

March 24, 2023

RED Lornelyn F. Claudio
DENR - MIMAROPA

DENR MIMAROPA RECORDS SECTION RECEIVED	
MAR 24 2023	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY: _____	DATE NO. _____
TIME: 2:pm	

Attn:

ARD Maximo C. Landrito
ARD for Technical Services

Madam:

Attached herewith is the history of claim of ownership and other relevant documents pertaining to the parcel of land in Boac, Marinduque with an approved survey plan MT-04-000001 and stated therein that it is a Municipal Reservation for Municipality of Boac, Marinduque.

In this regard, and considering that as stated therein that it is a Municipal Reservation I would like to respectfully inquire if the said parcel of land were already issued a proclamation for the Municipality of Boac.

Hoping for your kind consideration

Thank you very much and more power

Very Truly Yours
Ricardo J. Nolas
Municipal Atty

History of Claim of Ownership

The subject of claim of ownership of the Municipal Government of Boac is the parcel of land that was formerly a portion of dried Boac Riverbed and located in Brgy. Murallon – Brgy. San Miguel, Poblacion, Boac, Marinduque.

On October 10, 1984, in accordance with the survey order of the Regional Land Director in compliance with the directive of Assistant Director Narciso V. Villapando as contained in a letter indorsement dated January 16, 1984 (as annotated in the approved survey plan – Mr. – 04-000001) Geodetic Engineer Teodoro Marquez had conducted land survey over the subject parcel of land having an area of 43, 144 square meters. On May 14, 1985, Regional Director Rodolfo A. Paelmo of the Bureau of Lands-Ministry of Natural Resources approved its survey plan, wherein it is stated therein that it is surveyed in favor of the Municipality of Boac as Municipal Renovation.

It is also stated therein that the subject parcel of land is identified as Lot 22172 and an additional lot of CADASTRAL 544-D, Boac Cadastre and inside alienable and disposable area as per property no. 1 Blk. 1, map No. 789 certified on November 28, 1928.

The history of claim of the Municipal Government of Boac over the subject parcel of land dates back as early as 1983, through Kapasiyahan blg. 22-83 and 19-84 (see attached copy) issued by the Sangguniang Bayan of Boac which might be the rationale for the issuance of survey authority by the Regional Land Director and for the approval of the survey plan as Municipal Reservation for the Municipality of Boac on May 14, 1985.

On March 11, 1996, the Sangguniang Bayan of Boac approved Municipal Ordinance No. 95-037 An ordinance designating the eastern portion of the Boac River Bed (right side of the New Riverside Bridge) as part of Central Parking areas for public utility vehicles.

Through A Memorandum of Agreement dated October 24, 2013 the Municipality of Boac as first party has allowed on the subject land the second party to used and utilized an area specifically located on the western portion of the road leading to Barangay Tabi situated at Brgy. Murallon, Boac, Marinduque as site of the proposed Marinduque Recreational Center And Sports Arena for twenty five (25) years and maybe renewed for another 25 years after which the ownership of the facility shall be subsequently turned over to second party (see attached copy).

Upon issuance of DENR Administrative Order No. 2016 -21 Sec. 7.3 or the Guidelines "Governing the Processing of Requests for Proclamations And Issuance of Special Patents over Agricultural Lands relative to Section 4 of Republic Act 10023 or " An Act Authority the issuance of free patent to Residential Land " the Municipality of Boac applied for Special Patent title the subject parcel of land to DENR – PENRO (Marinduque) on May 26, 2017 for the issuance of special patent title (see attached copy).

Also attached are the letters inquiring the status of the application for the issuance of special patent title over the said parcel of land and the opposition to the request of Honorable Carmencita Reyes to apply for tenurial instrument the subject area based on the survey order issued by then Asst. Regional Director Vicente B. Tuddoro Jr. including the letter of OIC – PENR officer for a conference between the Municipal Government of Boac and Provincial Government of Marinduque regarding the subject parcel of land.

According to Section 8.3.6 of the same DENR Administrative Order only opposition based on a Certificate of Title duly issued to the oppositors over the same parcel of land shall be given due course. The CENR Office shall refrain from entertaining oppositions based on frivolous claims.


ARMI DC. CARRION
MUNICIPAL MAYOR

Republika ng Philipinas
Lalawigan ng Marikudo
BOAC

TANGGAPAN NG SANGGUNIANG BAYAN

HALAL SA KATITIKAN NG PANGKALANG PUNONG NG SANGGUNIANG BAYAN
NG BOAC NA GINANAP NOONG IKA-3 NG HUNYO, 1983 SA TANGGAPAN NG
PUNONG BAYAN, KAPTAN PIROGO MANSIYON, BOAC, MARIKUDUQUE.

NGA. DENALO:

Kap. Punong Bayan Remedios R. Pestin
Kap. Pang. Punong Bayan Rogelio G. Lora, M.D.
Kap. Kpl. Asencion M. Sampa
Kap. Kpl. Alfredo M. Lando
Kap. Kpl. Dante J. Marques
Kap. Kpl. Celestino M. Manique
Kap. Kpl. Eugenio M. Jandusay
Kap. Kpl. Antonio E. Barroto
Kap. Kpl. Benjamin L. Fandellado
Kap. Kpl. Sison L. Jao
Kap. Kpl. Conchita M. Solomon

LIBRO:

V a l e

KAPASITYAHAN DIA. 22-83

SABAGA'T, ang yunggas ng ilog dito sa bayan ng Bosa ay
tatambakan (Reclamation) upang lalong napakinabangan ng bayan
at ng mga mamamayan;

SABAGA'T, isa sa mga layunin ng ating Bagong Lihim ay
ang makaroon ng mga natatagpuan ng mamamayan sa pamamagitan ng pa-
lakasan (physical fitness);

SABAGA'T, sa poblasyon ng Bosa ay wala ng lugar upang
pagtaman ng isang gusaling para sa palakasan (Sports Complex);

BAHIL BITO, sa mungkahi ni Kpl. Sison L. Jao na sinung-
ayman ni Kpl. Antonio E. Barroto, ang mga kagawad ay;

MAKASAYA, balad ng dito'y ipinasiya na idaklaran itong
pag-aari ng Bayan ng Bosa at dito itatayo ang isang "Sports
Complex", sa isang bahagi ng tatambakang yunggas ng Ilog Bosa
upang magamit sa mga pakikang pampalakasan, mga palatuntunang
pangkultura, at iba pa;

IPINASIYA NA BIL, na ang ibang bahagi ng tatambakang
yunggas ay ipinaghi/ipagbili sa mga taong naka makaroon ng
lata dito sa kabayanan ng Bosa;

IPINASIYA SA WALAS, na bigyan ng aipi ng kapasityahan
ito ang Ministry of Natural Resources, Ministry of Agrarian Re-
form, Bureau of Lands, Ministry of Public Works & Highways at
ang mga ng Balagada Carmelita C. Reyes para sa kaniyang ka-
labasan.

IPINAGHIYAY.

Pinatutanayon ho ang kasabutan ng kapasityahan ito.

APPROVED:

Remedios R. Pestin
Punong Bayan

Julita M. Nipomora
KATHARINE R. JANDUSAY
Kalihim

Certified Photocopy

KATHERINE ROSE M. JANDUSAY, MPA
Local Legislative Staff Officer I

Republika ng Pilipinas
Lalawigan ng Marinduque
BOAC

----- 0 -----

TANGGAPAN NG SANGGUNIANG BAYAN

File

HALAW SA KATITIKAN NG PANGKARANIWANG PULONG NG SANGGUNIANG
BAYAN NG BOAC NA GINANAP NOONG IKA-23 NG PEbrero, 1984 SA
TANGGAPAN NG PUNONG BAYAN, BOAC, MARINDUQUE.

NGA DUMAIO:

Kgg. Remedios R. Festin	-----	Punong Bayan, Mangungulo
Kgg. Rogelio C. Leva, M.D.	-----	Pang. Punong Bayan
Kgg. Asuncion N. Ocampo	-----	Kagawad
Kgg. Alfredo N. Leño	-----	"
Kgg. Dante J. Marques	-----	"
Kgg. Celestino M. Manrique	-----	"
Kgg. Eugenio M. Jandusay	-----	"
Kgg. Antonio E. Barrero	-----	"
Kgg. Benjamin L. Mondofredo	-----	"
Kgg. Edgardo T. Macapugay	-----	"
Kgg. Sison L. Jao	-----	"
Kgg. Conchita M. Solomon	-----	"

LITAN:

W a l a

KAPASIYAHAN BIG. 19-84

ISANG KAPASIYAHANG INTIALAAN ANG
TINAMBakang YANGGAS NG BOAC PARA
SA ISANG LIWASAN/PARKE.

SAPAKKA'T, ang yanggas ng ilog ng Boac, na noong
unang mga panahon ay parte ng bayan ng Boac na kinain ng
tubig kapag bumabaha, na ibinabalik sa dating kalagayan,
sa pamamagitan ng pagtatambak (reclamation), ay malapit
nang matapos;

SAPAKKA'T, ang lugar na ito ay siyang pinagdarensan
ng pagtatanghal ng kulturang kinagisnaan ng mga taga Marindu-
que, ang Pagutan ng mga Moryon, kung panahon ng Mahal na
Araw;

SAPAKKA'T, ang lugar na nabanggit ay angkop sa isang
liwasan/Parke, kung saan maaaring mamasyal at maglibang ang
mga tao, lalo na ang mga dayuhang turista;

DAHIL DITO, sa mungkahi ni Kgd. Alfredo N. Leño na
pinangalawahan ni Kgd. Antonio E. Barrero, ang mga Kagawad
ng Sangguniang Bayan ng Boac ay;

NAGPASIYA, tulad nang dito'y ipinasiya, na ang
ibinalik/isinaayos na yanggas ng ilog Boac ay italaga para
sa isang Liwasan/Parke at doon itatayo ang permanenteng en-
tablado para sa mga aktibidad na ukol sa pagdiriwang ng
Mahal na Araw dito sa bayan ng Boac.

IPINASIYA SA WAKAS, na padalhan ng sipi ng kapasiya-
hang ito ang Kgg. Carmencita O. Reyes, Kinatawan ng Marindu-
que, Kgg. Aristeo M. Lecaros, Gobernador, ang Pampurok na

Certified Photocopy

KATHERINE ROSE JANDUSAY, MPA
Local Legislative Staff Officer I

Inhenyero, Domingo M. Gonzales, at si G. Ernesto Bolivar ng Bureau of Lands, para sa kanilang kaalaman at kaukulang pagsang-ayon at pagpapahalaga.

PINAGTIRAY.

Pinatutunayan ko ang kawastuhan ng kapasilyahang ito.

Julita M. Neomuen
JULIETA M. NEOMUENO
SS Kalihin

PATOTOO:

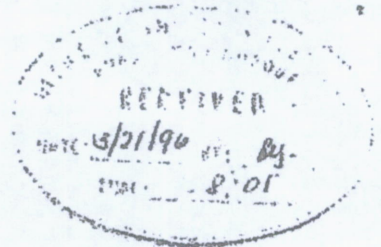
Remedios R. Festin
REMEDIOS R. FESTIN
Punong Bayan

/s/

Certified Photocopy

Katherine Rose M. Mandusay
KATHERINE ROSE M. MANDUSAY, MPA
Local Legislative Staff Officer I

Republic of the Philippines
Province of Marinduque
Municipality of Boac
*** O ***
OFFICE OF THE SANGGUNIAN BAYAN



EXCERPTS FROM THE MINUTES
10TH Regular Session
March 11, 1996 - 9:00 a. m.
ABC Hall - Municipal Building

PRESENT:

Hon. Dante J. Marquez	-----	Vice Mayor and Pres. Officer
Hon. Luisito M. Majaba	-----	Councilor
Hon. Meynardo B. Solomon	-----	Councilor
Hon. Severino N. Mascareñas, Jr.	-----	Councilor
Hon. Sergio O. Montemar	-----	Councilor
Hon. Asuncion N. Ocampo	-----	Councilor
Hon. Alda J. Mariposque	-----	Councilor
Hon. Violeta J. Luarda	-----	Councilor
Hon. Gloria E. Opis	-----	Councilor
Hon. Romeo N. Parreño	-----	Councilor
Hon. Leodegario M. Jalos Jr.	-----	Councilor

ORDINANCE NO. 95-037

AN ORDINANCE DESIGNATING THE CENTRAL PARKING AREAS FOR PUBLIC UTILITY VEHICLES, PRESCRIBING RULES, IMPOSING FEES FOR THE USE THEREOF AND FOR OTHER PURPOSES.

Be it ordained by the Sangguniang Bayan of Boac, Marinduque that:

SECTION 1. DECLARATION OF POLICY. The volume of vehicles plying the municipality of Boac poses a major threat on the Government's vision of building an environment conducive to the growth of economic activities within its heart. Clogging/congestions of main thoroughfares have become more visible during the past years and the LGU has to step in to affirm its commitment of providing a sustainable scheme for orderliness which is a pre-condition to progress. It is therefore, the outstanding duty of the Municipal Government to explore all conceivable means to declog the center of the town of excess vehicles and contain them in a central area away from the business center.

SECTION 2. DEFINITION OF TERMS. For the purpose of this ordinance, the terms used herein are defined as follows:-

1. Public Utility Vehicles /PUV/- vehicles plying within the jurisdiction of Boac, Marinduque, notwithstanding its point of origin, providing transport services for a fee either for passengers or cargo. For distinction, PUVs are herein classified as:

- A. PUV- this includes all passenger jitneys regardless of size and capacity.
- B. Delivery vans include vehicles used for deliveries of goods, commodities, other consumer products and other light cargoes not herein enumerated.

Asuncion N. Ocampo *[Signature]*

C. Trucks and Buses include all vehicles within the description of heavy vehicles but not limited to six wheelers, eight wheelers, ten wheelers and trailers.

2. Excess PUV - shall be understood as PUVs which can no longer be contained or accommodated in the regular parking areas and PUVs classified b & C under section 2.1 hereof which by reason of their size and load hampers the flow of traffic resulting to clogged streets.
3. Regular parking Areas - is hereby defined and shall mean as the site/place/area previously designated under ordinance no.
4. Peak hours - as used herein, shall mean from 6:00 o'clock a.m. to 6:00 p.m., Mondays thru Sundays.

SECTION 3. The following areas are hereby designated as Central parking Areas for PUVs.

a. The eastern portion of the Boac Riverbed, right side of the New Riverside Bridge for excess vehicles falling under the classification A, B & C.

b. 1 de Nobiembre St. from corner Madrigal to corner Moreno St. for tricycles bound/operating in the riverside zone which are in excess of the number allowed for tricycles to park at the regular parking areas for tricycle as fixed in Section 7.5 hereof.

c. G. Nieva St. from cor. Moreno St. going to Brgy. Isok for excess tricycles bound for the Seaside Zone.

If Public interest and welfare so requires and for purposes which are of gainful economic and cultural intentions, the Sangguniang Bayan, by resolution, may temporarily lift parking designations herein and relocate parking areas for vehicles covered by this ordinance.

SECTION 4. Imposition of Fees. There is hereby imposed parking fees for the use of parking space at the central parking area at the rates prescribed hereunder.

A. Daytime Parking

Daytime parking means, the use of the space at the parking area from 5:00 a.m. to 5:00 p.m. or fraction thereof:

PUV	P	2.00	per day or fraction thereof
Private cars, jeeps	2.00	" " " "	" "
Delivery vans, 4 wheelers	3.00	" " " "	" "
" 6 wheelers	5.00	" " " "	" "
Cargo trucks 10 wheelers	6.00	" " " "	" "
Bus	6.00	" " " "	" "
Motorized tricycle	1.00	" " " "	" "

B. Night/Overnight Parking

Night or overnight parking means the use of a space at the parking area from 5:01 p.m. to 5:00 a.m. of the

following day or fraction thereof.

PUJ	P	5.00 / night or fraction thereof				
Private cars, jeeps		5.00 "	"	"	"	"
Delivery vans, 4 wheeler		7.00 "	"	"	"	"
Delivery vans, 6 wheeler		10.00 "	"	"	"	"
Cargo trucks		15.00 "	"	"	"	"
Bus		10.00 "	"	"	"	"

SECTION 5. Time and Manner of Payment. The fees imposed herein shall be paid to the Municipal Treasurer or his authorized representative at the time of parking, except for night parking which shall be paid before 5:00 o'clock in the afternoon of the day the parking space shall be used.

Cash ticket shall be issued for payment of parking fees received. Cash tickets issued shall be cancelled by writing on the back thereof the name of the payor, the date of issue and the signature of the collector.

SECTION 6. Surcharge for Late Payment. Failure to pay the fees imposed herein within the time herein required shall subject the driver to a surcharge of twenty-five percent (25%) of the original fees due, such surcharge to be paid at the same time and in the same manner as the original fee.

SECTION 7. Rules and Regulations

1. Only five (5) passenger jitneys will be allowed to park at the regular parking areas. All excess PUJs shall park at the Bpac Riverbed.

2. Delivery vans/jeeps under classification B of Section 2a shall only be allowed to unload at the properly marked and designated unloading areas and in no way shall they be allowed to stay within the poblacion after their deliveries.

3. Cargo trucks shall not be allowed to unload/load cargos during peak hours, Monday to Sunday. All cargo trucks shall park at the central parking area designated under section 3a hereof.

4. Bus/Buses after unloading passengers shall proceed to the central parking area at the space provided and properly marked for them. The same marked space/area shall be utilized as loading station for passengers.

5. (a) seventeen (17) tricycles for the riverside zone shall be allowed to park at Moreno St., from corner Madla's store to police outpost and from corner Magsaysay St., Jr Pharmacy up to corner T. Del Mundo st. Excess thereof shall immediately proceed to the central station designated in section 3 (b) of this ordinance.

(b) twelve (12) tricycles for the seaside zone shall be allowed to park at the regular parking area and excess thereof shall park at the central parking station designated in section 3 (c) hereof.

(c) five (5) tricycles each for Poras, Lupac,

Tabigue and Poras, Balogo, Pili shall be allowed to park at their regular parking station and excess thereof shall park at the riverbed.

SECTION 8. Duties of the Municipal Engineer's Office.

1. to install all signages for designated unloading areas under strict observance of corner to corner clearance.

2. assign separate and distinct parking spaces for passenger jitneys according to point of destination and for trucks, buses and delivery vans at the central parking station.

3. initiate proper plans/designs for continuous maintenance and improvement of the central parking areas giving particular attention/concern on orderliness, hygiene, security and lighting.

SECTION 9. Promulgation of Implementing Rules. The Philippine National Police, Boac Police Command shall after ten (10) days from the date of approval of this ordinance, promulgate the necessary rules and regulations, implementing to the letter, the provisions of this ordinance.

SECTION 10. Prohibition. Parking of vehicles outside of the parking areas herein designated, except as otherwise provide in this ordinance is strictly prohibited.

SECTION 11 PENALTY. each violation of any provision of this ordinance shall upon conviction be punished by a fine of not less than one thousand pesos (P 1,000.00) but not more than five thousand pesos (P5,000.00) or by imprisonment of not less than one (1) month nor more than six (6) months or both fine and imprisonment at the discretion of the court.

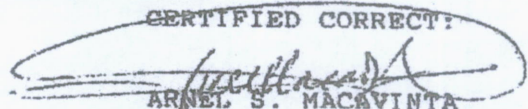
SECTION 12. REPEALING CLAUSE. any ordinance or part or parts thereof which is or are inconsistent with any provision of this ordinance are hereby repealed and modified accordingly.

SECTION 13. SEPARABILITY CLAUSE. If, for any reason or reasons, any part or parts of this ordinance shall be held to be inconsistent with law or invalid, other part or parts hereof which are not affected shall continue to be in full force and effect.


SECTION 14. EFFECTIVITY. this ordinance shall take effect ten (10) days after its publication as mandated in sections 59 and 511 of the LGC and article 114 of the LGC, IRR.

APPROVED. March 11, 1996.

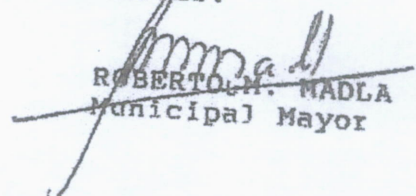
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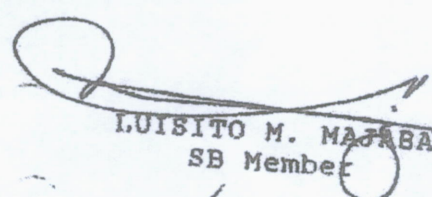

ARNEL S. MACAVINTA
Secretary to the Sangguniang Bayan


ATTESTED & CERTIFIED
TO HAVE BEEN DULLY ENACTED:

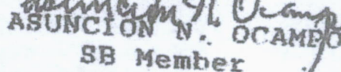

DANTE J. MARQUEZ
Vice Mayor & Presiding Officer

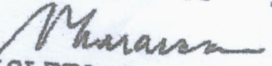
APPROVED:

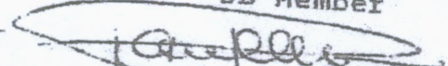

ROBERTO H. MADLA
Municipal Mayor

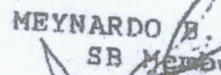

LUISITO M. MASABA
SB Member

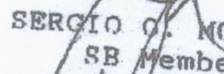

SEVERINO N. MASCARENAS, JR.
SB Member

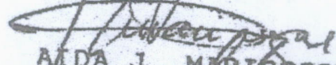

ASUNCION N. OCAMPO
SB Member


VIOLETA J. LUARCA
SB Member

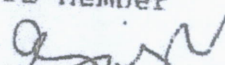

ROMEO N. PARRENO
SB Member


MEYNARDO B. SOLOMON
SB Member


SERGIO O. MONTEMAR
SB Member


AIDA J. MARIÑOSQUE
SB Member


GLORIA E. OPIS
SB Member


LEODEGARIO M. JALOS, JR.
SB Member

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This **MEMORANDUM OF AGREEMENT** is made and entered into this October 3, 2013 by and between:

The **PROVINCE OF MARINDUQUE** with official address at the Capitol Compound, Barangay Bangbangalon, Boac, Marinduque herein represented by the Provincial Governor, Honorable **CARMENCITA O. REYES**, hereinafter referred to as the "**FIRST PARTY**";

and

The **MUNICIPALITY OF BOAC**, with official address at the Municipal Hall, Barangay Isok 1, Boac, Marinduque herein represented by the Municipal Mayor, Honorable **ROBERTO M. MADLA**, hereinafter referred to as the "**SECOND PARTY**"

WITNESSETH:

WHEREAS, both the **FIRST PARTY** and the **SECOND PARTY** are legitimate and existing Local Government Units (LGUs) in relation and in pursuant to the existing laws and the 1987 Philippine Constitution;

WHEREAS, that the parcel of land is a Municipal Reservation based on the approved survey plan in favour of the Municipality of Boac issued on May 14, 1985 by the Regional Director of Bureau of Lands-Region IV, Ministry of Natural Resources, with the following technical descriptions:

"A parcel of Land(as shown on plan(Municipal Reservation) Mr-04-000001, LRC Rec. No.), situated at Poblacion, Municipality of Boac, Province of Marinduque, Island of Marinduque. Bounded on the S, along line 1-2 by lot 211, along line 2-3 by lot 212, on the SE, along line 3-4 by lot 215, along line 4-5 by lot 216, along line 5-6 by lot 217, all of Cad. 544-D, Boac, Marinduque, along line 6-7 by Road; along line 7-8 by lot 218, along line 8-9 by lot 224, both of Cad. 544-D, Boac, Marinduque, along 9-10 by Road; along line 10-11 by lot 225, along line 11-12 by lot 230, both Cad 544-D, Boac, Marinduque, along 12-13 by Road, along line 13-14 by lot 231, along line 14-15-16 by lot 234, along line 16-17 by lot 226, all of Cad. 544-D, Boac, Marinduque, on the SW, along line 17-18 by National Road

Beginning at a point marked "1" on plan being N 32 deg 18' E, 163.30m from BLLM, Cad 544-D, Boac, Marinduque

thence N. 88 deg 09'W.,	25.49 m to point 2;
thence S. 89 deg. 02'W.,	13.74 m to point 3;
thence S. 83 deg. 28'W.,	6.68 m to point 4;
thence S. 80 deg. 06'W.,	7.56 m to point 5;
thence S. 82 deg. 26'W.,	13.06 m to point 6;
thence S. 75 deg. 31'W.,	6.43 m to point 7;
thence S. 81 deg. 45'W.,	18.05 m to point 8;
thence S. 83 deg. 26'W.,	12.40 m to point 9;
thence S. 78 deg. 28'W.,	7.65 m to point 10;
thence S. 85 deg. 28'W.,	14.58 m to point 11;
thence S. 82 deg. 23'W.,	11.84 m to point 12;
thence S. 87 deg. 23'W.,	7.69 m to point 13;
thence S. 82 deg. 29'W.,	24.18 m to point 14;
thence S. 79 deg. 57'W.,	4.12 m to point 15;
thence N. 78 deg. 55'W.,	15.03 m to point 16;
thence S. 76 deg. 52'W.,	6.16 m to point 17;
thence N. 81 deg. 54'W.,	190.30 m to point 18;
thence N. 59 deg. 20'W.,	17.74 m to point 19;
thence N. 61 deg. 52'W.,	14.40 m to point 20;
thence N. 59 deg. 58'W.,	7.77 m to point 21;
thence N. 78 deg. 00'W.,	14.66 m to point 22;
thence N. 65 deg. 13'W.,	2.43 m to point 23;
thence N. 52 deg. 09'W.,	27.02 m to point 24;
thence N. 62 deg. 04'W.,	7.11 m to point 25;
thence N. 71 deg. 32'W.,	10.83 m to point 26;
thence N. 67 deg. 16'W.,	15.73 m to point 27;
thence N. 67 deg. 06'W.,	3.21 m to point 28;
thence N. 63 deg. 56'E.,	81.69 m to point 29;
thence N. 66 deg. 46'E.,	26.06 m to point 30;
thence N. 77 deg. 30'E.,	69.47 m to point 31;
thence S. 85 deg. 57'E.,	48.66 m to point 32;
thence S. 80 deg. 33'E.,	51.89 m to point 33;
thence S. 70 deg. 59'E.,	129.97 m to point 34;
thence S. 66 deg. 37'W.,	115.41 m to point 35;
thence S. 10 deg. 20'W.,	26.81m

to the point of beginning containing an area of FORTY THREE THOUSAND THREE HUNDRED SIXTY TWO (43,362) square meters. All points referred to are indicated on the plan and are marked on the ground by P.S. Cyl. Conc. Mons. 15x60cm; Bearings grid; date of original survey, date of survey October 10, 1984 and approved on May 14, 1985."

WHEREAS, copies of the Survey Plan approved on May 14, 1985 by the Regional Director of the Bureau of Lands- Region IV, Ministry of Natural Resources and the Technical Descriptions duly certified and found correct by the Officer-In-Charge of the Regional Survey Division, Land Management Bureau-MIMAROPA, are herewith attached and marked as Annex "A" & Annex "B" respectively;

WHEREAS, an area on the said parcel of land, specifically on the western portion of the road leading to Barangay Tabi situated at Barangay Murallon, this municipality, has been officially declared and is being utilized by the **SECOND PARTY** as its Central Parking Station by virtue of Municipal Ordinance No. 93-037, a portion within that same area has also been officially named and declared as "*Liwasan ng mga Kabataang Boakeño*" by virtue of Municipal Ordinance no. 02-077 otherwise known as the Code for Heraldic Items, Local History, Culture and the Arts of 2002 while that same area has been alternately used as the center of some sports activities in the province and in the municipality thereby emphasizing the importance of the same;

WHEREAS, the **FIRST PARTY**, in its vision of finally creating a structure/facility catering towards such goal of making the area a place for sports and recreation without neglecting the needs of the other sectors of the society particularly that of transport and youth sectors, has introduced several improvements on the same area described in the preceding clause;

WHEREAS, the **FIRST PARTY** is now willing to construct in the aforesaid area a proposed **MARINDUQUE RECREATIONAL CENTER and SPORTS ARENA** to which the **SECOND PARTY** herewith agrees for the construction of aforesaid facility based on the agreed **SITE DEVELOPMENT MASTERPLAN** which is herewith attached and marked as Annex "C";

WHEREAS, the **SECOND PARTY** sharing the goal of the **FIRST PARTY** has given its consent under the terms and conditions herein agreed and made by both parties;

WHEREAS, both parties are duly authorized by their respective Sanggunian to sign and execute the herein **MEMORANDUM OF AGREEMENT** thru appropriate resolutions;

NOW THEREFORE, for and in consideration of the foregoing premises and of the covenants and stipulations hereunder set forth and agreed, the parties do hereby agree on the following terms and conditions:

1. The **SECOND PARTY** hereby allows the use and utilization of an area specifically located on the western portion of the road leading to Barangay Tabi situated at Barangay Murallon, this municipality and as indicated on Annex "C", for the use and utilization of the **FIRST PARTY** allowing thereby the **FIRST PARTY** to construct the proposed **MARINDUQUE RECREATIONAL CENTER AND SPORTS ARENA** on the land area herein described;
2. Both parties herein acknowledge that the use and utilization of the aforesaid area as granted by the **SECOND PARTY** shall be for a period of twenty five (25) years that may be renewed for another period of twenty five (25) years after which the ownership of the facility shall be subsequently turned over to the **SECOND PARTY**;
3. That the Phase One (1) of the design and built construction of the aforesaid facility shall cover the erection of an Olympic Size Track and Field Oval and Grandstand under the budget and full expenditure of the **FIRST PARTY** pursuant to and in accordance with the general plans and specifications as agreed to by both parties which are herewith attached and marked as Annex "D";
4. The **SECOND PARTY** shall undertake to facilitate the construction of a multi-level parking at the rear portion of the grandstand in accordance with the **SITE DEVELOPMENT MASTERPLAN** as herein agreed to by both parties;
5. Both parties herein acknowledge that future enhancements and future improvements in the aforesaid facility shall be covered by the herein Memorandum of Agreement and shall be based on the agreed **SITE DEVELOPMENT MASTERPLAN** hereunto attached, otherwise, improvements and enhancements not covered by the same shall be subject to future negotiations and mutual agreement by both parties. The **Site Development Master Plan** shall be submitted by the **FIRST PARTY** for conformity of the **SECOND PARTY**.
6. The terms and conditions for the use of the facility shall be based on the following basic principles:

6.1 The management, operation, and maintenance of the Track and Field Oval shall be the responsibility of the **FIRST PARTY**;

6.2 The management, operation and maintenance of the Multi-Level Parking and the Parking Area shall be the responsibility of the **SECOND PARTY**;

6.3 The garbage collection in the area shall be the responsibility of the **SECOND PARTY**;

6.4 The **SECOND PARTY** shall be allowed to use all the facilities within the area free of charge;

6.5 That the **SECOND PARTY** shall use a portion of the sports facility as an alternate parking area until such time that the multi-level parking and the parking area described on the **Master Development Plan** have been constructed and become operational;

6.6 Income derived from the operation of the sports facilities shall be covered by subsequent policies as shall be determined by both parties.

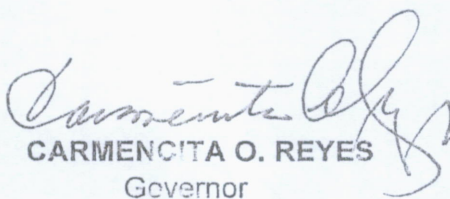
IN WITNESS WHEREOF, the parties hereto, through their respective duly authorized representatives, have hereunto set their hands on _____ at Boac, Marinduque.

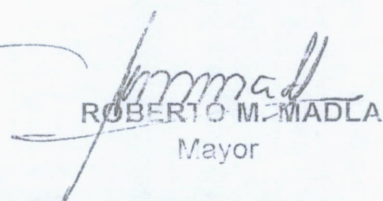
PROVINCE OF MARINDUQUE

MUNICIPALITY OF BOAC

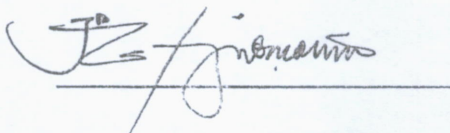
By:

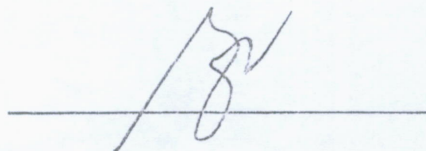
By:


CARMENCITA O. REYES
Governor


ROBERTO M. MADLA
Mayor

Signed in the presence of:





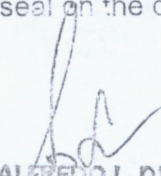
ACKNOWLEDGEMENT

Republic of the Philippines) S.S.
Province of Marinduque)

24 OCT 2013

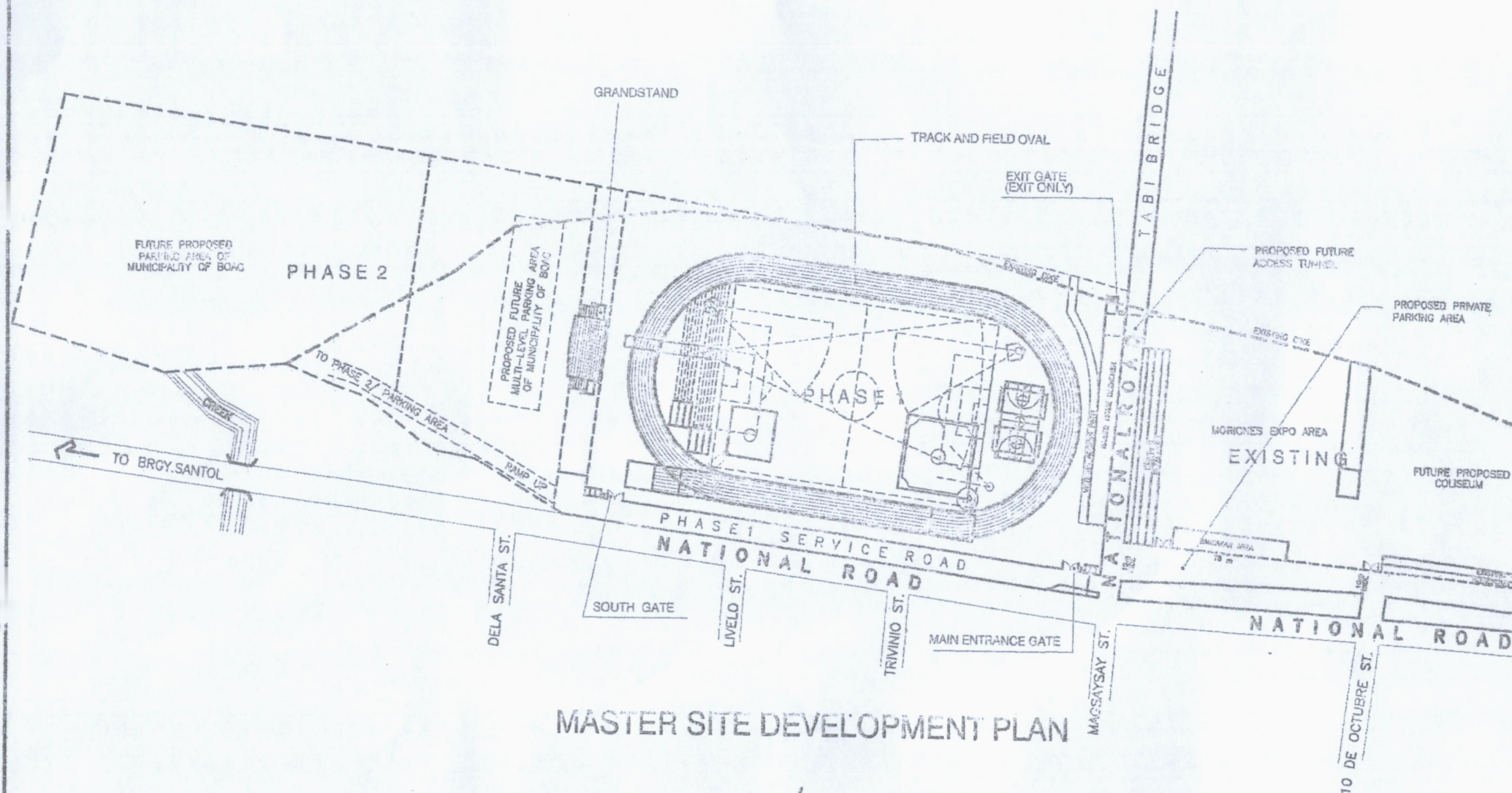
BEFORE ME, a Notary Public for the Province of Marinduque this ___ day of _____ personally appear Hon. CARMENCITA O. REYES, with residence certificate no. 339-116-28 issued in Lupac, Bac on January 15, 2013 and Hon. ROBERTO M. MADLA, with residence certificate no. 339-144-93 issued in Buliasin, Bac on February 1, 2013 known to me and to me known to be the same persons who executed the foregoing instrument and who acknowledged to me that the same are their free and voluntary acts and deeds and that of the local government units which they respectively represent.

IN WITNESS WHEREOF, I have set my hand and affixed my seal on the date and place first above-written.



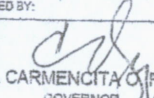
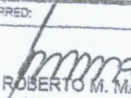

ATTY. ALFREDO L. DE LUNA
NOTARY PUBLIC
PURSUANT TO R.A. 9406

Doc. No. 4548
Page No. 13
Book No. 06
Series of 2013

mm
1/2



MASTER SITE DEVELOPMENT PLAN

DEVELOPMENT PROJECT OF:   PROVINCE OF MARINDUQUE AND MUNICIPALITY OF BOAC	PROJECT TITLE: MASTER SITE DEVELOPMENT PLAN LOCATION: BOAC RECLAIMED AREA	DRAWN & DESIGN BY: ARCHT. BIDA AARON MAGTURO REVIEWED BY: ENGR. RODOLFO LEAL, C.E. PGDR-DEO	RECOMMENDING APPROVAL: ENGR. CIRILLO S. MONILLA SR., C.E. PGDR-DEO ENGR. VICENTE A. GAROL, C.E. SE MUNICIPAL ENGINEER	APPROVED BY:  HON. CARMENCITA REYES GOVERNOR	CONCORRED:  HON. ROBERTO M. MAC MUNICIPAL MAYOR
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TECHNICAL DESCRIPTIONS

Mr-04-000001
Municipality of Boac

ANNEX "B"

A parcel of Land (as shown on plan (Municipal Reservation) Mr-04-000001, LRC Rec. No.), situated at Poblacion, Municipality of Boac, Province of Marinduque, Island of Marinduque. Bounded on the S., along line 1-2 by lot 211, along line 2-3 by lot 212, on the SE., along line 3-4 by lot 215, along line 4-5 by lot 216, along line 5-6 by lot 217, all of Cad. 544-D, Boac, Marinduque, along line 6-7 by Road, along line 7-8 by lot 218, along line 8-9 by lot 224, both of Cad. 544-D, Boac, Marinduque, along line 9-10 by Road, along line 10-11 by lot 225, along line 11-12 by lot 230, both of Cad. 544-D, Boac, Marinduque, along line 12-13 by Road, along line 13-14 by lot 231, along lines 14-15-16 by lot 234, along line 16-17 by lot 236, all of Cad. 544-D, Boac, Marinduque, on the SW., along line 17-18 by National Road (20.00 m. wide); on the SW., along line 18-19 by lot 229, along line 19-20, by lot 331, along line 20-21 by lot 338, along line 21-22 by lot 335, all of Cad. 544-D, Boac, Marinduque, along line 22-23 by Road, along line 23-24 by lot 337, along line 24-25 by lot 339, along line 25-26 by lot 340, along line 26-27 by lot 342, along line 27-28 by lot 344, all of Cad. 544-D, Boac, Marinduque; on the NW & NE., along lines 28-29—30-31-32-33-34-35 by Boac, River (Bank Protection 40.00 m, wide); and on the SE., along line 35-1 by lot 211, Cad. 544-D, Boac, Marinduque.

Beginning at a point marked "1" on plan being N. 32 deg. 18'E., 163.30 m. /
From BLLM 1, Cad. 544-D, Boac, Marinduque

thence	N. 88 deg. 09'W.,	25.49 m. to point 2;
thence	S. 89 deg. 02'W.,	13.74 m. to point 3;
thence	S. 83 deg. 28'W.,	6.68 m. to point 4;
thence	S. 80 deg. 06'W.,	7.56 m. to point 5;
thence	S. 82 deg. 26'W.,	13.06 m. to point 6;
thence	S. 75 deg. 31'W.,	6.43 m. to point 7;
thence	S. 81 deg. 45'W.,	18.05 m. to point 8;
thence	S. 83 deg. 26'W.,	12.40 m. to point 9;
thence	S. 78 deg. 28'W.,	7.65 m. to point 10;
thence	S. 85 deg. 28'W.,	14.58 m. to point 11;
thence	S. 82 deg. 23'W.,	11.84 m. to point 12;
thence	S. 87 deg. 23'W.,	7.69 m. to point 13;
thence	S. 82 deg. 29'W.,	24.18 m. to point 14;
thence	S. 79 deg. 57'W.,	4.12 m. to point 15;
thence	N. 78 deg. 55'W.,	15.03 m. to point 16;

see page 2

VERIFIED AND FOUND CORRECT:

Manila. 1-4-2011.

For the Regional Technical Director:

ROMAN C. LASPI
OTC Regional Survey Division

WME A "B"

B-1

TECHNICAL DESCRIPTIONS

MR-04-000001

Municipality of Boac

(page 2)

thence	S. 76 deg. 52'W.,	6.16 m. to point 17;
thence	N. 81 deg. 54'W.,	190.30 m. to point 18;
thence	N. 59 deg. 20'W.,	17.74 m. to point 19;
thence	N. 61 deg. 52'W.,	14.40 m. to point 20;
thence	N. 59 deg. 58'W.,	7.77 m. to point 21;
thence	N. 78 deg. 00'W.,	14.66 m. to point 22;
thence	N. 65 deg. 13'W.,	2.43 m. to point 23;
thence	N. 52 deg. 09'W.,	27.02 m. to point 24;
thence	N. 62 deg. 04'W.,	7.11 m. to point 25;
thence	N. 71 deg. 32'W.,	10.83 m. to point 26;
thence	N. 67 deg. 16'W.,	15.73 m. to point 27;
thence	N. 67 deg. 06'W.,	3.21 m. to point 28;
thence	N. 63 deg. 56'E.,	81.69 m. to point 29;
thence	N. 66 deg. 46'E.,	26.06 m. to point 30;
thence	N. 77 deg. 30'E.,	68.47 m. to point 31;
thence	S. 85 deg. 57'E.,	48.66 m. to point 32;
thence	S. 80 deg. 33'E.,	51.89 m. to point 33;
thence	S. 70 deg. 59'E.,	129.97 m. to point 34;
thence	S. 66 deg. 37'E.,	115.41 m. to point 35;
thence	S. 10 deg. 20'W.,	26.81 m. to the point of

B. ginning containing an area of FORTY THREE THOUSAND THREE HUNDRED SIXTY TWO (43,362)

Square meters. All points referred to are indicated on the plan and are marked on the ground by P.S. Cyl. Conc. Mons. 15x60cm;

Bearings grid; date of original survey;

date of survey, October 10, 1984

And approved on May 14, 1985

CERTIFIED AND FOUND CORRECT:

Manila, 1-4-2011

For the Regional Technical Director:

R. MARIN G. LEGASPI

OIC, Regional Surveys Division

Bj:

NOTE: This technical descriptions is based from the Records on file in this office as certified by the Records Officer II ALAN AZUL dated

Requested by Mayor Roberto Madla,

Verf. fee of TD paid under

OR No. 6699664

dated 1-4-2011

Researched by

Checked by

Verified by

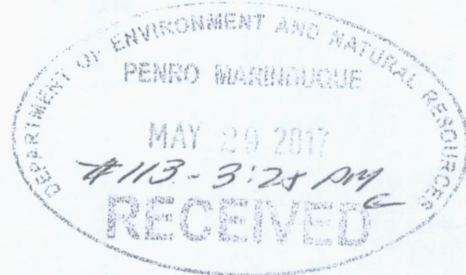


Republic of the Philippines
Province of Marinduque
Municipality of Boac

OFFICE OF THE MUNICIPAL MAYOR

May 26, 2017

MRS. IMELDA DIAZ
OIC-PENRO
Province of Marinduque



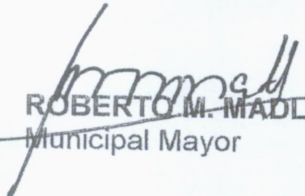
Dear Mam:

In behalf of the Municipal Government of Boac, I would like to respectfully apply for Special Patent Title under Section 7.3 of DENR Administrative Order No. 2016-21 with regards to Section 4 of RA 10023 the parcel of land described in the herein attached approved survey plan duly approved by Bureau of Lands on May 14, 1985 as Municipal Reservation (Mr-04-000001) for the Municipality of Boac.

Favorable action to this request will be highly appreciated.

Thank you very much and God bless.

Very truly yours,


ROBERTO M. MADLA, C.E.
Municipal Mayor



Republic of the Philippines
Province of Marinduque
Municipality of Boac

Office of the Mayor

June 16, 2017

MRS. IMELDA DIAZ
OIC-PENRO
Province of Marinduque

Dear Mam:

This is to respectfully inquire the status of our application for the issuance of Special Patent of the parcel of land located in Barangay San Miguel and Barangay Murallon in this Municipality which is covered by an approved Survey Plan MR-04-00001 dated May 14, 1985, issued by Bureau of Lands as Municipal Reservation for Municipality of Boac.

As stated, the basis of our application is Section 7.3 of Department of Environment and Natural Resources Administrative Order No. 2016-21 relative to Section 4 of the Republic Act 10023 entitled "An Act Authorizing the Issuance of Free Patents to Residential Land".

And as provided under Section 8.3.2 of the said Administrative Order, within 15 days upon receipt of the request, the CENR Office concerned shall cause the posting of Notice for fifteen (15) days in three (3) public places such as in the Provincial, Municipal or City Hall, Barangay Hall, CENRO, PENR Office or the premises of the public land being applied for.

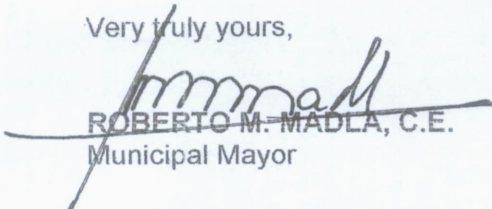
Based on our verification, no notice of the said application was posted in the Municipal Hall or in other required places and Certificate of Posting of Notice after the 15-day period has elapsed was not issued as required.

Attached is the copy of our application letter for your information.

Prompt response to this request will be highly appreciated.

Thank you very much and God bless.

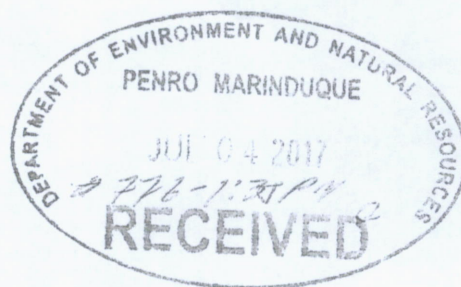
Very truly yours,


ROBERTO M. MADLA, C.E.
Municipal Mayor



Republic of the Philippines
Province of Marinduque
Municipality of Boac

Office of the Mayor



July 4, 2017

ENGR. CYNTHIA U. LOZANO
Chief, Technical Services Division
DENR-PENRO
Province of Marinduque

Dear Mam:

This is to respectfully inform that I strongly opposed the request of Honorable Carmencita O. Reyes as stated in your letter dated June 19, 2017 to apply for tenurial instrument over reclaimed land with an area of 4.3144 hectares and located at Poblacion, Boac, Marinduque.

Likewise, I also strongly opposed the Survey Order issued by Assistant Regional Director Vicente B. Tuddao Jr., instructing your Office to conduct subdivision survey over the said reclaimed land.

For information and as stated in your letter, the Ministry of Natural Resources through the Director of Lands have already approved on May 14, 1985 the Survey Plan to the above mentioned reclaimed land and annotating therein that it was surveyed for the Municipality of Boac as reservation area/municipal park.

As provided under Section 7.3 of DENR Administrative Order No. 2016-21, relative to Section 4 of Republic Act 10023 or **An Act Authorizing the Issuance of Free Patents to Residential Land**, the Municipal Government of Boac had already applied for the issuance of special patent for the subject reclaimed area on May 26, 2017 in your Office to perfect our ownership, but until now no posting of notice was made as provided under Section 8.3.2 of the said DENR Administrative Order.

Please be reminded that according to Section 8.3.6 of the same DENR Administrative Order, only oppositions based on a Certificate of Title duly issued to the oppositors over the same parcel of land shall be given due course.

Attached herewith for your information, reference and guidance are the copy of documents showing that the Municipal Government of Boac actually owned, possessed, occupied, and used the subject reclaimed land for public purposes, to wit:

- a. Sangguniang Bayan Kapasiyan 22-83 dated June 8, 1983
- b. Sangguniang Bayan Kapasiyahan bilang 19-84 (**Isang Kapasyahang inilalaan ang tinambakang yanggas ng Boac para sa isang liwasan/parke**)

- c. Ordinance No. 95-037 (An Ordinance designating the central parking areas for public utility vehicles, prescribing rules, imposing fees for the use thereof and for other purposes)
- d. Memorandum of Agreement entered into by the Municipality of Boac and the Province of Marinduque
- e. Approved Survey Plan

I firmly hope and believed that the Municipal Government's application for the issuance of special patent over the said reclaimed area will be given due course provided under DENR Administrative Order No. 2016-21, considering the Municipal Government's approved Survey Plan, actual physical possession, occupation and ownership.

Please be informed also that the Municipal Government of Boac will construct an elevated parking area over the reclaimed land to address the parking problem. Such project will soon be implemented and I hope that prior to its implementation, title over the said area is already issued to the Municipal Government of Boac.

For your information.

Very truly yours,

Roberto M. Madla
ROBERTO M. MADLA, C.E.
 Municipal Mayor

Copy furnished:

ARD Vicente B. Tuddao Jr.
 DENR-Region IV-B (MIMAROPA)

Atty. Emelyne Talabis
 Acting Director-LMB
 DENR

Atty. Emelyne Talabis
Acting Director

REGISTRY RECEIPT
 RD 705 810 335 ZZ

Post Office: *Boac*
 Letter/Package No. *100*

Philippines
 Posted on *04 30*

Preserve this receipt for reference in case of inquiry

Postmaster/Teller

P 901

Mr. Vicente B. Tuddao Jr.
Asst. Reg'l. Director

REGISTRY RECEIPT
 RD 705 810 344 ZZ

Post Office: *Boac*
 Letter/Package No. *100*

Philippines
 Posted on *04 30* 2017

Preserve this receipt for reference in case of inquiry

Postmaster/Teller

P 901



Republic of the Philippines

Department of Environment and Natural Resources

PROVINCIAL ENVIRONMENT AND NATURE - DENR REGIONAL OFFICE

January 15, 2018

HON. ROBERTO M. MADLA

Municipal Mayor

Boac, Marinduque

1/15/2018
8/1/2018

Dear Mayor Madla,

This pertains to the application of the Municipal Government of Boac for Special Patent over a tract of reclaimed land located at Poblacion, Boac, Marinduque, covered by an approved survey plan in the name of the Municipal Government of Boac (Mr-04-000001) with an area of 4.3144 hectares.

Please be informed that a Memorandum dated December 11, 2017 was received by this Office from ARD for Technical Services Vicente B. Tuddao, Jr. of DENR-MIMAROPA Region, concerning the letter dated July 4, 2017 of Ricardo J. Nieva addressed to LMB Director Atty. Emelyne V. Talabis, CESE seeking comment regarding the opposition of Mayor Roberto M. Madla to the request of Governor Carmencita O. Reyes for issuance of tenurial instrument on the aforementioned reclaimed land.

It can be recalled that the Municipal Government of Boac through the Honorable Mayor Roberto M. Madla interposed objection to the said application of the Provincial Government of Marinduque over the said reclaimed land as contained in a letter dated July 4, 2017. On the other hand, the Provincial Government had also interposed objection to the application of the Municipal Government of Boac over the area as contained in letters dated June 24, 2004 signed by Governor Carmencita O. Reyes, December 12, 2017 signed by the Provincial Prosecutor, and January 3, 2018 signed by Atty. Dioscoro P. Timtiman, Jr., Deputy Provincial Prosecutor, respectively.

Relative hereto and in order to discuss and settle the issues relative to the abovementioned conflict of claims between the Municipal Government of Boac and the Provincial Government of Marinduque over the said reclaimed land located at Poblacion, Boac, Marinduque, we respectfully invite you or your representative for a conference with this Office on February 6, 2018 at 1 'o clock in the afternoon. Please bring along with you any documents of ownership to substantiate your claim on the controverted tract of land.

Your attendance will be highly appreciated.

Thank you very much and more power.

Respectfully yours,


IMELDA M. DIAZ
OIC-PENR Officer