



Legaspi Barcelo and Salamera

DENR MIMAROPA
RECORDS SECTION
RECEIVED

MAY 29 2023

☐ INCOMING ☐ OUTGOING

BY: _____ DATE NO. _____

TIME: _____

Gioan Fernand A. Legaspi
Larry M. Barcelo
Percy P. Salamera
Partners

Justice Godofredo L. Legaspi (ret.)
Judge Marietta A. Legaspi (ret.)
Atty. Alma Barcelo
Consultants

Atty. Rodvick Abarca
Atty. Gem Dimaculangan
Atty. Gerardo Villanueva
Atty. Carlo Aggabao
Associate Lawyers

May 11, 2023

Mr. Conrado M. Corpuz
CENRO
MIMAROPA Region
National Highway, Poblacion, Taytay,
Palawan

CC: 1.) Regional Executive Director DENR MIMAROPA
2.) Provincial Environment and National Resources Officer
3.) Office of the Mayor, El Nido Palawan
4.) Protected Area Management Office, ENRMIPA

RE: *Your letter dated April 11, 2023 summarily directing the Private Owner of a titled land in El Nido Palawan to vacate his own property*

Dear Mr. Corpuz,

Greetings.

We write in behalf of our client, Mr. Chester Lim and Richard Lim who are in receipt of your above referenced letter.

In your letter, you have directed them to Vacate, Remove and Self Demolish the Structure over a portion of Pinagbuyutan Island in El Nido Palawan as you claim that this is a Protected Area under Proclamation No. 32 and Section 18 of RA 11038.

It is our clients' position that their possession and occupation of the subject property is legal and indefeasible as it is clear under Proclamation No. 32 series of 1998 that:



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"This Proclamation is subject to private rights, including those of the Indigenous Peoples as provided for in RA 8371, DENR Administrative Order 93-02 and other related rules and regulations."

Furthermore, under DAO 2008-26 which is the NIPAS ACT revised implementing Rules and Regulations, it is further provided that:

"9.5. Rights over private lands within the established buffer zones shall be recognized and respected x x x x"

For your reference, attached is the title (TCT No. T-8544) to the said property which is held by our clients as heirs of Francisco Lim who is their father. Being a private property that is titled, their act of dominion thereto should be respected. Thus, our clients are acting within their rights as private land owners to occupy the said property and their possession should not be disturbed.


Atty. Gioan Ferrand A. Legaspi



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES
By the National Highway, Poblacion, Taytay, Palawan, 5312
Contact No. 09265059335 (Globe) / 09121713889 (Smart)
Email: cenrotaytay@denr.gov.ph

April 11, 2023

MR. CHESTER LIM
MR. RICHARD LIM
Claimant, Pinagbuyutan Island
Brgy. Manlag, El Nido, Palawan

NOTICE OF VIOLATION

DENR CENRO
TAYTAY, PALAWAN
RELEASED

DATE: APR 26 2023

Sir,

This is to notify you that based on the investigation conducted by the CENRO Taytay and El Nido-Taytay Managed Resourced Protected Area-Protected Area Management Office (ENTMRPA-PAMO) Team pursuant to Section 20 of National Integrated Protected Areas System (NIPAS) Act of 1992 or Republic Act (RA) 7586 as amended by Expanded NIPAS Act of 2018 or RA 11038, it was verified that you are illegally occupying a portion of **Pinagbuyutan Island** situated in Barangay Manlag, El Nido, Palawan which is classified as protected area under Presidential Proclamation No. 32. Hence, your continuous occupation and possession of the subject area without any clearance and/or permit from the Protected Area Management Board (PAMB) and the Department of Environment and Natural Resources (DENR), respectively, constitute a criminal offense. Section 18 (n) of RA 11038, as amended, provides that:

SECTION 18. Section 20 of Republic Act No. 7586 is hereby amended to read as follows:

-xxx-

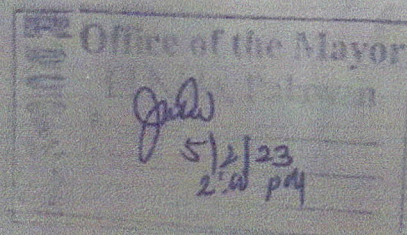
(n) Occupying or dwelling in any public land within the protected area without clearance from the Protected Area management Board (PAMB).

In view hereof, you are hereby ordered to **VACATE, REMOVE AND SELF-DEMOLISH THE STRUCTURE/You have built in the subject land within FIFTEEN (15) DAYS** upon receipt hereof. Otherwise, we will be compelled to take the necessary action on the matter.

We are hoping that you will give this matter your utmost and preferential attention.

Very truly yours,

CONRADO M. CORPUZ
CENRO



Copy furnished:

Regional Executive Director, DENR-MIMAROPA
Provincial Environment and Natural Resources Officer - Palawan
Office of the Mayor, Municipality of El Nido, Palawan
Protected Area Management Office, ENTMRPA -
File

SN N^o 1545958

REPUBLIC OF THE PHILIPPINES
MINISTRY OF JUSTICE

Land Registration Commission PALAWAN

REGISTRY OF DEEDS FOR THE

Transfer Certificate of Title

No. T- 8544

IT IS HEREBY CERTIFIED that certain land situated in the Centro, Bacuit, Palawan
more particularly bounded and described as follows:

Beginning at point marked 1 on plan F-54397, S. 29-39'W. 2389.56m. more or less from D.L.L.H. No. 1, Sitio of Dagaldagal, Bo. of Centro, Hp. of Bacuit, thence

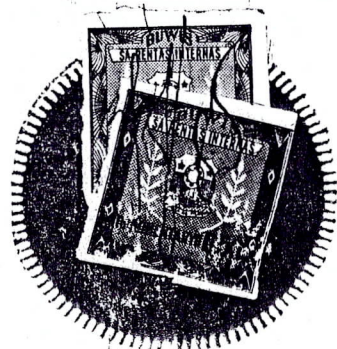
N. 27-11'E. 129.03 to point 2; N. 10-34'E. 52-60 m. to point 3;
S. 29-25'E. 66.57 m. to point 4; S. 5-11'E. 60.13 m. to point 5;
S. 47-30'W. 94-47 m. to point 6; N. 67-50'W. 39.83 m. to point 1, point of beginning. (See Page A)

is registered in accordance with the provisions of section 122 of the Land Registration Act in the name of *FRANCISCO LIM, of legal age, filipino, married to Flora Uy and a resident of El Nido, Palawan, Philippines. . . .

subject to the provisions of the said Land Registration Act and the Public Land Act, as well as to those of the Mining Laws, if the land is mineral, and subject, further, to such conditions contained in the original title as may be subsisting, and to

IT IS FURTHER CERTIFIED that said land was originally registered on the 13th day of May, in the year nineteen hundred and thirty-seven, in Registration Book No. 9, page 230, of the Office of the Register of Deeds of Palawan as Original Certificate of Title No. E-1350, pursuant to a Free patent granted by the President of the Philippines, on the 29th day of December, in the year nineteen hundred and thirty-six, under Act No. 496 (now 1529)

This certificate is a transfer from ORIGINAL Certificate of Title No. E-1350, which is cancelled by virtue hereof in so far as the above described land is concerned.



Entered at Puerto Princesa City, Philippines, on the 4th day of March, in the year nineteen hundred and eighty five, at 3:25 A. M.

Corazon L. L. L. L.
CORAZON L. L. L. L.
Register of Deeds

El Nido, Palawan

(Owner's postal address)

* State the civil status, name of spouse if married, age if a minor, citizenship and residence of the registered owner. If the owner is a married woman state also the citizenship of her husband. If the land is registered in the name of the conjugal partnership, state the citizenship of both spouses.

