

REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
FOURTH JUDICIAL REGION  
MUNICIPAL TRIAL COURT  
STA. CRUZ, OCCIDENTAL MINDORO

**THE DIRECTOR OF LANDS,**  
Petitioner,

-versus-

Cadastral Case No. N-6  
LRC Record No. N-240

**LOT NO. 1305, PLS-22  
SAN VICENTE, STA. CRUZ, OCC.  
MINDORO**

**HEIRS OF FRANCISCA CATAMA, et al.,**  
Represented by: SUSAN CATAMA FERNANDEZ,  
X-----X

**MOTION**

**(To Supplement the Formal Offer of Evidence for the Heirs of  
Francisca Abeleda Catama)**

**Heirs of Francisca Abeleda Catama, represented by Susan  
Catama Fernandez**, by counsel and to this Honorable Court, respectfully  
state that:

1. Per Order dated May 10, 2023, the Honorable Court granted herein Claimants' Motion for Extension of Time to Submit Memoranda, and that is thirty (30) days from April 13, 2023. The Claimants have until May 13, 2023, Saturday, or on May 15, 2023 being its next working day to comply with the said order. Within the allowable period to submit Memorandum, the instant Motion is filed.
2. In the preparation of the above-required Memorandum, Claimants deemed it vital to manifest and adopt first the "Minutes of the Proceedings" containing the documents marked during the February 29, 1960 hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240. Such adoption is to prove the jurisdictional facts of the present cadastral case for the purpose of adjudicating in favor of the Heirs of Crisostomo Catama, as the heir of Spouses Francisca Abeleda Catama and Amador Catama Sr., herein represented by Susan Catama Fernandez, the subject land identified as Lot 1305-C, Ccs-4B-000066, with an area of Eighty Three Thousand (83,000) Square Meters, more or less.

3. In fact, during the March 24, 2023 hearing, the Honorable Court noted the manifestation of the undersigned counsel that she will be submitting a supplement to the Formal Offer of Evidence for Claimants-Heirs of Francisca Catama<sup>1</sup>.
4. In view of the foregoing, and in order to supplement the documents offered in evidence by the Claimants, the Minutes of the Proceedings and the documents mentioned therein on February 29, 1960 are hereby adopted as **“Exhibits M, M-1 and series”** of the Claimants to establish the jurisdictional facts of the case, to wit:

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REPUBLIC OF THE PHILIPPINES  
 COURT OF FIRST INSTANCE OF OCCIDENTAL MINDORO  
 EIGHTH JUDICIAL DISTRICT  
 -----

CADASTRAL CASE NO. N-6; LRG RECEIVED NO. N-240  
 DIRECTOR OF LANDS,  
     Petitioner,  
 - versus -  
 DANASO V. AMELED, ET AL.,  
     Claimants.  
 -----

Manhurso, Occidental Mindoro

February 29, 1960  
Time: 9:30 - 12:00 Noon

MINUTES OF PROCEEDINGS

Presiding Judge  
 Clerk of Court  
 Stenographer  
 Interpreter

-  
-  
-  
!

Hon. Eusebio F. Ramos  
 Atty. Apolo T. Trio  
 Mr. Domingo Mabutas  
 Mr. Eliseo Clivio

APPEARANCES

Provincial Fiscal  
 Atty. Romeo L. Mabayan  
 Atty. Jesus V. Ableda  
 Atty. Teodoro P. Malabanan  
 Atty. Tranquilino Tividad  
 Atty. Alfredo T. Tejada  
 Atty. Rizalino Cusi

Provincial Fiscal - JURISDICTIONAL EVIDENCE

EXHIBITS -	"A"	-	Application
"	"B"	-	Claim of Director of Lands
"	"C"	-	Letter of D. of Land To Sec.
"	"D"	-	Boundary & Index Map
"	"D-1"	-	Boundary & Index Map
"	"D-2"	-	<del>Cadastral Plan</del>
"	"E"	-	Cadastral Plan
"	"F"	-	Cad. Plan CM 13°03' - 120°43'E
"	"G"	-	Cadastral Plan
"	"H"	-	" "
"	"I"	-	" "
"	"J"	-	" "
"	"K"	-	" "
"	"L"	-	" "
"	"M"	-	" "
"	"N"	-	" "
"	"O"	-	" "
"	"P"	-	" "
"	"Q"	-	" "
"	"R"	-	" "
"	"S"	-	" "
"	"T"	-	" "
"	"U"	-	" "
"	"V"	-	" "
"	"W"	-	" "

<sup>1</sup> Submitted before this Honorable Court on January 11, 2022, Pages 345-348 of the Records of Lot 1305.



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EXHIBIT -	"X"	-	Cadastral Plan
"	"Y"	-	"
"	"Z"	-	"
"	"AA"	-	"
"	"BB"	-	"
"	"CC"	-	"
"	"DD"	-	"
"	"EE"	-	"
"	"FF"	-	"
"	"GG"	-	"
"	"HH"	-	"
"	"II"	-	"
"	"JJ"	-	"
"	"KK"	-	"
"	"LL"	-	"
"	"MM"	-	Surveyor's Certificate p. 7;
"	"NN"	-	Tech. Description p. 8-15;
"	"OO"	-	List of Adj. owners p. 16;
"	"PP"	-	Numerical list of Claims p. 53-76;
"	"QQ"	-	Alphabetical List of Claimant p. 53-76;
"	"RR"	-	Certificate of Publication p. 83;
"	"SS"	-	Notice of Initial hearing p. 85-86;
"	"TT"	-	Cert. of Posting by Sheriff

Attys. appearing all no objection.

Chief of Police of Sta. Cruz, to testify as to notice to the claimants.

TEODORO MALABANAN, 32 yrs. of age, single, Chief of Police of Sta. Cruz, Occ. Mindoro.

Prov. Fiscal - examines the witness.

Exhibits "UU" - Return of service for Feb. 29/60 3 pages.  
"VV" - Notice of Hearing;  
"WW" - Lot descriptions consisting of 79 pages.  
(Not objected - Court admitted)

### **PRAYER**

**WHEREFORE**, premises considered, it is most respectfully prayed that an Order be issued allowing herein Claimants to adopt the above-mentioned Minutes of the Proceedings and marked documents therein during the February 29, 1960 Hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240, and to form part of the Claimants' exhibits.

May herein Claimants request for the last time additional thirty (30) days to submit their Memorandum from receipt of the Honorable Court's Order with respect to the instant motion.

The award of other reliefs that this Honorable Court may deem just and equitable under the circumstances is likewise prayed for.

May 13, 2023, Mamburao for Sta. Cruz, Occidental Mindoro.

  
**KATHRINE ANN ASILO ABELEDA**  
*Counsel for the Claimants*

Roll No. 59624

MCLE No. VII - 0021010 valid until 04/14/2025

IBP No. 274990 – 2023, Occidental Mindoro  
PTR No. 3243364 – 2023, Occidental Mindoro  
17 San Jose St. Brgy. 7 Mamburao, Occ. Mindoro 5106  
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Email address: kateasilo@gmail.com

Copy furnished:

**ATTY. GANDHI G. GAGNI-FLORES**

Attorney V/Chief, Legal Division

**ATTY. JOSEPH D. DELOS SANTOS**

Attorney IV/Assistant Division Chief

Department of Environment and Natural Resources

MIMAROPA Region – Legal Division

1515 L&S Building, Roxas Boulevard

1000 Ermita, Manila

**EXPLANATION**

Service of this Motion upon the counsels of the DENR is by registered and electronic mail instead of personal service because of distance and lack of messengerial aide to make personal service.

  
**KATHRINE ANN ASILO ABELEDA**



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
FOURTH JUDICIAL REGION  
MUNICIPAL TRIAL COURT  
STA. CRUZ, OCCIDENTAL MINDORO

**THE DIRECTOR OF LANDS,**  
Petitioner,

-versus-

Cadastral Case No. N-6  
LRC Record No. N-240

**LOT 191 and 198, both of Csd-04-  
016621-D, Lot 4 Pls-22 (Part)  
Poblacion 2, Sta. Cruz, Occidental  
Mindoro**

**MANUEL E. GANALON,**  
Claimant,

X-----X

**MOTION**

**(To Supplement the Formal Offer of Evidence for the Heirs of  
Manuel E. Ganalon, represented by Madonna R. Ganalon)**

**Heirs of Manuel E. Ganalon, represented by Madonna R. Ganalon,** by counsel and to this Honorable Court, respectfully state that:

1. Per Order dated May 10, 2023, the Honorable Court granted herein Claimants' Motion for Extension of Time to Submit Memoranda, and that is thirty (30) days from April 13, 2023. The Claimants have until May 13, 2023, Saturday, or on May 15, 2023 being its next working day to comply with the said order. Within the allowable period to submit Memorandum, the instant Motion is filed.
2. In the preparation of the above-required Memorandum, Claimants deemed it vital to manifest and adopt first the "Minutes of the Proceedings" containing the documents marked during the February 29, 1960 hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240. Such adoption is to prove the jurisdictional facts of the present cadastral case for the purpose of adjudicating in favor of the Heirs of Manuel E. Ganalon, herein represented by Madonna R. Ganalon, the subject parcels of land identified as Lot 191 of the subdivision plan Csd-04-016621-D, being a portion of Lot 4, Pls-22 with an area of Six Thousand Four Hundred Thirty Three (6,433) Square Meters, and Lot 198 of the subdivision plan Csd-04-016621-D, being a portion of Lot 4, Pls-22 with an area of Three Thousand One Hundred Thirty Seven (3,137) Square Meters.





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EXHIBIT -	"X"	-	Cadastral Plan
"	"Y"	-	"
"	"Z"	-	"
"	"AA"	-	"
"	"BB"	-	"
"	"CC"	-	"
"	"DD"	-	"
"	"EE"	-	"
"	"FF"	-	"
"	"GG"	-	"
"	"HH"	-	"
"	"II"	-	"
"	"JJ"	-	"
"	"KK"	-	"
"	"LL"	-	"
"	"MM"	-	Surveyor's certificate p. 7;
"	"NN"	-	Tech. Description p. 8-15;
"	"OO"	-	List of Adj. owners p. 16;
"	"PP"	-	Numerical list of Claims p. 53-76;
"	"QQ"	-	Alphabetical List of Claimant p. 53-76;
"	"RR"	-	Certificate of Publication p. 83;
"	"SS"	-	Notice of Initial hearing p. 85 - 86;
"	"TT"	-	Cert. of Posting by Sheriff

Attys. appearing all no objection.

Chief of Police of Sta. Cruz, to testify as to notice to the claimants.

TEODORO MALABANAN, 32 yrs. of age, single, Chief of Police of Sta. Cruz, Occ. Mindoro.

Prov. Fiscal - examines the witness.

Exhibits "UU" - Return of service for Feb. 29/60 3 pages.  
"VV" - Notice of Hearing;  
"WW" - Lot descriptions consisting of 79 pages.  
(Not objected - Court admitted)

5. The Tax Declaration of Efefania Flores<sup>2</sup> marked as **"Exhibit N"** and which was identified by Municipal Assessor Redentor Paguagan during the October 8, 2021 hearing was inadvertently not included in the Claimants' Formal Offer of Evidence. Thus, it is prayed before this Honorable Court that the said Exhibit be admitted to form part of the evidence of the Claimants for the purpose of proving their tacked possession with their predecessor-in-interest Efefania Flores, and to form part of the testimony of Municipal Assessor Redentor Paguagan.
6. In addition thereto, the Answer<sup>3</sup> of then claimant Manuel E. Ganalon submitted before this Honorable Court on May 31, 2013, together with its attached documents<sup>4</sup> are hereby requested to be admitted as part of the Claimants' **"Exhibits O, O-1 and series"** for the purpose of establishing the claim over Lot 191 and 198 of the subdivision plan Csd-04-016621-D, being a portion of Lot 4, Pls-22, of herein Claimants and the jurisdictional facts of this case.

### PRAYER

**WHEREFORE**, premises considered, it is most respectfully prayed that an Order be issued allowing herein Claimants to adopt the above-

<sup>2</sup> Page 357 of Lot 198 Folder.

<sup>3</sup> Pages 1-7 of Lot 198 Folder.

<sup>4</sup> Pages 8-29 of Lot 198 Folder.



mentioned Minutes of the Proceedings and marked documents therein during the February 29, 1960 Hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240, and to form part of the Claimants' exhibits; and to admit the Tax Declaration of Efefania Flores as Claimants' "Exhibit N" and the Answer of then claimant Manuel E. Ganalon, together with its attached documents as Claimants' "Exhibits O, O-1 and series".

May herein Claimants request for the last time additional thirty (30) days to submit their Memorandum from receipt of the Honorable Court's Order with respect to the instant motion.

The award of other reliefs that this Honorable Court may deem just and equitable under the circumstances is likewise prayed for.

May 13, 2023, Mamburao for Sta. Cruz, Occidental Mindoro.

  
**KATHRINE ANN ASILO ABELEDA**

*Counsel for the Claimants*

Roll No. 59624

MCLE No. VII – 0021010 valid until 04/14/2025

IBP No. 274990 – 2023, Occidental Mindoro

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Attorney V/Chief, Legal Division

**ATTY. JOSEPH D. DELOS SANTOS**

Attorney IV/Assistant Division Chief

Department of Environment and Natural Resources

MIMAROPA Region – Legal Division

1515 L&S Building, Roxas Boulevard

1000 Ermita, Manila

### **EXPLANATION**

Service of this Motion upon the counsels of the DENR is by registered and electronic mail instead of personal service because of distance and lack of messengerial aide to make personal service.

  
**KATHRINE ANN ASILO ABELEDA**

REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
FOURTH JUDICIAL REGION  
MUNICIPAL TRIAL COURT  
STA. CRUZ, OCCIDENTAL MINDORO

**THE DIRECTOR OF LANDS,**  
Petitioner,

-versus-

Cadastral Case No. N-6  
LRC Record No. N-240

**LOT NO. 1306, PLS-22  
SAN VICENTE, STA. CRUZ, OCC.  
MINDORO**

**HEIRS OF JOSE FERNANDEZ, SR.,**  
**Represented by: JOSE FERNANDEZ, JR.,**  
Claimants.

X - - - - - X

**MOTION**

**(To Supplement the Formal Offer of Evidence for the Heirs of  
Jose Fernandez Sr.)**

**Heirs of Jose Fernandez, Sr., represented by Jose Fernandez, Jr.,** by counsel and to this Honorable Court, respectfully state that:

1. Per Order dated May 10, 2023, the Honorable Court granted herein Claimants' Motion for Extension of Time to Submit Memoranda, and that is thirty (30) days from April 13, 2023. The Claimants have until May 13, 2023, Saturday, or on May 15, 2023 being its next working day to comply with the said order. Within the allowable period to submit Memorandum, the instant Motion is filed.
2. In the preparation of the above-required Memorandum, Claimants deemed it vital to manifest and adopt first the "Minutes of the Proceedings" containing the documents marked during the February 29, 1960 hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240. Such adoption is to prove the jurisdictional facts of the present cadastral case for the purpose of adjudicating in favor of the Heirs of Jose Fernandez Sr., herein represented by Jose Fernandez Jr., the subject land identified as Lot 1306-B, Csd-4A-002800, with an area of Twenty Six Thousand Nine Hundred Seventy One (26,971) Square Meters.







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EXHIBIT -	"X"	-	Cadastral Plan
"	"Y"	-	"
"	"Z"	-	"
"	"AA"	-	"
"	"BB"	-	"
"	"CC"	-	"
"	"DD"	-	"
"	"EE"	-	"
"	"FF"	-	"
"	"GG"	-	"
"	"HH"	-	"
"	"II"	-	"
"	"JJ"	-	"
"	"KK"	-	"
"	"LL"	-	"
"	"MM"	-	Surveyor's Certificate p. 7;
"	"NN"	-	Tech. Description p. 8-15;
"	"OO"	-	List of Adj. owners p. 16;
"	"PP"	-	Numerical list of Claims p. 53 - 76;
"	"QQ"	-	Alphabetical list of Claimant p. 53-76;
"	"RR"	-	Certificate of Publication p. 83;
"	"SS"	-	Notice of Initial hearing p. 85 - 86;
"	"TT"	-	Cert. of Felling by Sheriff

Attys. appearing all no objection.

Chief of Police of Sta. Cruz, to testify as to notice to the claimants.

TEODORO MALABANAN, 32 yrs. of age, single, Chief of Police of Sta. Cruz, Occ. Mindoro.

Prov. Fiscal - examines the witness.

Exhibits "UU" - Return of service for Feb. 29/60 3 pages.  
" " "VV" - Notice of Hearing;  
" " "WW" - Lot descriptions consisting of 79 pages.  
(Not objected - Court admitted)

### **PRAYER**

**WHEREFORE**, premises considered, it is most respectfully prayed that an Order be issued allowing herein Claimants to adopt the above-mentioned Minutes of the Proceedings and marked documents therein during the February 29, 1960 Hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240, and to form part of the Claimants' exhibits.

May herein Claimants request for the last time additional thirty (30) days to submit their Memorandum from receipt of the Honorable Court's Order with respect to the instant motion.

The award of other reliefs that this Honorable Court may deem just and equitable under the circumstances is likewise prayed for.

May 13, 2023, Mamburao for Sta. Cruz, Occidental Mindoro.

  
**KATHRINE ANN ASILO ABELEDA**  
*Counsel for the Claimants*

Roll No. 59624

MCLE No. VII - 0021010 valid until 04/14/2025

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**ATTY. GANDHI G. GAGNI-FLORES**

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**ATTY. JOSEPH D. DELOS SANTOS**

Attorney IV/Assistant Division Chief

Department of Environment and Natural Resources

MIMAROPA Region – Legal Division

1515 L&S Building, Roxas Boulevard

1000 Ermita, Manila

**EXPLANATION**

Service of this Motion upon the counsels of the DENR is by registered and electronic mail instead of personal service because of distance and lack of messengerial aide to make personal service.

  
**KATHRINE ANN ASILO ABELEDA**





365  
281

EXHIBIT -	"X"	-	Cadastral Plan
"	"Y"	-	" "
"	"Z"	-	" "
"	"AA"	-	" "
"	"BB"	-	" "
"	"CC"	-	" "
"	"DD"	-	" "
"	"EE"	-	" "
"	"FF"	-	" "
"	"GG"	-	" "
"	"HH"	-	" "
"	"II"	-	" "
"	"JJ"	-	" "
"	"KK"	-	" "
"	"LL"	-	" "
"	"MM"	-	Surveyor's certificate p. 7;
"	"NN"	-	Tech. Description p. 8-15;
"	"OO"	-	List of Adj. owners p. 16;
"	"PP"	-	Numerical list of Clans p. 53 - 76;
"	"QQ"	-	Alphabetical List of Claimant p. 53-76;
"	"RR"	-	Certificate of Publication p. 83;
"	"SS"	-	Notice of Initial hearing p. 85 - 86;
"	"TT"	-	Cert. of Polling by Sheriff

Attys. appearing all no objection.

Chief of Police of Sta. Cruz, to testify as to notice to the claimants.

TEODORO MALABANAN, 32 yrs. of age, single, Chief of Police of Sta. Cruz, Occ. Mindoro.

Prov. Fiscal - examines the witness.

Exhibits "UU" - Return of service for Feb. 29/60 3 pages.  
 " " "VV" - Notice of Hearing;  
 " " "WW" - Lot descriptions consisting of 79 pages.  
 (Not objected - Court admitted)

5. Further, Claimants pray to adopt the Exhibits of the Heirs of Jose Fernandez Sr., from whom the rights of Manuel Bakunawa over the subject property emanated, the latter being the predecessor-in-interest of herein Claimants. These documents are as follows: Exhibits C, D to D-14, H, K, and L as contained in the Formal Offer of Exhibits with Motion for Remark<sup>2</sup>. May these documents be likewise marked as **Exhibits "N, N-1 and series"** for herein Claimants. The purpose of such adoption of exhibits is to prove the tacking of possession of herein Claimants from the Heirs of Teodorica Abeleda.

### PRAYER

**WHEREFORE**, premises considered, it is most respectfully prayed that an Order be issued allowing herein Claimants to adopt the above-mentioned Minutes of the Proceedings and marked documents therein during the February 29, 1960 Hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240, as well as the above-mentioned Exhibits of the Heirs of Jose Fernandez, Sr., and to form part of the Claimants' exhibits.

<sup>2</sup> Formal Offer of Exhibits submitted on September 25, 2018, page 616-621, Vol. 1 of Lot 1306 Folder.

May herein Claimants request for the last time additional thirty (30) days to submit their Memorandum from receipt of the Honorable Court's Order with respect to the instant motion.

The award of other reliefs that this Honorable Court may deem just and equitable under the circumstances is likewise prayed for.

May 13, 2023, Mamburao for Sta. Cruz, Occidental Mindoro.

  
**KATHRINE ANN ASILO ABELEDA**

*Counsel for the Claimants*

Roll No. 59624

MCLE No. VII – 0021010 valid until 04/14/2025

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#### **EXPLANATION**

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**KATHRINE ANN ASILO ABELEDA**