



May 24, 2023

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

ATTENTION: The Chief
Legal Services Division

FROM : The OIC-PENRO

SUBJECT : **SUBMISSION OF REPORT RE: ALTERNATIVE DISPUTE
RESOLUTION (ADR) NO. 2023-1752039-0229 ROSALYN MARIE
S. YUMANG VERSUS NESTOR A. MORALES, ISOLATED LOT
LOCATED AT PAMBISAN, BACO, ORIENTAL MINDORO**

Forwarded is the ADR Proceeding Report submitted by CENRO Socorro regarding ADR Case No. 2023-1752040-0229, conflict between Rosalyn Marie S. YUmang, Protestants, Nestor A. Morales, Respondent, covering Isolated Lot located at Pambisan, Baco, Oriental Mindoro.

Be informed that the parties amicably settled their conflict on May 12, 2023, thus, an Order of Amicable Settlement dated May 24, 2023 was issued.

For information and record.


ALAN L. KALLE

Copy furnished:

PENRO Planning Unit

Tracking Nos.: 2306000477

TSD/RPS



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA Region
Community Environment and Natural Resources Office

May 18, 2023

MEMORANDUM

FOR : The Regional Executive Director
THRU : The PENR Officer
FROM : The CENRO
SUBJECT : **SUBMISSION OF ALTERNATIVE DISPUTE RESOLUTION**

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	MAY 18 2023
TIME:	

Respectfully submitting the successful voluntary Alternative Dispute Resolution Proceedings between Nestor A. Morales versus Rosalyn Marie S. Yumang regarding the land conflict on Isolated Lot situated at Brgy. Pambisan, Baco, Oriental Mindoro.

Attached are the following documents to support the ADR Proceedings:

1. On site Investigation Report
2. Notice of ADR Proceeding
3. Authority of the ADRO to conduct ADR proceedings
4. Agreement to Undertake Alternative Dispute Resolution Proceedings
5. Amicable Settlement Agreement
6. Report on ADR Proceedings

For information and record.

[Signature]
RODEL M. BOYLES



MEMORANDUM

FOR : THE CHIEF RPS
FROM : THE LMO II/ ADR OFFICER
SUBJECT : INVESTIGATION REPORT ON SITE VERIFICATION ON
THE PUBLIC LAND CLAIMS OF NESTOR A. MORALES
AND ROSALYN MARIE S. YUMANG OVER AN ISOLATED
LOT AT BRGY. PAMBISAN, BACO, ORIENTAL MINDORO.
DATE : March 30, 2023

On March 28, 2023, Rosalyn Marie S. Yumang appeared at CENRO-SOCORRO to claimed a parcel of land identified as Isolated Lot at Brgy. Pambisan, Baco, Oriental Mindoro.

*On site verification, it was held and determined that **Rosalyn Marie S. Yumang** is claiming a parcel of isolated land that she is occupying on time of inspection. However, **Nestor A. Morales** claim also falls on the said isolated area and both parties are contesting regarding their boundary.*

To settle their issues, the interested parties have voluntarily agreed to submit themselves to ADR proceedings.

Attached herewith is the Agreement to Undertake Alternative Dispute Resolution Proceedings.


ANDRES OLIVER G. ARIAS
Land Management Officer II/ADR Officer



Rosalyn Marie S. Yumang
ROSALYN MARIE S. YUMANG
(Protestant,)

- versus -

NESTOR A. MORALES
(Protestee).

x-----x

DENR CASE NO.: _____
ADR Case No: 2023-1752039-0229
F.P.A. No.: _____
Lot No.: Isolated lot
CAD/PSU No. _____
Location: Pambisan, Baco,
Oriental Mindoro

NOTICE FOR ADR PROCEEDINGS

- Mandatory ADR Proceedings
- Voluntary ADR Proceedings pursuant to Agreement to Undertake Alternative Dispute Resolution Proceedings dated May 12, 2023

Pursuant to the DAO No. 2016-30 you are requested to appear on May 12, 2023 at Brgy. Pambisan, Baco Or. Mindoro, 9:00 a.m. at the Barangay Hall 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/Secretary's Certificate 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.¹

Issued this 31th of March, 2023 at Pasi, Socorro, Or. Mindoro, Philippines.

Andres Oliver G. Arias
ANDRES OLIVER G. ARIAS
ADR Officer/LMO II



ROSALYN MARIE S. YUMANG
(Protestant,)

- versus -

Morales
NESTOR A. MORALES
(Protestee).

x-----x

DENR CASE NO.: _____
ADR Case No: 2023-1752034-0229
F.P.A. No.: _____
Lot No.: Isolated lot
CAD/PSU No. _____
Location: Pambisan, Baco,
Oriental Mindoro

NOTICE FOR ADR PROCEEDINGS

- Mandatory ADR Proceedings
- Voluntary ADR Proceedings pursuant to Agreement to Undertake Alternative Dispute Resolution Proceedings dated May 12, 2023

Pursuant to the DAO No. 2016-30 you are requested to appear on May 12, 2023 at Brgy. Pambisan, Baco Or. Mindoro, 9:00 a.m. at the Barangay Hall 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/Secretary's Certificate 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.¹

Issued this 31th of March, 2023 at Pasi, Socorro, Or. Mindoro, Philippines.

Andres Oliver G. Arias
ANDRES OLIVER G. ARIAS
ADR Officer/LMO II



MEMORANDUM

TO : ADR OFFICER/LMO II ANDRES OLIVER G. ARIAS

FROM : The CENR Officer

SUBJECT : **AUTHORITY OF THE ADRO TO CONDUCT ADR PROCEEDINGS ON THE PUBLIC LAND CLAIM OF ROSALYN MARIE S. YUMANG AND NESTOR A. MORALES OVER LOT-ISOLATED LOCATED AT BRGY. PAMBISAN, BACO ORIENTAL MINDORO.**

DATE : May 9, 2023

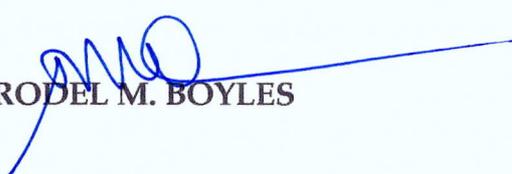
In view of the agreement of the parties to undertake ADR proceedings as evidenced by the signed Agreement to Undertake ADR Proceedings, (ADR Form 4) pursuant to Section 17 of DAO No. 2016-30 dated 22 December 2016 and related laws, rules and regulations, you are hereby directed to immediately conduct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

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;
5. Observe confidentiality of the proceedings; and
6. 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 immediate compliance.


RODEL M. BOYLES



IN RE:

- Agricultural Free Patent Application
 Residential Free Patent Application
 Homestead Patent Application
 Miscellaneous Sales Patent Application
 Sales Patent under R.A. No. 730
 Tenurial Instrument Application
 Others

ADR Case No. 2023-1752039-0229

ROSALYN MARIE S. YUMANG

Protestant

NESTOR A. MORALES

Protestee

**ISOLATED LOT AT BRGY. PAMBISAN, BACO
ORIENTAL MINDORO**

Lot No. and Location

X-----X

**AGREEMENT TO UNDERTAKE ALTERNATIVE
DISPUTE RESOLUTION PROCEEDINGS**

We, **NESTOR A. MORALES** and **ROSALYN MARIE S. YUMANG**, claimants of the parcel of public land identified as **ISOLATED LOT** situated at **Brgy, Pambisan, Baco, Oriental Mindoro** 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 Chapter 4 and Chapter 6 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.



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA Region
Community Environment and Natural Resources Office

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 Office.

We mutually agree to meet on **May 12, 2023** at **Barangay Hall of Pambisan, Baco, Oriental Mindoro** for the initial ADR Proceedings and succeeding settings thereafter. Only the parties and or duly authorized representatives shall attend the ADR proceedings.

IN WITNESS WHEREOF, the Parties hereto have mutually and voluntarily agreed to the above stipulations, and signed this Undertaking at **Barangay Hall of Pambisan, Baco, Oriental Mindoro** on this **12th day of May 2023**.

For Individuals:¹


ROSALYN MARIE S. YUMANG
Name and Signature
Telephone Number: 09918278849
Address: Calapan City Or. Mindoro


NESTOR A. MORALES
Name and Signature
Telephone Number: 09924118303
Address: Calapan City Or. Mindoro

For Corporate Entities:²

Name and Signature
Telephone Number:
Address:

Name and Signature
Telephone Number:
Address:

Attested by:


ANDRES OLIVER G. ARIAS
LMO II/ADR Officer



AMICABLE SETTLEMENT AGREEMENT

We, the claimants of the portion of parcel of land identified as **Isolated Lot** situated at **Barangay Pambisan, Baco, Oriental Mindoro**, pursuant to DENR Administrative Order No. 2016-30 dated 22 December 2016 hereby declare that we have voluntarily agreed on the following:

Terms and Conditions:

That, ROSALYN MARIE SUGAY-YUMANG and NESTOR A. MORALES agreed that the lot they are claiming, be surveyed and approved as a whole.

That, after the approval of the whole lot, it will be divided according to their occupation on the said area.

That, we executed the Amicable Settlement on our own volition and free will, fully conscious/aware of the consequences and will faithfully comply with the terms and condition of the stated agreement.

That, the terms and conditions are not contrary to law, moral, public policy or public order and after the issuance of the Order approving the Amicable Settlement, we shall no longer file any action involving the same subject property.

We have read and fully understand the contents of this Agreement and voluntarily affixed our signatures herein, which shall form part of the records of the Public Land Application filed by DENR, CENRO-SOCORRO. The same shall constitute as full and final settlement of any Protest or Complaint each party may have against the other in relation to the subject lot.

IN WITNESS WHEREOF, the Parties hereto have mutually and voluntarily agreed to the above stipulations, and sign this Agreement, at Barangay Hall of Pambisan, Baco, Oriental Mindoro, this 12th day of May, 2023 for the consideration and approval of the Honorable Office.

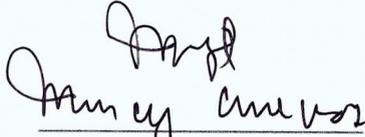


Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA Region
Community Environment and Natural Resources Office


ROSALYN MARIE S. YUMANG
Name and signature

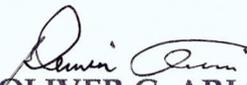

NESTOR A. MORALES
Name and signature

Signed in the presence of:


Nancy Amador
Witness


NESTOR MELUDOZA JR.
Witness

Attested by:


ANDRES OLIVER G. ARIAS
ADR Officer/LMO II

Noted by:


RODELL M. BOYLES
CENRO



ROSMALYN MARIE S. YUMANG
Protestant

ADR Case No. 2023-1752039-0229

DENR Case No. _____

- versus -

Lot No.: **Isolated**

NESTOR A. MORALES
Protestee

Location: Brgy. Pambisan, Baco Or.
Mindoro

x-----x

REPORT ON ADR PROCEEDINGS

This controversy is respectfully returned to the DENR CENRO Socorro
 after ADR Proceedings:

Type of Complaint/Claims and Conflict:¹

Conflict on source of rights of parties

DATE	PROTESTANT	AUTHORIZED REPRESENTATIVE	PROTESTEE	AUTHORIZED REPRESENTATIVE
May 12, 2023	Rosalyn Marie S. Yumang		Nestor A. Morales	

ACTION/s TAKEN:

ADR SESSIONS:

1ST Session Date : May 12, 2023
 Parties Present: Both parties are present and settled amicably.

Proceedings: For Continuation
 For Resetting/ Reason

2nd Session Date : _____
 Parties Present: _____

Proceedings: For Continuation
 For Resetting/Reason

3rd Session Date : _____
 Parties Present: _____

Proceedings: For Continuation
 For Resetting/Reason

SUCCESSFUL SETTLEMENT (*with attachment*)

✓ Amicable Settlement Agreement

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



Protestant refused to settle due to

_____.
Respondent refused to settle due to

_____.
Non - appearance of parties.

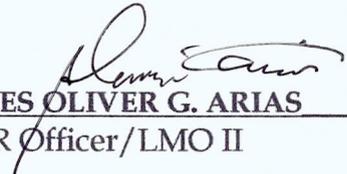
Applicant/Claimant failed/refused to submit the required offer for Amicable Settlement

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

Lack of authority to enter into Amicable Settlement

Others: _____ N/A _____

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



ANDRES OLIVER G. ARIAS
ADR Officer/LMO II

May 12, 2023

DATE