



**Republic of the Philippines**

Department of Environment and Natural Resources

MIMAROPA REGION

PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

March 16, 2023

**MEMORANDUM**

**FOR** : The Regional Executive Director  
DENR-R4, MIMAROPA, 1515 L & S Building  
Roxas Blvd., Ermita, Manila

*Attention* : *The Chief, Legal Division*

**FROM** : The Provincial Environment and  
Natural Resources Officer

**SUBJECT** : **LETTER REQUEST FOR ISSUANCE OF SURVEY AUTHORITY  
OF EDITHA S. BRIONES ET.AL TO SEGREGATE THEIR  
RESPECTIVE PORTIONS ON LOT NO. 67, PLS 96  
POBLACION, DISTRICT 1, BROOKE'S POINT, PALAWAN**

Forwarded for information and consideration is the memorandum of CENRO Brooke's Point, Palawan dated March 7, 2023 informing that a request for issuance of Survey Authority was lodged by Ms. Editha S. Briones, et. al before his office.

Relative to this, the CENRO Brooke's Point is seeking consideration from that Office as to the requested instruction and or legal opinion relative the implementation of OP Case No. 04-11-363 per memorandum of July 28 and 29, 2016.

Attached is the memorandum dated November 19, 2020 of the then RED Maria Lourdes Ferrer to the USEC for Field Operations and Environment elevating the concerns pertaining to the reinstatement of MSA V-7829 of Manuel Ita now Itaralde.

Please be informed that the standing request of Ms. Editha Briones, et.al involves portions of the subject lot thus requires in depth evaluation leading to legal opinion and or further instruction/s.

  
**HELIZARDO B. CAYATOC**

Copy furnished:

**The CENRO Brooke's Point, Palawan**  
TSD/RES-DTN 2023-2290 and 2023-2136/lmo

**DENR-PALAWAN  
PENRO-RECORDS  
RELEASED**  
By   
Date: 1 MAR 2023 CN 23-734



Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE  
Brooke's Point, Palawan

March 7, 2023

MEMORANDUM

FOR : The Regional Executive Director  
DENR MIMAROPA Region  
1515 DENR By the Bay Bldg.,  
Roxas Blvd., Bgy. 668  
Ermita, Manila

THRU : The Provincial Environment and  
Natural Resources Officer  
Sta. Monica, Puerto Princesa City

FROM : The Community Environment and  
Natural Resources Officer

SUBJECT : LETTER REQUEST FOR ISSUANCE OF SURVEY  
AUTHORITY OF EDITHA S. BRIONES et. al. TO  
SEGREGATE THEIR RESPECTIVE PORTIONS ON LOT  
NO. 67, PLS 96, POBLACION DISTRICT I, BROOKE'S  
POINT, PALAWAN

DENR PENR  
PALAWAN RECORDS  
RECEIVED

BY: [Signature]  
DATE: 03-14-2023 CN 23-2290

Respectfully forwarded herewith is the letter of Editha S. Briones et. al requesting the issuance of survey authority to subdivide Lot No. 67, PLS 96 located at Poblacion, District I, Brooke's Point, Palawan.

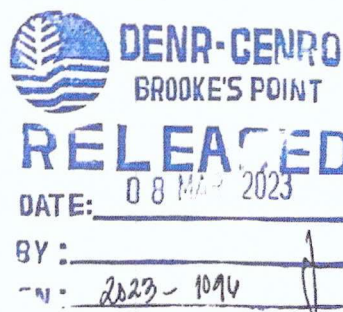
It is informed that the lot is subject of OP Case No. 04-11-363, the implementation of the dispositive portion of which is requested for some clarification submitted to the Office of the Undersecretary for Legal Services and Attached Agencies in RED Memoranda dated September 19, 2016 and November 19, 2020.

For your information, evaluation and further instruction.

Copy Furnished:

Ms. Editha S. Briones  
Poblacion, District II,  
Brooke's Point, Palawan

Doc Ref. No. 2023-1096



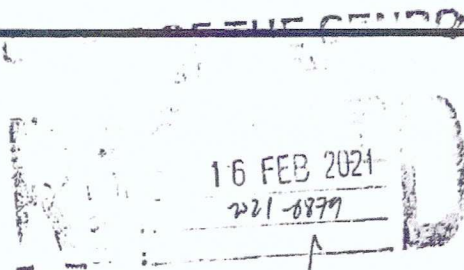
[Signature]  
LEONARD T. CALUYA

M. Rodriguez St. Poblacion District I, Brooke's Point Palawan 5305  
Mobile Phone: Globe: 0917-502-8916, 0917-502-8773, 0917-502-8915  
Email/Gmail: cenrobrokepoint@denr.gov.ph





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



NOV 1 3 2020

MEMORANDUM

FOR : The Undersecretary for Field Operations and Environment  
ATTENTION : The Director, Legal Affairs Service  
FROM : The Regional Executive Director  
SUBJECT : IMPLEMENTATION OF O.P. CASE NO. 04-H-363 (DENR CASE NO. 5716) ENTITLED "BOBBY CASTRO, ROMEO DALIDA ET. AL., VERSUS HEIRS OF MANUEL ITA (NOW ITARALDE), COVERING LOT NO. 67, PLS 96, POBLACION, BROOKE'S POINT, PALAWAN"

Per Memorandum dated March 05, 2020 of the Director, Legal Affairs Service regarding the above subject, it was stated that *"the RD concerned failed to implement the said O.P. order specifically due to the 28 May 2015 Memorandum of the then Undersecretary of Field Operations to the PENRO, Palawan. Under such memorandum, it was stated that it would suspend the issuance of survey authorities (SA), the conduct and approval of survey plans for untitled lands and acceptance and processing of all public lands within the Province of Palawan."*

Please be informed further that this Office previously instructed the PENRO Palawan (attention CENRO-Roxas) to implement the O.P. Decision dated September 05, 2005. However, per Memorandum dated August 18, 2016 of the PENR Officer, Palawan with attached Memorandum dated July 29 and July 28, 2016 of the CENR Officer, Brooke's Point, and LMO III Florante A. Candido, respectively, the latter stated the following:

*"That in order to prepare for the "reinstatement" of MSA V-7829 of Manuel Ita, now Itaralde, to its original status in the name of his heirs should the subdivision survey ordered in the Decision dated September 5, 2005 be approved, I took it upon myself to look and search for the original records of the said application from the records pertaining to the subject which had grown voluminous through the years to ascertain the stage of processing the MSA V-7829 has progressed;*

*That there was found a folder labeled "Miscellaneous Files, Perez, et. al., vs. Hinsot Yan" amongst the records transmitted on February 19, 2009 and received by this office on February 26, 2009 from the Provincial Environment and Natural Resources Office; copy of transmittal is hereto attached;*

CERTIFIED TRUE / PHOTO COPY

SW 11-18-2020  
**MARLENE M. BADILLA**  
Admin. Asst. III/ Records Officer-Designate  
Legal Division, DENR MIMAROPA Region

1515 L & S Building, Roxas Boulevard, Ermita, Manila 1000  
DENR VOIP (632) 82483367/82483468/82493367 local 2717 (Regional Executive Director); 2709 (Legal Division)  
Direct Line: (632) 84050157, Facsimile: (632) 84050046  
Website: <https://mimaropa.denr.gov.ph>  
Email: [mimaroparegion@denr.gov.ph](mailto:mimaroparegion@denr.gov.ph), [denr4blegal@gmail.com](mailto:denr4blegal@gmail.com)

Page 1 of 3

That found inside the said folder among the other miscellaneous records are the following documents:

1. Original MSA V-7829 of Manuel Ita for Lot 67, Pls 96 with a specified area of 800 sq. meters, certified machine copy is hereto attached;
2. Document of Sale dated February 10, 1954 executed by Manuel Ita in favor of Hinsot Yan, duly notarized, certified machine copy is hereto attached;
3. Transfer of Sales Rights dated February 12, 1954 subscribed by Assistant Public Lands Inspector Amado F. Hidalgo, certified machine copy is hereto attached;
4. Investigation report dated March 29, 1954 of Assistant Public Lands Inspector Amado F. Hidalgo, certified machine copy is hereto attached;
5. Original copy of Order dated June 15, 1954 duly signed by Assistant Director of Lands Vicente Tordesillas, certified machine copy is hereto attached; (underscoring supplied)

That there is no document found in the records showing that Manuel Ita has filed for, or was granted award for 2,252 square meters parcel of land;

That the Orders and Decisions issued pertaining to the above-subject case invariably described the Order dated June 15, 1954 of the Assistant Director of Lands as unsigned, and/or its existence cast in doubt; (underscoring supplied)

That all other records of communications referring to MSA V-7829 dated after June 15, 1954 found in the folder identified Hinsot Yan by name as the applicant for Lot No. 67, Pls 96;

In view of the foregoing, it is recommended that this report, including its attachments, be indorsed to the Regional Office thru the Provincial Environment and Natural Resources Office with the request that further legal advise be given to this office;

This report and recommendation requesting legal advise is made if only to quell our fears of the dire penalties bruited to be visited upon us mentioned in the letter July 5, 2016 of Atty. Felimon N. Lantion, counsel of Heirs of Manuel Ita, now Itaralde, received by this Office on July 25, 2016."

In relation thereto, attached are copies of the following:

1. Memorandum dated February 28, 2020 for the Undersecretary for Field Operations, Enforcement and Muslim Affairs;
2. Memorandum dated October 11, 2017 for the Undersecretary/Assistant Secretary for Field Operations-Luzon;
3. Memorandum dated May 18, 2017 the Undersecretary for Field Operations;
4. Memorandum dated December 28, 2016 for the Undersecretary for Field Operations;
5. Memorandum dated September 19, 2016 for the Undersecretary for Legal Services and Attached Agencies; and
6. Memorandum dated May 20, 2016 for the Assistant Secretary for Legal Affairs

CERTIFIED TRUE / PHOTO COPY

SW 11-18-2020  
**MARLENE M. BADILLA**  
Admin. Asst. III/ Records Officer-Designate  
Legal Division, DENR MIMAROPA Region

1515 L & S Building, Roxas Boulevard, Ermita, Manila 1000  
DENR VOIP (632) 82483367/82483468/82493367 local 2717 (Regional Executive Director), 2709 (Legal Division)  
Direct Line: (632) 84050157, Facsimile: (632) 84050046  
Website: <https://mimaropa.denr.gov.ph>  
Email: [mimaroparegion@denr.gov.ph](mailto:mimaroparegion@denr.gov.ph), [denr4blegal@gmail.com](mailto:denr4blegal@gmail.com)

Page 2 of 3



With respect to your directive to implement the O.P. Decision dated September 05, 2005, this Office previously instructed the PENRO Palawan to implement the O.P. Decision. However, LMO III Candido raised several concerns regarding the reinstatement of MSA V-7829 of Manuel Ita, now Itaralde. We elevated the said concerns thru the above-cited Memoranda. To reiterate, we have not received any instruction and/or directive regarding the same.

For information and further instruction.

  
MARIA LOURDES G. FERRER, CESO IV

Copy furnished:

Heirs of Manuel Ita, now Itaralde

PENRO

CENRO

LMO III Florante A. Candido

c/o Atty. Filomeno N. Lantion  
I Doña Victoria St., Arasity Village, Tinajeros, Malabon City

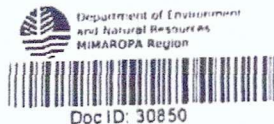
DENR Compound, Sta. Monica, Puerto Princesa City

Brooke's Point, Palawan

c/o CENRO Brooke's Point, Palawan

ARD-MS/LD

  
On 11. 18. 2020  
MARLENE M. BADILLA  
Admin. Asst. III/ Records Officer-Designate  
Legal Division, DENR MIMAROPA Region



1515 L & S Building, Roxas Boulevard, Ermita, Manila 1000  
DENR VOIP (632) 82483367/82483468/82493367 local 2717 (Regional Executive Director); 2709 (Legal Division)  
Direct Line (632) 84050157, Facsimile (632) 84050046  
Website: <https://mimaropa.denr.gov.ph>  
Email: [mimaroparegion@denr.gov.ph](mailto:mimaroparegion@denr.gov.ph); [denr4blegal@gmail.com](mailto:denr4blegal@gmail.com)

Page 3 of 3



OFFICE OF THE REGIONAL DIRECTOR  
BROOKE'S POINT PALAWAN

RECEIVED  
DATE: 21 NOV 2016  
CH: 474/16  
BY: [Signature]

September 19, 2016

## MEMORANDUM

FOR : The Undersecretary for Legal Services and Attached Agencies

ATTN : The Acting Director, Legal Services

FROM : The Regional Director

SUBJECT : REPORT OF LAND MANAGEMENT OFFICER III FLORANTE A. CANDIDO ON THE REINSTATEMENT OF MSA V-7829 OF MANUEL ITA, NOW ITARALDE RE: IMPLEMENTATION OF O.P. CASE NO. 04-H-363 (DENR CASE NO. 5716) ENTITLED "BOBBY CASTRO, ROMEO DALIDA ET. AL., VERSUS HEIRS OF MANUEL ITA (NOW ITARALDE), COVERING LOT NO. 67, PLS 96, POBLACION, BROOKE'S POINT, PALAWAN"

Forwarded is the Memorandum dated August 18, 2016 of the PENR Officer, Palawan with the attached Memorandum dated July 29 and July 28, 2016 of the CENR Officer, Brooke's Point and LMO III Candido, respectively, regarding the above-cited subject.

Please be informed that per Memorandum dated July 28, 2016, LMO III Candido stated the following:

*"That in order to prepare for the "reinstatement" of MSA V-7829 of Manuel Ita, now Itaralde, to its original status in the name of his heirs should the subdivision survey ordered in the Decision dated September 5, 2005 be approved, I took it upon myself to look and search for the original records of the said application from the records pertaining to the subject which had grown voluminous through the years to ascertain the stage of processing the MSA V-7829 has progressed;*

*That there was found a folder labeled "Miscellaneous Files, Perez, et. al., vs. Hinsot Yan" amongst the records transmitted on February 19, 2009 and received by this office on February 26, 2009 from the Provincial Environment and Natural Resources Office; copy of transmittal is hereto attached;*

*That found inside the said folder among the other miscellaneous records are the following documents:*

- 1. Original MSA V-7829 of Manuel Ita for Lot 67, Pls 96 with a specified area of 800 sq. meters, certified machine copy is hereto attached;*
- 2. Document of Sale dated February 10, 1954 executed by Manuel Ita in favor of Hinsot Yan, duly notarized, certified machine copy is hereto attached;*
- 3. Transfer of Sales Rights dated February 12, 1954 subscribed by Assistant Public Lands Inspector Amao F. Hidalgo, certified machine copy is hereto attached;*



4. Investigation report dated March 29, 1954 of Assistant Public Lands Inspector Amado F. Hidalgo, certified machine copy is hereto attached;
5. Original copy of Order dated June 15, 1954 duly signed by Assistant Director of Lands Vicente Tordesillas, certified machine copy is hereto attached; (underscoring supplied)

That there is no document found in the records showing that Manuel Ita has filed for, or was granted award for 2,252 square meters parcel of land;

That the Orders and Decisions issued pertaining to the above-subject case invariably described the Order dated June 15, 1954 of the Assistant Director of Lands as unsigned, and/or its existence cast in doubt; (underscoring supplied)


That all other records of communications referring to MSA V-7829 dated after June 15, 1954 found in the folder identified Hinsot Yan by name as the applicant for Lot No. 67, Pls 96;

In view of the foregoing, it is recommended that this report, including its attachments, be indorsed to the Regional Office thru the Provincial Environment and Natural Resources Office with the request that further legal advise be given to this office;

This report and recommendation requesting legal advise is made if only to quell our fears of the dire penalties bruited to be visited upon us mentioned in the letter July 5, 2016 of Atty. Felimon N. Lantion, counsel of Heirs of Manuel Ita, now Itaralde, received by this Office on July 25, 2016."

Relative thereto, also attached is our previous Memorandum dated May 20, 2016 for the Assistant Secretary for Legal Services forwarding the clarification of CENRO Brooke's Point, Palawan regarding the applicability of Lands Memorandum Circular No. 158-3, Series of 1972 in relation to the implementation of the Decision dated September 5, 2005 in O.P. Case No. 04-H-363 entitled "Bobby Castro, et.al. vs. Heirs of Manuel Itaralde".

For information and further instruction.

  
OSCAR C. DOMINGUEZ

cc:

Heirs of Manuel Ita, now Itaralde

c/o Atty. Filomeno N. Lantion  
1 Doña Victoria St., Arasity Village, Tinajeros, Malabon City

The OIC, Undersecretary for Field Operations – Luzon and Visayas

PENRO

DENR Compound, Sta. Monica, Puerto Princesa City

CENRO

Brooke's Point, Palawan

LMO III Florante A. Candido

c/o CENRO Brooke's Point, Palawan



Department of Environment  
and Natural Resources  
REGION 4B



CERTIFIED TRUE PHOTO COPY

8/6 10 3. 2016