No. 105-C-5, Csd-4B-001469-D located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
18	April 20, 2015	<p>Letter from OIC-CENRO Emer D. Garraez of this Office addressed to Engr. Lucy Janet Pasion with the following information:</p> <ol style="list-style-type: none"> 1. <i>"That the approved subdivision plan does not conform with the actual description/shape of the whole subject lot and ascertained that both parties applied the same area for titling;</i> 2. <i>That based on the Water Code of the Philippines guidelines, it was observed that the subject area is</i>

		<p><i>within the 20-meter environmental protection /salvage zone and 20-meter legal easement.</i></p> <p>3. <i>That Lot No. 105-C-6, is found out to be full of mangrove species.</i></p> <p><i>In view of the foregoing, this Office would like to know and seek clarification at your end regarding the above issues in order to shed light on the result of your executed survey."</i></p>
19	April 27, 2015	<p>Invitation for Preliminary Conference between Lorna A. Bondoc and Edmond B. Gastanes regarding the endorsement of Hon. Gualberto J. Manaeg re: their conflicting claim over a parcel of land located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City requesting them to appear to this Office on May 19, 2015 at 9:00 A.M. before Chief LMS Rex S. Velasco.</p>
20	April 29, 2015	<p>Letter from Engr. Lucy Janet R. Pasion in response to the letter dated April 20, 2015 from this Office and requesting for the amendment of the tie line of Plan Csd-4B-001469-D.</p>
21	May 22, 2015	<p>Investigation report-memorandum rendered by CENRO Emer D. Garraez regarding the conducted ocular inspection over Lot No. 105-C-5, Csd-4B-001469-D as per request of Lorna A. Bondoc with the following findings:</p> <ol style="list-style-type: none"> 1. <i>"That the area applied by Ms. Lorna A. Bondoc is also the same area applied by Mr. Edmond B. Gastanes.</i> 2. <i>That the approved subdivision plan under Csd-4B-001469-D has an incorrect tie line ascertained by this Office and does not conform with the actual description/shape of the whole area because it is mainly based on the approved cadastral survey and the physical condition of the area was not considered.</i> 3. <i>That the presentation of the approved plan does not conform with the actual condition of the area particularly Lot No. 105-C-5. The 20 meter Environmental Protection/Salvage Zone overlapped the 20 meter Legal Easement, therefore, there is no patentable area can be generated on portion of the subject lot.</i> 4. <i>That Lot No. 105-C-6, Csd-4B-001469-D is fully covered with naturally grown mangrove species and not subject for titling.</i> 5. <i>That on May 19, 2015, both parties were invited by this Office to have an initial dialogue/conference regarding the conflicting claims but only Ms. Bondoc appeared during the scheduled meeting.</i> 6. <i>That due to trust and confidence in the recommendation of the land investigator, this Office recommended for the approval of the plan submitted</i>

		<p>by Engr. Lucy Janet Pasion seeking clarification in order to shed light on the result of her executed survey. A reply letter from Engr. Pasion received by this Office on April 29, 2015 confirming that the tie line is erroneous and requesting for its amendment.</p> <p><i>In view of the above facts, it is recommended that the approved subdivision plan in the name of Eugenio Daquer, et. al. with Csd No. 4B-001469-D be amended subject to the actual physical condition of the area for proper disposition”.</i></p>
22	September 14, 2015	Letter from Lorna A. Bondoc requesting this Office for the cancellation of survey plan in favor of Eugenio Daquer dated September 14, 2013 located at So. Talaudyong, Brgy. Bacungan, Puerto Princesa City considering that such plan is erroneous and subject for cancellation.
23	September 14, 2015	Certification issued by this Office certifying that Lot No. 105-C-5, Plan Csd-4B-001469-D is found to be erroneous because of the incorrect tie line, and Lot No. 105-C-6, Csd-4B-001469-D is fully covered with naturally grown mangroves NOT subject for disposition or titling and further recommending for the cancellation of the said plan to give way for the re-survey in order to exclude the salvage area and legal easement.
24	September 18, 2015	<p>Memorandum from this Office addressed to the Regional Office regarding Recommendation for the Amendment/ Cancellation of the Approved Plan Csd-4B-001469-D in the name of Eugenio Daquer, et. al. located at Brgy. Bacungan, Puerto Princesa City with the following information:</p> <ol style="list-style-type: none"> 1. <i>“That Lot No. 105-C-5, Csd-4B-001469-D was both applied by Ms. Lorna A. Bondoc and Mr. Edmond B. Gastanes. That on May 19, 2015, both parties were invited by this Office to have an initial dialogue/conference regarding the conflicting claim but only Ms. Bondoc appeared during the scheduled meeting. Another meeting will be scheduled this coming November 2015 in order to address the above issue.</i> 2. <i>That no patentable area can be generated on Lot Nos. 105-C-1 and 105-C-2 while on Lot Nos. 105-C-3, 105-C-4 and 105-C-5 with small portions of patentable areas. Lot Nos. 105-C-6 and 106-C-8 are fully covered with naturally grown mangrove species and not subject for titling while Lot No. 105-C-7 is a patentable area.</i> 3. <i>On the attached approved plan, the description and shapes of the actual occupation as observed is reflected and the extent of overlap of legal easement against the salvage zone”.</i>

25	November 5, 2015	Invitation for Preliminary Conference regarding land problem of Dr. Lorna A. Bondoc against Mr. Edmond B. Gastanes over a parcel of land located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City requesting them to appear before this Office on November 23, 2015 before CENRO Emer D. Garraez.
26	November 24, 2015	PENRO Memorandum returning the Memorandum dated September 18, 2015 of this Office regarding the recommendation for the cancellation/amendment of Plan Csd-4B-001469-D surveyed in the name of Eugenio Daquer, et. al. located in Brgy. Bacungan, Puerto Princesa City requesting to submit the necessary documents in order to support the cancellation/amendment of the said plan.
27	December 21, 2015	Letter from Edmond B. Gastanes requesting for a copy of his application for titling covering Lot No. 105-C, Csd-045316-012087-D located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
28	January 11, 2016	Certification issued by this Office certifying that Lot No. 105-C-5, Csd-4B-001469-D with an area of 5,800 square meters located at Brgy. Bacungan, Puerto Princesa City is covered by Unnumbered Free Patent Applications of Lorna A. Bondoc filed on April 10, 2015 and Edmond B. Gastanes filed on April 13, 2015. It further certifies that other resultant lots of Plan Csd-4B-001469-D are not covered by any public land applications.
29	January 11, 2016	Letter addressed to the Clerk of Court regarding the H.A. 045316-Unnumbered of Edmond B. Gastanes covering Lot No. 105-C-5, Csd-4B-001469-D located in Brgy. Bacungan, Puerto Princesa City requesting for its status whether the said lot is covered by any registration case filed in court.
30	January 11, 2016	Letter addressed to the Registry of Deeds regarding the Homestead Application of Edmond B. Gastanes covering Lot No. 105-C-5, Csd-4B-001469-D located in Brgy. BACungan, Puerto Princesa City requesting for its status of the said application if there is no patent that has been issued under Plan Csd-4B-001469-D.
31	January 11, 2016	Letter addressed to the Registry of Deeds regarding the Homestead Application of Lorna A. Bondoc covering Lot No. 105-C-5, Csd-4B-001469-D located in Brgy. BACungan, Puerto Princesa City requesting for its status of the said application if there is no patent that has been issued under Plan Csd-4B-001469-D.
32	April 18, 2016	Order issued by this Office regarding the Lot Nos. 105-C-1 up to 105-C-9 of Plan Csd-4B-001469-D identical to Lot Nos. 46657 up to 46664 of Cad. 800-D with the below verification and recommendation:

		<p><i>"Records shows that Lorna A. Bondoc and and Edmond B. Gastanes are holder of an Unnumbered Homestead Applications covering the same Lot No. 105-C-5, Csd-4B-001469-D identical to Lot No. 46661, Cad. 800-D with an area of 5,800 square meters located in Sitio Talaudyong, Bgy. Bacungan, Puerto Princesa City.</i></p> <p><i>In an investigation conducted on April 17, 2015 by one of the representative of this Office, portion of Lot Plan Csd-4B-001469-D more particularly Lot No. 105-C-5, Csd-4B-001469-D identical to Lot No. 46661, Cad. 800-D and 105-C-6, Csd-4B-001469-D identical to Lot No. 46662, Cad. 800-D were both found and verified on the ground that there were no longer lot can be generated or the said two lots are already submerged by sea water and within the strip of salvage zone and mangrove reserve area. Also, under the provision of Presidential Decree No. 1067 dated December 31, 1981, a decree instituting a Water Code on the Philippines and Presidential Proclamation No. 2152 dated December 29, 1981, declaring the entire Province of Palawan as Mangrove Reserve Swamp.</i></p> <p><i>Wherefore, the Unnumbered Homestead Applications of Lorna A. Bondoc and Edmond B. Gastanes covering the same Lot No. 105-C-5, Csd-4B-001469-D identical to Lot No. 46661, Cad. 800-D with an area of 5,800 square meters and including their claims are hereby ordered dropped from the records of this Office forfeiting in favor of the government whatever amount has been paid on account thereof and likewise the other resultant lots under the approved Subdivision Plan Csd-4B-001469-D in the name of Eugenio Daquer, et. al. shall not be disposed until such correction survey has been approved."</i></p>
33	April 19, 2016	Memorandum-Transmittal addressed to PENRO submitting the requested documents of that Office in compliance to their Memorandum dated November 24, 2015 regarding the recommendation for the cancellation/amendment of Plan Csd-4B-001469-D surveyed in the name of Eugenio Daquer, e.t al. located in Brgy. Bacungan, Puerto Princesa City.
34	April 20, 2016	Letter addressed to Eugenio Daquer requesting him to submit/surrender to this Office the original sepiya copy of the said approved survey plan and its corresponding technical description to facilitate the cancellation/amendment of Plan Csd-4B-001469-D.
35	April 20, 2016	Official Receipt No. 1129168 C of Edmond B. Gastanes in the amount of thirty five pesos (P35.00) for lot clearance.
36	April 20, 2016	Certification from the Office of the Clerk of Court certifying that their Office has no knowledge of any pending case filed before that Court of Lot No. 105-C-5, Csd-4B-001469-D

		located at Brgy. Bacungan, Puerto Princesa City, issued upon the request of Edmond B. Gastanes.
37	April 20, 2016	Official Receipt No. 1129167 C of Lorna A. Bondoc in the amount of thirty five pesos (P35.00) for lot clearance.
38	April 20, 2016	Official Receipt No. 1129124 C of Lorna A. Bondoc in the amount of fifteen pesos (P15.00) for lot clearance.
39	April 20, 2016	Certification from the Office of the Clerk of Court certifying that their Office has no knowledge of any pending case filed before that Court of Lot No. 105-C-5, Csd-4B-001469-D located at Brgy. Bacungan, Puerto Princesa City, issued upon the request of Lorna A. Bondoc.
40	May 31, 2017	Letter-complaint from Lorna A. Bondoc informing this Office that Mr. Jojo Gastanes and Mr. Baby Fuertes entered her premises at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City without her knowledge nor permission from her caretaker and that they are trying to push their claim over her property, threatening her caretaker not to step on the property.
41	June 13, 2017	Letter addressed to Lorna A. Bondoc informing her of the Memorandum dated April 19, 2016 forwarding to PENRO the recommendation of this Office for the cancellation/ amendment of Plan Csd-4B-001469-D and Order dated April 18, 2016. Further advising her that to seek assistance of the Puerto Princesa City Police District Office with regards to the alleged threat on her caretaker and/or security problem.
42	August 6, 2019	Letter from Lorna A. Bondoc addressed to OIC-PENRO Eriberto B. Saños requesting for assistance in securing a tenurial instrument over Lot No. 105-C-5, Csd-4B-001469-D situated in Brgy. Bacungan, Puerto Princesa City with information that she is the actual occupant and developer of the said area since 2006. (Attached of the said letter are the Memorandum dated May 22, 2015 of this Office, Waiver of Rights dated March 10, 2006 and April 8, 2015).
43	September 12, 2019	PENRO Memorandum endorsing to this Office the letter dated August 6, 2019 from Lorna A. Bondoc.
44	September 19, 2019	Document Action Information Form with Doc. Ref. No. 2019-1532 regarding the PENRO Memorandum dated September 12, 2019.
45	October 14, 2019	Certification issued by this Office regarding the status of Lot No. 105-C-5, Csd-4B-001469-D located in Brgy. Bacungan, Puerto Princesa City.

46	October 4, 2019 (Date Received)	Undated letter from Lorna A. Bondoc addressed to OIC-PENRO Eriberto B. Saños informing that Office of how her claim over of Lot No. 105-C-5, Csd-4B-001469-D was established. (With attached photocopy of the documents stated on the said letter)
47	October 16, 2019	PENRO Memorandum endorsing to this Office undated letter from Lorna A. Bondoc which was received by PENR Office on October 4, 2019 with instruction to create an investigation team to conduct ocular inspection and validation as to the veracity of the claim and submit recommendation in Completed Staff Work format.
48	October 18, 2019	Document Action Information Form with Doc. Ref. No. 2019-5162 regarding the PENRO Memorandum dated October 16, 2019.
49	October 30, 2019	Photocopy of PENRO Special Order No. 2019-059 regarding the creation of a multi-sectoral team to conduct an investigation involving a parcel of land identified as Lot No. 105-C-5, Csd-4B-001469-D located in Brgy. Bacungan, Puerto Princesa City.
50	November 5, 2019	Notice of Ocular Inspection/Investigation addressed to Ms. Lorna A. Bondoc re: PENRO Memoranda dated September 2, 2019 and October 16, 2019 regarding her request for assistance over Lot No. 105-C-5, Csd-4B-001469-D located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City with information that this Office will be conducting an ocular inspection/investigation and delineation survey over the subject area on November 6, 2019.
51	November 6, 2019	Attendance sheet regarding the delineation survey segregating the salvage zone/buffer zone over Lot No. 105-C-5, Csd-4B-001469-D located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
52	November 12, 2019	Investigation report-memorandum from the Multi-Sectoral Team per PENRO Special Order No. 2019-059 addressed to OIC PENRO with the following findings of evaluation, to wit: <ol style="list-style-type: none"> 1. Lot No. 105-C-, Csd-4B-001469-D is found to be within/inside the salvage zone of 20.00 meters wide for the agricultural areas as provided in Article 51 of Presidential Decree 1067 otherwise known as Water Code of the Philippines. This area is restricted for recreation, navigation, floatage, fishing, or to build structure of any kind. 2. Lot No. 105-C-5 and Lot No. 105-C-4 of Csd-4B-001469-D are found to be inside the environmental protection of 40.00 meters wide considering that the lots are adjacent to the mangrove areas. 3. Based on the GPS readings from the ground

		<p><i>inspection, the subject area falls within Alienable and Disposable per LC Map No. 3620, Project No. 1-Z-A, Block I.</i></p> <p>Attached is the map showing the verification plan of Lot No. 105-C-4 and Lot No. 105-C-5, Csd-4B-001469-D situated in Brgy. Bacungan, Puerto Princesa City and the google earth images of the subject lots.</p>
53	November 12, 2019	PENRO Memorandum endorsing the verification survey report dated November 12, 2019 and verification survey of plan submitted by the multi-sectoral team per PENRO Special Order No. 2019-059.
54	November 20, 2019	Document Action Information Form with Doc. Ref. No. 2019-5668 regarding the PENRO Memorandum dated November 12, 2019.
55	October 28, 2019	<p>Letter from Emily R. Daquer submitting pertinent documents in support to the claim of the Heirs of Eugenio C. Daquer over Lot No. 105-C-5, Csd-4B-001469-D situated at at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City as follows:</p> <ol style="list-style-type: none"> 1. Photocopy of approved plan Csd-4B-001469-D dated September 12, 2014 2. Certified copy dated April 14, 2015 of Tax Declaration of Real Property with TD No. 002-22642 and Property Identification No. 134-03-002-35-048 in the name of Eugenio Daquer over Lot No. 105-C-5, Csd-4B-001469-D located in Brgy. Bacungan, Puerto Princesa City. 3. Extrajudicial Settlement of Estate dated July 5, 2018 among the Heirs of Eugenio Caubalejo Daquer namely: Elisa Padon Daquer, Cindy Daquer Sabuya and Cheryll Daquer Garcia which was subscribed and sworn to before Notary Public Atty. Roland E. Pay on even date. 4. Photocopy of Affidavit of Publication dated November 8, 2018 by Rhea D. Garados regarding the Notice on the Extrajudicial Settlement of Estate of Eugenio Caubalejo Daquer which was subscribed and sworn to before Notary Public Atty. Susanne C. Lacson on even date. 5. Photocopy of Special Power of Attorney dated July 10, 2018 executed by the Heirs of Eugenio Caubalejo Daquer namely: Eliza Padon Daquer, Cindy Padon Daquer and Cheryll Padon Daquer in favor of Emily R. Daquer as attorney-in-fact which was subscribed and sworn to before Notary Public Atty. Roland E. Pay on even date. 6. Photocopy of the Certification to File Action dated September 6, 2019 from the Office of the Lupong

		<p>Tagapamayapa of Barangay Bacungan with Barangay Case No. 90 for Illegal Entry between Emily Daquer, Complainant against Lorna A. Bondoc, Respondent.</p> <p>7. Others such as photocopy of the a) undated Position Paper of Mr. Edmond B. Gastanes re: the claims of Dr. Lorna Bondoc over a parcel of land owned by Mr. Eugenio Daquer in Brgy. Bacungan, Puerto Princesa City, b) photocopy of an Affidavit of Waiver of Rights dated November 4, 2004 executed by Eugenio Daquer in favor of Elysian Fields Property Holding Corporation represented by its President Rovel D. Tomambo over Lot No. 7, Gss-4A-000059 (Lot No. 105-C, Csd-04-012087-D) with an area of 6,627 square meters located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City which was subscribed and sworn to before Notary Public Atty. Sesinio B. Belen on even date, c) Affidavit dated December 7, 2015 which was subscribed and sworn to before Notary Public Atty. Joseph Allen P. Quiñon on even date which shows the executed by Eugenio Daquer with information that he is the lawful owner of Lot No. 105-C, Csd-04-012087-D and that on November 4, 2004, he sold the said lot in favor of Elysian Fields Property Holding Corporation, however the vendee did not transfer the ownership or apply for title of the said land since it was named in a corporation, hence, on August 15, 2013, he executed a waiver of rights in favor of Edmond B. Gastanes as one of the trustees of the vendee in order to apply for title and that when they applied for title at CENR Office, they discovered that Nolasco G. Tayag has an application over the said lot with an affidavit of waiver of rights with his signature and that he denied the said signature on the said affidavit of waiver of rights.</p>
56	November 6, 2019	Document Action Information Form with Doc. Ref. No. 2019-5450 regarding the submission of documents of Emily R. Daquer per her letter dated October 29, 2019.
57	November 19, 2019	Letter addressed to Emily R. Daquer informing her that the submitted documents in her letter dated October 29, 2019 will be incorporated to its case folder/records filed before this Office subject for further review and evaluation.
58	February 4, 2020	Certification issued by this Office certifying that Lot No. 105-C-5, Csd-4B-001469-D located in Brgy. Bacungan, Puerto Princesa City has been verified to be within Agricultural Land (Alienable and Disposable Area) per approved Land Classification Map No. 3620, project No. 1-Z-A, Block II, certified on August 31, 2004. Further certifying that per actual physical condition of the subject

		lot, the same is within the 20-meters SALVAGE ZONE as provided under Article 51 of P.D. No. 1067 or the "Water Code of the Philippines" and 40-meters BUFFER ZONE/EASEMENT since such is adjacent to mangrove swamp area.
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V. POTENTIAL PROBLEMS/ISSUES

1. Whether the subject lot is within/inside the salvage zone and/or easement for environmental bank protection and if there can still be a potential patentable area that can be generated within the subject lot.
2. Whether the approved subdivision plan Csd-4B-001469-D is erroneous.
3. Who has the preferential rights over the controversial parcel of land.

VI. ANALYSIS/FINDINGS

Review and evaluation of relevant documents available revealed the following:

1. That on **March 10, 2006**, **Eugenio C. Daquer** executed an **Affidavit of Waiver of Rights** in favor of **Nolasco G. Tayag** over a portion of **Lot No. 21954, Cad. 800-D** with an area of **6,000 square meters** more or less located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
2. That on **August 7, 2013**, **Nolasco G. Tayag, Jr.** executed a **Special Power of Attorney** and appointed **Lorna Aukay Bondoc** as his true and lawful attorney-in-fact regarding the said property that he purchased from **Eugenio Daquer** located at Talaudyong, Puerto Princesa City measuring 6,000 square meters, more or less.
3. That on **August 14, 2013**, **Lorna A. Bondoc**, in behalf of **Nolasco G. Tayag, Jr.** requested this Office for a **survey authority** over a portion of Lot No. 21954, Cad. 800-D identical to Lot No. 105-C, Csd-045316-012087-D with an area of 6,000 square meters located at So. Talaudyong, Brgy. Bacungan, Puerto Princesa City.
4. That on **August 15, 2013**, **Eugenio Daquer** executed another **Waiver of Rights** in favor of **Edmond B. Gastanes** over **Lot No. 105-C, Csd-04-012087-D** with an area of 6,627 square meters located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
5. **Note:** Based on the aforementioned documents, **Eugenio Daquer** had executed **two (2) versions of Waiver of Rights** in favor of **Nolasco G. Tayag** which was executed on **March 10, 2006** and **Edmond B. Gastanes** which was executed on **August 15, 2013** which was appearing to be the same lot being a portion of Lot No. 21954, Cad. 800-D and Lot No. 105-C, Csd-04-012087-D, respectively.
6. That on **September 12, 2014**, Plan Csd-4B-001469-D was approved subdividing Lot No. 105-C, Csd-045316-012087-D as surveyed for **Eugenio**

Daquer, et. al. with an area of 36,145 square meters located in Brgy. Bacungan, Puerto Princesa City as surveyed by Engr. Lucy Janet R. Pasion. The said Plan Csd-4B-001469-D has a total of eight (8) resultant lots: Lot Nos. 105-C-A up to 105-C-8 which were equivalent to Lot Nos. 46657 up to 46664, Cad. 800-D, respectively.

7. That on **April 8, 2015**, **Nolasco G. Tayag** executed an **Affidavit of Waiver of Rights** in favor of **Lorna Bondoc** over a **portion of Lot No. 21954, Cad. 800-D** with an area of **6,000 square meters** more or less located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City.
8. That per letter dated **April 14, 2015**, Ms. Lorna Bondoc informed this Office that she is the actual occupant of the subject lot and that the technical description of the approved plan Csd-4B-001469-D does not reflect the correct tie line, hence, requesting such to be held in abeyance for being erroneous. She further informed this Office that the area she acquired was reduced and portion of such had been the subject of fraudulent resale by Eugenio Daquer.
9. That the subject lot was **both applied for homestead patent** by **Edmond B. Gastanes** (filed on **September 16, 2014**) and **Lorna A. Bondoc** (filed on **April 10, 2015**) before Land Investigator Roland G. Talabucon and Notary Public Atty. David D. Jaranilla, respectively.
10. That an **endorsement letter** from Hon. Gualberto J. Manaeg was received by this Office on April 15, 2015 endorsing the conflicting claim of Dr. Lorna A. Bondoc and Mr. Edmond B. Gastanes over a parcel of land located at So. Talaudyong, Brgy. Bacungan, Puerto Princesa City.
11. That an ocular inspection report was rendered by Deputy Public Land Inspector (DPLI) Felimon M. Jaurigue stating that the homestead application of Ms. Bondoc and Mr. Gastanes over the subject lot is within salvage zone and legal easement with recommendation that such applications filed by the said persons and the approved plan Csd-4B-001469-D in the name of Eugenio Daquer, et.al., which was surveyed by Engr. Pasion be amended subject to the actual use of the area for proper disposition.
12. That per letter dated April 20, 2015, this Office informed Engr. Pasion as to the findings and recommendations of this Office seeking clarification from her in order to shed light on the aforementioned issues arise from her executed survey.
13. In response to such, Ms. Pasion, in her letter dated April 29, 2015, confirmed to this Office that the tie line was indeed erroneous and requesting that such error be corrected/amended by the Regional Office.
14. That on May 22, 2015, this Office forwarded a memorandum to the Regional Office regarding its findings, observations and actions taken over the matter such as follows:
 - a.) Ms. Bondoc and Mr. Gastanes applied for a homestead patent over the same area;
 - b.) Plan Csd-4B-001469-D has an incorrect tie line and does not conform with the actual description/shape of the whole area

because it is mainly based on the cadastral survey and that the physical condition of the area was not considered;

- c.) The approved plan Csd-4B-001469-D does not conform to the actual condition of the area particularly Lot No. 105-C-5 of the said plan and the 20-meter environmental protection/salvage zone overlapped with the 20-meter legal easement, therefore, no patentable area can be generated on portion of the subject lot;
- d.) Lot No. 105-C-6, Csd-4B-001469-D is fully covered with naturally grown mangroves and not subject for titling;
- e.) Both parties were invited by this Office for an initial dialogue/conference regarding the conflicting claim, however, only Ms. Bondoc appeared during the scheduled meeting;
- f.) Due to trust and confidence of CENRO Emer D. Garraez to the land investigator, the said plan submitted by Engr. Pasion was recommended for approval. However, per aforementioned findings and observations, this Office immediately seek clarification from Engr. Pasion and the latter confirmed that the tie line of approved plan Csd-4B-001469-D was erroneous and likewise requested for its amendment.

Wherefore, this Office recommended that the approved subdivision plan Csd-4B-001469-D in the name of Eugenio Daquer, et. al. be amended subject to the actual physical condition of the area for proper disposition.

- 15. That on September 14, 2015, this Office issued a Certification certifying that Lot No. 105-C-5, Csd-4B-001469-D is found to be erroneous because of the incorrect tie line, and Lot No. 105-C-6, Csd-4B-001469-D is fully covered with naturally grown mangroves not subject for disposition or titling. Further recommending the cancellation of the said plan to give way for the re-survey and in order to exclude the salvage area and legal easement.
- 16. That on September 18, 2015, this office forwarded a memorandum to the Regional Office thru PENR Office regarding the recommendation for the amendment/cancellation of the approved plan Csd-4B-001469-D in the name of Eugenio Daquer, et. al. located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City which contains findings, observations and actions taken of this Office over the subject matter.
- 17. However, the said memorandum was returned to this Office by the PENR Office requiring some necessary documents in support to the cancellation of Plan Csd-4B-001469-D.
- 18. Wherefore, on **January 11, 2016**, this Office issued a certification as to the status of 105-C-5, Csd-4B-001469-D. Further, per letters both dated **January 11, 2016**, this Office requested for the status of the said lot to the Clerk of Court and Register of Deeds of the City of Puerto Princesa.
- 19. That on April 18, 2016, this Office issued an Order that the **Unnumbered Homestead Applications of Lorna A. Bondoc and Edmond B. Gastanes** over Lot No. 105-C-5, Csd-4B-001469-D identical to Lot No. 46661, Cad. 800-D with an area of 5,800 square meters and including their claims were ordered **DROPPED** from the records of this Office forfeiting in favor of the government whatever amount has been paid on account thereof and likewise

26. That on February 4, 2020, this Office issued a Certification certifying that Lot No. 105-C-5, Csd-4B-001469-D with an area of 5,800 square meters located in Brgy. Bacungan, Puerto Princesa City has been verified to be within AGRICULTURAL LAND (ALIENABLE AND DISPOSABLE AREA) per Land Classification Map No. 3620, Project No. 1-Z-A, Block II, certified on August 31, 2020. However, considering the actual physical condition of the subject area, it also certifies that the said lot is within the 20 meters salvage zone under the provisions stipulated on Article 51 of Presidential Decree No. 1067 otherwise known as "The Water Code of the Philippines" and 40 meters BUFFER ZONE/LEGAL EASEMENT for environmental bank protection considering that the area is adjacent to mangrove swamp area.
27. That listed below are the following existing laws, rules and/or regulations relevant to the matter, to wit:

- a. **Presidential Decree No. 1067** dated December 31, 1976 also known as the "**Water Code of the Philippines**", specifically **Article 51** clearly states that:

Article 51 – The banks of rivers 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 recreation, navigation, floatage, fishing or salvage or to build structures of any kind.

- b. **Proclamation No. 2152** dated December 29, 1981, declaring the entire Province of Palawan and certain parcels of the public domain and/or parts of the country as "**Mangrove Swamp Forest Reserves**".
- c. **DENR Administrative Order No. 76** dated November 23, 1987 with the subject "**Establishment of Buffer Zones in Coastal and Estuarine Mangrove Areas**", specifically Section 3, letter "d" clearly states that:

Section 3, letter "d" – Buffer Zones are strips of fifty (50) meters in mangrove or swampland areas throughout the country fronting seas, oceans, and other bodies of water and twenty (20) meters on both sides or river channels/banks maintained against strong currents, winds and high waves.

- d. **DENR Administrative Order No. 8** dated February 24, 1987, applications for licenses, leases or permits of any kind involving mangrove swamps and other parcels of the public domain designated as Mangrove Swamp Forest Reserves, whether such applications are new, renewal, extension, **SHALL NOT BE entertained and/or processed**. Likewise, all pending applications that fall under the

aforecited category shall be **immediately DENIED** and the applicants informed accordingly.

- e. **City Ordinance No. 960** dated August 22, 2018, entitled “An Ordinance prohibiting the occupation of and the construction and/or development in **NO-BUILD ZONES** within the territorial jurisdiction of Puerto Princesa City, providing for summary eviction/demolition, and for other purposes”.

V. OCULAR INSPECTION AND/OR INVESTIGATION PHOTOS

Below are the geo-tagged photographs taken during the conduct of actual ocular inspection and/or investigation and delineation survey of salvage zone/buffer zone over the subject area located at So. Talaudyong, Brgy. Bacungan, Puerto Princesa City.





WHEREFORE, considering that **Lot No. 105-C-5, Csd-4B-001469-D** with an area of 5,800 square meters located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City has been verified to be **INSIDE/WITHIN** the **20.00 meters wide salvage zone** for agricultural areas and **40.00 meters wide legal easement** for environmental bank protection, it is therefore concluded that **NO POTENTIAL LOT** can be generated which can be subjected for disposition and titling.

Therefore, considering the above-mentioned facts and findings by this Office, it is hereby recommended that the **STATE** has a **prior and preferential right** over the contested area which is the lot subject of the conflicting claim among Ms. Lorna A. Bondoc, Mr. Edmond B. Gastanes and Heirs of Eugenio Daquer represented by Ms. Emily R. Daquer as the same is characterized as a **property of public dominion**.

Article 420 and Article 421 of the New Civil Code of the Philippines state those properties that come under public dominion, to wit.

Art. 420. The following things are property of public dominion:

- (1) Those intended for public use, such as roads, canals, rivers, torrents, ports and bridges constructed by the State, **banks, shores**, roadsteads, and others of similar character;*
- (2) Those which belong to the State, without being for public use, and area intended for some public service or for the development of the national wealth.*

*Art. 421. All other property of the State, which is not of the character stated in the preceding article, is **patrimonial property**.*

Furthermore, per Investigation Report-Memorandum dated May 22, 2015 rendered by CENRO Emer D. Garraez, **Lot No. 105-C-6, Csd-4B-001469-D** is **fully covered with naturally grown mangrove species**, therefore **cannot be subjected for titling** purposes. Moreover, per Investigation Report-Memorandum dated November 12, 2019 rendered by the multi-sectoral team in compliance to PENRO Special Order No. 2019-059, **Lot No. 105-C-4 of Csd-4B-001469-D** was likewise verified to be **inside/within the environmental bank protection of 40.00 meters wide** considering that such is **adjacent to the mangrove areas**. In addition, Engr. Lucy Janet R. Pasion, in her letter dated April 29, 2015 admitted to this Office that the **tie line** of approved **Plan Csd-4B-001469-D** was **indeed erroneous** and requesting that such error be corrected/amended by the Regional Office.

IN THIS REGARD, it is further recommended that the **Approved Subdivision Plan Csd-4B-001469-D** as surveyed for Eugenio Daquer, et. al. with an area of 36,145 square meters located in Brgy. Bacungan, Puerto Princesa City which was surveyed by Engr. Lucy Janet R. Pasion containing a total of eight (8) resultant lots: Lot Nos. 105-C-A up to 105-C-8 which were equivalent to Lot Nos. 46657 up to 46664, Cad. 800-D, respectively, be **CANCELLED/AMENDED** subject to the **actual physical condition of the area for proper disposition** in accordance with the existing laws, rules and regulations.

VI. RECOMMENDATIONS

WHEREFORE, considering that **Lot No. 105-C-5, Csd-4B-001469-D** with an area of 5,800 square meters located at Sitio Talaudyong, Brgy. Bacungan, Puerto Princesa City has been verified to be **INSIDE/WITHIN** the **20.00 meters wide salvage zone** for agricultural areas and **40.00 meters wide legal easement** for environmental bank protection, it is therefore concluded that **NO POTENTIAL LOT** can be generated which can be subjected for disposition and titling.

Therefore, considering the above-mentioned facts and findings by this Office, it is hereby recommended that the **STATE** has a **prior and preferential right** over the contested area which is the lot subject of the conflicting claim among Ms. Lorna A. Bondoc, Mr. Edmond B. Gastanes and Heirs of Eugenio Daquer represented by Ms. Emily R. Daquer as the same is characterized as a **property of public dominion**.

Article 420 and Article 421 of the New Civil Code of the Philippines state those properties that come under public dominion, to wit.

***Art. 420.** The following things are property of public dominion:*


- (1) Those intended for public use, such as roads, canals, rivers, torrents, ports and bridges constructed by the State, **banks, shores**, roadsteads, and others of similar character;*
- (2) Those which belong to the State, without being for public use, and area intended for some public service or for the development of the national wealth.*

***Art. 421.** All other property of the State, which is not of the character stated in the preceding article, is **patrimonial property**.*

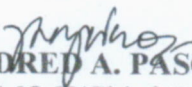
Furthermore, per Investigation Report-Memorandum dated May 22, 2015 rendered by CENRO Emer D. Garraez, **Lot No. 105-C-6, Csd-4B-001469-D** is **fully covered with naturally grown mangrove species**, therefore **cannot be subjected for titling** purposes. Moreover, per Investigation Report-Memorandum dated November 12, 2019 rendered by the multi-sectoral team in compliance to PENRO Special Order No. 2019-059, **Lot No. 105-C-4 of Csd-4B-001469-D** was likewise verified to be **inside/within the environmental bank protection of 40.00 meters wide** considering that such is **adjacent to the mangrove areas**. In addition, Engr. Lucy Janet R. Pasion, in her letter dated April 29, 2015 admitted to this Office that the **tie line** of approved **Plan Csd-4B-001469-D** was **indeed erroneous** and requesting that such error be corrected/amended by the Regional Office.

IN THIS REGARD, it is further recommended that the **Approved Subdivision Plan Csd-4B-001469-D** as surveyed for Eugenio Daquer, et. al. with an area of 36,145 square meters located in Brgy. Bacungan, Puerto Princesa City which was surveyed by Engr. Lucy Janet R. Pasion containing a total of eight (8) resultant lots: Lot Nos. 105-C-A up to 105-C-8 which were equivalent to Lot Nos. 46657 up to 46664, Cad. 800-D, respectively, be **CANCELLED/AMENDED** subject to the **actual physical condition of the area for proper disposition** in accordance with the existing laws, rules and regulations.

Respectfully submitted:


CHRISTYL POPPS B. MANINGAS
Special Investigator I

Attested by:


MILDRED A. PASCUAL
LMO II/Chief, RPS

Approved by:


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OIC-CENRO

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Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Province of Palawan
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

January 14, 2020

SUBJECT: CONFLICTING CLAIM AMONG LORNA A. BONDOC, EDMOND B. GASTANES AND HEIRS OF EUGENIO DAQUER REP. BY EMILY R. DAQUER OVER LOT NO. 105-C-5, CSD-04-006512 LOCATED AT SITIO TALAUDYONG, BARANGAY BACUNGAN, PUERTO PRINCESA CITY, PALAWAN

Lorna A. Bondoc

So. Talaudyong, Brgy. Bacungan, Puerto Princesa City
Contact No. 0916-323-4841

Edmond B. Gastanes

So. Talaudyong, Brgy. Bacungan, Puerto Princesa City

Heirs of Eugenio Daquer rep. by Emily R. Daquer

Lot No. 26, Block 9, New Employees Village
Brgy. San Jose, Puerto Princesa City
Contact No. 0908-740-5315

Greetings!

This pertains to the conflicting claim of the above-named persons over a parcel of land identified as Lot No. 105-C-5, Csd-04-006512 located at So. Talaudyong, Brgy. Bacungan, Puerto Princesa City.

Please be informed that a multi-sectoral team conducted an ocular inspection and actual survey on the ground on November 6, 2019 with respect to the subdivision plan of Lot Nos. 105-C-4 and 105-C-5, Csd-04-006512-D located So. Talaudyong, Brgy. Bacungan, Puerto Princesa City pursuant to PENRO Special Order No. 2019-059, Series of 2019 dated October 30, 2019.

Per result of the said ground verification and actual survey, please be informed of the following findings, to wit:

1. That **Lot No. 105-C-5, Csd-04-006512-D** is found to be **INSIDE the SALVAGE ZONE of 20.00 meters wide** for agricultural areas as provided in Article 51 of the Presidential Decree No. 1067 otherwise known as Water Code of the Philippines. This area is **RESTRICTED** for recreation, navigation, floatage, fishing or to build structure of any kind.
2. That **Lot Nos. 105-C-4 and 105-C-5, Csd-04-006512-D** are found to be **INSIDE the ENVIRONMENTAL PROTECTION of 40.00 meters wide** considering that the said lots are **adjacent to the mangrove areas**.
3. That based on the GPS readings from the ground inspection, the subject area falls within **Alienable and Disposable Area** per Land Classification Map No. 3620, Project No. 1-Z-A, Block I dated August 31, 2004.

Despite that the area is within Alienable and Disposable, upon validation on the ground by the team, the subject lots are said to be within the **20.00 meters salvage zone and 40.00 meters environmental protection** considering that the said lots are **adjacent to the mangrove areas**. Therefore, no parcel of land can be generated over the subject lots.

Be informed further of the following existing laws, rules and/or regulation relevant to the matter:

1. **Presidential Decree No. 1067** dated December 31, 1976 also known as the **"Water Code of the Philippines"**, specifically **Article 51** clearly states that:

Article 51 – *The banks of rivers 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 recreation, navigation, floatage, fishing or salvage or to build structures of any kind.*

2. **Proclamation No. 2152** dated December 29, 1981, declaring the entire Province of Palawan and certain parcels of the public domain and/or parts of the country as “**Mangrove Swamp Forest Reserves**”.
3. **DENR Administrative Order No. 76** dated November 23, 1987 with the subject “**Establishment of Buffer Zones in Coastal and Estuarine Mangrove Areas**”, specifically Section 3, letter “d” clearly states that:

Section 3, letter “d” – Buffer Zones are strips of fifty (50) meters in mangrove or swampland areas throughout the country fronting seas, oceans, and other bodies of water and twenty (20) meters on both sides of river channels/banks maintained against strong currents, winds and high waves.

4. **DENR Administrative Order No. 8** dated February 24, 1987, applications for licenses, leases or permits of any kind involving mangrove swamps and other parcels of the public domain designated as Mangrove Swamp Forest Reserves, whether such applications are new, renewal, extension, **SHALL NOT BE entertained and/or processed**. Likewise, all pending applications that fall under the aforecited category shall be **immediately DENIED** and the applicants informed accordingly.
5. **City Ordinance No. 960** dated August 22, 2018, entitled, “An Ordinance prohibiting the occupation of and the construction and/or development in **NO-BUILD ZONES** within the territorial jurisdiction of Puerto Princesa City, providing for summary eviction/demolition, and for other purposes”.

With respect to the investigation report rendered by the multi-sectoral team and the above-mentioned laws, it appears that the **aforementioned lots subject of the conflicting claim of the involved parties are found to be within the SALVAGE ZONE and ENVIRONMENTAL BANK PROTECTION** which **CANNOT BE SUBJECTED FOR DISPOSITION AND TITLING** purposes under the existing laws.

We trust that you are properly informed.

Very truly yours,


FELIZARDO B. CAYATOC
OIC-CENRO

cc: CENRO/File
DRN-2019/RPS

