



National Capital Region

PLATA, Teodora L..

Request for Assistance

(N1520006517)

15 June 2023

LORMELYN E. CLAUDIO

Regional Executive Director Department of Environment and Natural Resources Regional Office No. IV-B DENR by the Bay, 3/F DENR by the Bay Building, Roxas Boulevard Ermita, Manila

Dear Regional Executive Director Claudio:

This pertains to the request for assistance of Dr. Teodora L. Plata, relative to her request for cancellation of the approved subdivision plan covering Lot 293 located at Strella Village, Narra, Palawan.

As represented, she filed the subject request with your Office on February 1, 2016 and she manifested that the same still remains unacted upon.

In view thereof, my we request for a status update on her subject request for cancellation of PSD-04-145270. Attached is a copy of her request dated February 1, 2016, for your reference.

Very truly yours,

GALLO-CHICANO JUDITH A. DØN

Director IV

CSCNCR/LSD/A10 Plata, Teodora L (RFA



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TEODORA L. PLATA, M.D.

Pk. Matatag I, Brgy. Panacan 2, Narra, Palawan February ______, 2016

HON. ELVERO C. EUSEBIO, CESO IV

Asst. Regional Executive Director
For Operations (Island)
Department of Environment and Natural Resources
Land Management Services
Region Office IV-B, Manila

Thru: Mr. Andres L. Valencia

OIC, Regional Surveys Division

AMNEX "A"

OFFICE	R-R-IVB E OF THE ND MAPPING DIVISION
DOC. NO.	
RECEIVED	RELEASED
BY: DATE: DE ANY IL	BY: UATE:
TAK: 12.30P	on TIME:

Sir:

May I honorably introduce myself, I am Dra. Teodora L. Plata, a retired medical practitioner (lady physician) and a bonafide resident of Purok Matatag I, Brgy. Panacan 2, Narra, Palawan.

I wrote to humbly solicit the assistance of your office: Re: Cancellation of

SUBDIVISION PLAN OF LOT, 293 PLS 1004-D ABORLAN PUBLIC LAND SUBDIVISION AS SURVEYED FOR LEVY OVILLA SITUATED IN THE

RURBAN CODE:

BARANGAY OF : STRELLA VILLAGE

MUN./CITY OF : NARRA
PROVINCE OF : PALAWAN
ISLAND OF : PALAWAN

CONTAINING AN AREA OF : 41, 130 SQ. M.

The full description of the above Subdivision Plan which was approved on April 24, 2002 is hereto attached as Annex "A";

In connection thereto, may I respectfully present the following information for your office' reference and appreciation:

- 1. That, the Subdivision Plan as surveyed for Levy Ovilla in the opinion of registered Geodetic Engineers which I have obtained is "FLAWED AB INITIO";
- 2. That, foremost to the observable discrepancies are entries therein appearing in the upper portion which states: "SUBDIVISION PLAN OF LOT 293 AS SURVEYED FOR LEVY OVILA", while in the lower part inside the vertical line which encloses the technical description, the term "WITH MY CONFORMITY, EDITHA T. ROSALES LAND OWNER" was visibly printed;

3. That, it is highly unusual to see that a certain Editha T. Rosales was the one who "CONFIRMED" to the Subdivision Plan surveyed for the actual owner, Levy Ovilla not unless the former could show proof of ownership of said parcel of land;

- 4. That, be it as it may, for the sake of argument that Editha Rosales did possess document of ownership of the land mentioned in the Subdivision Plan, then it had been more prudent and proper that the Subdivision Plan should have the following ... "AS SURVEYED FOR EDITHA ROSALES ..." as Land Owner which is inscribed therein;
- 5. That, by taking a closer look and meticulously analyzing the Approved Subdivision Plan (Annex "A") with regards to the Technical Description of the subdivided lot, the following discrepancies are worth noting:
 - 5.1. That, in the controversial Subdivision Plan, I have discovered that Lot 293-A with an area of 2,762 sq. m. and Lot 293-B with an area of 6,427sq. m. and part of LOT 293-G (tourism road) was the same one whole lot containing an area of 10,000 sq. m. which I have purchased from the Lot Owner Levy Ovilla sometime in 1999 as evidenced by herein Deed of Sale along with a confirmation document, Annexes "B" & "B-1";
 - 5.2. That, sad to say when the survey was conducted all the way to the preparation of the Subdivision Plan, neither Editha Rosales nor Levy Ovilla, not even the surveyor or certain Nelson M. Gabayan had informed me prior to the actual survey which is a matter of procedure-that is of informing adjacent lot owners;
 - 5.3. That, the result of the survey conducted is an encroachment of at least 2,762 sq. m. of land under Lot 293-A purchased by John Errol Vergara from Levy Ovilla (Annex "C") and fenced with concreted posts and barbed wires thus affecting the 10,000 sq. m. lot I bought also from Levy Ovilla by 2,762 sq. m.;
- 6. That, my contention that there was no prior notice served to me and to adjacent lot owners before the survey was conducted can very well be found in Annex "D" which is the minutes of the Dialogue/Mediation conducted by OIC-MARO, Elenita Sandalan of Narra, Palawan, page 2, paragraph 6, and I quote: MARO Sandalan: KUNG GANON, (KAY LEVY OVILLA) NA PINATUTUNAYAN MO NA NAKABILI NG LUPAIN SA INYO SI DRA. PLATA. SANA BAGO NAGKAROON NG BENTAHAN SA IBA PA AT NAGPASUKAT SILA AY NAIPAHIWALAY MUNA ANG PARA KAY DRA. PLATA."
- 7. That, in paragraph1, page 2 of Annex "D", MARO, Sandalan was quoted as saying: Sa aming pag-uusap sa cellphone ay sinabi ni Editha Rosales sa akin na nakabili nga ng isang ektaryang lupain si Dra. Plata kay Levy Ovilla."
- 8. That, again, in the immediate preceding paragraph, even Editha Rosales herself, the self-declared owner of the Lot In Question as cited in Annex "A" did not inform me of the survey conducted, neither did she initiated to

- segregate the 10,000 sq. meter lot I have purchased from Levy Ovilla which she herself (Editha Rosales) acknowledged thru MARO, Elenita Sandalan;
- 9. That, what makes the Approved Subdivision Plan more controversial in relation to the apportioned lots is the fact that the Deed of Sales that were executed between the Vendees and the Vendor (Levy Ovilla) have manifested glaring inconsistencies. Please consider the following:
 - 9.1. That, in the first paragraph of Annex "E" which is an Original Certificate of Title (OCT No. C-1894) reads: "... There is hereby awarded unto Levy Ovilla a parcel of land within the public domain situated in Barangay Estrella Village, Municipality of Narra, Province of Palawan, Island of Palawan, Philippines, containing an area of FORTY ONE THOUSAND ONE HUNDRED THIRTY (41,130) square meters, more or less..." Furthermore, in the 3rd paragraph of the same document Annex "E" reads; NOW, THEREFORE, KNOW YE, that by authority of the a forecited laws primarily RA No. 6657, there is hereby awarded unto the Said Levy Ovilla, married to Emilio Ovilla of legal age, Filipino, and a resident of Brgy. Estrella Village, this certificate of Land Ownership Award covering the parcel of land herein described ..."
- 10. That, in plain language, Annex "E' which is OCT No. C 1894 simply but officially declares that the owner of the land consisting of forty one thousand one hundred thirty (41,130) square meters is LEVY OVILLA and NOT EMILIO OVILLA, the husband;
- 11. That, however, in the Extrajudicial Settlement of Estate and Deed of Absolute Sale (Annex "C"), this document is opposed to Annex "E" which is the Original Certificate of Title (OCT. No. C-1894). This is because as cited in item 9.1 hereof, the owner of the Lot is Levy Ovilla married to Emilio Ovilla;
- 12. That, paradoxically, when the Lots were disposed of thru Extrajudicial Settlement of Estate with Absolute Deed of Sales (Annexes "C", in favor of Errol John & Eldren all surnamed Vergara; Annex "F", in favor of Edna Vergara; and Annex "G" in favor of Noemi G. Erikson), it was Emilio Ovilla who was made to appear as the owner and that Levy Ovilla and her children were the heirs. Thus:

- WITHNESSETH -

"That sometime on March 3, 1993, Emilio Ovilla died intestate in Bicutan Taguig Rizal, Taguig City, leaving a certain real property located at Brgy. Estrella Village, Narra, Palawan, Covered by Original Certificate of Title No. C – 1894, Registry of Deeds, Province of Palawan..." (Annexes "C", "F" & "G").

13. That, since the Extrajudicial Settlement of Estate with Absolute Deed of Sale wherein Emilio Ovilla appeared to be the owner who died intestate when the real and actual owner is Levy Ovilla as per OCT. No. C – 1894 (Annex "E"), then all the three (3) transactions in Annexes "C", "F" and "G" are contrary to reason and therefore irregular;

- 14. That, further, since it was Editha Rosales who claimed to have conformed as land owner of the Approved Subdivision Plan as Surveyed for Levy Ovilla (Annex "A") then what will be its effect on the three (3) Extrajudicial Settlement of Estate with Absolute Deed of Sales, (Annexes "C", "F" and "G")?
- 15. That, finally, the 10,000 sq. m. Lot I have purchased from Levy Ovilla (Annex "B", "B-1") shall not in any manner be affected by the aforementioned highly irregular transactions for obvious reason as manifested in the document and as corroborated by the actual owner, Levy Ovilla herself, also by the self-declared lot owner, Editha Rosales as can be corroborated from the Minutes of the Dialogue/Mediation (Annex" D").

WHEREFORE PREMISES CONSIDERED, herein Petitioner, Dra. Teodora L. Plata, respectfully petition with prayer before the Hon. Office of the Asst. Regional Executive Director for Operations (Island). Department of Environment and Natural Resources, Land Management Services, Region Office IV—B to cause the cancellation of the Approved Subdivision Plan of Lot 293 as surveyed for Levy Ovilla for reasons above quoted.

TEODORA L. PLATA, M.D.

PAGE NO. 2000 BOOK NO. 2000 BOOK NO. 2000 SERES OF 2000 ATTY. PATERNO M. LUBATON ROTARY PUBLIC UPTIL DECEMBER 31: 2015 IBP NO. 371568/PTR NO. 292361 ROLL NO. 41456/IMUS CAVITE MCLE - IV - 0027965