

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 39, CITY OF CALAPAN

DENR MIMAROPA
RECORDS SECTION
RECEIVED

JUN 26 2023

<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY:	DATE:
TIME:	DAY NO.

IN RE: CANCELLATION OF ENCUMBRANCE
(ENTRY NO. 2022004756) AND DELETION OF
"(R.O.W.)" ON THE TRANSFER CERTIFICATE
OF TITLE NO. 064-2022004427 OF
THE REGISTRY OF DEEDS FOR THE PROVINCE
OF MINDORO ORIENTAL,

LRC NO. 23-23561

EDILBERTO C. EVANGELISTA,
President of LA BRISA DEL MAR PROPERTIES, INC.,
Petitioner.

X ~~~~~ X

AMENDED PETITION

Petitioner, through counsel, and unto this Honorable Court, most respectfully submit this Petition and further aver the following:

1. The petitioner is EDILBERTO C. EVANGELISTA, of legal age, married, Filipino citizen, with residence and postal address in Poblacion, Puerto Galera, Oriental Mindoro, and the President of La Brisa Del Mar Properties, Inc..

The petitioner is the authorized representative of La Brisa Del Mar Properties Inc., a corporation duly organized and existing under Philippine laws, with principal office address at Poblacion, Puerto Galera, Oriental Mindoro, pursuant to the Board Resolution No. 2023-1 and the Secretary's Certificate. The petitioner can be served with the processes of the Honorable Court through the undersigned counsel.

Edilberto Evangelista

The **original copies** of the Board Resolution No. 2023-1 and the Secretary's Certificate are attached hereto. These are marked as Annexes "A" and "B".

A photocopy of the Certificate of Incorporation of the La Brisa Del Mar Properties, Inc. is also attached. It is marked as Annex "C".

2. La Brisa Del Mar Properties Inc. is the registered owner of a parcel of land (Lot 8-D-2) covered by Transfer Certificate of Title No. 064-2012004455, containing an area of 25,277 square meters, located at Barangay Poblacion, Puerto Galera, Oriental Mindoro.

Lot 8-D-2 was subdivided into ten (10) lots.

1. Lot 8-D-2-A, with an area of 335 sq.m.;
2. Lot 8-D-2-B, with an area of 321 sq.m.;
3. Lot 8-D-2-C, with an area of 2,948 sq.m.;
4. Lot 8-D-2-D, with an area of 181 sq.m.;
5. Lot 8-D-2-E, with an area of 1,060 sq.m.;
6. Lot 8-D-2-F, with an area of 4,034 sq.m.;
7. Lot 8-D-2-G, with an area of 873 sq.m.;
8. Lot 8-D-2-H, with an area of 4,143 sq.m.;
9. Lot 8-D-2-I, with an area of 7,846 sq.m.; and
10. Lot 8-D-2-J, (ROAD LOT) with an area of 3,536 sq.m.

The **original certified true copy** of the TCT No. 064-2012004455 is hereto attached. This is marked as Annex "D".

3. On July 12, 2022 the Land Registration Authority APPROVED the Plan of Subdivision Survey made for La Brisa Del Mar Properties, Inc.. The land covered by the said TCT No. 064-2012004455 has been

Municipal Government

subdivided into ten (10) lots in accordance with Subdivision Plan Number (LRA) PSD-E2022005349.

4. Unfortunately, in the said Plan of Subdivision Survey the petitioner overlooked that Lot 8-D-2-B was marked with the letters "**R.O.W.**" by the Land Registration Authority.

The "R.O.W." were written in very small letters that is why the petitioner did not see it immediately. Moreover, the Land Registration Authority did not inform the petitioner that they added the letters "R.O.W" for Lot 8-D-2-B.

Photocopies of the following are hereto attached:

a. APPROVED Plan of Subdivision Survey for TCT No. 064-2012004455. It is marked as Annex "E"; and

b. System generated Narrative Technical Description for Lot No. 8-D-2-B. It is marked as Annex "F".

5. Subsequently, Transfer Certificate of Title No. 064-2022004427 was issued for Lot 8-D-2-B.

The **original certified true copy** of TCT No. 064-2022004427 is hereto attached. This is marked as Annex "G"

6. Upon receipt of the original copy of the title (TCT No. 064-2022004427), the petitioner learned and realized for the first time the mistake made by the Land Registration Authority. Unfortunately, a Memorandum of Encumbrances was already annotated in TCT No. 064-2022004427 on July 26, 2022 under Entry No. 2022004756, to wit:

Emiliano G. Gonzales

RESTRICTIONS: ROAD LOT: NO PORTION OF ANY STREET, PASSAGEWAY, WATERWAY OR OPEN SPACE SO DELINEATED ON THE PLAN SHALL BE CLOSED OR OTHERWISE DISPOSED OF BY THE REGISTERED OWNER WITHOUT THE APPROVAL OF THE COURT OF FIRST INSTANCE OF THE PROVINCE OR CITY IN WHICH LAND IS SITUATED EXCEPT BY WAY OF DONATION IN FAVOR OF THE NATIONAL GOVERNMENT, PROVINCE, CITY OR MUNICIPALITY (SEC. 50 P.D. 1529).

7. In addition, the written letters "R.O.W" can also be seen on the first page of the title:

LOT NO: 8-D-2-B (R.O.W.), OF SUBDIVISION PLAN: (LRA) PSD-E2022005349

8. The Land Registration Authority incorrectly labeled Lot 8-D-2-B as "R.O.W." because the frontage of Lot 8-D-2-B is already designated as a ROAD LOT (Lot 8-D-2-J) with an area of 3,536 square meters.

Transfer Certificate of Title No. 064-2022004435 was issued for Lot 8-D-2-J (ROAD LOT).

The **original certified true copy** of TCT No. 064-2022004435 is hereto attached. This is marked as Annex "H"

**TOP VIEW OF LOT 8-D-2-B
COVERED BY TCT NO. 2022004427
TOGETHER WITH THE ADJOINING
& ADJACENT LOTS**

9. To lessen the effort to be exerted in imagining, attached hereto is a top view picture of Lot 8-D-2-B and its adjoining and adjacent lots. It is marked as Annex "I".

Blasinti Elementary

It is obvious from the picture that the front of Lot 8-D-2-B is a ROAD LOT (Lot 8-D-2-J). This Road Lot further intersects with the Barangay Road.

ALL of the lots (Lot 8-D-2-A to Lot 8-D-2-I) is next to and joined with the Road Lot (Lot 8-D-2-J). More importantly, there is also very easy access to the Barangay Road.

Although the back of Lot 8-D-2-B is the Rural Health Center building, it can be easily reached if you go through the Barangay Road.

Thus, clearly, there is no justifiable reason to designate Lot 8-D-2-B as a "R.O.W" or right of way.

10. The Punong Barangay of Poblacion, Puerto Galera issued a Certification that Lot 8-D-2-B adjoins the ROAD LOT and the latter intersects the Barangay Road. The adjoining lots were also indicated.

The **original copy** of the Barangay Certification is attached. It is marked as Annex "J".

CORRECTED PLAN OF SUBDIVISION SURVEY DULY APPROVED BY THE LRA

11. To rectify the error made by the Land Registration Authority, the petitioner presented the mistake to them and requested for the issuance of a corrected version of the approved Plan of Subdivision Survey.

The Land Registration Authority noticed the mistake they made and issued the corrected version of the approved Plan of Subdivision Survey made for La Brisa Del Mar Properties, Inc.. The Land Registration Authority deleted the "R.O.W." in Lot 8-2-D-B.

Markets Change

The **corrected Plan of Subdivision Survey stamped with AUTHENTICATION** issued by the Subdivision Consolidation Division of the Land Registration Authority is hereto attached. It is marked as Annex "K".

**CORRECTED TECHNICAL DESCRIPTION OF
LOT 8-D-2-B COVERED BY TCT NO. 2022004427**

12. Based on the corrected version of the approved Subdivision Survey, the Land Registration Authority issued the corrected Technical Description for Lot 8-D-2-B.

In this corrected Technical Description for Lot 8-D-2-B, the "R.O.W." was already deleted by the Land Registration Authority.

The **certified true copy** of the said corrected Technical Description for Lot 8-D-2-B is attached. It is marked as Annex "L".

13. Attached also in this petition is the Tax Declaration No. 2015-110001-02785 covering the subject lot (Lot 8-D-2-B) covered by TCT No. 064-2022004427 issued by the Provincial Assessor of Oriental Mindoro with the name of La Brisa Del Mar Properties, Inc. as declared owner thereof.

The **certified true copy** of the Tax Declaration of Real Property for the land is attached. This is marked as Annexes "M".

7. The corresponding annual realty taxes have been paid as of February 7, 2023. The **original copy** of the Certification (real property tax clearance) for the land is hereto attached. This is marked as Annex "N".

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Abangante

9. Co-owners, mortgagees, or lessees duplicate copy for TCT No. 064-2022004427 were **never** issued by the Register of Deeds, Oriental Mindoro.

10. In view of the foregoing, the "(R.O.W.)" which appears on page 1 should be deleted; and the Memorandum of Encumbrances under Entry No. 2022004756 annotated on the TCT No. 064-2022004427 should be cancelled.

The cancellation of the ROAD LOT annotated in TCT No. 064-2022004427 and deletion of the "(R.O.W.)" for Lot 8-D-2-B will NOT affect any nearby or adjacent lots. Further, Lot 8-D-2-B is not subject to any litigation.

Except for the Rural Health Center, all of the lands adjacent to and adjoining Lot 8-D-2-B are all owned by La Brisa Del Mar Properties, Inc.. However, the Barangay Road is in front of the Rural Health Center.

11. The petitioner is the lone witness in this case. He will present competent proofs to establish the (a) compliance with the jurisdictional requirements, and (b) all the averments set forth in this Petition, including its annexes, are true and original copies.

He executed his Judicial Affidavit in compliance to Section 6, Rule 7 of the A.M. No. 19-10-20-SC of the 2019 Proposed Amendments to the 1997 Rules of Civil Procedure. The **original copy** of the Judicial Affidavit is attached.

12. **The original copy of the Annexes previously attached to the Petition are adopted and shall form part of the Amended Petition. All of which are already in the custody of the Honorable Court.**

PRAYER

WHEREFORE, it is most respectfully prayed to this Honorable Court that the instant petition be granted, and the Register of Deeds be ordered to:

- a. delete the "(R.O.W.)" which appears on the first page of the Transfer Certificate of Title No. 064-2022004427; and
- b. cancel the Memorandum of Encumbrances under Entry No. 2022004756, dated July 26, 2022, likewise appearing on the Transfer Certificate of Title No. 064-2022004427.

Other reliefs, just and equitable under the premises are likewise prayed for.

May 30, 2023, Calapan City, Oriental Mindoro.


ATTY. LEEDELYN MONTESA CORPUZ
Counsel for the Petitioner
Roll No.: 51218; 5/6/2005; Manila
IBP Lifetime No. 05355; 4/27/2005; Pasay City
PTR No.: 1029601A, 1/3/2023, Calapan City
MCLE Compliance No. VII-0003032; May 12, 2021
Unit 2 Dr. Marquez Bldg., Mahogany Village, Roxas Drive
Sto. Niño, Calapan City, Oriental Mindoro
mounttaikyoku10@gmail.com; 0917 560 1482

Leedelyn Montesa Corpuz

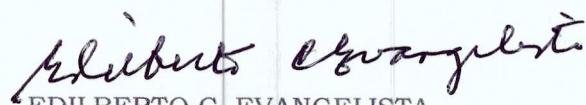
REPUBLIC OF THE PHILIPPINES)
CALAPAN CITY, ORIENTAL MINDORO) S.S.

SWORN CERTIFICATION AND VERIFICATION

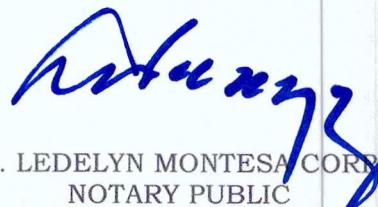
I, EDILBERTO C. EVANGELISTA, of legal age, Filipino citizen, married, and a resident of Poblacion, Puerto Galera, Oriental Mindoro, after being duly sworn to in accordance with law, hereby state that:

1. I am the petitioner (President of La Brisa Del Mar Properties, Inc.) in the above-entitled Amended Petition;
2. I have caused the preparation of the above-entitled Amended Petition; and
3. I have read and understood the contents thereof and verify that the allegations in the Amended Petition are true and correct based on my personal knowledge and based on authentic documents. It is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and the factual allegations therein have evidentiary support or, if specifically so identified, will likewise have evidentiary support after a reasonable opportunity for discovery.
4. That I hereby certify under oath in this Amended Petition as follows:
 - a. I have not theretofore commenced any action or filed any action or claim involving the same issue in any court, tribunal or quasi-judicial agency and, to the best of my knowledge, no such other pending action or claim is pending therein;
 - b. If there is such other pending action or claim, a complete statement of the present status thereof; and
 - c. If I should thereafter learn that the same or similar action or claim has been filed or is pending, I shall report that fact within five (5) days therefrom to the court wherein the aforesaid complaint or initiatory pleading has been filed.

IN WITNESS WHEREOF, I have hereunto affixed my signature this JUN 02 2023,
at Calapan City, Oriental Mindoro.


EDILBERTO C. EVANGELISTA

SUBSCRIBED AND SWORN TO before me this JUN 02 2023, in Calapan City, Oriental Mindoro. The affiant presented to me his Senior Citizen ID bearing the Control No. 50015 as competent proof of his identity.


ATTY. LEDELYN MONTESA-CORUZ
NOTARY PUBLIC

Calapan City, Oriental Mindoro
Until December 31, 2024
Roll No.: 51218; IBP Lifetime 05355
PTR No.: 1029601A, 1/3/2023, Calapan City
MCLE No. VII-0003032, 5/12/2021; NP 22-235
Mahogany Village, Calapan City; 0917 560 1482

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Doc. No. 88
Page No.
Book No. 34;
Series of 2023.

Copy furnished through personal service:

REGISTER OF DEEDS
Registry of Deeds
Calapan City

EXPLANATION

Copy of the Amended Petition and its annexes were forwarded to the Office of the Solicitor General, Department of Environment and Natural Resources, & the Land Registration Authority through registered mail. Personal service is impossible due to long distance, lack of messengerial service, and to prevent the spread of COVID-19.



ATTY. LEDELYN MONTESA CORPUZ

OFFICE OF THE SOLICITOR GENERAL
134 Amorsolo St., Legaspi Village
Makati City, 1229

THE HONORABLE ADMINISTRATOR
Land Registration Authority
East Avenue corner NIA Road
Diliman, Quezon City 1101

ATTY. GANDHI GAGNI-FLORES
Chief, Legal Division
DENR MIMAROPA Region
No. 1515 DENR by the Bay Building
Roxas Boulevard
Brgy. 668, Ermita, Manila



LA BRISA DEL MAR PROPERTIES, INC.

ANNEX "A"

Board Resolution No. 2023-1

A RESOLUTION AUTHORIZING EDILBERTO C. EVANGELISTA TO IMPLEMENT THE REMOVAL/CANCELLATION OF AN ENCUMBRANCE OF A ROAD LOT DESIGNATION ON TCT NO. 064-2022004427

WHEREAS, La Brisa Del Mar Properties, Inc., hereinafter referred to as "La Brisa", needs to remove/cancel an encumbrance of a road lot designation on TCT No. 064-2022004427 a parcel of land it owns located in Poblacion, Puerto Galera, Oriental Mindoro;

WHEREAS, La Brisa needs to authorize an officer of the corporation to implement the removal/cancellation of an encumbrance of a road lot designation on TCT No. 064-2022004427;

WHEREAS, the Board of Directors has full faith and confidence in its designated authorized officer and, therefore, assumes responsibility for the acts which may be performed by the said officer under this delegated authority; Now, therefore, be it

RESOLVED, AS IT IS HEREBY RESOLVED THAT, the removal/cancellation of an encumbrance of a road lot designation on TCT No. 064-2022004427 the parcel of land La Brisa owns is approved;

RESOLVED, further that Edilberto C. Evangelista, its President is designated and authorized to implement the process of removing/cancelling the road lot designation on TCT No. 064-2022004427 the parcel of land La Brisa owns, he will represent the corporation in all court proceedings in the petition/motion to remove/cancel the road lot encumbrance on TCT No. 064-2022004427, he will sign, secure, make, execute, deliver and claim any document, agreements and any other writings of whatever nature or kind, with any or all third persons, concerned government or private offices necessary to accomplish the task;

RESOLVED, finally that this resolution shall take effect immediately and any resolution contrary thereto is hereby revoked and cancelled.

APPROVED BY A MAJORITY OF THE BOARD.

Issued this 7th day of February, 2023 at Poblacion, Puerto Galera, Oriental Mindoro.



EDILBERTO C. EVANGELISTA
Chairman/President
Senior Citizen ID No.50015
Issued 7/31/2015 Pto. Galera
Oriental Mindoro

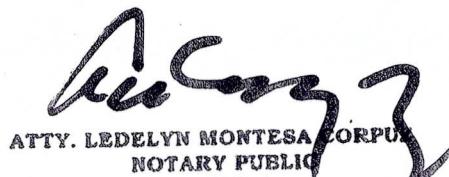


ELEANOR C. EVANGELISTA
Director/Corporate Secretary
Senior Citizen ID No.1629
Issued 5/26/2017 Pto. Galera
Oriental Mindoro



ELAINE C. EVANGELISTA
Director
Passport No. 665735048
Issued 7/31/2021
Expires 7/31/2031 USA

SUBSCRIBED AND SWORN TO BEFORE ME in Calapan City, Oriental Mindoro this 7th day of February 2023 by the abovementioned Board of Directors of La Brisa Del Mar Properties, Inc. who are known to me to be the same persons who personally signed before me the foregoing document and acknowledged that they executed the same. They exhibited to me their government-issued IDs as competent proof of their respective identity.



ATTY. LEDELYN MONTESA CORPU
NOTARY PUBLIC
Calapan City, Oriental Mindoro
Until December 31, 2024
Roll No. 51218; IBP Lifetime No. 05355
PTR No. 1029601A, 1/3/2023, Calapan City
MCLE No. VII-0003032, 5/12/2021
Mahogany Village, Calapan City; 0917 560 1482

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Series of 2023.

LA BRISA DEL MAR PROPERTIES, INC.

ANNEX "B"

SECRETARY'S CERTIFICATE

I, **ELEANOR C. EVANGELISTA**, Corporate Secretary of La Brisa Del Mar Properties, Inc., a corporation duly organized and existing under Philippine laws, do hereby certify that in the meeting duly held on February 6, 2023, the Board of Directors of said corporation has approved the following resolution, to wit:

BOARD RESOLUTION No. 2023 - 1

WHEREAS, La Brisa Del Mar Properties, Inc., hereinafter referred to as "La Brisa", needs to remove/cancel an encumbrance of a road lot designation on TCT No. 064-2022004427 a parcel of land it owns located in Poblacion, Puerto Galera, Oriental Mindoro;

WHEREAS, La Brisa needs to authorize an officer of the corporation to implement the removal/cancellation of an encumbrance of a road lot designation on TCT No. 064-2022004427;

WHEREAS, the Board of Directors has full faith and confidence in its designated authorized officer and, therefore, assumes responsibility for the acts which may be performed by the said officer under this delegated authority; Now, therefore, be it

RESOLVED, AS IT IS HEREBY RESOLVED THAT, the removal/cancellation of an encumbrance of a road lot designation on TCT No. 064-2022004427 the parcel of land La Brisa owns is approved;

RESOLVED, further that Edilberto C. Evangelista, its President is designated and authorized to implement the process of removing/cancelling the road lot designation on TCT No. 064-2022004427 the parcel of land La Brisa owns, he will represent the corporation in all court proceedings in the petition/motion to remove/cancel the road lot encumbrance on TCT No. 064-2022004427, he will sign, secure, make, execute, deliver and claim any document, agreements and any other writings of whatever nature or kind, with any or all third persons, concerned government or private offices necessary to accomplish the task;

RESOLVED, finally that this resolution shall take effect immediately and any resolution contrary thereto is hereby revoked and cancelled.

I, further certify that the foregoing is the full, true and correct copy of the resolution of the Board of Directors of said corporation duly and regularly passed and adopted at the meeting of its Board of Directors which was called and held in all respect as required by law and by its By-Laws on the day cited above at which meeting a majority of the Board of Directors of said corporation was present and voted in favor of said resolution.

I, further certify that said resolution is still in full force and effect and have not been amended or revoked and that the specimen signature below is the signature of the officer authorized in this resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of February, 2023 at Poblacion, Puerto Galera, Oriental Mindoro.

Specimen Signature: *Edilberto Evangelista*
Edilberto C. Evangelista

ATTESTED BY: *Eleanor Evangelista*
Eleanor C. Evangelista
Corporate Secretary
Senior Citizen ID No. 1629 issued on 5/26/2017 at Puerto Galera, Oriental Mindoro

SUBSCRIBED AND SWORN to before me on FEB 07 2023 in Calapan City, affiant exhibiting to me her identification presented mentioned above.

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Series of 2023

NOTARY PUBLIC

Atty. Ledelyn Montesa Corpuz
ATTY. LEDELYN MONTESA CORPUZ
NOTARY PUBLIC
Calapan City, Oriental Mindoro
Until December 31, 2024
Roll No. 51218; IBP Lifetime No. 05355
PTR No. 1029601A, 1/3/2023, Calapan City
MCLE No. VII-0003032, 5/12/2021
Mahogany Village, Calapan City; 0917 560 1482



REPUBLIC OF THE PHILIPPINES
SECURITIES AND EXCHANGE COMMISSION
SEC Building, EDSA, Greenhills
City of Mandaluyong, Metro Manila

COMPANY REG. NO. CS200618855
COMPANY TIN 006-584-508

CERTIFICATE OF INCORPORATION

KNOW ALL PERSONS BY THESE PRESENTS:

This is to certify that the Articles of Incorporation and By-Laws of

LA BRISA DEL MAR PROPERTIES, INC.

were duly approved by the Commission on this date upon the issuance of this Certificate of Incorporation in accordance with the Corporation Code of the Philippines (Batas Pambansa Blg.68), and copies of said Articles and By-Laws are hereto attached.

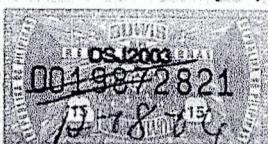
This Certificate grants juridical personality to the corporation but does not authorize it to undertake business activities requiring a Secondary License from this Commission such as, but not limited to acting as: broker or dealer in securities, government securities eligible dealer (GSED), investment adviser of an investment company, close-end or open-end investment company, investment house, transfer agent, commodity/financial futures exchange/broker/merchant, financing company, pre-need plan issuer, general agent in pre-need plans and time shares/club shares/membership certificates issuers or selling agents thereof. Neither does this Certificate constitute as permit to undertake activities for which other government agencies require a license or permit.

As a registered corporation, it shall submit annually to this Commission the reports indicated at the back of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of this Commission to be affixed at Mandaluyong City, Metro Manila, Philippines, this 8th day of December, Two Thousand Six.

Benito A. Cataran
BENITO A. CATARAN
Director

Company Registration and Monitoring Department



ANNEX "D"

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
Land Registration Authority
QUEZON CITY

Registry of Deeds for Calapan, Mindoro Oriental

Transfer Certificate of Title

No. 064-2012004455

IT IS HEREBY CERTIFIED that certain land situated in THE BARANGAY OF POBLACION, MUNICIPALITY OF PTO. GALERA, PROVINCE OF OR. MINDORO, bounded and described as follows:

A PARCEL OF LAND (LOT 8-D-2 OF THE SUBDIVISION PLAN PSD-4B-001602, BEING A PORTION OF LOT 8-D, PSD-045211-076198, L.R.C. RECORD NO.), SITUATED IN THE BARANGAY OF POBLACION, MUNICIPALITY OF PTO. GALERA, PROVINCE OF OR. MINDORO. BOUNDED ON THE NE., ALONG LINES 1-2- (Continued on next page)

is registered in accordance with the provision of the Property Registration Decree in the name of

Owner: LA BRISA DEL MAR PROPERTIES, INC.

Address: PUERTO GALERA, ORIENTAL MINDORO MIMAROPA

as owner thereof in fee simple, subject to such of the encumbrances mentioned in Section 44 of said Decree as may be subsisting.

IT IS FURTHER CERTIFIED that said land was originally registered as follows:

Case No.: 165

Record No.: 54117

Orig. Reg. Date: 01 07 1952

Decree No.: 6055

Original RD: CALAPAN, MINDORO ORIENTAL

OCT No.: OCT-O-40

Volume No.: 0-1

Page No.: 39

Original Owner:

This certificate is a transfer from TRANSFER CERTIFICATE OF TITLE T-147347 (TOTALLY CANCELLED) by virtue hereof in so far as the above-described land is concerned.

Entered at Calapan, Mindoro Oriental, Philippines on the 5th day of SEPTEMBER 2012 at 10:25am.

ATTY. PEPITO PAALA MORTEL
Register Of Deeds

It is hereby certified that this is a true electronic copy of TCT 2012004455 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 3 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: EVANGELISTA, EDILBRTO

Ref. : 2023000834 OR No. : 1027509173
Date : 01/26/2023 OR Date : Jan 26 2023
Time : 11:31:46 AM Amt Paid : 743.67

LRA 110380954

LAND REGISTRATION AUTHORITY CCV FORM
UNOFFICIAL COPY IF NOT IN BLUE COLOR

Judicial Form No. 109

TCT No.: 064-2012004455

Page No.: 2

TECHNICAL DESCRIPTION *(Continued from page 1)*

-3-4-5-6-7-8-9-10 BY LOT 352, CAD-533-D, PTO. GALERA CADASTRE; ON THE SE., ALONG LINES 10-11-12 BY LOT 8-D-1; OF THE SUBD., PLAN; ON THE SW., ALONG LINES 12-13-14 BY LOT 381, CAD-533-D, PTO. GALERA CADASTRE; ON THE NW., ALONG LINES 15-16-17-18-19-1 BY LOT 8-B, PSD-04-5211-076198. BEGINNING AT A POINT MARKED "1" ON PLAN, BEING S. 23 DEG. 37'W., 907.13 M. FROM BLLM NO. 1, CAD 533-D, PTO. GALERA CADASTRE.

THENCE S. 13 DEG. 20' W., 31.15 M. TO POINT 2;
THENCE S. 67 DEG. 45' W., 27.01 M. TO POINT 3;
THENCE S. 59 DEG. 52' W., 36.45 M. TO POINT 4;
THENCE S. 04 DEG. 42' W., 22.79 M. TO POINT 5;
THENCE S. 17 DEG. 49' W., 26.18 M. TO POINT 6;
THENCE S. 25 DEG. 04' W., 29.37 M. TO POINT 7;
THENCE S. 64 DEG. 42' W., 13.80 M. TO POINT 8;
THENCE S. 23 DEG. 27' W., 79.69 M. TO POINT 9;
THENCE S. 02 DEG. 58' W., 17.66 M. TO POINT 10;
THENCE N. 77 DEG. 45' W., 59.79 M. TO POINT 11;
THENCE S. 77 DEG. 22' W., 45.02 M. TO POINT 12;
THENCE N. 11 DEG. 57' W., 26.64 M. TO POINT 13;
THENCE N. 08 DEG. 34' W., 58.50 M. TO POINT 14;
THENCE N. 51 DEG. 12' E., 269.90 M. TO POINT 15;
THENCE S. 48 DEG. 48' E., 17.42 M. TO POINT 16;
THENCE S. 33 DEG. 31' W., 7.06 M. TO POINT 17;
THENCE S. 16 DEG. 01' W., 18.11 M. TO POINT 18;
THENCE S. 48 DEG. 03' E., 27.72 M. TO POINT 19;
THENCE N. 24 DEG. 51' E., 29.92 M. TO POINT OF

CONTAINING AN AREA OF TWENTY FIVE THOUSAND TWO HUNDRED SEVENTY SEVEN (25,277) SQUARE METERS. ALL POINTS REFERRED TO ARE INDICATED ON THE PLAN AND MARKED ON THE GROUND BY P.S. CYL. CONC. MONS. 15X60 CM.; BEARINGS TRUE; DATE OF ORIGINAL SURVEY, JANUARY 19, 1977, AND THAT OF THE SUBDIVISION SURVEY, JULY 1, 2011, AND APPROVED ON JANUARY 5, 2012.

It is hereby certified that this is a true electronic copy of TCT 2012004455 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 3 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: EVANGELISTA, EDILBRTO

Ref. : 2023000834 OR No. : 1027509173
Date : 01/26/2023 OR Date : Jan 26 2023
Time : 11:31:46 AM Amt Paid : 743.67

1 RA 110300955

LAND REGISTRATION AUTHORITY CCV FORM
UNOFFICIAL COPY IF NOT IN BLUE COLOR

Judicial Form No. 109

TCT No.: 064-2012004455

Page No.: 3

MEMORANDUM OF ENCUMBRANCES

Entry No.: 2022004756

Date: July 26, 2022 10:48:54AM

SUBDIVISION : THE LAND COVERED BY THIS TCT NO. 064-2012004455 HAS BEEN SUBDIVIDED INTO TEN (10) LOTS IN ACCORDANCE WITH SUBDIVISION PLAN NUMBER (LRA) PSD-E2022005349 DULY APPROVED BY LRA AND BY VIRTUE OF THE LETTER REQUEST EXECUTED BY EDILBERTO C. EVANGELISTA, FOR THE ISSUANCE OF NEW TITLES IN THE NAME OF THE SAME REGISTERED OWNER, LA BRISA DEL MAR PROPERTIES, INC., WITH RESPECT TO THE FOLLOWING LOTS, TO WIT:

1. LOT 8-D-2-A WITH AN AREA OF 335 SQ.M.;
2. LOT 8-D-2-B (R.O.W.) WITH AN AREA OF 321 SQ.M.;
3. LOT 8-D-2-C WITH AN AREA OF 2,948 SQ.M.;
4. LOT 8-D-2-D WITH AN AREA OF 181 SQ.M.;
5. LOT 8-D-2-E WITH AN AREA OF 1,060 SQ.M.;
6. LOT 8-D-2-F WITH AN AREA OF 4,034 SQ.M.;
7. LOT 8-D-2-G WITH AN AREA OF 873 SQ.M.;
8. LOT 8-D-2-H WITH AN AREA OF 4,143 SQ.M.;
9. LOT 8-D-2-I WITH AN AREA OF 7,846 SQ.M., &
10. LOT 8-D-2-J (ROAD LOT) WITH AN AREA OF 3,536 SQ.M.,

IN ACCORDANCE WITH DOC. NO. 372; PAGE NO. 76; BOOK NO. XVI; SERIES OF 2022; OF NOTARY PUBLIC OF CALAPAN CITY, OR. MINDORO; ATTY. PEPITO P. MORTEL; DATED JULY 05, 2022, THIS TITLE IS TOTALLY CANCELLED AND ISSUING IN LIEU THEREOF. TCT NUMBER(S) From 2022004426 TO 2022004435

ATTY. ETHEL B. REGADIO
Register of Deeds

It is hereby certified that this is a true electronic copy of TCT 2012004455 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 3 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: EVANGELISTA, EDILBERTO

Ref. : 2023000834 OR No. : 1027509173
Date : 01/26/2023 OR Date : Jan 26 2023
Time : 11:31:46 AM Amt. Paid : 743.67

LRA 1103809956

TECHNICAL DESCRIPTION

ANNEX "F"

LOT NO: 8-D-2-B (R.O.W.), OF SUBDIVISION PLAN: (LRA) PSD-E2022005349
 PORTION OF: LOT 8-D-2, PSD-4B-001602
 LRA (GLRO) RECORD NO. 54117
 LOCATION: BARANGAY OF POBLACION, MUNICIPALITY OF
 PUERTO GALERA, PROVINCE OF ORIENTAL MINDORO,
 ISLAND OF MINDORO

BOUNDARIES:

LINE	DIRECTION	ADJOINING LOT(S)
1-2-3	SE, NE	LOT 8-B, PSD-045211-076198
3-4	SE	LOT 8-D-2-J (ROAD), (LRA) PSD-E2022005349
4-5	SW	LOT 8-D-2-C, (LRA) PSD-E2022005349
5-6	NW	LOT 381, CAD. 533-D, PUERTO GALERA CADASTRE
6-1	NE	LOT 8-D-2-A, (LRA) PSD-E2022005349

TIE POINT: BLLM NO. 1, CAD 533-D, PUERTO GALERA CADASTRE

LINE	BEARING	DISTANCE
TO CORNER 1	S. 23° 13' W	627.57 M.
1-2	S. 16° 01' W	6.23 M.
2-3	S. 48° 03' E	10.64 M.
3-4	S. 77° 06' W	6.48 M.
4-5	N. 41° 13' W	37.44 M.
5-6	N. 51° 12' E	9.48 M.
6-1	S. 41° 40' E	26.18 M.

AREA: THREE HUNDRED TWENTY ONE (321) SQUARE METERS, MORE OR LESS
 DESCRIPTION OF CORNERS: CORNER 2 BY "OLD P.S." CYL. CONC. MONS.

15 X 60 CM., AND THE REST BY P.S. CYL. CONC. MONS. 15 X 40 CM.

BEARINGS: TRUE

DECLINATION:

DATE OF ORIGINAL SURVEY: JANUARY 19, 1977

DATE OF SUBDIVISION SURVEY: APRIL 4, 2022

GEODETIC ENGINEER: RAUL A. PADIGOS

NOTES:

DATE APPROVED: JULY 12, 2022

This is a system generated Narrative Technical Description and does not require a manually affixed signature.

Verified and approved for all purposes under Sec. 44 of Act 496 as amended by Sec. 50, P.D. 1529
 May 11, 2022

Raul A. Padigos
 Geodetic Engineer

EPEB Number: (LRA) PSD-E2022005349

EPEB Date: 4/25/2022 2:10:41 PM

Official Receipt Number: 1026970174

Official Receipt Date: April 25, 2022

Amount Paid: 629.45

ANNEX "G"

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
Land Registration Authority
QUEZON CITY

Registry of Deeds for Calapan, Mindoro Oriental

Transfer Certificate of Title

No. 064-2022004427

IT IS HEREBY CERTIFIED that certain land situated in BARANGAY OF POBLACION, MUNICIPALITY OF PUERTO GALERA, PROVINCE OF ORIENTAL MINDORO, ISLAND OF MINDORO, bounded and described as follows:

LOT NO: 8-D-2-B (R.O.W.), OF SUBDIVISION PLAN: (LRA) PSD-E2022005349

PORTION OF: LOT 8-D-2, PSD-4B-001602

LRA (GLRO) RECORD NO. 54117

LOCATION: BARANGAY OF POBLACION, MUNICIPALITY OF (Continued on next page)
is registered in accordance with the provision of the Property Registration Decree in the name of

Owner: LA BRISA DEL MAR PROPERTIES, INC.

Address: PUERTO GALERA, ORIENTAL MINDORO MIMAROPA

as owner thereof in fee simple, subject to such of the encumbrances mentioned in Section 44 of said Decree as may be subsisting.

IT IS FURTHER CERTIFIED that said land was originally registered as follows:

Case No.: 165 Record No.: 54117

Orig. Reg. Date: 01 07 1952 Decree No.: 6055

Original RD: CALAPAN, MINDORO ORIENTAL OCT No.: OCT-O-40

Volume No.: 0-1 Page No.: 39

Original Owner:

This certificate is a transfer from TRANSFER CERTIFICATE OF TITLE 2012004455 (TOTALLY CANCELLED) by virtue hereof in so far as the above-described land is concerned.

Entered at Calapan, Mindoro Oriental, Philippines on
the 26th day of JULY 2022 at 10:48am.

ATTY. ETHEL B. REGADIO
Register of Deeds

It is hereby certified that this is a true electronic copy of TCT 2022004427 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 3 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: EVANGELISTA, EDILBRT0

Ref. : 2023000834 OR No. : 1027509173
Date : 01/26/2023 OR Date : Jan 26 2023
Time : 11:31:28 AM Amt Paid : 743.67

LRA 1103809951

LAND REGISTRATION AUTHORITY CCV FORM
UNOFFICIAL COPY IF NOT IN BLUE COLOR

Judicial Form No. 109

TCT No.: 064-2022004427

Page No.: 2

TECHNICAL DESCRIPTION (Continued from page 1)

PUERTO GALERA, PROVINCE OF ORIENTAL MINDORO,
ISLAND OF MINDORO

BOUNDARIES:

LINE	DIRECTION	ADJOINING LOT(S)
1-2-3	SE, NE	LOT 8-B, PSD-045211-076198
3-4	SE	LOT 8-D-2-J (ROAD),
(LRA) PSD-		E2022005349
4-5	SW	LOT 8-D-2-C, (LRA) PSD- E2022005349
5-6	NW	LOT 381, CAD. 533-D, PUERTO GALERA CADASTRE
6-1	NE	LOT 8-D-2-A, (LRA) PSD- E2022005349

TIE POINT: BLLM NO. 1, CAD 533-D, PUERTO GALERA CADASTRE

LINE	BEARING	DISTANCE
TO CORNER 1	S. 23° 13' W	627.57 M.
1-2	S. 16° 01' W	6.23 M.
2-3	S. 48° 03' E	10.64 M.
3-4	S. 77° 06' W	6.48 M.
4-5	N. 41° 13' W	37.44 M.
5-6	N. 51° 12' E	9.48 M.
6-1	S. 41° 40' E	26.18 M.

AREA: THREE HUNDRED TWENTY ONE (321) SQUARE METERS, MORE OR LESS

DESCRIPTION OF CORNERS: CORNER 2 BY "OLD P.S." CYL. CONC. MONS.
15 X 60 CM., AND THE REST BY P.S. CYL. CONC. MONS. 15 X 40
CM.

BEARINGS: TRUE

DECLINATION:

DATE OF ORIGINAL SURVEY: JANUARY 19, 1977

DATE OF SUBDIVISION SURVEY: APRIL 4, 2022

GEODETIC ENGINEER: RAUL A. PADIGOS

NOTES:

DATE APPROVED: JULY 12, 2022

It is hereby certified that this is a true electronic copy of TCT 2022004427 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 3 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: EVANGELISTA, EDILBRTO

Ref. : 2023000834 OR No. : 1027509173
Date : 01/26/2023 OR Date : Jan 26 2023
Time : 11:31:28 AM Amt. Paid : 743.67

LR A 110380952

LAND REGISTRATION AUTHORITY CCV FORM
UNOFFICIAL COPY IF NOT IN BLUE COLOR

Judicial Form No. 109

TCT No.: 064-2022004427

Page No.: 3

MEMORANDUM OF ENCUMBRANCES

Entry No.: 2022004756

Date: July 26, 2022 10:48:54AM

RESTRICTIONS : ROAD LOT: NO PORTION OF ANY STREET, PASSAGEWAY, WATERWAY OR OPEN SPACE SO DELINEATED ON THE PLAN SHALL BE CLOSED OR OTHERWISE DISPOSED OF BY THE REGISTERED OWNER WITHOUT THE APPROVAL OF THE COURT OF FIRST INSTANCE OF THE PROVINCE OR CITY IN WHICH LAND IS SITUATED EXCEPT BY WAY OF DONATION IN FAVOR OF THE NATIONAL GOVERNMENT, PROVINCE, CITY OR MUNICIPALITY (SEC. 50 P.D. 1529).

ATTY. ETHEL B. REGADIO
Register of Deeds

It is hereby certified that this is a true electronic copy of TCT 2022004427 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 3 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: EVANGELISTA, EDILBERTO

Ref. : 2023000834 OR No. : 1027509173
Date : 01/26/2023 OR Date : Jan 26 2023
Time : 11:31:28 AM Amt. Paid : 743.67

LRA 1103809953

LAND REGISTRATION AUTHORITY CCV FORM
UNOFFICIAL COPY IF NOT IN BLUE COLOR

Judicial Form No. 109

ANNEX "H"

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
Land Registration Authority
QUEZON CITY

Registry of Deeds for Calapan, Mindoro Oriental

Transfer Certificate of Title

No. 064-2022004435

IT IS HEREBY CERTIFIED that certain land situated in BARANGAY OF POBLACION, MUNICIPALITY OF PUERTO GALERA, PROVINCE OF ORIENTAL MINDORO, ISLAND OF MINDORO, bounded and described as follows:

LOT NO: 8-D-2-J (ROAD), OF SUBDIVISION PLAN: (LRA) PSD-E2022005349

PORTION OF: LOT 8-D-2, PSD-4B-001602

LRA (GLRO) RECORD NO. 54117 (Continued on next page)

is registered in accordance with the provision of the Property Registration Decree in the name of

Owner: LA BRISA DEL MAR PROPERTIES, INC.

Address: PUERTO GALERA, ORIENTAL MINDORO MIMAROPA

as owner thereof in fee simple, subject to such of the encumbrances mentioned in Section 44 of said Decree as may be subsisting.

IT IS FURTHER CERTIFIED that said land was originally registered as follows:

Case No.: 165	Record No.: 54117
Orig. Reg. Date: 01 07 1952	Decree No.: 6055
Original RD: CALAPAN, MINDORO ORIENTAL	OCT No.: OCT-O-40
Volume No.: O-1	Page No.: 39

Original Owner:

This certificate is a transfer from TRANSFER CERTIFICATE OF TITLE 2012004455 (TOTALLY CANCELLED) by virtue hereof in so far as the above-described land is concerned.

Entered at Calapan, Mindoro Oriental, Philippines on the 26th day of JULY 2022 at 10:48am.

ATTY. ETHEL B. REGADIO
Register of Deeds

It is hereby certified that this is a true electronic copy of TCT 2022004435 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 4 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: ED EVANGELISTA

Ref. : 2023001790 OR No. : 1027914170
Date : 02/21/2023 OR Date : Feb 21 2023
Time : 10:15:14 AM Amt. Paid : 273.35

LRA 1106815298

LAND REGISTRATION AUTHORITY CCV FORM
UNOFFICIAL COPY IF NOT IN BLUE COLOR

Judicial Form No. 109

TCT No.: 064-2022004435

Page No.: 2

TECHNICAL DESCRIPTION (Continued from page 1)

LOCATION: BARANGAY OF POBLACION, MUNICIPALITY OF
 PUERTO GALERA, PROVINCE OF ORIENTAL MINDORO,
 ISLAND OF MINDORO

BOUNDARIES:

LINE	DIRECTION	ADJOINING LOT(S)
1-2-3-4-5-6-7-	SE, EAST, NE	LOT 8-D-2-I, (LRA) PSD- E2022005349
8-9-10-11-12-		
13-14-15		
15-16	SE	LOT 8-D-1, PSD-4B-001602
16-17-18-19-20-	SW, NW	LOT 8-D-2-F, (LRA) PSD- E2022005349
21-22-23-24-25-		
26-27		
27-28-29-30-31	NW	LOT 8-D-2-E, (LRA) PSD- E2022005349
31-32	NW	LOT 8-D-2-D, (LRA) PSD- E2022005349
32-33-34-35-36-	NW	LOT 8-D-2-C, (LRA) PSD- E2022005349
37-38-39-40-41-		
42-43-44-45-46		
46-47	NW	LOT 8-D-2-B (R.O.W.), E2022005349
(LRA) PSD-		
47-48	NE	LOT 8-B, PSD-045211-076198
48-49-50-51-52-	SE	LOT 8-D-2-G, (LRA) PSD- E2022005349
53-54-55		
55-56-57-58-59-	SE	LOT 8-D-2-H, (LRA) PSD- E2022005349
60-61-62-63-1		

TIE POINT: BLLM NO. 1, CAD 533-D, PUERTO GALERA CADASTRE

LINE	BEARING	DISTANCE
TO CORNER 1	S. 28° 07' W	772.64 M.
1-2	S. 42° 46' W	10.58 M.
2-3	S. 42° 48' W	9.21 M.
3-4	S. 38° 02' W	11.31 M.
4-5	S. 35° 42' W	6.78 M.
5-6	S. 35° 48' W	10.00 M.
6-7	S. 35° 53' W	10.00 M.
7-8	S. 35° 46' W	8.87 M.
8-9	S. 31° 16' W	10.02 M.
9-10	S. 31° 27' W	6.20 M.
10-11	S. 31° 30' W	4.43 M.
11-12	S. 15° 51' W	4.75 M.
12-13	S. 15° 51' W	10.00 M.
13-14	S. 02° 49' E	10.00 M.
14-15	S. 13° 48' E	18.22 M.
15-16	S. 77° 22' W	12.18 M.
16-17	N. 16° 09' W	11.38 M.
17-18	N. 06° 40' W	11.53 M.
18-19	N. 04° 31' E	14.38 M.
19-20	N. 15° 50' E	12.34 M.
20-21	N. 27° 57' E	12.24 M.
21-22	N. 29° 04' E	9.57 M.
22-23	N. 35° 03' E	10.30 M.
23-24	N. 36° 42' E	10.00 M.
24-25	N. 37° 58' E	10.00 M.

It is hereby certified that this is a true electronic copy of TCT 2022004435 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 4 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: ED EVANGELISTA

Ref. : 2023001790 OR No. : 1027914170
 Date : 02/21/2023 OR Date : Feb 21 2023
 Time : 10:15:14 AM Amt Paid : 273.35

LRA 1106835299

LAND REGISTRATION AUTHORITY CCV FORM
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Judicial Form No. 109

TCT No.: 064-2022004435

Page No.: 3

25-26	N.	38	°	49	'	E	10.00	M.
26-27	N.	40	°	07	'	E	10.00	M.
27-28	N.	42	°	02	'	E	11.07	M.
28-29	N.	42	°	26	'	E	10.00	M.
29-30	N.	42	°	21	'	E	10.55	M.
30-31	N.	43	°	28	'	E	3.43	M.
31-32	N.	44	°	00	'	E	8.30	M.
32-33	N.	45	°	49	'	E	3.03	M.
33-34	N.	48	°	36	'	E	7.93	M.
34-35	N.	49	°	22	'	E	4.07	M.
35-36	N.	50	°	16	'	E	10.00	M.
36-37	N.	51	°	34	'	E	10.00	M.
37-38	N.	52	°	51	'	E	10.00	M.
38-39	N.	54	°	08	'	E	10.01	M.
39-40	N.	54	°	13	'	E	10.01	M.
40-41	N.	57	°	56	'	E	10.03	M.
41-42	N.	58	°	01	'	E	10.07	M.
42-43	N.	59	°	19	'	E	10.14	M.
43-44	N.	73	°	56	'	E	10.84	M.
44-45	N.	74	°	11	'	E	10.86	M.
45-46	N.	74	°	46	'	E	11.95	M.
46-47	N.	77	°	06	'	E	6.48	M.
47-48	S.	48	°	03	'	E	13.94	M.
48-49	S.	76	°	33	'	W	8.54	M.
49-50	S.	76	°	09	'	W	7.76	M.
50-51	S.	73	°	12	'	W	10.00	M.
51-52	S.	73	°	12	'	W	10.00	M.
52-53	S.	73	°	22	'	W	10.00	M.
53-54	S.	59	°	41	'	W	6.75	M.
54-55	S.	57	°	56	'	W	9.20	M.
55-56	S.	56	°	50	'	W	10.91	M.
56-57	S.	55	°	24	'	W	10.02	M.
57-58	S.	53	°	01	'	W	10.01	M.
58-59	S.	53	°	01	'	W	10.00	M.
59-60	S.	51	°	16	'	W	10.00	M.
60-61	S.	51	°	49	'	W	10.01	M.
61-62	S.	48	°	03	'	W	11.99	M.
62-63	S.	44	°	29	'	W	14.38	M.
63-1	S.	44	°	32	'	W	10.00	M.

AREA: THREE THOUSAND FIVE HUNDRED THIRTY SIX (3,536) SQUARE METERS, MORE OR LESS

DESCRIPTION OF CORNERS: ALL CORNERS ARE P.S. ARE CYL. CONC. MONS.

15 X 40 CM.

BEARINGS: TRUE

DECLINATION:

DATE OF ORIGINAL SURVEY: JANUARY 19, 1977

DATE OF SUBDIVISION SURVEY: APRIL 4, 2022

GEODETIC ENGINEER: RAUL A. PADIGOS

NOTES:

DATE APPROVED: JULY 12, 2022

It is hereby certified that this is a true electronic copy of TCT 2022004435 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 4 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: ED EVANGELISTA

Ref. : 2023001790 OR No. : 1027914170
Date : 02/21/2023 OR Date : Feb 21 2023
Time : 10:15:14 AM Amt Paid : 273.35

LRA 1106815300

LAND REGISTRATION AUTHORITY CCV FORM
UNOFFICIAL COPY IF NOT IN BLUE COLOR

Judicial Form No. 109

TCT No.: 064-2022004435

Page No.: 4

MEMORANDUM OF ENCUMBRANCES

Entry No.: 2022004756

Date: July 26, 2022 10:48:54AM

RESTRICTIONS : ROAD LOT: NO PORTION OF ANY STREET, PASSAGEWAY, WATERWAY OR OPEN SPACE SO DELINEATED ON THE PLAN SHALL BE CLOSED OR OTHERWISE DISPOSED OF BY THE REGISTERED OWNER WITHOUT THE APPROVAL OF THE COURT OF FIRST INSTANCE OF THE PROVINCE OR CITY IN WHICH LAND IS SITUATED EXCEPT BY WAY OF DONATION IN FAVOR OF THE NATIONAL GOVERNMENT, PROVINCE, CITY OR MUNICIPALITY (SEC. 50 P.D. 1529).

ATTY. ETHEL B. REGADIO
Register of Deeds

It is hereby certified that this is a true electronic copy of TCT 2022004435 on file in Registry of Deeds of Calapan, Mindoro Oriental, which consists of 4 page(s). This is a system-generated Certified True Copy, and does not require a manually-affixed signature. Printed at Registry of Deeds of Calapan, Mindoro Oriental. Requested By: ED EVANGELISTA

Ref. : 2023001790 OR No. : 1027914170
Date : 02/21/2023 OR Date : Feb 21 2023
Time : 10:15:14 AM Amt. Paid : 273.35

RA 110681501





Republic of the Philippines
Province of Oriental Mindoro
Municipality of Puerto Galera
BARANGAY POBLACION
Office Mobile: 09178137822

ANNEX "J"

OFFICE OF THE SANGGUNIANG BARANGAY

The Will To Serve

**The Local Government Unit Of
Barangay Poblacion**

**Aristeo Villamor R. Atienza II
Punong Barangay**

**Cepriano T. Albo
Kagawad**

**Rhyan C. Coco
Kagawad**

**Leticia A. Adriano
Kagawad**

**Concepcion R. Escanillas
Kagawad**

**Jayson M. Villaruel
Kagawad**

**Jaime M. Fernandez
Kagawad**

**Danilo M. Capit
Kagawad**

**Donna Cleo B. Caraan
SK Chairman**

CERTIFICATION

To Whom It May Concern:

This is to certify that based on my familiarity with the area, it is my observation that the Lot 8-D-2-B is bounded on the North by Lot 8-D-2-A, on the South by Lot 8-D-2-C, on West by the Rural Health Center and on the East by Road Lot 8-D-2-J and this road lot intersects the barangay road in Sitio Honduras, Barangay Poblacion, Puerto Galera, Oriental Mindoro. It is hereby being granted to the applicant, Mr. Edilberto C. Evangelista, of legal age, married, with residence address at Barangay Poblacion, Puerto Galera, Oriental Mindoro.

This certification is being issued upon the request of the interested party for whatever legal purpose it may serve.

Issued this day, the 16th day of February 2023 at Barangay Poblacion, Puerto Galera, Oriental Mindoro.

**ARISTEO VILLAMOR R. ATIENZA II
Punong Barangay**

**Onwards Towards A Socially, Economically,
Politically Ideal
And Progressive Barangay**

TECHNIC		ROAD)
LINES	BE	
1-2	S 13	10.58 M.
2-3	S 67	9.21 M.
3-4	S 59	11.31 M.
4-5	S 04	6.78 M.
5-6	S 17	10.00 M.
6-7	S 25	8.87 M.
7-8	S 64	10.02 M.
8-9	S 23	6.20 M.
9-10	S 02	4.43 M.
10-11	N 71	10.00 M.
11-12	S 77	4.75 M.
12-13	N 11	10.00 M.
13-14	N 08	11.38 M.
14-15	N 51	11.53 M.
15-16	S 41	14.38 M.
16-17	S 33	12.34 M.
17-18	S 16	12.24 M.
18-19	S 48	9.57 M.
19-1	N 24	10.30 M.
	L1	10.00 M.
1-2	N 41	10.00 M.
2-3	N 51	10.00 M.
3-4	S 41	11.07 M.
4-5	S 33	10.00 M.
5-1	S 16	10.55 M.
	L1	3.43 M.
1-2	S 16	8.30 M.
2-3	S 41	3.03 M.
3-4	S 71	7.93 M.
4-5	N 41	4.07 M.
5-6	N 51	10.00 M.
6-1	S 41	10.00 M.
	L1	10.01 M.
1-2	N 64	10.01 M.
2-3	N 51	10.03 M.
3-4	S 41	10.07 M.
4-5	S 74	10.14 M.
5-6	S 74	10.84 M.
6-7	S 73	10.86 M.
7-8	S 59	11.95 M.
8-9	S 58	6.48 M.
9-10	S 57	13.94 M.
10-11	S 54	8.54 M.
11-12	S 54	7.76 M.
12-13	S 52	10.00 M.
13-14	S 51	10.00 M.
14-15	S 50	10.00 M.
15-16	S 49	6.75 M.
16-17	S 48	9.20 M.
17-1	S 51	

N L.R.A. (CLRO)

REC. No. 54117

PLAN ANNEX "K"

OF
SUBDIVISION SURVEY MADE FOR
LA BRISA DEL MAR PROPERTIES, INC.

OF LOT 8-D-2, PSD-4B-001602

DESCRIBED IN TCT NO. 064-2012004455
ISSUED IN FAVOR OF

LA BRISA DEL MAR PROPERTIES, INC.

SITUATED IN THE

RURBAN CODE : 135211

BARrio/DISTRICT OF: POBLACION

MUN. / CITY OF : PUERTO GALERA

PROVINCE OF : ORIENTAL MINDORO

ISLAND OF : MINDORO

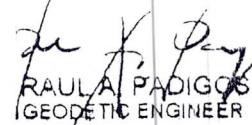
CONTAINING AN AREA OF 25,277 SQ. M.

BEARINGS TRUE
SCALE 1:1000

0 5 10 25 50 100

I certify that this is a correct plan of the land survey herein plotted in accordance with the actual measurements and observations performed by me; that the boundaries of the property indicated to me by the owner or his authorized representative are identical with those stated in the Certificate of Title subject matter hereof; that the corners along the boundary of each lot shown in this plan are marked on the ground by concrete monuments or other visible marks as described; that there is no alteration of the boundary, perimeter aggregate area as appearing in the title(s) subject of the plan; that the survey and plot are both accurate; that the survey was executed with the full knowledge and consent of the owner(s); and that the survey was executed by me in conformity with the existing laws of the Republic of the Philippines and the regulations of the Land Registration Authority.

SURVEYED: APRIL 4, 2022



RAUL A. PADIGOS
GEODETIC ENGINEER

Reg. Cert. No. 3456 Date: 1-30-86

PTR No. 8445857 Date: 01-03-2022

ANNEX "L"



REPUBLIKA NG PILIPINAS
KAGAWARAN NG KATARUNGAN
PANGASIWAAN SA PATALAAN NG LUPAIN
(LAND REGISTRATION AUTHORITY)

East Avenue corner N.I.A. Road
Quezon City

TECHNICAL DESCRIPTION

LOT NO: 8-D-2-B, OF SUBDIVISION PLAN: (LRA)PSD-E2022005349

PORTION OF: LOT 8-D-2, PSD-4B-001602

LRA (GLRO) RECORD NO. 54117

LOCATION: BARANGAY OF POBLACION, MUNICIPALITY OF

PUERTO GALERA, PROVINCE OF ORIENTAL MINDORO,
ISLAND OF MINDORO

BOUNDARIES:

LINE	DIRECTION	ADJOINING LOT(S)
1-2-3	SE, NE	LOT 8-B, PSD-045211-076198
3-4	SE	LOT 8-D-2-J (ROAD), (LRA)PSD-E2022005349
4-5	SW	LOT 8-D-2-C, (LRA)PSD-E2022005349
5-6	NW	LOT 381, CAD. 533-D, PUERTO GALERA CADASTRE
6-1	NE	LOT 8-D-2-A, (LRA)PSD-E2022005349

TIE POINT: BLM NO. 1, CAD 533-D, PUERTO GALERA CADASTRE

LINE	BEARING	DISTANCE
TO CORNER 1	S. 23° 13' W	627.57 M.
1-2	S. 16° 01' W	6.23 M.
2-3	S. 48° 03' E	10.64 M.
3-4	S. 77° 06' W	6.48 M.
4-5	N. 41° 13' W	37.44 M.
5-6	N. 51° 12' E	9.48 M.
6-1	S. 41° 40' E	26.18 M.

AREA: THREE HUNDRED TWENTY ONE (321) SQUARE METERS, MORE OR LESS

DESCRIPTION OF CORNERS: CORNER 2 BY "OLD P.S." CYL. CONC. MONS.

15 X 60 CM., AND THE REST BY P.S. CYL. CONC. MONS. 15 X 40

CM.

BEARINGS: TRUE

DECLINATION

DATE OF ORIGINAL SURVEY: JANUARY 19, 1977

DATE OF SUBDIVISION SURVEY: APRIL 4, 2022

GEODETIC ENGINEER: RAUL A. PADIGOS

NOTES:

DATE APPROVED: JULY 12, 2022

EPEB No.: E-CCV-2022-036331

Fees Paid: PHP 195.97

OR No: 1028030585

Date: Aug 10, 2022


MARION BONJOVI VIEŃ SORIANO
Examiner

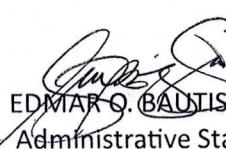


REPUBLIKA NG PILIPINAS
KAGAWARAN NG KATARUNGAN
PANGASIWAAN SA PATALAAN NG LUPAIN
(LAND REGISTRATION AUTHORITY)

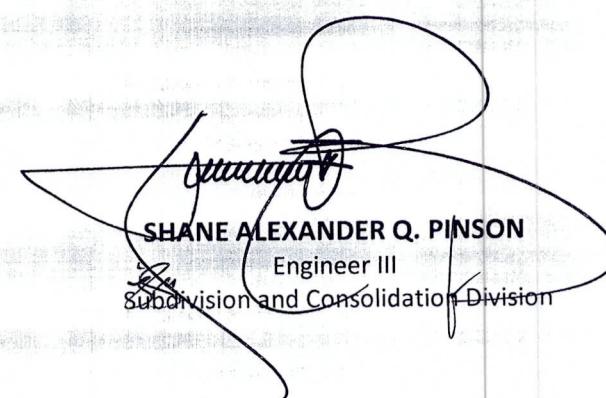
East Avenue corner N.I.A. Road

Quezon City

Verified by:


EDMAR Q. BAUTISTA
Administrative Staff

A Certified True Copy:
Verified and Approved for all
purposes
under Sec. 44 of Act 496 as amended
by Sec. 50, P.D. 1529


SHANE ALEXANDER Q. PINSON
Engineer III
Subdivision and Consolidation Division

EPEB No.: E-CCV-2022-036331
Fees Paid: PHP 195.97
OR No: 1028030585
Date: Aug 10, 2022

LR A 1097189878


TAX DECLARATION OF REAL PROPERTY ANNEX "M"

TD No.: **2015-110001-02785**

Cancelled: Property Identification No.: **029-11-0001-025-49**

Owner: **LA BRISA DEL MAR PROPERTIES, INC.**

TIN: _____

Address: POBLACION, PUERTO GALERA, ORIENTAL MINDORO Telephone No.: _____

Administrator/Beneficial User: _____ TIN: _____

Address: _____ Telephone No.: _____

Location of Property: POBLACION PUERTO GALERA, ORIENTAL

(Number and Street) (Barangay/District) MINDORO

OCT/TCT/CLOA No.: 064-2022004427 Survey No.: (LRA0PSD-E2022005349)

CCT: _____ Lot No.: 8-D-2-B (R.O.W) Blk. No.: _____

Dated: _____ Cadastral Lot no: _____

Boundaries: _____

North: NW LOT 381, CAD-533-D South: SE LOT 8-B, PSD-045211-076198

East: NE LOT 8-D-2-A, (LRA)PSD-E2022005349 West: SW LOT 8-D-2-C, (LRA) PSD-E2022005349

KIND OF PROPERTY ASSESSED:

LAND:

MACHINERY:

BUILDING:

OTHERS:

No. of Storeys: _____

Specify: _____

Brief Description: _____

Classification	Area (sq.m.)	Market Value	Actual Use	Assessment Level	Assessed Value
RESIDENTIAL	321	282,480.00	RESIDENTIAL(U)	20%	56,500.00
TOTAL :	321	Php 282,480.00		Php	56,500.00

Total Assessed Value _____ FIFTY SIX THOUSAND FIVE HUNDRED PESOS ONLY
(Amount in words)

Taxable Exempt

Effectivity of Assessment/Reassessment: 1 2024
Qtr. Yr.

APPROVED BY:

MERVIN JOHN G. LALONGSIP, REA 01/31/2023 **CAESAR A. PANGILINAN JR., MPA, REA** 01/31/2023

MUNICIPAL ASSESSOR

Date

Provincial Assessor

Date

This declaration cancels TD No.: 2015-110001-01392 PT Previous AV. Php _____

Previous Owner: LA BRISA DE MAR PROPERTIES INC.

Memoranda: ISSUED AS PER TITLE. IMPOSITION FEE AND RECORDS UPDATING FEE PAID UNDER OR. NO. 3150090 DATED 01/30/2023
(2,000.00)

Annotation: _____

CERTIFIED TRUE COPY

CAESAR A. PANGILINAN JR. MPA, REA

SA Provincial Assessor

02/07/2023

Notes: This declaration is for real property taxation purposes only and the valuation indicated herein are based on schedule of unit market values prepared for the purpose and duly enacted into an Ordinance by the Sangguniang Panlalawigan under Ordinance No. 35-2014 dated 6/25/2014. It does not and cannot by itself alone confer any ownership or legal title to the property.

OR: No. 318 7984

PTO DATE:



Republic of the Philippines
PROVINCE OF ORIENTAL MINDORO
MUNICIPALITY OF PUERTO GALERA

ANNEX "N"

OFFICE OF THE MUNICIPAL TREASURER

C E R T I F I C A T I O N

TO WHOM IT MAY CONCERN:

This is to certify that, according to the records of this office, the real properties are declared for taxation purposes in the name of LA BRISA DEL MAR PROPERTIES, INC.

and the declared owner of the real property/ies described below situated in the Municipality of PUERTO GALERA, this province and that taxes thereon for the year 2024 is/are already paid per Official Receipt issued and/or presented as follows:

TAX DECLARATION NUMBER	PIN NO.	LOCATION OF PROPERTY	TITLE NO.	AREA	ASSESSED VALUE	TAX DUE	TAX YEAR	O.R. NO.	DATE
2015-110001-02785	025-49	POBLACION	064-2022004427	321.00 SQM	56,500.00	960.50	Full 2024	2023852	02/07/2023
***** nothing follows *****									

This is to certify further that the taxes of the above real property/ies have been paid from previous years up to year 2024

Given on this 7th of February, 2023 upon the request of LA BRISA DEL MAR PROPERTIES, INC.
for whatever legal purpose it may serve him/her best.

Prepared by:

Frances Grace L. Garcia
Clerk/Meter Reader I

Approved by:

CRISOL R. CALDA
MUNICIPAL TREASURER

O.R. No.: 3174900

Date : February 06, 2023

Amount: 140.00

Documentary Stamp Tax PAID : 30.00

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 39, CITY OF CALAPAN

IN RE: CANCELLATION OF ENCUMBRANCE
(ENTRY NO. 2022004756) AND DELETION OF
"(R.O.W.)" ON THE TRANSFER CERTIFICATE
OF TITLE NO. 064-2022004427 OF
THE REGISTRY OF DEEDS FOR THE PROVINCE
OF MINDORO ORIENTAL,

LRC NO. 23-23561

EDILBERTO C. EVANGELISTA,
President of LA BRISA DEL MAR PROPERTIES, INC.,
Petitioner.

x ~~~~~ x

AMENDED JUDICIAL AFFIDAVIT

The witness is EDILBERTO C. EVANGELISTA, of legal age, married, Filipino citizen, and a resident of Poblacion, Puerto Galera, Oriental Mindoro.

The examination of the witness was conducted by the petitioner's counsel through personal interview in her office which is located at Unit 2 Dr. Marquez Bldg., Mahogany Village, Roxas Drive, Sto. Niño, Calapan City, Oriental Mindoro.

The witness answered the questions fully conscious that he is under oath. He is fully aware that he may be held liable for false testimony and perjury if he falsely testifies. He was neither coached nor forced/intimidated as he was providing his answers. His testimony which was voluntarily provided was faithfully recorded.

OFFER OF TESTIMONY

The testimony of the witness is offered to prove the following:

- a.) The witness is the petitioner in this case. He is the President of La Brisa Del Mar Properties, Inc. and its authorized representative pursuant to the Board Resolution No. 2023-1 and the Secretary's Certificate.
- b.) Compliance with the jurisdictional requirements.
- c.) All the averments set forth in the Petition, including its exhibits, are true and correct; All the documents attached thereto are authentic and original copies.
- d.) La Brisa Del Mar Properties, Inc. is the registered owner of a parcel of land (Lot 8-D-2) located in Poblacion, Puerto Galera Oriental Mindoro covered by Transfer Certificate of Title No. 064-2012 004455.

Edilberto C. Evangelista

- e.) On July 12, 2022 the Land Registration Authority APPROVED the Plan of Subdivision Survey made for La Brisa Del Mar Properties, Inc.. The land covered by the said TCT No. 064-2012004455 has been subdivided into ten (10) lots in accordance with Subdivision Plan Number (LRA) PSD-E2022005349.
- f.) The Land Registration Authority made a mistake in designating Lot8-D-2-B as a "R.O.W". Hence, a Memorandum of Encumbrance was annotated in TCT No. 064-2022004427 under Entry No. 2022004756.
- g.) The frontage of Lot 8-D-2-B is a ROAD LOT (Lot 8-D-2-J). This Road Lot further intersects with the Barangay Road.
- h.) **ALL of the lots (Lot 8-D-2-A to Lot 8-D-2-I) is next to and joined with the Road Lot (Lot 8-D-2-J). More importantly, there is also very easy access to the Barangay Road.**
- i.) Upon the petitioner's initiative, the Land Registration Authority noticed the mistake they made. **They also realized that the deletion of the "R.O.W" for Lot 8-D-2-B will NOT affect any nearby or adjacent lots.**
- j.) The Land Registration Authority deleted the "R.O.W" for Lot-8-D-2-B, and issued the corrected versions of the Plan of Subdivision Survey for TCT No. 064-2012004455 and the Technical Description for Lot 8-D-2-B covered by TCT No. 064-2022004427. Thus, there is no hindrance in the cancellation of the Memorandum of Encumbrances annotated in TCT No. 064-2022004427.

QUESTIONS AND ANSWERS
(Q and A)

Question: Mr. Witness, do you swear to tell the truth and nothing but the truth in this judicial affidavit?

Answer: Yes, ma'am.

Q2: Please re-state your name and other personal circumstances.

A2: I am EDILBERTO C. EVANGELISTA, of legal age, married, Filipino citizen, and a resident of Poblacion, Puerto Galera, Oriental Mindoro.

Q3: Are you the one who filed this Petition for the Cancellation of the Memorandum of Encumbrances under Section 50 of PD 1529 (Entry No. 2022004756) on the Transfer Certificate of Title No. 064-2022004427 in Court?

A3: Yes, Ma'am.

Q4: Are you the petitioner in this case?

A4: Yes, Ma'am. As President of La Brisa Del Mar Properties, Inc., I am representing the company.

Q5: Did you provide the Court any proof that you may represent the petitioner company?

Edilberto C. Evangelista

A5: Yes, Ma'am. I submitted the **original copies** of the Board Resolution No. 2023-1 and the Secretary's Certificate to the Honorable Court. These are marked as Exhibits "A" and "B".

I also submitted a photocopy of the Certificate of Incorporation of the La Brisa Del Mar Properties, Inc. to the Honorable Court. It is marked as Exhibit "C".

Q6: Who is the registered owner of a parcel of land (Lot 8-D-2) covered by Transfer Certificate of Title No. 064-2012004455, containing an area of 25,277 square meters, located at Barangay Poblacion, Puerto Galera, Oriental Mindoro.

A6: Lot 8-D-2 covered by TCT No. 064-2012004455 is owned by La Brisa Del Mar Properties, Inc., Ma'am.

Q7: Did you provide the Court any proof of existence of the title you mentioned?

A7: Yes, Ma'am. I submitted the **original certified true copy** of the TCT No. 064-2012004455 to the Honorable Court. This is marked as Exhibit "D".

Q8: What did you do with the said Lot 8-D-2 covered by TCT No. 064-2012004455?

A8: We had it subdivided into ten (10) lots, to wit:

1. Lot 8-D-2-A, with an area of 335 sq.m.;
2. Lot 8-D-2-B, with an area of 321 sq.m.;
3. Lot 8-D-2-C, with an area of 2,948 sq.m.;
4. Lot 8-D-2-D, with an area of 181 sq.m.;
5. Lot 8-D-2-E, with an area of 1,060 sq.m.;
6. Lot 8-D-2-F, with an area of 4,034 sq.m.;
7. Lot 8-D-2-G, with an area of 873 sq.m.;
8. Lot 8-D-2-H, with an area of 4,143 sq.m.;
9. Lot 8-D-2-I, with an area of 7,846 sq.m.; and
10. Lot 8-D-2-J, (ROAD LOT) with an area of 3,536 sq.m..

On July 12, 2022 the Land Registration Authority APPROVED the Plan of Subdivision Survey made for La Brisa Del Mar Properties, Inc.. The land covered by the said TCT No. 064-2012004455 has been subdivided into ten (10) lots in accordance with Subdivision Plan Number (LRA) PSD-E2022005349.

Q9: What happened next?

A9: Unfortunately, in the said Plan of Subdivision Survey I overlooked that Lot 8-D-2-B was marked with the letters "**R.O.W.**" by the Land Registration Authority.

Q10: Why did you miss such vital information?

A10: The "R.O.W." were written in very small letters that is why I did not see it immediately. Moreover, the Land Registration Authority did not inform us that they added the letters "R.O.W" for Lot 8-D-2-B.

Edilberto C. Evangelista

Q11: Did you provide the Court proofs of the insertion "R.O.W" for Lot 8-D-2-B?
A11: Yes, Ma'am. I submitted the photocopies of the following to the Honorable Court:

- a. APPROVED Plan of Subdivision Survey for TCT No. 064-2012004455.
It is marked as Exhibit "E"; and
- b. System generated Narrative Technical Description for Lot No. 8-D-2-B.
It is marked as Exhibit "F".

Q12: Is Lot No. 8-D-2-B titled? Did you submit any proof of that?
A12: Yes, Ma'am. Transfer Certificate of Title No. 064-2022004427 was issued for Lot 8-D-2-B.

I submitted the **original certified true copy** of TCT No. 064-2022004427 to the Honorable Court. This is marked as Exhibit "G".

Q13: Upon receipt of the original copy of TCT No. 064-2022004427 what did you notice?

A13: Upon receipt of the original copy of the title I learned and realized for the first time the mistake made by the Land Registration Authority. Unfortunately, a Memorandum of Encumbrances was already annotated in TCT No. 064-2022004427 on July 26, 2022 under Entry No. 2022004756, to wit:

RESTRICTIONS: ROAD LOT: NO PORTION OF ANY STREET, PASSAGEWAY, WATERWAY OR OPEN SPACE SO DELINEATED ON THE PLAN SHALL BE CLOSED OR OTHERWISE DISPOSED OF BY THE REGISTERED OWNER WITHOUT THE APPROVAL OF THE COURT OF FIRST INSTANCE OF THE PROVINCE OR CITY IN WHICH LAND IS SITUATED EXCEPT BY WAY OF DONATION IN FAVOR OF THE NATIONAL GOVERNMENT, PROVINCE, CITY OR MUNICIPALITY (SEC. 50 P.D. 1529).

Q14: How can you say that the Land Registration Authority made a mistake by designating Lot 8-D-2-B as "R.O.W"?

A14: The Land Registration Authority **incorrectly** labeled Lot 8-D-2-B as "R.O.W." because the frontage of Lot 8-D-2-B is already designated as a ROAD LOT (Lot 8-D-2-J) with an area of 3,536 square meters.

Q15: Is the ROAD LOT (Lot 8-D-2-J) titled? Did you submit any proof of that?
A15: Yes, Ma'am. Transfer Certificate of Title No. 064-2022004435 was issued for Lot 8-D-2-J (ROAD LOT).

I submitted the **original certified true copy** of TCT No. 064-2022004435 to the Honorable Court. This is marked as Exhibit "H"

Edilberto C. Evangelista

Q16: Did you submit any other proof that Lot 8-D-2-B was incorrectly labelled as "R.O.W"?

A16: Yes, Ma'am. I submitted a top view picture of Lot 8-D-2-B and its adjoining and adjacent lots to the Honorable Court. It is marked as Exhibit "I".

It is obvious from the picture that the front of Lot 8-D-2-B is a ROAD LOT (Lot 8-D-2-J). This Road Lot further intersects with the Barangay Road.

ALL of the lots (Lot 8-D-2-A to Lot 8-D-2-I) is next to and joined with the Road Lot (Lot 8-D-2-J). More importantly, there is also very easy access to the Barangay Road.

Although the back of Lot 8-D-2-B is the Rural Health Center building, it can be easily reached if you go through the Barangay Road.

Thus, clearly, there is no justifiable reason to designate Lot 8-D-2-B as a "R.O.W" or right of way.

Q17: What other proof did you submit to the Honorable Court?

A17: I was able to obtain a Certification from the Punong Barangay of Poblacion, Puerto Galera wherein it is declared that Lot 8-D-2-B adjoins the ROAD LOT and the latter intersects the Barangay Road. The adjoining lots were also indicated.

I submitted the **original copy** of the Barangay Certification to the Honorable Court. It is marked as Exhibit "J".

Clearly, the cancellation of the ROAD LOT annotated in TCT No. 064-2022004427 for Lot 8-D-2-B will NOT affect any nearby or adjacent lots.

Q18: Were you able to discuss the error of the Land Registration Authority and what did they do to correct their mistake?

A18: Yes, Ma'am. To rectify the error made by the Land Registration Authority, I presented the mistake to them and requested for the issuance of a corrected version of the approved Plan of Subdivision Survey.

The Land Registration Authority noticed the mistake they made. **They also realized that the deletion of the "R.O.W" for Lot 8-D-2-B will NOT affect any nearby or adjacent lots.**

Consequently, the Land Registration Authority issued the corrected version of the approved Plan of Subdivision Survey made for La Brisa Del Mar Properties, Inc.. **The Land Registration Authority deleted the "R.O.W." in Lot 8-2-D-B.**

Edilberto C. Evangelista

I submitted the **corrected Plan of Subdivision Survey stamped with AUTHENTICATION** issued by the Subdivision Consolidation Division of the Land Registration Authority to the Honorable Court. It is marked as Exhibit "K".

Q19: Was the Technical Description for Lot 8-D-2-B also corrected?

A19: Yes, Ma'am. Based on the corrected version of the approved Subdivision Survey, the Land Registration Authority issued the corrected Technical Description for Lot 8-D-2-B. **In this corrected Technical Description for Lot 8-D-2-B, the "R.O.W." was already deleted by the Land Registration Authority.**

I submitted the **certified true copy** of the said corrected Technical Description for Lot 8-D-2-B to the Honorable Court. It is marked as Exhibit "L".

Q20: Is the property (Lot 8-2-D-B) registered in the name of the petitioner corporation covered by Tax Declaration?

A20: Yes, Ma'am. I submitted the **original certified true copy** of the Tax Declaration of Real Property for the land to the Honorable Court. This is marked as Exhibit "M".

Q21: For the said parcel of land, did you pay the corresponding Real Property Tax?

21: Yes, Ma'am. The corresponding annual realty taxes have been paid as of February 7, 2023. I submitted the **original copy** of the Certification (real property tax clearance) for the land to the Honorable Court. This is marked as Exhibit "N".

Q22: Were there someone else who was provided with a copy of the title (TCT No. 064-2022004427) which was issued?

A22: There was nobody else aside from the registered owner, Ma'am. Duplicates intended for either co-owners or mortgagees or lessees were **not** issued.

The deletion of the "(R.O.W.)" which appears on page 1 and the cancellation of the ROAD LOT annotated in TCT No. 064-2022004427 for Lot 8-D-2-B will NOT affect any nearby or adjacent lots.

Q23: Is the title involved in any case filed before the court?

A23: No, Ma'am.

Q24: Were you able to inform all the concerned parties in this case?

A24: Yes, Ma'am. Copies of the Amended Petition and its annexes were served to the concerned public offices. This is evidenced by the following:

*Amended
Edilberto C. Evangelista*

- a) Proof of receipt from the Registry of Deeds, Calapan City, Oriental Mindoro,
- b) Registry Receipt from the Postal Office for the copy intended for the Office of the Solicitor General,
- c) Registry Receipt from the Postal Office for the copy intended for the Hon. Administrator, Land Registration Authority, and
- d) Registry Receipt from the Postal Office for the copy intended for the Department of Environment and Natural Resources.

The original copies of the abovementioned proofs were attached to the Petition and incorporated in the Amended Petition and forms part of the records of the Honorable Court.

Q25: Mr. Witness, do you recall having executed an Amended Judicial Affidavit for this case?

A25: Yes, Ma'am. I executed this Amended Judicial Affidavit in lieu of my direct examination. It is also intended for all lawful intents and purposes which it may serve. I submitted the **original copy** of my Judicial Affidavit to the Honorable Court.

Q26: Do you attest to the truth of all the statements and answers in this Amended Judicial Affidavit?

A26: Yes, Ma'am. I attest to the truth of the foregoing statements and answers to the best of my own personal knowledge.

Q27: What would you like to request from this Honorable Court?

A27: I most respectfully from this Honorable Court that the Amended Petition be granted, and the Register of Deeds be ordered to

- a. delete the "(R.O.W.)" which appears on the first page of the Transfer Certificate of Title No. 064-2022004427; and
- b. cancel the Memorandum of Encumbrances under Entry No. 2022004756, dated July 26, 2022, likewise appearing on the Transfer Certificate of Title No. 064-2022004427.

I likewise pray for all other legal effects that the law prescribes, as well as other reliefs and remedies consistent with law and justice.

Q28: Is there anything else which you want to state?

A28: None so far, Ma'am. In case I have forgotten something then I will just have to say it in court.

NO FURTHER QUESTIONS.

Edilberto C. Evangelista

IN WITNESS WHEREOF, I hereby affix my signature this JUN 02 2023 in Calapan City, Oriental Mindoro.

Edilberto Evangelista
EDILBERTO C. EVANGELISTA

SUBSCRIBED AND SWORN TO before me this JUN 02 2023, in Calapan City, Oriental Mindoro. Mr. Evangelista exhibited to me his Senior Citizen ID bearing the No. 500-15 as competent proof of his identity.

JF
ATTY. CHARLOTTE F. AGUBA-GOCO
Notary Public for Oriental Mindoro
MY COMMISSION UNTIL 31 DECEMBER 2024
Notarial Commission No. 22-237
ROLL NO. 46063, IBP LIFETIME ID NO. 03989
PTR NO. 1021130, CALAPAN 12/01/2022
MCLE NO. VII-0003124 valid until 04/14/2025
G/F LGC Bldg. Lalud, Calapan City,
Oriental Mindoro, Philippines
(043)288-7860

Doc No. 435;
Page No. 88;
Book No. XVII;
Series of 2023.

ATTESTATION

I, ATTY. LEDELYN MONTESA CORPUZ, of legal age, Filipino citizen, with office address at Unit 2 Dr. Marquez Bldg., Mahogany Village, Roxas Drive, Sto Niño, Calapan City, Oriental Mindoro, after being duly sworn depose and say that:

1. I conducted the examination of EDILBERTO C. EVANGELISTA in my office;
2. I have faithfully recorded or caused to be recorded the questions I asked and the corresponding answer that the witness gave; and
3. Neither I nor any other person who was present then coached the witness with regards to the answers he provided.

IN WITNESS WHEREOF, I have hereunto set my hand on this JUN 02 2023 in Calapan City, Oriental Mindoro.

LEDELYN MONTESA CORPUZ
ATTY. LEDELYN MONTESA CORPUZ

SUBSCRIBED AND SWORN TO BEFORE ME, on this JUN 02 2023 in Calapan City, Oriental Mindoro. Affiant personally came and appeared with her IBP Lifetime ID bearing the Number 05355 as competent proof of her identity.

Doc No. 436;
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Book No. XVII;
Series of 2023.

JF
ATTY. CHARLOTTE F. AGUBA-GOCO
Notary Public for Oriental Mindoro
MY COMMISSION UNTIL 31 DECEMBER 2024
Notarial Commission No. 22-237
ROLL NO. 46063, IBP LIFETIME ID NO. 03989
PTR NO. 1021130, CALAPAN 12/01/2022
MCLE NO. VII-0003124 valid until 04/14/2025
G/F LGC Bldg. Lalud, Calapan City,
Oriental Mindoro, Philippines
(043)288-7860