



June 9, 2023

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

ATTENTION: The Chief
Legal Services Division

FROM : The OIC-PENRO

SUBJECT : **COPY OF ALTERNATIVE DISPUTE RESOLUTION (ADR) REPORT RE: ADR CASE NO. 2023-1752040-0164 HRS. OF JULIO MASDO REP. BY MELVIN MASDO VERSUS FERNANDO DE CASTRO COVERING LOT NO. 102, TS-04-000010 LOCATED AT APLAYA, BONGABONG, ORIENTAL MINDORO**

Forwarded is the ADR Proceeding Report submitted by CENRO Roxas regarding ADR Case No. 2023-1752040-0164, conflict between *Heirs of Julio Masdo rep. by Melvin Masdo, Protestants, versus Fernando De Castro, Respondent*, covering Lot No. 102, Ts-04-000010 located at Aplaya, Bongabong, Oriental Mindoro.

Be informed that the parties amicably settled their conflict on April 17, 2023, thus, an Order of Amicable Settlement dated June 09, 2023 was issued.

For information and record.


ALAN L. VALLE

Copy furnished:

PENRO Planning Unit

Tracking Nos.: 23050000369; 2302000706

TSD/RPS

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, Tel. Fax No. 288-3006



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No.: 0917 876 9985 / 0917 169 0232
VOIP: (043) 289-7118
Email: cenroroxasormindoro@denr.gov.ph

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENR TRACKING NO.	RECEIVED
DATE	JUN 11 5 2023
TIME	

May 19, 2023

MEMORANDUM

FOR : The OIC, PENR Officer
Calapan City, Oriental Mindoro

FROM : The CENR Officer
Roxas, Oriental Mindoro

SUBJECT : **COPY OF ADR PROCEEDING REPORT RE: ADR CASE NO. 2023-1752040-0164 "HRS. OF JULIO MASDO REP. BY MELVIN MASDO VERSUS FERNANDO DE CASTRO COVERING LOT NO. 102, TS-04-000010 LOCATED AT APLAYA, BONGABONG, ORIENTAL MINDORO**

In compliance with your memorandum dated May 9, 2023 forwarding herewith the copy of ADR proceeding report for the above-mentioned subject together with the corrected ADR Form No. 9 -Amicable Settlement Agreement dated April 17, 2023 which typographically entered the date for March 30, 2023.

For information, records and consideration.


ENGR. CAESAR E. QUEBEC

Tracking No. 2305000369

RPS/mhe-ann



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

May 9, 2023

MEMORANDUM

TO : The CENR Officer
CENRO Roxas

ATTENTION: The In-Charge, Regulation and Permitting Section

FROM : The In-Charge
PENRO, Oriental Mindoro

SUBJECT : **ADR PROCEEDING REPORT: ADR CASE NO. 2023-1752040-0164, HRS OF JULIO MASDO REP. BY MELVIN MASDO VERSUS FERNANDO DE CASTRO COVERING LOT NO. 102, TS-04-000010 LOCATED AT APLAYA, BONGABONG, ORIENTAL MINDORO**

DENR CENRO
SAIT MARIANO ROXAS
ORIENTAL MINDORO
RECEIVED

[Signature]
5/15/23

Returned is the ADR Proceeding Report regarding ADR Case No. 2023-1752040-0164, conflict between Heirs of Julio Masdo represented by Melvin Masdo, Protestants, versus Fernando De Castro, Respondents, covering Lot No. 102, Ts-04-000010 located at Aplaya, Bongabong, Oriental Mindoro.

Upon review of the documents, it was noticed that the date of Amicable Settlement Agreement is March 30, 2023 which does not jive in Term and Condition 2.

For your appropriate action.

[Signature]
ALAN VALLE

Tracking Nos. 2302000706

TSD/RPS

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, Tel. Fax No. 288-3006

DOCUMENT TRACKING SLIP

DENR-Oriental Mindoro

2305000369

Description: ADR PROCEEDING REPORT: ADR CASE NO. 2023-1752040-0164, HRS OF JULIO MASDO REP. BY: MELVIN MASDO VERSUS FERNANDO DE CASTRO COVERING LOT NO. 102, TS-04-00010 LOCATED AT APLAYA BONGABONG, ORMIN.

Date Created: 05-15-2023:17:44

Originating Office: CENRO-Roxas

Date Received:	Date Released:	Action Taken:
<p><i>for the den-change (RPS) by Mary</i></p> <p>NOEME P. ALCANCIA In-Charge, Records Unit</p> <p>JUN 05 2023</p>	<p>RECORDED</p> <p>JUN 05 2023</p>	<p>LENO II FORTABON</p> <p>P/S ACT...</p> <p>95-16-22</p> <p>GI mheann</p> <p>P/s. act on this</p> <p>Pffabe Plan 05/17/2023</p> <p>For Signature of CENRO (Memo) For transmittal to PENRO, Thanks! 5/25/23</p> <p>TRANSMITTED TO PENRO</p> <p>Forwarded to office of the PENRO</p>

Office of the PENRO

6-5-23

forwarded to the exchange, ~~attn~~ (MSD Chief Maricel S.)

Chief RD / DMV along Aibe
Attn: Chief RPS / LHM M. Almeyda

For info / appropriate action for 06/05/23

Chief RPS,

please for review.

7m h

8

DR

f review

for prep. of order of Amicable Settlement
and Memo to Region -

6/8/23

8:20 AM

6/9/23

dhm

6/7/23
9:44 AM

PENRO M.S.D

Received by: JS

Date: 6/5/23

Time: 1:38pm

PENRO TSD

Received by: JS

Date: 6/6/23

Time: 8:20 AM

DOCUMENT TRACKING SLIP

DENR-Oriental Mindoro

2302000706

Description: LETTER FROM PUNONG BARANGAY VENURZAIDA A. SARMIENTO OF APLAYA BONGABONG, ORMIN RE: LANDS

Date Created: 02-28-2023:15:55

Originating Office: CENRO-Roxas

Date Received:	Date Released:	Action Taken:
<p><i>for change (RPS) 09 March 1105</i></p>		<p>LAND PAROLLON</p> <p><i>106 ACT...</i></p> <p><i>SI mbeann</i></p> <p><i>Pls. act on this</i></p> <p><i>ffale/len 03-07-2023</i></p> <p><i>3-1-23</i></p> <p><i>Bong,</i></p> <p><i>Pls. prepare answer. Sched on. March 24, 2023-9AM</i></p> <p><i>4/3/2023</i></p> <p><i>ADR - April 17, 2023 4/14/23</i></p> <p><i>Amicable Settlement of 4/17/23</i></p>

4/17/23

For signature of CENRO

4/20/23

For transmittal to PENRO

ra

NOEME P. ALCANCIA
In-Charge, Records Unit
APR 27 2023

APR 27 2023

Forwarded to Office of the PENRO

TSD for review

Office of the PENRO
Date: *4-27-23*

PENRO TSD

Received by: *[Signature]*

Date: *4/27/2023*

Time: *2:04 pm*

5/2/23

10:47 AM

Chief RPS,

Please for review

Thank

5-2-23

11:30 AM

5/9/23 - returned to Roxas



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

Community Environment and Natural Resources Office

Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No.: 0917 876 9985 / 0917 169 0232
VOIP: (043) 289-7118
Email: cenroroxasormindoro@denr.gov.ph

April 18, 2023

MEMORANDUM

FOR : The OIC, PENR Officer
Calapan City, Oriental Mindoro

FROM : The CENR Officer
Roxas, Oriental Mindoro

SUBJECT : **COPY OF ADR PROCEEDING REPORT RE: ADR CASE NO. 2023-1752040-0164 "HRS. OF JULIO MASDO REP. BY MELVIN MASDO VERSUS FERNANDO DE CASTRO COVERING LOT NO102, TS-04-000010 LOCATED AT SAN MARIANO, ROXAS, ORIENTAL MINDORO**

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENR TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	APR 27 2023
TIME:	

Forwarding herewith the copy of ADR proceeding report for the above-mentioned subject. Please be informed that the parties settled amicably and signed ADR Form No. 9 - Amicable Settlement Agreement dated April 17, 2023.

For information, records and consideration.

ENGR. CAESAR E. QUEBEC

Tracking No. 2302000706

RPS/mhc-ann



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

**HRS. OF JULIO MASDO REP. BY
MELVIN MASDO**
Protestant,,

ADR No. 2023-1752040-0164
DENR CASE NO.: 2023-Bong-001
Lot No.: Lot No. 102, Ts-04-000010
Location: Aplaya, Bongabong, Oriental
Mindoro

- versus -

FERNANDO DE CASTRO
Respondent/Applicant

X-----X

REPORT ON ADR PROCEEDINGS

This controversy is respectfully returned to the CENR Officer/PENR Officer/Regional Director/LMB Director/Legal Affairs Service after ADR Proceedings:

Type of Complaint/Claims and Conflict:
Two or more claimant

	DATE	PROTESTANT	AUTHORIZED REPRESENTATIVE	RESPONDENT	AUTHORIZED REPRESENTATIVE
1	4/17/23	Hrs. of Julio Masdo	Melvin Masdo	Fernando de Castro	
2					
3					

ACTION/s TAKEN:

☐

ADR SESSIONS:

1st Session Date : April 17, 2023
Parties Present: both parties are present

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*

☐ Compromise Agreement

☐ Withdrawal of the Protest

☐ **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.

☐ Protestant/Respondent 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 _____

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


MARIE ANN F. GALIT
ADR OFFICER

April 17, 2023
DATE



AMICABLE SETTLEMENT AGREEMENT

We, the claimants of the parcel of land applied for (Lot No. 102, TS-04-000010) situated at Aplaya, Bongabong, Oriental Mindoro, pursuant to DENR Administrative Order No. 2016-30 dated 22 December 2016 hereby declare that we have voluntarily agreed on the following:

Term and Condition 1.

That we, Hrs. of Julio Masdo rep. by Melvin Masdo, Protestant and Fernando de Castro, Respondent/Applicant agreed that the issue regarding the above-mentioned lot be settled amicably by giving just compensation to Melvin Masdo (tax payment and expenses) in the amount of Twelve Thousand Pesos (Php12,000.00) Philippine Peso.

Term and Condition 2.

That I, Melvin Masdo as representative of the heirs of Julio Masdo is no longer filing protest in regards with the above-mentioned lot and I acknowledge that I accept my compensation today, April 17, 2023.

Term and Condition 3.

That, we agreed that the issues regarding this lot is now settled and we both acknowledge the ownership of Fernando de Castro over the land. Thus, we agreed that the application of Fernando de Castro be accepted to ripen into patent.

We have read and fully understand the contents of this Agreement and voluntarily affixed our signatures herein, which shall form part of the records. 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 DENR CENRO-ROXAS, Oriental Mindoro, on this 17th day of April, 2023 for the consideration and approval of the Honorable Office.

Melvin R. Masdo
NAME AND SIGNATURE
Protestant

FERNANDO B. DE CASTRO
NAME AND SIGNATURE
Respondent

Signed in the presence of:

[Signature]
Witness

YOLLIE D. SABIDA
Witness

MARIE ANN F. GALIT
ADR OFFICER

Noted by:

ENGR. CAESAR E. QUEBEC
CENR Officer

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF ORIENTAL MINDORO) S.S.
MUNICIPALITY OF ROXAS)

AFFIDAVIT OF PERSONAL UNDERTAKING

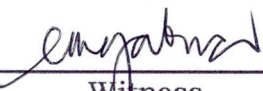
I, MELVIN MASDO, of legal age, male, Filipino, single, and a resident of Narra, Gloria, Oriental Mindoro, after having been sworn to in accordance with law, hereby depose and say;

- 1. That I am one of the Heirs of Julio Masdo who is the survey claimant of a parcel of land (Lot No. 102, Ts-04-000010) situated in Aplaya, Bongabong, Oriental Mindoro;
- 2. That the above-named claimant of the aforementioned parcel of land (Lot No. 102, Ts-04-000010) is now deceased without Will and Testament left behind.
- 3. That I personally volunteered to represent the above-named claimant of the parcel of land mentioned above and provide information of my personal knowledge and information to the Land Investigator;
- 4. That I have personal knowledge of the ownership of the above-mentioned parcel of land being related to the owner as his son;
- 5. That I undertake to represent the above-named claimant and give information of my own personal knowledge and information regarding the parcel of land;
- 6. That I bind myself to inform the above-named claimant of my representation in his/her absence as well as the information and agreement I shall sign in his/her behalf;
- 7. That any incorrect or false information shall make me civilly or criminally liable to any injured party.

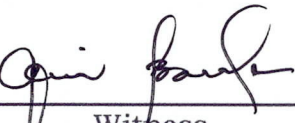
IN WITNESS WHEREOF, I have hereunto affixed my signature this 14th day of April, 2023 at CENRO - Roxas, Or. Mdo.


MELVIN MASDO
Name and Signature

Signed in the presence of:



Witness



Witness

Attested by:


MARIE ANN F. GALIT
Special Investigator I



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

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

**HRS. OF JULIO MASDO REP. BY
MELVIN MASDO**

Claimant(s)/Protestant(s),

- versus -

FERNANDO DE CASTRO

Respondent(s).

DENR CASE NO.: 2023-Bong-001

ADR Case No.: 2023-175 2040-0164

F.P.A. No.:

OCT/TCT No.:

Lot No.: 102, Ts-04-000010

Location: Aplaya, Bongabong, Or. Mdo

Area.: 99 square meters.

X-----X

NOTICE FOR ADR PROCEEDINGS

Voluntary ADR Proceedings pursuant to Agreement to Undertake Alternative
Dispute Resolution Proceedings dated April 14, 2023.

Pursuant to the DAO No. 2016-30 you are requested to appear on April 17, 2023 at 1:30
a.m./p.m. at CENRO-ROXAS, San Mariano, Roxas, Oriental Mindoro 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. Issued this 14th of April, 2023 at Roxas, Oriental Mindoro, Philippines.

M
4/14/23

M. F. Galit
MARIE ANN F. GALIT
ADR Officer



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

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

**HRS. OF JULIO MASDO REP. BY
MELVIN MASDO**

Claimant(s)/Protestant(s),

- versus -

FERNANDO DE CASTRO

Respondent(s).

X-----X

DENR CASE NO.: 2023-Bong-001

ADR Case No.: 2023-1752040-0164

F.P.A. No.:

OCT/TCT No.:

Lot No.: 102, Ts-04-000010

Location: Aplaya, Bongabong, Or. Mdo

Area.: 99 square meters.


NOTICE FOR ADR PROCEEDINGS

Voluntary ADR Proceedings pursuant to Agreement to Undertake Alternative
Dispute Resolution Proceedings dated April 14, 2023.

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a.m./p.m. at CENRO-ROXAS, San Mariano, Roxas, Oriental Mindoro for the conduct of ADR
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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. Issued this 14th of April, 2023 at Roxas, Oriental Mindoro, Philippines.


4-14-23


MARIE ANN F. GALIT
ADR Officer



April 14, 2023

MEMORANDUM

TO : ADR Officer, Marie Ann F. Galit

FROM : The CENR Officer

SUBJECT : **AUTHORITY OF THE ADRO TO CONDUCT ADR PROCEEDINGS
OVER LOT NO. 102, TS-04-000010 LOCATED AT APLAYA,
BONGABONG, ORIENTAL MINDORO**

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 December 22, 2016 and related laws, rules and regulations, you are hereby directed to immediately conduct ADR proceedings.

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

1. Personally conduct the proceedings without delay;
2. Conduct the proceedings in the venue designated for the purpose;
3. Maintain neutrality and impartiality in all aspects of the proceedings;
4. Ensure that parties have understood and agreed with the terms and conditions, which will govern the ADR proceedings;
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.


ENGR. CAESAR E. QUEBEC



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 - 175 2040 - 0164

Hrs. of JULIO MASDO REP. BY MEL VIN MASDO

Protestant/Claimant

FERNANDO DE CASTRO

Respondent/Applicant

Lot No. 102, Ts-04-000010

Barangay Aplaya, Bongabong, Oriental Mindoro

Lot No. and Location

x-----x

AGREEMENT TO UNDERTAKE ALTERNATIVE DISPUTE RESOLUTION
PROCEEDINGS

We, the claimants of the parcel of public land identified as Lot No. 102, Ts-04-000010, situated at Aplaya, Bongabong, Oriental Mindoro hereby declare and voluntarily agree to undergo Alternative Dispute Resolution (ADR) Proceedings in the pursuit of reaching our agreements/concessions on our dispute/s or conflict/s and work collaboratively together to obtain a mutually satisfying resolution of our issues.

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


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


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

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

We mutually agree to meet on April 17, 2023/1:30PM at DENR CENRO-Roxas, Oriental Mindoro for the initial ADR Proceedings and succeeding settings thereafter. Only the parties and or duly authorized representatives shall attend the ADR proceedings.

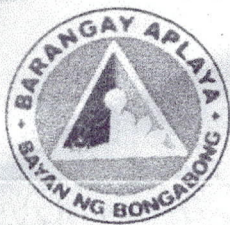
IN WITNESS WHEREOF, the Parties hereto have mutually and voluntarily agreed to the above stipulations, and signed this Undertaking, at San Mariano, Roxas, Oriental Mindoro, on this 214th day of April, 2023.


HRS. OF JULIO MASDO REP. BY
MELVIN RODELAS MASDO
NAME AND SIGNATURE
Mobile Number:
Address:


FERNANDO DE CASTRO
NAME AND SIGNATURE
Mobile Number:
Address:

Attested by:


MARIE ANN F. GALIT
ADR Officer



Republika ng pilipinas
Lalawigan ng Silangang Mindoro
Bayan ng Bongabong
Barangay APLAYA

ENDORSEMENT

Date: February 27, 2023

To: MR. PETERSON F. FABELLON
DENR- CENRO

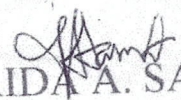
Greetings of Peace!

I have the honor to endorse to your good office the filling case of MARGIE EUSEBIO, MERCELYN M. DIZON, MELVIN MASDO againts FERNANDO DE CASTRO.

The Barangay Kagawad and I tried our best to settle their case in the Barangay Hall but after 3 times of mediation regarding to this matter, both of them refuse for settlement and agreed upon to endorse their case in your good office.

So, I am endorsing it to your Office for an appropriate action.

Truly yours,


VENURZAIDA A. SARMIENTO
Barangay Captain