

**PHILIPPINES-AUSTRALIA LAND
ADMINISTRATION AND MANAGEMENT
PROJECT**

JUDICIAL TITLING

**MATERIAL FOR
CADASTRAL OFFICERS &
COMMISSIONERS OF THE COURT**

15 November 2002

REPORT C28



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PART ONE – NOTES

1. The Cadastral Officer's Report

The form

The Cadastral Officer interviews the claimant based on the entries in the printed copy of the answer (validating the contents of the Declaration of Ownership (DOO) and the corresponding narrative) if he has satisfied himself that the answer was properly accomplished, the copy of the answer will be signed by the claimant and acknowledged by the cadastral officer. using the copy of the narratives on the diskette, the cadastral officer will draft his report to court.

Relevant laws

- Land Registration Act 1903 No. 496 – disposition of public lands
- Cadastral Act 2259 of 1913 – provides for cadastral proceedings
- Commonwealth Act No. 141 of 1936 –

Cadastral Officer's report

MUNICIPAL TRIAL COURT OF DAGAMI

Eight Judicial District
Bulwagan Ng Katarungan
Dagami, Leyte

REPUBLIC OF THE PHILIPPINES	)	CAD	CASE	NO.
Represented by the DENR Regional Executive Director )	)	.....
.....)	)	Cad.	Record	No. N-
			

Petitioner)
Versus)
Abres, Jose, ET. AL.....)
Claimants)

CADASTRAL OFFICERS REPORT

Pursuant to the order of this Honorable Court dated _____, the undersigned, appointed as a Cadastral Officer of this case, to assist the Claimants in the preparation of their Answers and to submit its own report on the facts that was gathered in the preparation thereof, and offering as evidence the copies of the Answers of the Claimants, together with the corresponding documentary evidence, respectfully submits the following reports : .

This Report covers the following lots namely: 456, 457, 458, 459, 460, etc. all of Dagami Cadastre.

The evidence of the claimants adduced during the reception of the evidence are as follows

With respect to Cad. Lot 456
Area: 565 sq. m. more or less
Claimant: Maria C. Fullante

Claimant, Maria C. Fullante, testifying in her own behalf, declared; **that** she is 53 years old, Filipino, resident of Barangay Bayabas, Municipality of Dagami, Province of Leyte; that Lot 456 was originally owned by Catalino Noble Lo Cham, who had been in possession of said lot since time immemorial; **that** on December 23, 1938, Leon Malanyaon, purchased said lot from the said

Lo Cham (Exh. "C") and took possession until March 23, 1962, when Maria Fullante, herein claimant acquired the same by purchase from the said Leon Malanyaon, as evidenced by a Deed of Absolute Sale (Exh. "A") executed in her favor; **that** the said property was declared for taxation purposes since 1945 (Exh. "F"); **that** tax declaration of the said property in the name of the herein claimant was already declared(Exh."E"); **that** taxes for said lot has been paid (Exh. "H"); that a residential house made of mixed materials has been erected in said property; that said property is presently mortgaged with the Community Rural Bank of Dagami, Inc. Dagami, Leyte.(Exh "B" and "D"); **that** the ownership and possession of the herein claimant as well as here predecessor-in- interest, have been peaceful, continuous, adverse to the whole world and in concept of an owner for more than 30 years; that the property being claimed is a conjugal partnership of the herein claimant and her spouse, Rustico Fullante.

With respect to Cad. Lot 457

Area: 150 sq. m. more or less

Claimant Mamerto Lopez

Estrella Bernald Lopez, wife of Mamerto Lopez, herein claimant, testified that she is 35 years old, a resident of Barangay Bayabas, Municipality of Dagami, Leyte; that -----

-----etc.. etc.. etc...

Cadastral Officer

2. The Report of the Commissioner of the Court

Form of the narrative

ON THE BASIS OF THE ANSWERS OF THE ABOVE QUESTIONS, PREPARE A NARRATIVE(story) SUCH AS THE FOLLOWING:

(Note: See enclosed form for the Adjudicators to just fill the blanks and the typist/computer operator to just copy)

With respect to Cad. Lot 456

Area: 565 sq. m. more or less

Claimant: Maria C. Fullante

Claimant, Maria C. Fullante, testifying in her own behalf, declared that she is 53 years old, Filipino, resident of Barangay Bayabas, Municipality of Dagami, Province of Leyte; that Lot 456 was originally owned by Catalino Noble Lo Cham, who had been in possession of said lot since time immemorial; that on December 23, 1938, Leon Malanyaon, purchased said lot from the said Lo Cham (Exh. C) and took possession until March 23, 1962, when Maria Fullante, herein claimant acquired the same by purchase from the said Leon Malanyaon, as evidenced by a Deed of Absolute Sale (Exh. A) executed in her favor; that the said property was declared for taxation purposes since 1945 (Exh. "F"); that tax declaration of the said property in the name of the herein claimant was already declared(Exh."E"); that taxes for said lot has been paid (Exh. "H"); that a residential house made of mixed materials has been erected in said property; that said property is presently mortgaged with the Community Rural Bank of Dagami, Inc. Dagami, Leyte.(Exh "B" and "D"); that the ownership and possession of the herein claimant as well as here predecessor-in-interest, have been peaceful, continuous, adverse to the whole world and in concept of an owner for more than 30 years; that the property being claimed is a conjugal partnership of the herein claimant and her spouse, Rustico Fullante.

With respect to Cad. Lot 457

Area: 150 sq. m. more or less

Claimant Mamerto Lopez

Estrella Bernald Lopez, wife of Mamerto Lopez, herein claimant, testified that she is 35 years old, a resident of Barangay Bayabas, Municipality of Dagami, Leyte; that -----

-----etc.. etc.. etc...

FORM SAMPLE OF A NARRATIVE derived from the ANSWER:

(Note: (1) this will be filled-up by hand, to be copied by the typist/computer operators, (2) to be accomplished by lot) .

With respect to Cad. Lot _____

Area: _____

Claimant: _____

_____ (name of claimant) _____, herein claimant, testifying in his/her behalf declared that he/she is ___ (age) ___ years old, Filipino, resident of _____ ;

that (describe the nature of ownership:ie..original owner, inherited , conjugal, paraphernal, how acquired, describe the series of transfers, if any

that the lot was declared for taxation before June 12, 1945 , having presented as evidence _____ (tax _____ declaration _____ no.) _____ (Exh. _____ "A") _____ ;

that the lot was sold to the herein claimant by as evidenced by a Deed of Sale dated _____ (Exh. _____ "B")(if lost party execute a Declaration of Ownership) _____

that the taxes have been paid (Exh. "C") _____

that the herein claimant is presently occupying the lot _____

that a house made of (light material, concrete .etc.) has been erected on said property;

that said property is free from liens and encumbrances or mortgage whatsoever affecting said property (if mortgaged, describe the stipulations such as the amount, rate of interest, schedule of payment, etc...) _____

that the ownership and possession of the claimant together with her predecessor-in-interest of the property has been open, peaceful, continuous, public, and adverse against the whole world, and in the concept of owner since time immemorial.

3. Instructions for Clerks of the Court

GUIDE FOR COMMISSIONERS, CLERKS OF COURT, CADASTRAL OFFICERS AND ADJUDICATORS

CHRONOLOGY OF EVENTS:

1. *Court issues an order setting the date of initial hearing.(see copy of the Order Setting the Date-of-Initial-Hearing)*
2. *Court issues an order directing the Clerk of Court to serve Notices.(see Judicial Form 75).*
3. *During the day of initial hearing, upon motion of the Petitioner or MOTU PROPRIO the Court will issue an Order of General Default against the whole world except the claimants named therein.*
4. *Court issues an Order designating the Clerk of Court as Referee/Commissioner of the Court and designating the Clerk of Courts of the MTC OF THE ADJOINING/OTHER MUNICIPALITIES as Cadastral Officers.*
5. *In case of Hearing for Un-contested lots, the Court will issue an Order directing the Clerk of Court/Commissioner to hear the case Ex-parte on a particular date, authorizing said commissioner to receive the evidence of the claimants and to submit its report and recommendation thereafter. EACH TIME THERE IS AN EX-PARTE HEARING, this hearing will always be authorized by the Judge by issuing the corresponding ORDER.(Jud. Form 148 – Notice of Continuation of the Hearing)*
6. *During the presentation of the evidence (in envelopes of the individual lots, each containing the copy of the Answers, evidences of the claimants) in the ex-parte hearing, the Cadastral Officer will be there to guide the Claimants. The Commissioner will ask the individual Claimants the QUESTIONS (prepared below) WHILE THE STENOGRAPHER WILL BE TAKING STENOGRAPHIC NOTES. TRANSCRIPTION WILL FOLLOW THE PATTERN HEREIN-BELOW (see Questions to ask the Claimants). However, equivalent narrative/transcription are already pre-prepared by the Adjudicators and contents already reviewed by the CADASTRAL OFFICER.*
7. *The Court will issue a Decision on Un-Contested lots; however, the decision will just be a modified copy of the Commissioners Report, prepared from the Diskette used by the Commissioner/Clerk of Court in preparing his Report.*

4. Manual of Procedures in Cadastral Cases – From LRA

For the better administration of justice in cadastral land registration cases and the better coordination of the work related with the same, whereby the proper issuance of titles to land will be expected, the adoption of the following procedure in the Courts of First Instance (Regional/Municipal Trial Courts) is recommended:

1. **Record of Cadastral Lots** – The clerk of court must be required to keep a record of cadastral lots. This book is Judicial Form No. 137, known as "Record of Cadastral Lots." (See Circular No. 56, addressed to the clerks of court by the General Land Registration Office on April 29, 1924.) If said Judicial Form No. 137 is properly kept, it will greatly facilitate the work of the courts, because it will make it possible to ascertain the status of each lot at any moment, and will avoid the possibility of the same lot being awarded to different persons in different decisions, of contradictory orders being issued, etc. (*Note: this book is being kept at the Cadastral Decree Section of the Ordinary and Cadastral Decree Division of the Land Registration Authority (LRA)*)
2. **Appointment of Cadastral Officers** – Two or three weeks before the hearing of a cadastral case, one or two cadastral officers and the auxiliary personnel necessary to assist the claimants in the preparation of their answers must be sent to the municipality where the hearing is to be held. If there is no such official appointed by the Land Registration Authority, the Provincial Governor must be requested to appoint or designate a person for that purpose, and in case the provincial governor fails to do so, the judge may, appoint such cadastral officer in accordance with section 10 of Act No. 2259 at the expenses of the province.
3. **Authority to administer oaths** – The Cadastral Officer appointed by the Land Registration Authority must be designated as such by the Court in accordance with the section 10 of Act No. 2259, in order that he may have authority to administer oaths.

(Note: Role of the Cadastral Officers are as follows: (a) The Cadastral Officer will assist the Claimants in the preparation of the Answers (b) To guide the Court in the formulation of its decision, the Cadastral Officer will indicate in his Report the facts he has gathered during his assistance/guidance of the Claimants in the preparation of their Answers; he cannot require, as a condition for the issuance of title, the updated payment of the taxes (estate/inheritance, capital gains} before accepting the copy of the Answer, but he has to inform the Court that the taxes were NOT paid – this fact will be included in the Final Decision of Adjudication by the Court. The Court can confirm the ownership - the purpose in a Cadastral Proceedings, despite the Non-payment of updated taxes. If the land-Tax is not paid, it does not deprive the applicant ownership of the land. Taxes is an obligation that the landowner must pay and this obligation is a burden or lien that can be annotated in the title which can be paid after the confirmation and issuance of the title. The non-payment of updated taxes will be indicated in the decision and it will be indicated in the title as a lien. The payment of the unpaid taxes will be made the moment the lot is mortgaged or sold/transferred .)

4. **Notice to municipal mayor** – The municipal mayor of the municipality to which the cadastral proceedings pertain must, be notified of the date on which the cadastral officer will be in that municipality and must at the same time be requested to furnish accommodations and the necessary assistance to such officer in order to enable him to perform the duties assigned to him.

5. **Notice of date of hearing and of filling of answer** – The Clerk of Court must be directed to issue a notice on **Judicial Form No. 147**, concerning the holding of the hearing of cadastral proceedings and the filling of the answers. This notice which is to be published in English and the local dialect, must be posted in public places and, if necessary, must also be announced by criers. To this and the municipal mayor of the municipality to which the cadastral proceedings pertain must be requested in the interest of justice, to order the posting, free of charge of copies of such notices in two conspicuous places on the municipal building in two or three places in each barrio comprised within the cadastral survey, and in three conspicuous places in the building where the sessions of the court are to be held.
6. **Date of hearing of the several lots** – Since the hearing of cadastral proceedings will necessarily take up several days or weeks, the number of lots to be passed upon on each day, following the first day of hearing, must be determined within a different time in advance in order that the claimants may be compelled to come to court only on the day designated for the continuation of the hearing on their respective lots and for this purpose the clerk of court must be directed to send the necessary notices to the interested parties and besides to post a general notice on the bulletin board of the court specifying therein the numbers of the lots and the dates of the hearings on each.
7. **Contested and uncontested lots to be heard on different dates** – The continuation of the hearing on contested lots must be on dates different from those designated for the hearing on uncontested lots. If the hearing on the latter, the lots must be called in strictly numerical order. (Note: Only uncontested lots and lots the value of which does not exceed P100,000.00, will be heard in the Municipal Trial Court)
8. **Aid of surveyor (now: Geodetic Engineer of the DENR)** – In the course of the hearing of cadastral cases only technical points will be raised which the judge will only be able to determine with the aid of a surveyor (now: Geodetic Engineer).
9. **Subdivision, consolidation or redistribution of lots** – In case it should be necessary to subdivide, consolidate, or redistribute any of the lots appearing in the cadastral plan, the judge must direct the surveyor to make the necessary investigation and survey of the lot or lots in question, and upon the determination thereof, to file with the court his report, accompanied by a sketch map on which the lots must be marked as they have to be finally awarded by the court.
10. **How to designate the new lots** – If, for instance, Lot No. 17 has been subdivided into three new lots, it will be advisable to designate the new lots Nos. 17-A, 17-B and 17-C.
11. **Same** – If six lots, for instance, Lots Nos. 19 and 20, 21 and 22, 23 and 24, have been consolidated in pairs, the new lots created by this consolidation must be marked 19 (for the consolidation of 19 and 20), 21 (for the consolidation of 21 and 22), and 23 (for the consolidation of 23 and 24), and lots Nos. 20, 22 and 24 must be eliminated.
12. **Same** – If three lots, let us say lots nos. 25, 26 and 27 have been redistributed in such manner that the boundaries of each lot have been changed, the new lots created as result of this redistribution must be numbered as lots nos. 25-, 26-, and 27-.

13. **Same** – If three lots, let us say, lots nos. 28, 29 and 30 have been redistributed in such manner that the boundaries of each of each of said original lots have been changed and two new lots have been created besides, the lots resulting from this modification must be designated as lots nos. 28, 29 and 30 and the lots newly created by this redistribution, as lots nos. 28-B and 30-B.
14. **Importance of numbering new lots** – The numbering of the new lots resulting from a subdivision, consolidation or redistribution, as explained in the preceding four paragraphs, is very important, because it assists the judge in making his final decision as soon as the reports and sketch may have been filed by the surveyor, although the final amendment of the plan by the Bureau of Lands has to be made.
15. **Advantages of System** – It is believe that the method indicated will be very convenient not only for the judges but also for the Land Registration Authority where the final decrees are issued.
16. **Identifying one lot** – The proposed method, if adopted, will indicated in all cases if the lot, as it appear in the decision of the court, is identical to the lot appearing in the original plan filed, or if the lot has been changed in any manner.
17. **Decision on original lot** – A lot being designated in the decision by a number without any letter, would indicate that the decree must comprise the lot as marked originally in the cadastral plan.
18. **Decision on modified lot** – A lot appearing in the decision with a number followed by a letter will always mean that there have been changes and that the Land Registration Authority must be careful to consult the reports and sketch maps submitted by the surveyor and must investigate whether or not the original plan has been amended by the DENR (Bureau of Lands) agree with the sketch map of the surveyor.
19. **Different method not to be followed in order to avoid errors** – If each judge should use a different method, it would be practically impossible for the Land Registration Authority to avoid errors in the issuance of the decrees, and in many cases the decision would probably have to be returned to the judge for an explanation.
20. **Modified lots to have new numbers** – In the final plans of the lots that have been subdivided of consolidated, the lots newly created are designated by new numbers, the original numbers being eliminated. In this case, if the court is acquainted with the new numeration, it is advisable that in rendering its decision, it state therein both the new and old numbers, for instance, "Lot No. 850 (formerly 63-A)" or "Lot No. 63-A (now 850).
21. **Report of Chief Surveyor (now: Geodetic Engineer) Land Registration Authority** – Upon the initiation of cadastral proceedings, the chief Surveyor of the Land Registration Authority submits to the court a detailed report of the lots comprised therein which have **already been originally decreed in ordinary registration proceedings**. In this report, the lots are generally grouped as follows: (a) *Lots representing exactly the land originally*

decree; (b) Lots differing somewhat from the land originally decreed; (c) Lots differing greatly from the land originally decreed.

22. **Report of Bureau of Lands (now: DENR)** – The Bureau of Lands (now: DENR) also submits to the court a report similar to the one mentioned in the preceding paragraph with reference to the lots comprised in titles or patents issued under the Public Land Law.
23. **Inclusion in the decision of lots already registered** – Lots which have been previously registered in ordinary land registration cases, should be included in the decision, even though they have not been claimed by any person. (*See Sample form of decision "A", Lot No. 29 Example: Lot No. 29. Already decreed in Case No. 523, GLRO Record No. 14968, and appearing in the list of claimants attached to the application in the name of Fermin Manuel, but not claimed by him nor by anybody else during the trial. Upon the production of the certificate of title for the lot, its cancellation and the issuance, in the name of the same registered owner, are hereby ordered, said new certificate to contain the description of the lot as given in the cadastral plan*). If a lot so registered is claimed by any person who cannot produce a deed in his name, the same can be disposed of by the Court without waiting for the registered owner to file his claim, by ordering the cancellation of the title covering it, upon production, and the issuance of another transfer certificate title worded in the same manner as the former and in the name of the same registered owner, but containing the technical description of the land in accordance, with the cadastral survey. It may be mentioned in the decision that said lot is claimed by said person who could not produce a deed in his name (*See Sample form of decision "A", Lot No. 44. Example: Lot No. 44. Already decreed in GLRO Record Nol. 2047 and recorded according to the Transfer Certificate of Title No. 1456 in the name of Pilar Gil Vda. De Nurciano, now being claimed by Joaquin Santos who was not able to produce any deed or evidence in support of his claim. Upon production of the said certificate of title, its cancellation and the issuance, in its place of another, worded in the same manner as the former and in the name of the same registered owner, are hereby ordered; said new certificate to contain the description of the lot as given in the cadastral plan.*)
24. **Decision when lot represents land already registered** – When a lot represents exactly the land previously decreed or registered, this fact must be stated in the decision and the claimant must be directed to send the corresponding certificate of title to the Land Registration Authority, for notation. (*See form of decision "A" as to Lot No. 9, Example: Lot No. 9 - Already decreed in case No. 410 and recorded according to Transfer Certificate of Title No. 36 in the name of Bernarda Lopez. The technical description of the land which appears in the aforesaid certificate of title coincided exactly with the technical descriptions of this lot, but inasmuch as the number of the lot is not stated in the aforesaid certificate of title, the Administrator, Land Registration Authority is hereby ordered to instruct the Register of Deeds of the Province of Leyte to note on the aforementioned Transfer Certificate of Title No. 36 that the land described therein is lot No. 9 of the cadastral plan which is the object of these proceedings. For this purpose, the claimant is directed to surrender the owner's duplicate to the Land Registration Authority*).
25. **Decision when lots are different from land already registered** – In the case of lots somewhat different from the land already registered, if the parties interested agree to the cadastral survey, this fact must be stated in the decision and the claimant must be directed to send the corresponding certificate of title to the Chief of the Land Registration Authority, in order that said official may issue an order directing the Register of Deeds to cancel said title and issue another, in lieu thereof, with the description of the land in accordance with the cadastral survey. (**See form of decision "A", Lot No. 6**).

26. **Amendments to cadastral plan** – In case the lots differ greatly from the land registered, the DENR (Bureau of Lands) must be directed to amend the cadastral plan so as to make it agree to that of the land already registered. Once the amendments are made and if the parties interested agree therein, the lots can be disposed of in conformity with paragraph 24 or 25, as in the case may be.
27. **Decision on registered lot which has been sold or which has undergone a change in ownership** – When for any reason the new certificate of title to be issued in lieu of an old one has to be made in the name of a new owner, the cause of such change of ownership should be stated in the decision in order to avoid, doubts and confusion on the part of the Land Registration Authority in complying with the said decision. *(See Sample form of decision "A", Lot No. 30, Example: Lot No. 30- Already decreed in case No. 528, GLRO Record. No. 14983, and recorded according to Original Certificate of Title no. 601, in the name of Leon Baltazar. This lot having been transferred to Simeon Tansinco by virtue of a deed executed by the former owner before the Notary Public Andres Aragon, on November 15, 1915, and the present owner being agreeable to the cadastral plan, the cancellation of said original certificate of title and the issuance, in its place, of a transfer certificate of title, are hereby ordered, the description of the lot to be in accordance with the cadastral survey, in favor of Simeon Tancinco, of age, Filipino, married to Angel Guadalupe, of Guiguinto, Province of Bulacan, Philippines, subject to a mortgage in favor of Leon Baltazar, for the sum of P1000.00 at 10 per cent interest per annum, for a period of four (4) years beginning November 15, 1915. the interested party is hereby ordered to transmit the duplicate of the aforementioned original certificate of title to the Land Registration Authority, Manila, for examination and compliance with the decision. The Register of Deeds for the Province Bulacan, shall collect the fees for the issuance of the new transfer certificate of title and for the annotation of the mortgage on the same, in accordance with the schedule prescribed by Act. No. 2866).*
28. **Lot under homestead application** – Then a lot is covered by a homestead or other application under the **Public Land Law** but the patent or title has not yet been issued, such lot must be declared to be public land, subject, however, to any right that the claimant may have acquired under the mentioned.
29. **Forms of decision** – Three forms of decisions have been attached hereto, one for contested lots and another for unclaimed lots. Those, it is believed, contain in their several paragraphs the determination of the principal questions likely to be raised in the course of the trial of cadastral proceedings. These forms of decisions have been prepared, adopting the most suitable paragraphs of cadastral decision handed down by the judges of the old Court of Land Registration and by some of the Judges of the Courts of First Instance, and are self-explanatory.
30. **Decision on lots according to their numerical order** – The several lots contested and uncontested, must be passed upon in strictly numerical order, it being very important that there be no departure from this rule.
31. **When the same evidence has been introduced concerning two or more lots** – In passing upon contested lots, two or more lots for which the same evidence has been introduced could be considered and disposed of jointly in one paragraph, provided the other lots with higher numbers are mentioned later in the place where the property belong in

accordance with their numbers, making reference in said place of their having been awarded elsewhere; on this manner all the lots covered by the decisions will be kept in their proper numerical order. (See form of decision "S" on contested lots).

32. **Lot subject to the state of inheritance tax** – Whenever a lot portion thereof belonging to a decree person is to be adjudicated to the heirs or to any of them, it should be ordered in the decision to make it appear in the final decree and the certificate of title to issue for said lot that the same is subject to the estate or inheritance tax provided by the law, if said tax has not yet been paid, and that notice of the pertinent part of said decision should be served upon the Collector of Internal Revenue or the corresponding provincial treasurer.
33. **What the decision must state relative to personal circumstances of claimant** – The decision must contain all the data required by section 40 of Act. No. 496 and by Act No. 3080, relative to the personal circumstances of the claimant. If both the decisions and the answer contain such data or any part thereof and there is any difference or contradiction between them., those contained in the decision shall be inserted in the decree.
34. **Separate decision for contested, noncontested and unclaimed lots** – Whenever it is possible, all contested lots included in a cadastral case must be passed upon at the same time in the same decision. (See Act No. 3080). In the same manner, all or as many contested lots as practicable must be disposed of in one decision. All unclaimed lots as well as claimed lots but not adjudicated to the claimants there or declared public lands shall be included in a separate decision.
35. **Heading of decision on uncontested lots** – The decision on uncontested lots must be clearly entitled "Decision Awarding Uncontested Lots."
36. **Two or more separate decisions not to have same date** – Care must be taken that two or more separate decision do not have the same date, in order to facilitate compliance with the order for the issuance of decrees.
37. **Decisions covering few lots to be avoided** – The handling down of many decisions each covering a few lots only instead of one decision comprising the majority of the lots in a cadastral proceeding must be avoided. Experience has demonstrated to the Land Registration Authority that, the more decisions covering few lots are handed down the more difficult and laborious becomes that examination of the records of the case, and the issuance of decrees is delayed instead of expedited. If one takes into consideration that a cadastral case covers very many lots; that some of the lots are intimately related with others, so that any modification or subdivision of a lot is liable to affect the adjoining lot or lots, that in the course of the proceedings a large number of incidents arise; that some of the lots have originally been decreed in ordinary land registration proceedings, and many other details, it is easy to understand that the result of the investigation of a cadastral proceeding would be very deficient when not all, or at least the majority of the lots included therein have been passed upon. Moreover, as decisions of that kind must bear different dates and become final at different times, and during those periods, incidents may arise with reference to the lots passed upon, a cadastral case has to be examined anew as many times as decisions of that kind are rendered, which results in a great loss of time. This kind of decisions also has an undesirable effect in the offices of the clerks of court, because every time that an order for the issuance of decrees is to be prepared the whole records of the proceedings have to be examined without fail.

38. **Awards in open court** – Awards in open court must be avoided as they give rise to partial decisions.
39. **Lining up claimants to ratify their answers** – The practice of lining up the claimants and making them ratify their answers at the same time, in order to make awards of numerous lots without first taking evidence, must be discontinued, because it is not only questionable from a legal point of view but also liable to give rise to serious consequences. (The practice of adjudicating lands without the presentation of evidence has been condemned by the Supreme Court and censured as a “glaring example of carelessness on the part of the trial court.”). *(NOTE: In a case where only Few Uncontested Lots in a Barangay will be heard and the individual evidences properly and carefully presented/gathered by the Systematic Adjudication Team/ Cadastral Officers, risk of adjudicating the lot to a wrong person is eliminated.)*
40. **Careful examination of each claimant; data to be ascertained** – Each claimant must be examined carefully as to how he acquired the land and in what capacity he possesses it, and must be required to prove why he is the absolute owner of the lot claimed. The following data must be ascertained:
- (a) Whether or not the land has been acquired by inheritance, and if so, from whom, and who are the co-heirs.
 - (b) Whether the property belongs to the husband or to the wife, or it is a conjugal property.
 - (c) Whether or not the claimant holds the land in common with his co-heirs or co-owners.
 - (d) Whether he holds the land as a trustee, or as a guardian of a minor, insane person, or spendthrift, etc.
 - (e) Whether he holds it as executor or administrator, under a will or under a probate proceeding.
 - (f) Whether he holds it as a lessee or in usufruct.
 - (g) And if the claimant is an alien, whether the land was transmitted to him by hereditary succession or otherwise.
41. **Encumbrances to be described in the decision** – If the lot is mortgaged or otherwise encumbered, the nature, amount and period of the encumbrance, the rate of interest, the name of the grantee, the date and place of execution of the document, the name of the notary public before whom said document was acknowledged, the volume, page and series of the notarial register, and other information necessary to better identify the document should be stated in the decision. *(See form of decision "A", Lot No. 5, EXAMPLE: Lot No. 5,*

with the improvements thereon, to Julio Valmonte, of age, Filipino, married to Rufina Rojas, of Malolos, Province of Bulacan, Philippines, subject to a mortgage in favor of Paz Pamintuan Vda. De Faustino, for the sum of P3,000.00 with an interest of 10 per cent per annum, payable within three years counting from the 15th day of March 1936, and to the other conditions stipulated in the instrument executed by Julio Valmonte and acknowledge before a Notary Public A.L.Noel of the City of Manila, Philippines, under Notarial Reg. No. 440, Page 52, Book No. II, Series of 1936, on March 16,1936.)).

42. **Subdivision of a lot** – Except of cases in extreme necessity, no petition for the subdivision of a lot must be granted after the decision concerning the same has become final, without the previous issuance of the final decree and certificate of title herefor, because otherwise great confusion will ensue in the numeration of the lots, and the examination of the cadastral proceedings by the General Land Registration Office, will be rendered difficult. It is, therefore, necessary to ascertain if the final decree has already been issued by the General Registration Office and if it has not, its issuance must be suspended until further orders, before granting such petition.

43. **When a lot may be subdivided** – After the decision has become final, the person concerned may subdivide the lot as soon as he has secured the certificate of title, following the procedure provided for in section 44 of Act No. 496. (See also the second paragraph of section 6 of Act No. 2259).

44. **When decision on uncontested lots will become final** – In accordance with Act No. 3080, the decision on uncontested lots becomes final thirty days after it has been rendered. Notwithstanding this provision, the Land Registration Authority must not issue the decrees until an order of the Court to this effect is received (Judicial Form No. 115), because there may be lots which, though not contested at the time the decision is promulgated, are subject to reconsideration, for any reason, at the time said decision becomes final.

45. **Issuance of final decrees** – Thirty days after a decision adjudicating uncontested lots has been rendered, if no motion for a new trial or reconsideration has been filed, the court must order that final decrees of registration be issued. In case motions for a new trial or appeals have been filed with reference to any lot, or if anything appears from the records whereby it is deemed inadvisable to issue the decrees concerning said lots for the time being, such lot must be specifically excepted in the order for the issued of decrees for the other lots included in the same decision.

PART 2 – SAMPLE FORMS

1. Petition

MUNICIPAL TRIAL COURT OF DAGAMI

Eighth Judicial Region

Bulwagan ng Katarungan

Dagami, Leyte

Republic of the Philippines
Rep. by Department of
Environment and Natural Resources
Region VI

Cad. Case No. ___

Cad Case Rec. _____

Petitioner.

x-----x

P E T I T I O N

COMES NOW, Republic of the Philippines, thru the undersigned, and to this Honorable Court respectfully states:

1. Public interest requires that title to the described tract of land be settled and adjudicated:

A tract of land containing an area of 124.0727 hectares more or less, situated in Brgy. Bayabas in the Municipality of Dagami , Province of Leyte, Philippines, the same being designated as CASE 26, CAD 503-D, MODULE 13, Dagami Cadastre.

That for this purpose, petitioner presents this petition in accordance with the provisions of Section 36, Presidential Decree 1529, against all the holders, claimants, possessors or occupants of the said land, and hereby makes as parts hereof the following:

(a) *Barangay Boundary Index Map of Brgy. Cabariwan, Municipality of Dagami, white print (Annex A)*

(b) *Technical Descriptions of the Exterior Boundary Map of Brgy. Cabariwan, Municipality of Dagami. (Annex B)*

(c) *Geodetic Engineer's Certificate (Annex C)*

3. No voluntary applications for registration of the said parcels of lands has been filed under the provisions of Chapter VIII of Commonwealth Act No. 141, as amended, nor under the provisions of the Property Registration Decree 1529 (Land Registration Law), and that the title thereto is uncertain or open to question.

WHEREFORE , petitioner prays that the title to the land aforementioned be settled and adjudicated.

Makati City, Philippines for Dagami, Leyte.

SIMEON MARCELO

Solicitor General

IBP Roll No. 0145,09-22-93

ANTONIO L. VILLAMOR

IBP Roll No. 360860-1-09-02

Assistant Solicitor General

DEREK R. PUERTOLLANO

IBP Lifetime No. 01927

Solicitor

ATTY. RAMIL E. MACALALAD

Special Attorney

Office of the Solicitor General

CJO DENR, Region VIII, Tacloban City

EXPLANATION

Pursuant to Section 11, Rule 13 of the Rules of Civil Procedures, the foregoing Petition shall be filed with this Honorable Court and to the other parties by registered mail due to impracticability of personal filing.

DEREK R. PEORTOLLANO

Solicitor

VERIFICATION AND CERTIFICATION
OF NON-FORUM SHOPPING

I, PEDRO V. CALIXTO, Regional Executive Director, Department of Environment and Natural Resources, Region 8, after having been duly sworn in accordance with law, hereby depose and state:

I am representing the Republic of the Philippines as the petitioner in this case;

I have caused the preparation of the foregoing petition;

I have read and understood the contents thereof; allegations therein are true and correct based on my personal knowledge or authentic records;

I have not therefore commenced any other action or proceeding involving the same issues in the Supreme Court, the Court of appeals, or any of the other tribunal or agency; that to the best of my knowledge, no such action or proceeding is pending in the Supreme Court, the Court of Appeals, or different divisions thereof, or any other tribunal or agency; that if I should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or different divisions thereof, or any other tribunal or agency, I undertake to promptly report the fact within five (5) days therefrom.

PEDRO V. CALIXTO

Affiant

SUBSCRIBED AND SWORN TO before me this _____ day
of March , 2002 affiant exhibited to me his Community Tax Certificate No.
105166256 issued at Quezon City on January 3, 2002.

DEREK R. PUERTOLLANO

Solicitor

Copy furnished:

The Commissioner
Land Registration Authority
Quezon City

The Municipal Mayor

The CENRO Office
CENRO Office

The Provincial Fiscal

MUNICIPAL TRIAL COURT OF DAGAMI
Eight Judicial Region
Bulwagan nga Katarungan
Dagami, Leyte

REPUBLIC OF THE PHILIPPINES

Rep. by Pedro V. Calixto

DENR Regional Executive Director,

Region VI

Petitioner,

CAD. Case No. _____

Cad. Record No. _____

x-----x

CLAIM

COMES NOW, the DENR Regional Executive Director, thru the Solicitor General, and to this Honorable Court respectfully states that the parcel of land described in the petition for the settlement and adjudication of land claim within Barangay Cabariwan, Municipality of Dagami, Province of Leyte, which constitute the subject matter of this case, are of public domain; on the ground that, so far as he is aware, said parcel have not been acquired by any person either by composition title from the Spanish Government, by possessory information title or by any legal means to acquire the lands; and assuming that there was such a Spanish title, the same can no longer be used as evidence of ownership for failure to institute a necessary proceedings with the period provided in Presidential Decree No. 892. It is also alleged that, conceding that said parcel were acquired by private persons, whatever rights or interests they might have had thereto or therein, have been lost by prescription, having been adversely, continuously, openly, excessively, peacefully, and notoriously possessed by the Republic of the Philippines as public land.

WHEREFORE, it is respectfully prayed that the above-mentioned parcels be declared public land belonging to the Republic of the Philippines.

SIMEON V. MARCELO

Solicitor General

Assistant Solicitor General

Solicitor

Special Attorney

Office of the Solicitor General

C/O DENR, Region VIII, Tacloban City

EXPLANATION

Pursuant to Section 11, Rule 13 of the 1997 Rules of Civil Procedure, the foregoing Claim shall be filed to this honorable court and to the other parties by registered mail due to impracticability of personal filing.

DEREK R. PUERTOLLANO

Solicitor

VERIFICATION

REPUBLIC OF THE PHILIPPINES)
CITY OF MANILA)

I, Pedro V. Calixto, after having been duly sworn deposes and says; that he is the Regional Executive Director of the DENR; that he has caused the preparation of the foregoing claim; that he has read and understood all the allegation therein and that the allegations are true and correct of his knowledge.

PEDRO V. CALIXTO

Affiant

SUBSCRIBED AND SWORN to before me in the City Manila on this _____ day of March , 2002, affiant exhibited to me his Residence Certificate no. 105166256 issued at Quezon City , on January 3, 2002.

Solicitor

Copy furnished :

The Administrator
Land Registration Authority
Quezon City

The Municipal Mayor
The District Land Officer
DLO, Bureau of Lands
The Provincial Fiscal
The Solicitor General
Makati City

**TRANSCRIBED TECHNICAL DESCRIPTION
OF EXTERIOR BOUNDARY OF
BRGY. BOLIRAO, CASE 27, CAD 503-D
MODULE 13, DAGAMI CADASTRE**

Description of Exterior Boundary of Case 27, Cad 503-D, Module 13, Dagami Cadastre, Dagami, Leyte. This case consist of 5 Cadastral Maps comprising of 184 lots having an aggregate area of 169.2003 hectares. Situated in the Brgy. Bolirao, Municipality of Dagami, Province of Leyte, Island of Leyte. Bounded on the Southwest along line 1-3 by Brgy. Road; corner 1 is common to lot 3200 (Ladislao Aguinalde) Cad 503-D, Case 33, Module 14; 3-5 lot 3202 (Orestes Aguinalde), Cad 503-D, Case 32, Module 14; 5-6 by lot 2344 (Gonzalo Marcellano), Cad 503-D, Case 32, Module 14; corner 5 is common to lot 2343 (Ladislao Aguinalde), Cad 503-D, Case 32, Module 14; 5-6 by lot 2344 (Gonzalo Marcellano), Cad 503-D, Module 14; 6-8 by lot 3222 (Barbia Bud-oy), Cad 503-D, Case 32, Module 14; on the Northwest along line 8-9 by Maliwaliw Creek; 9-11 by lot 2295 (Cecilio Davocol), Cad 503-D, Case 28, Module 13; 11-12 by lot 2296 (Alberto Nobio), Cad 503-D, Case 28, Module 13; 12-13 by lot 2997 (Petra Nobio), Cad 503-D, Case 28, Module 13; 13-14 by lot 2998 (Honorina Emata), Cad 503-D, Case 28, Module 13; 14-22 by creek; 22-23 by lot 2300 (Barbia Bud-oy), Cad 503-D, Case 1, Module 1; 23-30 by lot 3250 (Guadalupe Ubaldo), Cad 503-D, Case 1, Module 1; 30-32 by lot 3246 (Segundino Ubaldo), Cad 503-D, Case 1, Module 1; on the Northeast along line 32-33 by creek; 33-34 by lot 8581 (Rodolfo Almadin), Cad 503-D, Case 1, Module 1; 34-39 by lot 8603 (Florentino Sardillas), Cad 503-D, Case 1, Module 1; 39-40 by lot 3928 (Lucila Sardillas), Cad 503-D, Case 25, Module 11; 40-42 by lot 4779 (Roberto Ubaldo), Cad 503-D, Case 25, Module 1; 42-44 by lot 3923 (Martin Almadin), Cad 503-D, Case 25, Module 11; 44-45 by lot 4777 (NIA Road), Cad 503-D, Case 25, Module 11; 45-46 by 4776 (Roberto Ubaldo), Cad 503-D, Case 25, Module 11; 46-47 by Brgy. Road; 47-48 by lot 4142 (Epifania Maurillo), Cad 503-D, Case 25, Module 11; 48-49 by lot 3922 (Florentino Aragon), Cad 503-D, Case 25, Module 11; 49-50 by Guinarona Creek; on the Southeast along line 50-58 by Guingawan Creek; 58-77 by Hinulogan Creek; on the southwest along line 79-80 by lot 2582 Cleofe Florencio, Cad 503-D, Case 33, Module 14; 80-81 by lot 2581 (NIA Road), Cad 503-D, Module 14; 81-83 by lot 2579 (Rodolfo Florencio), Cad 503-D, Case 33, Module 14; 83-84 by lot 2523 (Lucas Tolibas), Cad 503-D, Case 33, Module 14; corner 84 is common to lot 2519 (Melchora Cabroc) 84-85 by lot 2580 (Rufino Cabi-oc), Cad 503-D, Case 33, Module 14; 85-86 by lot 2522 (Filomena Negro), Cad 503-D, Case 33, Module 14; 86-88 by lot 2995 (Teodara Callera), Cad 503-D, Case 33, Module 14; 88-89 by lot 2993 (Alejandro Cabi-oc), Cad 503-D, Case 33, Module 14; 89-94 by lot 2988 (Tato Telimban), Cad 503-D, Case 33, Module 14. Beginning at a point marked "1" on plan; being S26 deg. 40' E., 2293.52 m. from BLLM No. 1 Cad 503-D, Module 13, Municipality of Dagami, Leyte.

Technical description of barangay perimeter

- thence N56 deg. 55' W.; 10.96 m. to point 2;
- thence N56 deg. 55' W.; 06.85 m. to point 3;
- thence N52 deg. 44' W.; 145.79 m. to point 4;
- thence N52 deg. 45' W.; 83.98 m. to point 5;
- thence N09 deg. 49' E.; 86.97 m. to point 6;
- thence N00 deg. 19' W.; 192.38 m. to point 7;
- thence N67 deg. 07' W.; 149.30 m. to point 8;
- thence N33 deg. 19' E.; 31.14 m. to point 9;
- thence S07 deg. 02' W.; 12.42 m. to point 10;
- thence N47 deg. 13' E.; 128.99 m. to point 11;
- thence N39 deg. 04' E.; 58.17 m. to point 12;
- thence N15 deg. 32' W.; 47.20 m. to point 13;
- thence N59 deg. 40' E.; 27.66 m. to point 14;
- thence N22 deg. 18' E.; 31.37 m. to point 15;

thence N23 deg. 19' E.; 91.96 m. to point 16;
thence N07 deg. 58' E.; 32.67 m. to point 17;
thence N39 deg. 03' E.; 28.75 m. to point 18;
thence N20 deg. 53' E.; 65.94 m. to point 19;
thence N59 deg. 48' E.; 90.44 m. to point 20;
thence N56 deg. 24' E.; 82.47 m. to point 21;
thence N59 deg. 25' W.; 9.26 m. to point 22;
thence N70 deg. 55' E.; 51.98 m. to point 23;
thence N70 deg. 30' E.; 10.33 m. to point 24;
thence S86 deg. 51' E.; 22.61 m. to point 25;
thence N63 deg. 49' E.; 41.06 m. to point 26;
thence N47 deg. 40' E.; 20.02 m. to point 27;
thence N59 deg. 36' E.; 40.08 m. to point 28;
thence N41 deg. 00' E.; 141.58 m. to point 29;
thence N59 deg. 59' E.; 15.07 m. to point 30;
thence N38 deg. 58' E.; 36.51 m. to point 31;
thence N22 deg. 56' E.; 4.88 m. to point 32;
thence S56 deg. 04' E.; 8.96 m. to point 33;
thence S61 deg. 45' E.; 63.13 m. to point 34;
thence S22 deg. 20' W.; 73.60 m. to point 35;
thence S61 deg. 03' E.; 72.30 m. to point 36;
thence S63 deg. 31' E.; 36.41 m. to point 37;
thence N32 deg. 54' E.; 62.65 m. to point 38;
thence S65 deg. 43' E.; 95.87 m. to point 39;
thence S16 deg. 30' E.; 56.32 m. to point 40;
thence S40 deg. 30' W.; 74.11 m. to point 41;
thence S85 deg. 30' E.; 282.47 m. to point 42;
thence S60 deg. 05' E.; 150.51 m. to point 43;
thence S18 deg. 54' E.; 5.00 m. to point 44;
thence S68 deg. 20' E.; 15.05 m. to point 45;
thence S58 deg. 23' E.; 107.97 m. to point 46;
thence S55 deg. 18' E.; 13.49 m. to point 47;
thence S60 deg. 24' E.; 121.52 m. to point 48;
thence S61 deg. 21' E.; 53.12 m. to point 49;

thence S73 deg. 37' E.; 41.64 m. to point 50;
thence S00 deg. 16' E.; 217.00 m. to point 51;
thence S64 deg. 39' E.; 84.10 m. to point 52;
thence S18 deg. 26' E.; 12.65 m. to point 53;
thence S20 deg. 40' W.; 130.38 m. to point 54;
thence S32 deg. 09' W.; 82.68 m. to point 55;
thence S53 deg. 51' W.; 64.40 m. to point 56;
thence S38 deg. 30' W.; 56.22 m. to point 57;
thence S07 deg. 38' W.; 82.73 m. to point 58;
thence S34 deg. 56' W.; 153.69 m. to point 59;
thence S63 deg. 26' W.; 31.30 m. to point 60;
thence N81 deg. 28' W.; 20.22 m. to point 61;
thence S16 deg. 19' W.; 42.72 m. to point 62;
thence N80 deg. 55' W.; 25.32 m. to point 63;
thence N25 deg. 01' W.; 16.55 m. to point 64;
thence DUE WEST; 12.00 m. to point 65;
thence S65 deg. 46' W.; 21.93 m. to point 66;
thence N81 deg. 15' W.; 78.92 m. to point 67;
thence S54 deg. 07' W.; 116.02 m. to point 68;
thence S84 deg. 28' W.; 62.29 m. to point 69;
thence S40 deg. 36' W.; 36.88 m. to point 70;
thence S77 deg. 28' W.; 18.44 m. to point 71;
thence S18 deg. 02' W.; 90.44 m. to point 72;
thence S68 deg. 35' W.; 109.56 m. to point 73;
thence S26 deg. 34' W.; 53.67 m. to point 74;
thence N88 deg. 23' W.; 142.06 m. to point 75;
thence S28 deg. 04' W.; 102.00 m. to point 76;
thence S65 deg. 10' W.; 145.43 m. to point 77;
thence S07 deg. 26' E.; 86.47 m. to point 78;
thence N07 deg. 26' W.; 86.47 m. to point 79;
thence N38 deg. 00' W.; 98.82 m. to point 80;
thence N27 deg. 24' W.; 10.71 m. to point 81;
thence N25 deg. 32' W.; 27.92 m. to point 82;
thence S35 deg. 21' W.; 97.56 m. to point 83;

thence S86 deg. 14' W.; 86.32 m. to point 84;
thence N11 deg. 32' W.; 31.26 m. to point 85;
thence N00 deg. 59' E.; 44.06 m. to point 86;
thence N04 deg. 12' W.; 29.46 m. to point 87;
thence N07 deg. 08' W.; 73.62 m. to point 88;
thence N07 deg. 40' E.; 79.24 m. to point 89;
thence N20 deg. 57' E.; 72.31 m. to point 90;
thence N23 deg. 32' E.; 57.71 m. to point 91;
thence N48 deg. 15' E.; 18.31 m. to point 92;
thence N46 deg. 50' W.; 18.32 m. to point 93;
thence N46 deg. 54' W.; 75.28 m. to point 94;
thence N38 deg. 48' W.; 12.96 m. to the point of

beginning, containing an area of 173.1931 hectares. All points referred to are indicated on the map and area marked on the ground as follows; points 1-37 by P.S. cyl. conc. mons.; point 38 by "x" on coco tree; point 39 by "x" jackfruit tree; point 40 by P.S. cyl. conc. mons.; points 41-43 by "x" on tree; point 44 by P.S. cyl. conc. mons.; points 45-46 by "x" on tree; point 47 by BBM 12; point 48-49 by P.S. cyl. conc. mons.; points 50-76 by scale; 78 by BBM No. 3, 20x20x100; points 79-81 by P.S. cyl. conc. mons.; point 82 by "x" on jackfruit tree; points 83-89 by P.S. cyl. conc. mons.; points 90 by "x" on tree 20 cm. diameter; points 92-93 by P.S. cyl. conc. mons.; point 94 by BBM No. 97, 20x20x100. Bearings grid; surveyed on December 14, 1997 to February 3, 1998 by Geodetic Engineer Ursulo R. Sanico in compliance with the Memorandum of Approval of Contract on Cadastral Module issued April 29, 1997, by the Undersecretary for Field Operation and approved on April 6, 2000.

Prepared by:

BENIGNO V. SANICO, JR.
Supervising Cartographer

Certified Correct:

FELIPE S. CALUB
ARED for Operations

**DESCRIPTION OF EXTERIOR BOUNDARY OF
BARANGAY BOLIRAO, CASE 27, CAD 503-D
MODULE 13, DAGAMI CADASTRE**

DESCRIPTION OF EXTERIOR BOUNDARY OF BARANGAY BOLIRAO, CASE 27, CAD 503-D, MODULE 13, DAGAMI CADASTRE, MUNICIPALITY OF DAGAMI, PROVINCE OF LEYTE, ISLAND OF LEYTE. SURVEYED FROM DECEMBER 14, 1997 TO FEBRUARY 3, 1998 IN ACCORDANCE WITH THE PROVISIONS OF ACT 2259 AS AMENDED UNDER THE DIRECTION OF THE DIRECTOR OF LANDS BY URSULO R. SANICO, GEODETIC ENGINEER (CONTRACTOR).

APPROVED ON APRIL 6, 2000.

Adjoining owners

BOUNDED ON THE NORTH BY LOT 2300 (BARBIA BUD-OY)

	Lot 3250 (Guadalupe Ubaldo)
Lot 3246 (Segundino Ubaldo)	Lot 8581 (Rodolfo Almadin)
Lot 8603 (Florentino Sardellos)	Lot 3928 (Lucila Sardillas)
Lot 4779 (Roberto Ubaldo)	Lot 3923 (Martin Almadin)
Lot 4777 (NIA Road)	Lot 4776 (Roberto Ubaldo)
Lot 4142 (Epifania Maurillo)	Lot 3922 (Florentino Aragon);
On the East of Guinawan Creek; on the	
South by Hinulogan Creek	Lot 2582 (Cleofe Florencio)
Lot 2581 (NIA Road)	Lot 2579 (Rodolfo Florencio)
Lot 2523 (Lucas Tolibas); on the West by	Lot 2519 (Melchora Cabroc)
Lot 2580 (Rufino Cabi-oc)	Lot 2522 (Filomena Negro)
Lot 2595 (Teodorica Callera)	Lot 2993 (Alejandro Cabioc)
Lot 2988 (Tato Telimban)	Lot 3200 (Ladislao Aguinalde)
Lot 3210 (NIA Road)	Lot 3202 (Orestes Aguinalde)
Lot 2343 (Ladislao Aguinalde)	Lot 2344 (Gonzalo Marcellano)
Lot 3222 (Barbia Bud-oy)	Lot 2291 (Cecilio Davocol)
Lot 2296 (Alberto Nobio)	Lot 2997 (Petra Nobio)
Lot 2998 (Honorio Emata), All of Dagami, Leyte.	

Prepared by:

BENIGNO V. SANICO, JR.

Supervising Cartographer

Certified correct:

FELIPE S. CALUB

ARED for Operations

Validated list of claimants

Forms for judicial titling activities

Municipality : Dagami, Leyte

NUMERICAL LIST OF CLAIMANTS

Barangay : Bolirao, Case 27

Mod. 13, Cad 503-D

Lot No.	Original Claimants	Current Claimants	Address of Claimant	Status	Land Use	Ownership Type	Area
2303	Hrs. of Juan Nobio	Adelaida Nobio Orcado	Poblacion, Dagami, Leyte	Uncontested	Agri'l.	P - 26894	20,143
2304	Hrs. of Petra Nobio	Adelaida Nobio Orcado	- do -	- do -	- do -		9,807
2305	hrs. of Alberto Nobio	Adelaida Nobio Orcado	- do -	- do -	- do -		6,312
2306	Hrs. of Juan Nobio	Adelaida Nobio Orcado	- do -	- do -	- do -		2,608
2307	Honorata Emata	Adelaida Nobio Orcado	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		4,779
2308	Barbia Bud-oy		- do -	- do -	- do -		8,896
2309	Catalina Maganda	Darang, Elpidio	- do -	- do -	- do -		19,196
2310	Hrs. of Juan Nobio	Adelaida Nobio Orcado	Poblacion, Dagami, Leyte	- do -	- do -	P - 26893	33,339
2311	Francisco Mazo	Mazo, Francisco Nobio	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		2,956
2312	Hrs. of Petra Nobio	Adelaida Nobio Orcado	Poblacion, Dagami, Leyte	- do -	- do -		27,821
2313	Hrs. of Juan Nobio	Adelaida Nobio Orcado	- do -	- do -	- do -		5,937
2314	Francisco Mazo	Mazo, Francisco Nobio	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		8,605
2315	Perfecto and Lucille Manahan	Ubaldo, Eufracia B.	- do -	- do -	- do -		7,763
2316	Honorata Emata	Adelaida Nobio Orcado	- do -	- do -	- do -		7,763
2317	Adelaida N. Orcado	Adelaida Nobio Orcado	Poblacion, Dagami, Leyte	- do -	- do -	P - 35137	5,932
2318	Pastor Berino	Ma. Berlyn Liporada	- do -	- do -	- do -		17,521
2319	Luz Bañez		Brgy. Bolirao, Dagami, Leyte	- do -	- do -		6,144

Validated list of claimants

Forms for judicial titling activities

Municipality : Dagami, Leyte

NUMERICAL LIST OF CLAIMANTS

2320	Olivia Nobio	Salvatierra, Olivia Nobio	Poblacion, Dagami, Leyte	- do -	- do -	P - 35139	21,517
2321	Hrs. of Guadalupe Ubaldo	Ubaldo, Eufracia B.	Brgy. Banayon, Dagami, Leyte	- do -	- do -		18,805
2322	Margarita Alcotas	Mercader, Margarita A.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		8,488
2323	Anastacia Alcotas	Bibar, Magdalena D.	- do -	- do -	- do -		3,323
2324	Hrs. of Leoncio Loreno	Loreno, Beneicta O.	- do -	- do -	- do -		3,707
2325	Conception Roca	Caandi, Pelagio R.	- do -	- do -	- do -		5,162
2326	Domingo Bibar	Bibar, Magdalena D.	- do -	- do -	- do -		2,862
2327	Church Site	Brgy. Bolirao	- do -	- do -	- do -		615
2328	Aurea Maurillo	Maurillo, Aurea L.	- do -	- do -	- do -		515
2329	Amado Roca	Roca, Virgilio O.	- do -	- do -	- do -		3,761
2330	Adelaida N. Orcado	Adelaida Nobio Orcado	Poblacion, Dagami, Leyte	contested	- do -		6,816
2331	Pelagio Caanole	Caandi, Pelagio R.	Brgy. Bolirao, Dagami, Leyte	uncontested	- do -		2,842
2332	Enrica Caples	Caples, Enrica A.	- do -	- do -	- do -		7,994
2333	Adelaida N. Orcado	Adelaida Nobio Orcado	Poblacion, Dagami, Leyte	- do -	- do -	P - 35138	12,907
2334	Olivia Nobio	Salvatierra, Olivia Nobio	- do -	- do -	- do -		13,163
2335	Antonio Emata	Pique, Abelardo Q.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		984
2336	Luz Briones	Caridad, Briones	- do -	- do -	- do -		32,638
2337	Generoso Pique	Pique, Abelardo Q.	Brgy. Maliwaliw, Dagami, Leyte	- do -	- do -		44,647
2338	Numeriano Trecene	Treceñe, Porferia O.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		1,866
2339	Numeriano Trecene	Treceñe, Porferia O.	- do -	- do -	- do -		2,991
2723	Hrs. of Roberto Ubaldo	Ubaldo, Eufracia B.	Brgy. Banayon, Dagami, Leyte	- do -	- do -		50,825
2981	Virginia N. Sudario	Adelaida Nobio Orcado	Brgy. Poblacion, Dagami, Leyte	- do -	- do -	P - 35141	17,968
2982	Estela Trecene	Treceñe, Estela K.	- do -	contested	- do -		12,939
2983	Hrs. of Peregrina Gerona	Gerona, Oscar U.	- do -	contested	- do -		18,037
2984	Maria Caples	Loreno, Aurea C.	Brgy. Bolirao, Dagami, Leyte	uncontested	- do -		8,497

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Municipality : Dagami, Leyte

NUMERICAL LIST OF CLAIMANTS

2985	Numeriano Trecene	Treceñe, Estela K.	- do -	- do -	- do -	5,686
2986	Mariano Altes	Gerilla, Estelita A.	- do -	- do -	- do -	11,758
2987	Hrs. of Sebastiana Sudario	Sudario, Lucy P.	Brgy. Poblacion, Dagami, Leyte	- do -	- do -	7,851
2989	Generoso Pique	Pique, Abelardo Q.	Brgy. Maliwaliw, Dagami, Leyte	- do -	- do -	7,458
2990	Prudencio Altes	Altes, Prudencio M.	- do -	- do -	- do -	6,266
2991	Numeriano Trecene	Treceñe, Porferia O.	Brgy. Bolirao, Dagami, Leyte	contested	- do -	33,253
2992	Hrs. of Sebastiana Sudario	Sudario, Lucy P.	Brgy. Poblacion, Dagami, Leyte	uncontested	- do -	8,553
2997	Hrs. of Sebastiana Sudario	Sudario, Lucy P.	- do -	- do -	- do -	24,561
3000	Perpetua Nemenzo	Opiniano, Perpetua N.	Tacloban City	- do -	- do -	P - 27309 15,030
3001	Numeriano Trecene	Treceñe, Porferia O.	Brgy. Bolirao, Dagami, Leyte	uncontested	Agri'l.	4,974
3003	Numeriano Trecene	Treceñe, Reynaldo O.	- do -	- do -	- do -	10,555
3004	NIA	NIA	- do -	- do -	- do -	1,020
3005	Numeriano Trecene	Treceñe, Reynaldo O.	- do -	- do -	- do -	4,197
3006	Numeriano Trecene	Tondo, Nilda M.	- do -	- do -	- do -	13,104
3007	NIA	NIA	- do -	- do -	- do -	1,041
3008	Hrs. of Leoncio Loreno	Loreno, Benedicta O.	- do -	- do -	- do -	16,091
3009	Hrs. of Cecilia Cardana	Brazil, Anecita M.	- do -	- do -	- do -	21,160
3010	Virgilio Roca	Roca, Virgilio O.	- do -	- do -	- do -	3,079
3011	Hrs. of Cecilia Cardana	Brazil, Anecita M.	- do -	- do -	- do -	4,709
3012	Florentina Ganata	Ganata, Florentina R.	- do -	- do -	- do -	919
3013	Generoso Pique	Pique, Abelardo Q.	Brgy. Maliwaliw, Dagami, Leyte	- do -	- do -	7,874
3014	Juanita Doral	Ganata, Florentina R.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	3,523
3015	Enrica Caples	Caples, Enrica A.	- do -	- do -	- do -	5,061
3016	Juanito Doral	Ganata, Florentina R.	- do -	- do -	- do -	592

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Forms for judicial titling activities

Municipality : Dagami, Leyte

NUMERICAL LIST OF CLAIMANTS

3017	Caridad Garcia	Garcia, Jun V.	- do -	- do -	- do -		13,648
3018	Juanario Manasis	Tondo, Nilda M.	- do -	- do -	- do -	P - 1861	14,544
3019	Hrs. of Julio Siangco		Tacloban City	- do -	- do -		159
3020	NIA	NIA	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		605
3021	Hrs. of Julio Siangco		Tacloban City	- do -	- do -		9,577
3022	Virgilio Roca	Roca, Virgilio O.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		1,885
3024	Diorico Lazarte	Lazarte, Teodorico V.	- do -	- do -	- do -		1,967
3025	Prudencio Altas	Altes, Prudencio M.	Brgy. Maliwaliw, Dagami, Leyte	- do -	- do -		8,477
3026	Hrs. of Bernardino Maurillo	Maurillo, Bernardino A.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		973
3027	Porferia Trecene	Treceña, Porferia O.	- do -	- do -	- do -		325
3028	Estela Navarette	Navarrete, Estela E.	Poblacion, Burauen, Leyte	- do -	- do -		25,143
3029	NIA	NIA	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		1,814
3030	Estela Navarette	Navarrete, Estela E.	Poblacion, Burauen, Leyte	- do -	- do -		27,072
3031	Florentina Ganata	Ganata, Florentina R.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		3,683
3032	Ireneo Corvera	Ismale, Laureta C.	- do -	- do -	- do -		4,029
3033	Anacleto Lazarte	Ortega, Esmeralda Bardillon	- do -	contested	- do -		14,961
3034	Hrs. of Juan Socorro	Ortega, Esmeralda Bardillon	- do -	- do -	- do -		10,072
3035	Anacleto Lazarte	Ortega, Esmeralda Bardillon	- do -	- do -	- do -		2,514
3036	Anacleto Lazarte	Ortega, Esmeralda Bardillon	- do -	uncontested	- do -		11,084
3037	Magdalena Villasante	Tababa, Erlinda V.	Brgy. Banayon, Dagami, Leyte	- do -	- do -		14,019
3038	Genoviva Morata	Miraflores, Atilano	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		18,251
3039	Rosa Morata	Eliseo, Sofronio M.	- do -	- do -	- do -		26,127
3040	NIA	NIA	- do -	- do -	- do -		167
3041	Rosa Morata	Eliseo, Sofronio M.	- do -	- do -	- do -		162
3042	Magdalena Villasante	Tababa, Erlinda V.	Brgy. Banayon, Dagami, Leyte	- do -	- do -		1,886

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Municipality : Dagami, Leyte

NUMERICAL LIST OF CLAIMANTS

3043	NIA	NIA	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		491
3044	Magdalena Villasante	Tababa, Erlinda V.	Brgy. Banayon, Dagami, Leyte	- do -	- do -		9,097
3045	Fidela Miraflores	Miraflores, Atilano	Poblacion	- do -	- do -		14,340
3046	Nicetas Martillo	Bengzon, Ana Fe M.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		25,247
3048	Fe Caidoy	Caidoy, Fe	Poblacion	- do -	- do -		17,075
3049	Nicetas Martillo	Bengzon, Ana Fe M.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		14,729
3050	Amado Roca	Roca, Geronimo O.	- do -	- do -	- do -		3,203
3051	Florentina Ganata	Ganata, Florentina R.	- do -	- do -	- do -		6,605
3052	Federico Ontimare	Ontimare, Federico R.	- do -	- do -	- do -		4,926
3053	Gregorio Rael	Rael, Antonieta G.	- do -	- do -	- do -		2,469
3054	Florentina Ganata	Ganata, Florentina R.	- do -	- do -	- do -		2,436
3055	Gregorio Telang	Tuang, Gorgonio R.	Brgy. Banayon, Dagami, Leyte	uncontested	Agri'l.		2,679
3056	Ireneo Corvera	Ismale, Laureta C.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		3,956
3057	Federico Ontimare	Mendoza, Lita O.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		7,942
3058	Spouses of Abelardo Nemenso	Nemenzo, Abelardo O.	Tacloban City	- do -	- do -		9,924
3059	Donato Cajara vs. Gregorio Rael	Suprales, Oscar R.	Brgy. Bolirao, Dagami, Leyte	contested	Agri'l.		10,762
3060	Salvador Tutana	Opiniano, Perpetua N.	- do -	uncontested	- do -		1,505
3061	Pastora Rael	Ganata, Florentina R.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -		775
3062	Virginia N. Sudario	Adelaida Nobio Orcado	Poblacion, Dagami, Leyte	- do -	- do -	P - 35140	3,147
3063	Amado Roca	Roca, Amado O.	Brgy. Bolirao, Dagami, Leyte	- do -	Agri'l/Res'l.		10,616
3064	Gregorio Rael	Rael, Antonieta G.	- do -	- do -	- do -		4,410
3065	Florentina Ganata	Ganata, Florentina R.	- do -	- do -	- do -		2,393

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Municipality : Dagami, Leyte

NUMERICAL LIST OF CLAIMANTS

3066	School Site	Brgy. Bolirao	- do -	- do -	Res'l.	3,271
3067	Beatriz Alcotas	Alcotas, Beatriz G.	- do -	- do -	Agri'l.	2,040
3068	Deven O Nemenzo	Nemenzo, Perpetua O.	Tacloban City	- do -	- do -	2,788
3069	Benedicta Loreno	Loreno, Benedicta O.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	303
3070	Hrs. of Faustina Balleras	Adelaida Nobio Orcado	- do -	- do -	- do -	19,325
3071	Amado Roca	Roca, Danilo O.	- do -	- do -	- do -	7,898
3072	Hrs. of Enrique Maurillo	Maurillo, Narciso vs	- do -	- do -	- do -	13,455
3073	Hrs. of Aquilino Pique	Pique, Abelardo Q.	- do -	- do -	- do -	30,778
3074	Benito Maurillo	Maurillo, Francisca G.	- do -	- do -	- do -	20,494
3075	Amado Roca	Roca, Amado O.	- do -	- do -	- do -	5,911
3076	Epifanio Maurillo	Garcelazo, Epifania M.	- do -	- do -	- do -	8,052
3077	Juanita Dacomos	Tuang, Gorgonio R.	- do -	- do -	- do -	6,151
3078	Hrs. of Cecilia Cardana	Brazil, Anecita M.	- do -	- do -	- do -	6,208
3079	Domingo Maurillo	Maurillo, Blandina A.	- do -	- do -	- do -	14,284
3080	Gorgonio Tuang	Tuang, Gorgonio R.	Brgy. Banayon, Dagami, Leyte	- do -	- do -	14,129
3081	Perpetua Opiniano	Nemenzo, Perpetua Opiniano	Tacloban City	- do -	- do -	6,792
3082	Pastora Rael	Ganata, Florentina R.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	9,991
3083	Perpetua Opiniano	Nemenzo, Perpetua O.	Tacloban City	- do -	- do -	6,241
3084	Benito Maurillo	Maurillo, Francisca G.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	1,121
3085	Gorgonio Tuang	Tuang, Gorgonio R.	Brgy. Banayon, Dagami, Leyte	- do -	- do -	12,338
3086	Hrs. of Primitivo Maurillo	Maurillo, Cipriano G	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	1,729
3087	Domingo Maurillo	Maurillo, Blandina A.	- do -	- do -	- do -	782
3088	NIA	NIA	- do -	- do -	- do -	604
3089	NIA	NIA	- do -	- do -	- do -	419
3090	Domingo Maurillo	Maurillo, Blandina A.	- do -	- do -	- do -	5,471

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Municipality : Dagami, Leyte

NUMERICAL LIST OF CLAIMANTS

3091	Hrs. of Primitivo Maurillo	Maurillo, Cipriano G	- do -	- do -	- do -	5,011
3092	NIA	NIA	- do -	- do -	- do -	416
3093	Gorgonio Tuang	Tuang, Gorgonio R.	Brgy. Banayon, Dagami, Leyte	- do -	- do -	5,010
3094	NIA	NIA	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	491
3095	Benito Maurillo	Maurillo, Francisca G.	- do -	- do -	- do -	4,449
3096	NIA	NIA	- do -	- do -	- do -	320
3097	Porferia Trecene	Treceñe, Porferia O.	- do -	- do -	- do -	2,863
3098	NIA	NIA	- do -	- do -	- do -	210
3099	Hrs. of Modesto Alpino	Yu, Galicano	Poblacion	- do -	- do -	64,791
3203	NIA	NIA	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	2,113
3204	Hrs. of Generoso Pique	Pique, Abelardo Q.	Brgy. Maliwaliw, Dagami, Leyte	- do -	- do -	2,292
3205	Mamerta Ricafort	Mercader, Margarita A.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	4,120
3206	Ambrosio Manasis	Manasis, Ambrosio O.	- do -	- do -	- do -	4,120
3207	Hrs. of Patricio Molleda	Brazil, Anecita M.	- do -	- do -	- do -	8,529
3209	Beatriz Alcotas	Nemenzo, Perpetua O.	Brgy. Bolirao, Dagami, Leyte	uncontested	Agri'l.	282
3210	Numeriano Trecene	Treceñe, Reynaldo O.	- do -	- do -	- do -	17,146
3211	Hrs. of Basilio Bongoy	Bongoy, Bernabe E.	Brgy. Maliwaliw, Dagami, Leyte	- do -	- do -	12,264
3212	Hrs. of Basilio Bongoy	Bongoy, Bernabe E.	- do -	- do -	- do -	1,599
3213	NIA	NIA	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	551
3224	NIA	NIA	- do -	- do -	- do -	973
3240	Lilia Opiniano	Advincula, Lilia O.	Poblacion, Julita, Leyte	- do -	- do -	5,634
3241	Epifania Maurillo	Garcelazo, Epifania M.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	7,009
3242	Perfecto & Lucille Manahan	Ismale, Laureta C.	- do -	- do -	- do -	13,839

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Municipality : Dagami, Leyte

NUMERICAL LIST OF CLAIMANTS

3243	Celestina Molato	Ismale, Laureta C.	- do -	- do -	- do -	2,983
3244	NIA	NIA	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	773
3245	Hrs. of Bernardino Maurillo	Maurillo, Bernardino A.	- do -	- do -	- do -	1,114
3248	Perfecto & Lucille Manahan	Ubaldo, Eufracia B.	- do -	- do -	- do -	51,267
3249	Celestino Molato	Molato, Tranquilino V.	Brgy. Capirawan, Dagami, Leyte	- do -	- do -	29,242
3367	Felisa Manasis	Manasis, Felisa O.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	1,804
3903	Blandina Maurillo	Maurillo, Blandina A.	- do -	- do -	- do -	162
3904	Perfecto & Lucille Manahan	Ubaldo, Eufracia B.	- do -	- do -	- do -	45,878
3913	Felisa Manasis		Brgy. Bolirao, Dagami, Leyte	- do -	- do -	1,751
9100	Julio Siangco vs Hrs. of Florentina Ganata	Ganata, Florentina R.	Tacloban City	- do -	- do -	1,488
9101	Numeriano Trecene	Treceñe, Reynaldo O.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	4,298
9102	Hrs. of Catalino Caples	Caples, Panfilo L.	- do -	- do -	- do -	2,945
9103	Numeriano Trecene	Treceñe, Reynaldo O.	- do -	- do -	- do -	2,380
9104	Beatriz Alcotas	Alcotas, Beatriz G.	- do -	- do -	- do -	2,062
9105	Prudencio Altes	Altes, Prudencio M.	Brgy. Maliwaliw, Dagami, Leyte	- do -	- do -	2,062
9106	NIA	NIA	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	788
9107	NIA	NIA	- do -	- do -	- do -	290
9108	Hrs. of Petra Nobio	Adelaida Nobio Orcado	Poblacion, Dagami, Leyte	- do -	- do -	1,472
9109	Swampy	Swamp Area	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	534
9110	Perpetua Opiniano	Opiniano, Perpetua N.	Tacloban City	- do -	- do -	5,541
9111	Lilia O. Advincula	Advincula, Lilia O.	Poblacion, Dagami, Leyte	- do -	- do -	35,937
9112	Hrs. of Maria Engay	Treceñe, Porferia O.	Brgy. Bolirao, Dagami, Leyte	- do -	- do -	6,251
9113	Hrs. of Modesto Moleda	Brazil, Anecita M.	- do -	- do -	- do -	7,310

LIST OF ADJOINING OWNERS			
Lot No.	List of Claimants	Adjoining Brgy.	Address
2955	Jose Palita <i>Florentino Dazo (now)</i>	Brgy. Ormocay, Dagami, Leyte	Guinarona, Dagami, Leyte
2781	Adriano Palita <i>Rita & Leona Palita (now)</i>	Brgy. Ormocay, Dagami, Leyte	Poblacion, Dagami, Leyte
9146	Eufrecina Raquel	Brgy. Ormocay, Dagami, Leyte	Guinarona, Dagami, Leyte
2783	Pedro Caidoy <i>Floro Caidoy (now)</i>	Brgy. Ormocay, Dagami, Leyte	Hinulugan, Dagami, Leyte
2739	Domingo Palita	Brgy. Ormocay, Dagami, Leyte	Guinarona, Dagami, Leyte
2963	Leodega & Abrillo	Brgy. Ormocay, Dagami, Leyte	Hinulugan, Dagami, Leyte
2964	Albena Merida	Brgy. Ormocay, Dagami, Leyte	Guinarona, Dagami, Leyte
2968	Susana Poiiquin	Brgy. Ormocay, Dagami, Leyte	Guinarona, Dagami, Leyte
2783	Floro Caidoy	Brgy. Ormocay, Dagami, Leyte	Hinulugan, Dagami, Leyte
2784	Lorenzo Raquel <i>Lorenzo Diola (now)</i>	Brgy. Ormocay, Dagami, Leyte	Ormocay, Dagami, Leyte
9150	Hrs. of Domingo Palita	Brgy. Ormocay, Dagami, Leyte	Guinarona, Dagami, Leyte
2738	Encarnacion Gernale <i>Domingo Palita</i>	Brgy. Ormocay, Dagami, Leyte	Guinarona, Dagami, Leyte
2732	Gregorio Negro	Brgy. Ormocay, Dagami, Leyte	Guinarona, Dagami, Leyte
2731	Antonio Maceda	Brgy. Ormocay, Dagami, Leyte	Poblacion, Dagami, Leyte
2715	Zosimo Avelino	Brgy. Ormocay, Dagami, Leyte	Guinarona, Dagami, Leyte
1889	Nicolas Serafin	Brgy. Ormocay, Dagami, Leyte	Poblacion, Dagami, Leyte
3093	Andres Ongbico	Jabong, Tabon-Tabon, Leyte-Case 13	Jabong, Tabon-Tabon, Leyte
3094	Felix Ongbico	Jabong, Tabon-Tabon, Leyte-Case 13	Jabong, Tabon-Tabon, Leyte
3095	<i>(no name)</i>	Jabong, Tabon-Tabon, Leyte-Case 13	Jabong, Tabon-Tabon, Leyte
3092	Maldopenas	Jabong, Tabon-Tabon, Leyte-Case 13	Jabong, Tabon-Tabon, Leyte
3084	<i>(no name)</i>	Jabong, Tabon-Tabon, Leyte-Case 13	Jabong, Tabon-Tabon, Leyte
3083	Andres Ongbico	Jabong, Tabon-Tabon, Leyte-Case 13	Jabong, Tabon-Tabon, Leyte
3082	Doroteo Dazo	Jabong, Tabon-Tabon, Leyte-Case 13	Jabong, Tabon-Tabon, Leyte
3218	Rosita Emacin <i>Perigrina Maray (now)</i>	Brgy. Bayabas, Dagami, Leyte	Bayabas, Dagami, Leyte
2708	Alberto Tascano	Brgy. Bayabas, Dagami, Leyte	Poblacion, Dagami, Leyte
3233	Serafin Nicolas <i>Melquedes Aralar (now)</i>	Brgy. Bayabas, Dagami, Leyte	Bayabas, Dagami, Leyte
2674	Gaudencio Aralar <i>Pedro Filipinas (now)</i>	Brgy. Bayabas, Dagami, Leyte	Bayabas, Dagami, Leyte

LIST OF ADJOINING OWNERS			
Lot No.	List of Claimants	Adjoining Brgy.	Address
3231	Serafin Nicolas	Brgy. Bayabas, Dagami, Leyte	Poblacion, Dagami, Leyte
2683	Jose Ontimare	Brgy. Bayabas, Dagami, Leyte	Poblacion, Dagami, Leyte
2602	Hrs. of Basilio Bongay	Brgy. Bayabas, Dagami, Leyte	Guinarona, Dagami, Leyte
2601	Road Lot	Brgy. Bayabas, Dagami, Leyte	
2599	Hrs. of Basilio Bongay	Brgy. Bayabas, Dagami, Leyte	Guinarona, Dagami, Leyte
2570	Marciano Comeros	Brgy. Maliwaliw, Dagami, Leyte	Poblacion, Dagami, Leyte
2545	Sofia Justimbaste	Brgy. Maliwaliw, Dagami, Leyte	Poblacion, Dagami, Leyte
2541	Rodolfo Florencio <i>Eugenio Malate (now)</i>	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte Poblacion, Dagami, Leyte
2547	Hrs. of Pablo Lamamigo <i>Antonia Bongoy (now)</i>	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte
2549	F. Cartel <i>Antonieta Tondo (now)</i>	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte
2552	Gregoria Crebillo	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte
2553	Mariano Comeros <i>Dalmacio Comeros (now)</i>	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte
2554	Encarnacion Villamor	Brgy. Maliwaliw, Dagami, Leyte	Poblacion, Dagami, Leyte
2947	Petronila Bongoy <i>Antonia Bongoy (now)</i>	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte
2921	Fortunato Abrillo <i>Beneto Abrillo (now)</i>	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte
2920	Alberto Almerines	Brgy. Maliwaliw, Dagami, Leyte	Poblacion, Dagami, Leyte
3298	Anafe Bengzon <i>Mariano Martillo (now)</i>	Brgy. Maliwaliw, Dagami, Leyte	Poblacion, Dagami, Leyte
2487	Teresa Nicolas	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte
2487	Teresa Nicolas	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte
2484	Fernando Villamor	Brgy. Maliwaliw, Dagami, Leyte	Poblacion, Dagami, Leyte
2922	Vicente Caimbre	Brgy. Maliwaliw, Dagami, Leyte	Maliwaliw, Dagami, Leyte
2032	Jose Raquel	Brgy. Cabungaan, Dagami, Leyte, CAD503-D	Guinarona, Dagami, Leyte
2031	Alfredo Telimban	Brgy. Cabungaan, Dagami, Leyte, CAD503-D	Guinarona, Dagami, Leyte
2030	Benita Muray	Brgy. Cabungaan, Dagami, Leyte, CAD503-D	Guinarona, Dagami, Leyte
3390	<i>No name</i>	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Guinarona, Dagami, Leyte
3392	Alejandro Maribi	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Guinarona, Dagami, Leyte
1913	Ofelia Milangco <i>Adela Fabian (now)</i>	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Guinarona, Dagami, Leyte

LIST OF ADJOINING OWNERS			
Lot No.	List of Claimants	Adjoining Brgy.	Address
1909 (PSU-135381)	Francisco Milangco	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Guinarona, Dagami, Leyte
3401	Leona Regis	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Guinarona, Dagami, Leyte
3402	Esteban Renomeron	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Burauen, Leyte
3403	Leona Cajaros	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Poblacion, Dagami, Leyte
2784	Lorenza Diola	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Guinarona, Dagami, Leyte
2783	Floro Caidoy	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Hinulogan, Dagami, Leyte
1655	<i>No name</i>	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Hinulogan, Dagami, Leyte
1654	<i>No name</i>	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Hinulogan, Dagami, Leyte
1896	Soledad Pique	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Maliwaliw, Dagami, Leyte
1895	Soledad Pique	Brgy. Guinarona, Dagami, Leyte, CAD503-D	Maliwaliw, Dagami, Leyte
1529	no name	Brgy. Guinarona, Dagami, Leyte	
1632	no name	Brgy. Guinarona, Dagami, Leyte	
253	Pio Olimpo	Brgy. Palacio, Dagami, Leyte, GSS-125	Guinarona, Dagami, Leyte
249	Benito Mercurio	Brgy. Palacio, Dagami, Leyte, GSS-126	Guinarona, Dagami, Leyte
PSU-235967	no name	Brgy. Cabungaan, Dagami, Leyte	

2. Answer

**Municipal Trial Court of Dagami
Eighth Judicial District
Bulwagan Ng Katarungan
Dagami, Leyte**

REPUBLIC OF THE PHILIPPINES)
 Represented by the DENR Regional)
 Executive Director)
)
 Petitioner) Cadastral Case No. _____
) Cadastral Record No. _____
 - Versus -) Lot No. _____
)
 _____)
 Claimants)

ANSWER

I, _____

Having been duly sworn , **declare:**

1. Owners :That I am the owner (or one of the owners) of Lot No. _____ of _____ Cadastre, of the Municipality of _____

Province of _____, Philippines and my co-owners are:

2. Area and boundaries.- That said lot is situated in the barangay _____

of said municipality; contains an area of _____ square meters, more or less, according to the cadastral plan, and is bounded on the:

NORTH _____
 EAST _____
 SOUTH _____
 WEST _____

3. Building and improvements.- That the building and improvement existing on the land are the property of _____

4. Possession.- That I (or we) have acquired said possession of said lot as owner for over _____ years.

5. Acquisition.- That I (or we) have acquired said possession by (State whether by purchase, inheritance, or otherwise, as well as the name of the vendor or predecessor). _____

6. Predecessor's Possession.- That before acquiring possession of said lot my (or our) predecessors in interest had been in possession thereof for _____ years at the very least.

7. Encumbrances.- That there is no mortgage or encumbrances of any kind whatsoever affecting said lot, nor is there any person, having interest therein, to the best of my knowledge and belief, other than as follows: (State the nature, conditions, and date of the document, the names and residence of the persons in whose favor it was executed, and the name of the Notary Public when it was acknowledge.)

8. Civil Status.- That my civil status, age, citizenship and other personal circumstances, and those of my co-owners are: _____

Name	Age	Citizenship	Married Single or Widow/er	Name of Spouse	Date of Marriage

9. Assessed Value.- That the assessed value of the aforesaid lot and that of the building and improvements existing thereon, at the last assessment for taxation, are as follows:

Declaration	Land	Building	Total

10. Torrens title . That the registration of said land has been applied for in Case No. _____, of LRC(GLRO) Record No. _____ in the name of _____

which case is proceeding; or that said land has been registered in accordance with Act No.496 in the name of _____

According to (Original/Transfer Certificate of Title No. _____ issued by the Register of Deeds of the Province of _____) (If registration of the land has not been applied for, but a plan of it has been made by a duly authorized Surveyor (Geodetic Engineer), state this fact and attached hereto the said plan, giving number thereof and date of survey.) _____

11. Patent. - That the application for a _____ patent on the said land has been presented by the claimants and is now pending in the Department of Environment and Natural Resources, Region ____, or that the said land is covered by original (or Transfer) Certificate of Title No. _____ was issued in the name of _____, by the Register of deeds of this province.

12. Divorce.- That the below claimants, co-owners, have secured divorces as follows:

Name	Date of Divorce	Place	Granted by the Court of

13. Disability - That the below claimants, or co-owners, are under legal disability:

Name	Nature of Disability

14. Residence.- That my residence and those of my co-owners are:

Name	Residence

15. Share.- That the said lot should be adjudged and decreed to the Claimants as follows:

Name	Married To	Share

16. (State any other petition the claimant may desire to make:)

(Date) _____ 200_____

(Postal Address)

Claimant

Subscribed and sworn to before me in the Municipality of _____
 Province of _____, on this _____ day of _____,
 200_____ by _____ who exhibited to me his Community Tax Receipt No.
 _____ issued at _____ on the
 _____ day of _____, 200_____

CADASTRAL OFFICER

LIST OF ATTACHED DOCUMENTS

3. Order Setting Date of Initial Hearing

MUNICIPAL TRIAL COURT OF DAGAMI

Eighth Judicial Region

Bulwagan ng Katarungan

Dagami, Leyte

REPUBLIC OF THE PHILIPPINES)				
Represented by the DENR Regional Executive Director	)		CAD CASE NO.		
.....)				
		Cad.	Record	No.	N-
				
Petitioner)				
Versus)				
Abres, Jose, ET. AL.....)					
Claimants)				

ORDER

In conformity with the provisions of Section 23 of Presidential Decree No. 1529 as embodied in LRC Circular No. 353, dated July 24, 1979 and with Administrative Circular No. 6-93-A of the Supreme Court dated November 15, 1995, the Court hereby sets the initial hearing of the above-entitled case on August 7, 2002 at 8:30 o'clock in the morning, at the Bulwagan Ng Katarungan of this Court, Dagami, Leyte.

SO ORDERED.

Given at the Bulwagan Ng Katarungan, Dagami, Leyte, this 2nd day of May 2002.

ELEANOR S. CAÑA
Judge

I hereby certify that copies of this order have been personally delivered to the office of the DENR Regional Executive Director and the Provincial Fiscal of Leyte, sent by registered mail to the LRA Administrator, Director of Lands, Director of Forest Development, Director of the Government Printing Office, Department of Public Works, Department of Agrarian Reform and the Office of the Solicitor General, this 6th day of May, 2002.

ALIA T. APA
Clerk of Court

4. Notice of Initial Hearing

JUDICIAL FORM NO. 75
LRC FORM NO. 4
Revised February, 1956

MUNICIPAL TRIAL COURT OF DAGAMI

Eighth Judicial Region

Bulwagan ng Katarungan

Dagami, Leyte

THE HONORABLE ADMINISTRATOR

LAND REGISTRATION AUTHORITY

EAST AVENUE, QUEZON CITY, PHILIPPINES

GREETINGS :

You are hereby advised, in conformity in Section 23 of P.D. 1529, that the following Land Registration Case is set for initial hearing in the Bulwagan ng Katarungan of the MTC at Dagami, Leyte on the date herein specified:

LRC CAD CASE NO.	LRC CAD RECORD NO.	PETITIONER	DATE OF HEARING	HOUR
		REPUBLIC OF THE PHILIPPINES Rep. by the DENR Regional Director	August 7, 2002	8:30 Morning

WITNESS THE HONORABLE ELEANOR S. CAÑA, Judge of this Court, this 2nd day of May 2002.

Attested:

ALIA T. APA

Clerk of Court

Noted :

ELEANOR S. CAÑA

Judge

MTC of Dagami, Leyte

NOTE: The Land Registration Authority must be furnished with as many signed copies of this Notice, plus one extra copy. A copy of this notice must be filed with each case.

5. Court Issues Order Directing Clerk of the Court to Serve Notices

MUNICIPAL TRIAL COURT OF DAGAMI

Eighth Judicial Region

Bulwagan ng Katarungan

Dagami, Leyte

REPUBLIC OF THE PHILIPPINES)				
)				
Represented by the DENR Regional Executive Director)				
.....))				
	)	Cad.	Record	No.	N-
)			
Petitioner)				
Versus)				
Abres, Jose, ET. AL.....))				
Claimants)				
-----)				
)				

O R D E R

The Clerk of this Court is hereby directed to issue at once a notice of the hearing on the above-entitled case, specifying the manner in which, and the date when the answers or claims shall be filed, using for this purpose Judicial Form No. 147

He is likewise ordered to send to the Municipal Mayor of the Municipality of Dagami, Province of Leyte, a sufficient number of copies of the aforesaid notice, requesting that in the interest of justice he post, free of charge, a copy of said notice in two conspicuous places in the municipal government building, in two or three conspicuous places in each barangay where the lands described in the above-entitled case are located and in three conspicuous places of the building where the court will hold its sessions.

SO ORDERED.

Given at the Bulwagan Ng Katarungan, Dagami, Leyte, this ____ day of May, 2002.

ELEANOR S. CAÑA

Judge

6. Notice of Hearing for government agencies

REPUBLIC OF THE PHILIPPINES
MUNICIPAL TRIAL COURT OF

CADASTRAL CASE No.

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Public Works, the Director of Forestry, the Honorable Secretary of Agrarian Reform, The Director of Parks and Wildlife Service, the Community Environment and Natural Resources Office of, the Provincial Governor of, the Provincial Fiscal and to whom it may concern:

WHEREAS, A Petition has been presented to this Court by the DENR Regional Director, praying that titles to the following described lands be settled and adjudicated:

..... Hectares, more or less, situated in the Barangay of

Municipality of

Designated as

Cadastral No.

And bounded as follows:

North by

South by

East by

West by

All concerned are hereby given a period until, a date set for initial hearing to be held in the municipality of Province of Leyte, to present such claims as you may have to said land or any portion thereof.

During such period the cadastral Officer shall station in the Municipal Building of the said Municipality to assist in the preparation of Cadastral Answers and to administer Oath as well as to accept your Answer before the said date.

Unless you file your Cadastral Answer, a General Default will be recorded against you and you will be forever barred from claiming the land or contesting any decree that may be issued to any person.

Take notice also that all unclaimed lots shall immediately be declared as public land during the initial hearing.

WITNESS: The Honourable, Judge of the said Court, the day of 2002.

Issued at Quezon City, Philippines, this Day of

7. Notice that Cadastral Officer Attending to assist claimants

MUNICIPAL TRIAL COURT OF DAGAMI

Eighth Judicial Region

Bulwagan ng Katarungan

Dagami, Leyte

REPUBLIC OF THE PHILIPPINES	)	CAD CASE NO.			
Represented by the DENR Regional Executive Director	)	.....	
.....)		Cad.	Record	No.	N-
				
Petitioner)				
Versus)				
Abres, Jose, ET. AL.....)					
Claimants)				

N O T I C E

Notice is hereby given that a Cadastral Officer of this Court will be in the Municipality of Dagami, Province of Leyte beginning 6 May 2002, for the purpose of assisting claimants who deem themselves owners of any lot or lots included in the cadastral case above mentioned, in the preparation of their answers and evidence.

Any claimant may apply for the services, without compensation of said Cadastral Officer for the preparation of his answer and evidence.

The claimant must bring with him all his documentary and other evidence regarding the lot which he claim, as well as his residence certificate.

If any lot included in the cadastral survey has a Torrens title or Homestead Patent, or any other title or grant under the Public Land Act, the owners of the same must file an answer for said lot stating therein that it has already a title, the same to accompany said answer.

All answers must be prepared on or in accordance with, Judicial Form No. 106, which may be secured, free of charge, from the Cadastral Officer or from the Clerk Of Court, said answer need not be filed in duplicate.

Each answer must cover only one lot. If two or more lots belonging to one single claimant have the same kind of evidence, the answers must have cross reference to one another.

If only part of a lot is claimed, this fact must be stated in the answer; by inserting the word "part only" after the number of the lot, and by describing the aforesaid portion in the answer on the back of which a sketch of the lot showing the portion claimed must also be made.

For identification purposes of the property all answers must be verified and approved by the Geodetic Engineer of the DENR Regional Executive Director insofar as the number, boundaries and area of the lot are concerned.

Answers prepared by an attorney-at-law as duly authorized attorney-in-fact must be signed by both the claimant and his attorney, but sworn to by the claimant only. In the absence of the claimant, his attorney-at-law or attorney-in-fact may sign and swear to the answer in behalf of the claimant. In both cases the post office address of the attorney-at-law or attorney-in-fact must be stated below his signature for notice purposes.

Answers prepared by the claimants himself or the Cadastral Officer must be sworn to by the claimant only and the oath must be taken before the Cadastral Officer.

All answers must be presented to the Court on or before the date of the hearing, otherwise, those claimants whose answers have not so been filed shall be declared to be in default, and the lot shall be declared to be public land, except as otherwise ordered by the Court.

All claimants must appear on the date of the hearing, either in person or thru their respective attorneys or duly authorized representatives. Failure to appear will cause the issuance of an order of default against them and the lot will be declared to be public land.

The cadastral case mentioned above will be heard by the Court on August 7, 2002 at 8:30 A.M. in the Bulwagan ng Katarungan, in the Municipality of Dagami, Province of Leyte.

In the interest of the administration of justice, and in order that the hearing and the decision of the above-entitled cadastral case may be effected with promptness and accuracy, strict compliance with this notice is hereby enjoined on all parties concerned.

The attention of the public in general and of the claimants in particular is invited to the penalties contained in the Land Registration Law (Act No. 496) which are applicable to cadastral cases.

Given at the Municipality of Dagami, Province of Leyte, this ____ day of May, 2002.

ALIA T. APA

Clerk of Court

8. General Default

Judicial Form No. 148

MUNICIPAL TRIAL COURT OF DAGAMI
 Eighth Judicial Region
 Bulwagan ng Katarungan
 Dagami, Leyte

REPUBLIC OF THE PHILIPPINES)				
Represented by the DENR Regional Executive Director	)		CAD CASE NO.		
.....)				
		Cad.	Record	No.	N-
				
Petitioner)				
Versus)				
Abres, Jose, ET. AL.....)					
Claimants)				
----- X					

ORDER OF GENERAL DEFAULT

It appearing from the certification of the Administrator of Land Registration and the return of the Sheriff, attached to the record in this case, that the notice relative to the application in said case was duly published, posted and served in accordance with law; and that the time allowed for entering appearances and filing answers expired at ____ a.m. on the _____ day of _____, 20____, for which date said case was duly set for hearing by the Court; and it further appearing from said record that other than those who have filed their answers on time, no other person has appeared as respondent in the case or filed an answer with the time for that purpose allowed, with the exception of _____

All persons except those hereinabove named, are hereby declared to be in default in the above-entitled case, and that the application therein be taken as confessed by all the world, except the persons hereinabove named.

IT IS SO ORDERED

Given by the Honorable _____, Judge of said Court, of the Municipality of _____, Province of _____, this ____ day of _____, 2002.

 JUDGE

9. Court Order Designating Clerk of the Court a Referee

MUNICIPAL TRIAL COURT OF DAGAMI

Eighth Judicial Region

Bulwagan ng Katarungan

Dagami, Leyte

REPUBLIC OF THE PHILIPPINES)	
Rep. by the DENR Regional Executive Director)		
Petitioner)	
	)	CADASTRAL CASE NO. _____
- Versus -	)	CADASTRAL REC. NO. _____
)	
_____, ET AL.)	
Claimants)	

ORDER

During the initial hearing on August 22, 2002, after the publication and posting as required by law, an Order of General Default against the whole world was issued by this Court, except the claimants named therein. For purposes of reception of evidence this Court hereby appoints Attys. Rosario B. Torrecampo and Freddie D. Balonzo, Clerks of Court and Ms. Lore V. Bagalacsa, Legal Researcher, all of the Municipal Trial Court of Dagami as Commissioners; Atty Emeterio Villanosa, Deputy Register of Deeds of the Province of Leyte, Ms. Zelda B. Garlin, Clerk of Court, Ms Joyce R. Pervera, Legal Researcher, both of the Municipal Trial Court of Palo, Leyte as Cadastral Officer to assist claimants in the presentation of evidence.

IT IS SO ORDERED

Given by the Honorable _____, Judge of said Court, of the Municipality of _____, Province of _____, this ____ day of _____, 2002.

JUDGE

10. Sample Affidavits of Service – personal service

AFFIDAVIT OF SERVICE

I, _____, of legal age, _____, Filipino, and a resident of _____, Philippines, after having been duly sworn to in accordance with law do hereby depose and say:

That I am a Customer Relations Service (CRS) representative of the Land Administration and Management Project (LAMP), DENR, Region 8, Tacloban City;

That on _____, I caused the personal service of the attached _____ for cadastral proceedings for Brgy. _____, _____, Leyte.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20__ at Tacloban City, Philippines.

Affiant

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20__ at Tacloban City, Philippines, the affiant having exhibited his/her Community Tax Certificate No. _____ issued at _____ on _____, 20__.

Cadastral Officer

11. Affidavit of Service by Post

AFFIDAVIT OF SERVICE AND EXPLANATION

REPUBLIC OF THE PHILIPPINES }
PROVINCE OF LEYTE } S.S.
CITY OF TACLOBAN }

I, _____ of legal age, _____, Filipino and a resident of _____, Philippines, after having been duly sworn to in accordance with law do hereby depose and say:

That I am the Special Attorney duly deputized by the Office of the Solicitor General and counsel of record in the above-entitled case;

That on _____, I caused the service of the foregoing Petition for Cadastral Proceedings for Barangay _____, Dagami, Leyte, in the following manner:

By registered mail effective by depositing a copy in the Post Office in sealed envelope, plainly addressed to the persons mentioned below at their present addresses with postage fully prepaid, and with the instruction to the Postmaster to return the said mail to sender after ten (10) days if undelivered as per registry receipt hereto attached. Proof of actual receipt by the addresses will be submitted later.

Hon. Senecio Ortile
Administrator
Land Registration Authority
East Avenue cor. NIA Road
Pasay City

The Director of Lands
Land Management Bureau
Plaza Moraga
Binondo, Manila

Personal service could not be effected as the above persons have offices situated several kilometers away from Tacloban City were counsel is holding office making personal delivery very impractical and inconvenient.

By personal service to the following lot claimants:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20_____, at Tacloban City, Philippines.

Special Attorney
Affiant

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20_____, at Tacloban City, the affiant having exhibited to me his Community Tax No. _____, issued at _____ on _____.

Notary Public

Until December 31, 20
PTR No.
Issued at
On

Doc.
Page No.
Book No.
Series of

Date

12. Cadastral Officer's report

MUNICIPAL TRIAL COURT OF DAGAMI

Eight Judicial District
 Bulwagan Ng Katarungan
 Dagami, Leyte

REPUBLIC OF THE PHILIPPINES)				
Represented by the DENR Regional Executive Director	)				CAD CASE NO.
.....)				
		Cad.	Record	No.	N-
				
Petitioner)				
Versus)				
Abres, Jose, ET. AL.....)					
Claimants)				

CADASTRAL OFFICERS REPORT

Pursuant to the order of this Honorable Court dated _____, the undersigned, appointed as a Cadastral Officer of this case, to assist the Claimants in the preparation of their Answers and to submit its own report on the facts that was gathered in the preparation thereof, and offering as evidence the copies of the Answers of the Claimants, together with the corresponding documentary evidence, respectfully submits the following reports : .

This Report covers the following lots namely: 456, 457, 458, 459, 460, etc. all of Dagami Cadastre.

The evidence of the claimants adduced during the reception of the evidence are as follows

With respect to Cad. Lot 456
Area: 565 sq. m. more or less
Claimant: Maria C. Fullante

Claimant, Maria C. Fullante, testifying in her own behalf, declared; **that** she is 53 years old, Filipino, resident of Barangay Bayabas, Municipality of Dagami, Province of Leyte; that Lot 456 was originally owned by Catalino Noble Lo Cham, who had been in possession of said lot since time immemorial; **that** on December 23, 1938, Leon Malanyaon, purchased said lot from the said Lo Cham (Exh. "C") and took possession until March 23, 1962, when Maria Fullante, herein claimant acquired the same by purchase from the said Leon Malanyaon, as evidenced by a Deed of Absolute Sale (Exh. "A") executed in her favor; **that** the said property was declared for taxation purposes since 1945 (Exh. "F"); **that** tax declaration of the said property in the name of the herein claimant was already declared(Exh."E"); **that** taxes for said lot has been paid (Exh. "H"); that a residential house made of mixed materials has been erected in said property; that said property is presently mortgaged with the Community Rural Bank of Dagami, Inc. Dagami, Leyte.(Exh "B" and "D"); **that** the ownership and possession of the herein claimant as well as here predecessor-in-interest, have been peaceful, continuous, adverse to the whole world and in concept of an owner for more

than 30 years; that the property being claimed is a conjugal partnership of the herein claimant and her spouse, Rustico Fullante.

With respect to Cad. Lot 457

Area: 150 sq. m. more or less

Claimant Mamerto Lopez

Estrella Bernald Lopez, wife of Mamerto Lopez, herein claimant, testified that she is 35 years old, a resident of Barangay Bayabas, Municipality of Dagami, Leyte; that -----

-----etc.. etc.. etc...

Cadastral Officer

13. Commissioner's Report

MUNICIPAL TRIAL COURT OF DAGAMI

Eight Judicial District

Bulwagan Ng Katarungan

Dagami, Leyte

REPUBLIC OF THE PHILIPPINES)				
	)		CAD CASE NO.		
Represented by the DENR Regional Executive Director	)		.....
.....)		Cad.	Record	No.	N-
				
Petitioner)				
		Versus			
Juan de la Cruz, ET AL)				
Claimants)				

COMMISSIONERS REPORT

Pursuant to the order of this Honorable Court dated _____, resetting this case for ex-parte hearing on (date) , authorizing the Clerk-of-Court to receive the evidence of the claimants and to submit its own report and recommendation thereafter; the Clerk-of-Court, in compliance therewith, has set the reception of the evidence on (date) as scheduled. The Transcript-of-Stenographic-Notes of the proceedings, together with documentary evidence offered as exhibits were attached to the record of the case, forming an integral part of this Report.

This Report covers the following lots namely: 456, 457, 458, 459, 460, etc. all of Dagami Cadastre.

The evidence of the claimants adduced during the reception of the evidence are as follows:

With respect to Cad. Lot 456
Area: 565 sq. m. more or less
Claimant: Maria C. Fullante

Claimant, Maria C. Fullante, testifying in her own behalf, declared; **that** she is 53 years old, Filipino, resident of Barangay Bayabas, Municipality of Dagami, Province of Leyte; that Lot 456 was originally owned by Catalino Noble Lo Cham, who had been in possession of said lot since time immemorial; **that** on December 23, 1938, Leon Malanyaon, purchased said lot from the said Lo Cham (Exh. "C") and took possession until March 23, 1962, when Maria Fullante, herein

claimant acquired the same by purchase from the said Leon Malanyaon, as evidenced by a Deed of Absolute Sale (Exh. "A") executed in her favor; **that** the said property was declared for taxation purposes since 1945 (Exh. "F"); **that** tax declaration of the said property in the name of the herein claimant was already declared (Exh."E"); **that** taxes for said lot has been paid (Exh. "H"); that a residential house made of mixed materials has been erected in said property; that said property is presently mortgaged with the Community Rural Bank of Dagami, Inc. Dagami, Leyte.(Exh "B" and "D"); **that** the ownership and possession of the herein claimant as well as here predecessor-in- interest, have been peaceful, continuous, adverse to the whole world and in concept of an owner for more than 30 years; that the property being claimed is a conjugal partnership of the herein claimant and her spouse, Rustico Fullante.

With respect to Cad. Lot 457

Area: 150 sq. m. more or less

Claimant Mamerto Lopez

Estrella Bernald Lopez, wife of Mamerto Lopez, herein claimant, testified that she is 35 years old, a resident of Barangay Bayabas, Municipality of Dagami, Leyte; that -----

-----etc.. etc.. etc...

FINDINGS AND RECOMMENDATION

In view of all the foregoing evidences adduced; it is clear that indeed the claimants were able to prove title fit for confirmation and registration.

WHEREFORE, it is respectfully recommended to this Honorable Court that the subject lots be confirmed and adjudicated in the following manner to wit:

Lot 456 with improvements thereon be decreed in favor of the conjugal property of the spouses Rustico Fullante and Maria C. Fullante, both of legal age, Filipino, with residence at Bayabas, Dagami Leyte, subject of capital gains tax.

Lot 457 with improvements thereon -----

Commissioner

14. Notice of Continuation of Hearing

Judicial Form No. 148

Municipal Trial Court of Dagami
Bulwagan Ng Katarungan

<p>REPUBLIC OF THE PHILIPPINES)</p> <p>Represented by the DENR Regional Executive Director)</p> <p>.....) Cad.</p> <p>Petitioner)</p> <p style="text-align: center;">Versus</p> <p>Juan de la Cruz, ET AL)</p> <p>Claimants)</p>	<p>CAD CASE NO.</p> <p>.....</p> <p>Record No. N-</p> <p>.....</p>
--	--

NOTICE OF CONTINUATION OF HEARING

To. _____

The hearing of the present case, as regards the land designated in the cadastral plan as stated hereunder, having been transferred by the court to (date) , 2002 at (time) in the Municipality of , said Province.

Lot Nos.	Claimant
1. 457	Juan de la Cruz
2. 458	Pening Garcia
3.-----	-----etc..etc..

You are hereby required to appear personally, or thru your attorney, at the session hall of this Court, on the day and hour above written, to produce evidence showing your title to said land or lot; otherwise, your failure to appear will deemed a relinquishment of your right, and the land will be declared by this Court to be land of the public domain and property of the Republic of the Philippines, or will be awarded to a third party with better right.

Given by the Honorable _____, Judge of said Court, of the Municipality of _____, Province of _____, this _____ day of _____, 2002.

Clerk of Court

15. Decision on Uncontested lots

**Municipal Trial Court of Dagami
8th District
Bulwagan Ng Katarungan
Dagami Leyte**

REPUBLIC OF THE PHILIPPINES) Represented by the DENR Regional Executive Director) ) Petitioner) <p style="text-align: center;">Versus</p>) Claimants)	<p style="text-align: center;">CAD CASE NO.</p> <p style="text-align: center;">.....</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Cad.</td> <td style="text-align: center;">Record</td> <td style="text-align: center;">No.</td> <td style="text-align: center;">N-</td> </tr> <tr> <td style="text-align: center;">.....</td> <td></td> <td></td> <td></td> </tr> </table>	Cad.	Record	No.	N-			
Cad.	Record	No.	N-						
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DECISION ADJUDICATING NON-CONTESTED LOTS

This is an application filed by the Republic of the Philippines represented by the DENR Regional Director praying among other things to fix and settle the ownership of the lands within the Barangay of Bolirao, Municipality of Dagami, Province of Leyte, in accordance with the provisions of Sec. 36 of Presidential Decree No. 1529.

During the initial hearing on August 22, 2002, after the publication and posting as required by law, an order of general default against the whole world was issued by this Court, except the claimants named therein. Subsequently, on September 9, 2002, the Court issued an order appointing Attys. Rosario B. Torrecampo and Freddie D. Balonzo, Clerks of Court and Ms. Lore V. Bagalacsa, Legal Researcher, all of the Municipal Trial Court of Dagami as Commissioners for purposes of reception of evidence, Atty Emeterio Villanosa, Deputy Register of Deeds of the Province of Leyte, Ms. Zelda B. Garlin, Clerk of Court, Ms Joyce R. Pervera, Legal Researcher, both of the Municipal Trial Court of Palo, Leyte were appointed as Cadastral Officer to assist claimants in the presentation of evidence, (see Order dated September 9, 2002, page 135, records).

During the presentation of evidence on October 14, 15, ad 16. 2002 before Ms. Lore V. Bagalacsa, as Commissioner, Atty Ramil E. Macalalad appeared for the Republic of the Philippines and Atty Emeterio Villanosa, as Cadastral Officer, to assist the claimants above-mentioned in the presentation of their respective evidence.

This partial decision covers the following lots namely: lots 456,457,458,459-----all located in Barangay Bolirao, Municipality of Dagami, Province of Leyte.

The following facts were sufficiently established:

With respect to Cad. Lot 456

Area: 565 sq. m. more or less

Claimant: Maria C. Fullante

Claimant, Maria C. Fullante, testifying in her own behalf, declared; **that** she is 53 years old, Filipino, resident of Barangay Bayabas, Municipality of Dagami, Province of Leyte; that Lot 456 was originally owned by Catalino Noble Lo Cham, who had been in possession of said lot since time immemorial; **that** on December 23, 1938, Leon Malanyaon, purchased said lot from the said Lo Cham (Exh. "C") and took possession until March 23, 1962, when Maria Fullante, herein claimant acquired the same by purchase from the said Leon Malanyaon, as evidenced by a Deed of Absolute Sale (Exh. "A") executed in her favor; **that** the said property was declared for taxation purposes since 1945 (Exh. "F"); **that** tax declaration of the said property in the name of the herein claimant was already declared (Exh. "E"); **that** taxes for said lot has been paid (Exh. "H"); that a residential house made of mixed materials has been erected in said property; that said property is presently mortgaged with the Community Rural Bank of Dagami, Inc. Dagami, Leyte. (Exh "B" and "D"); **that** the ownership and possession of the herein claimant as well as here predecessor-in-interest, have been peaceful, continuous, adverse to the whole world and in concept of an owner for more than 30 years; that the property being claimed is a conjugal partnership of the herein claimant and her spouse, Rustico Fullante.

With respect to Cad. Lot 457

Area: 150 sq. m. more or less

Claimant Mamerto Lopez

Estrella Bernald Lopez, wife of Mamerto Lopez, herein claimant, testified that she is 35 years old, a resident of Barangay Bayabas, Municipality of Dagami, Leyte; that -----

-----etc.. etc.. etc...

In view of the foregoing, it having been established by competent evidence that the possession of the lots above-enumerated by their respective claimants as well as their predecessor in interest, has been open, actual, public, continuous, and adverse to the whole world and in concept of owner within the time prescribed by law in accordance with the provision of Sec. 36, PD 1529, otherwise know as the Property Registration Decree, the titles of the claimants herein named to the respective lots claimed by them should be confirmed subject to the following conditions specified in each case, to wit:

Lot 456 with all the improvements thereon be decreed in favor of the conjugal property the Spouses Rustico V. Fullante and Maria C. Fullante, both of legal age Filipino with residence at Barangay Bolirao, Municipality of Dagami,.

The roads, highways, streets, alleys, water courses and other portion of the land not specified as lots, located within the borders of lands covered by this case are hereby declared as property of the Republic of the Philippines.

The Clerk of this Court is hereby directed to forward two certified copies of this decision to the Administrator, Land Registration Authority, two to the Solicitor Generals Office and one each to

the Provincial Fiscals Office and Provincial Treasurer of the Province of Leyte, and the DENR Executive Director, and to advise each claimant of the pertinent decision affecting him, and the Collector of Internal Revenue with regards to these lots subject to the estate and inheritance tax.

And finally, the Administrator of the Land Registration Authority is hereby directed, after the decision shall have become final, of which he shall be duly advised by specific Order of the Court, and after receiving the final plans prepared by the DENR in pursuance to this decision, to issue the decrees of registration of title as may be proper, with the original plan on file in the record, decrees of registration of title, for these lots which have not been ordered awarded.

SO ORDERED.

Given this 19 day of November, 2002 at Dagami, Leyte, Philippines.

(SGD) _____

Judge.

16. Sample Decision Adjudicating Contested Lots

**Municipal Trial Court of Dagami
Eighth Judicial District
Bulwagan Ng Katarungan
Dagami Leyte**

REPUBLIC OF THE PHILIPPINES)	
Represented by the DENR Regional Executive Director	)	CAD CASE NO.
.....)		Cad. Record No. N-
 Petitioner)	
Versus		
.....)		
Claimants)	

DECISION ADJUDICATING CONTESTED LOTS

Lot Nos. 10, 15, and 34, together with the building and improvements thereon are claimed, on one hand by Romualdo Badua, in behalf of his wife, Bernarda Azono, and on the other , by Florentino Mauricio, in behalf of his daughter, Emilia Mauricio.

The evidence shows that the lot in question belonged to the Spouses, Bonifacio Azone and Juana Mercado, the former having died in 1892 or 1893, and the latter in 1905; that they had two daughters, Bernarda Azono, who is still living and Francisca Azono, who died in 1895; and that the latter had before her death a daughter, Ana Leon by name, who died in 1892, leaving a daughter, Emilia Mauricio, the second claimant.

The first claimant alleges that four years after the death of Bonifacio Azone, that is, in 1896, the latter's estate and that of his wife Juana Mercado, were, in accordance with the latter's orders, divided between her daughters, Bernarda and Francisca Azono, the lots being given to Bernarda. This assertion, which is not supported by any evidence worthy of credence, must be rejected as contrary to common sense. It being inconceivable that any person in his right mind should order, while alive, the division of all her property among her heirs, thus being, as the saying goes: "left out in the street".

Section 932 of the Civil Code provides as follows: " The children of the deceased shall always inherit from him in their own right, dividing the inheritance in equal shares; and Section 983 of the same code provides as follows: " The grandchildren and other descendants shall inherit by right of representation, and if may one of them should have died, leaving several heirs, the portion pertaining to him shall be divided among the latter in equal portions".

In view of the foregoing, the aforementioned lots Nos. 10, 15, and 34, together with the improvements thereon, are hereby adjudicated, and shall be registered accordingly, pro-indiviso, one-half for Bernarda Azon and the other half for Emilia Mauricio, 19 years of age, Filipina, the wife of Brigido Anselmo, both of Dagami, Province of Leyte, Philippines.

Lot 14, 31, and 32 are claimed by the Municipality of Dagami. The Republic of the Philippines likewise claims the aforementioned lots.

The evidence adduced by the Municipality of Dagami daily shows that lot 14 is the extension of Perla Street, and that lot no 32 is at present used as grounds for the Dagami Elementary School. It has likewise been conclusively shown by the evidence adduced that the Municipality of Dagami has owned lots 14,31 and 32 by itself and thru its predecessors in interest, from time immemorial. The evidence adduced by the Republic of the Philippines fails to support its claim, and therefore, the claim of the Republic of the Philippines is overruled, and lots 14, 31, and 32 are awarded to the Municipality of Dagami.

Lot No. 35 has been claimed, on the one hand by Melecio Sanchez, and on the other hand, by Pedro, Julian and Calixta, heirs of Adriana Sanchez. The evidence adduced shows that Melecio Sanchez and Adriana Sanchez, inherited from Ponciano Sanchez, their deceased father, two parcels of land, one of which is the lot in question; that Adriano Sanchez is the mother of the adverse claimants, Pedro, Julian, and that before being married to Santiago Tolentino, she exchanged her interest in said lot No. 35 for that of her brother Melecio, in the other parcel. It is therefore, evident that the claim of Pedro, Julian, and Calixta Tolentino is not supported by facts and should be dismissed. It having been established on one hand, that said lot 35 has been owned by the claimant by himself and thru his predecessors, for the period of over 35 years, the registration and adjudication of the aforementioned lots with all its improvements, are hereby decreed in favor of the aforementioned Melecio Sanchez, single, of age, Filipino, of Dagami, Province of Leyte.

Notify interested parties of this decision in conformity with the Regulations of the Land Registration Authority.

So Ordered.

_____, Philippines, _____, 20_____.

Judge

17. Decision of Unclaimed Lots

**Municipal Trial Court of Dagami
Eighth Judicial District
Bulwagan Ng Katarungan
Dagami Leyte**

<p>REPUBLIC OF THE PHILIPPINES)</p> <p>Represented by the DENR Regional Executive Director)</p> <p>.....)</p> <p>Petitioner)</p> <p style="text-align: center;">Versus</p> <p>.....)</p> <p>Claimants)</p>	<p><i>CAD CASE NO.</i></p> <p>.....</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Cad.</td> <td style="text-align: center;">Record</td> <td style="text-align: center;">No.</td> <td style="text-align: center;">N-</td> </tr> <tr> <td colspan="4" style="text-align: center;">.....</td> </tr> </table>	Cad.	Record	No.	N-			
Cad.	Record	No.	N-						
.....									

DECISION OF UNCLAIMED LOTS

It appearing from the records that lots Nos. 37, 38, 39, 40 41,42 and 43 have not so far been claimed by any person, nor by the Government or any of its branches, notwithstanding the notices sent to the persons who appear to be the claimants of said lots, and the notices posted in conspicuous places of the barangays in which the lands are situated, it is hereby ordered that this case be dismissed in so far as the above-mentioned lots are concerned.

So Ordered.

_____, Philippines, _____, 20_____.

Judge.

18. Order for Issue of Decree on Cadastral Case

Municipal Trial Court of Dagami
Eighth Judicial District
Bulwagan Ng Katarungan
Dagami Leyte

REPUBLIC OF THE PHILIPPINES)
Represented by the DENR Regional Executive Director)
.....) **CAD CASE NO.**
.....) **Cad. Record No. N-**
.....)

Petitioner)

Versus

.....)
Claimants)

ORDER FOR THE ISSUANCE OF DECREES IN CADASTRAL CASES

The decision rendered by this Court in the above-entitled case under date of _____, 20_____, having become final, the Administrator of the Land Registration Authority is hereby directed to issued the corresponding decrees of registration for the lots adjudicated in said decisions, to wit:

with the exception of the following lots, until further orders:

Number : Lot Number : Lot Number : Lot Number : Lot Number ^{Lot}

_____ 20 _____

JUDGE

19. Sample Forms

19.1 Special Power of Attorney

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

WE _____

_____ all of legal age, Filipinos, with postal and residence address at Brgy. _____, Municipality of _____, Province of Leyte, Philippines, all compulsory heirs of _____ who died intestate on _____ do hereby name, constitute, and appoint _____, to be our true and lawful attorney-in-fact, for us and in our name, place, and stead, to do and perform the following acts and things, to wit:

In relation to land we own in the Municipality of _____, to represent us in any negotiations with the DENR-LAMP PIO I regarding our intention to file public land applications for titling;

To make, sign, execute, and deliver documents, agreements and other writings of whatever nature or kind, with any and all third persons, concerns, or entities, upon terms and conditions acceptable to our said attorney-in-fact; and without limiting the above power, to determine the exact location of the boundaries of our land and to place boundary markers, to sign a survey notification sheet for land we own or adjoining any land we own, to sign a public land application, to sign any survey plan and to sign any other documents required as part of the systematic adjudication of our land;

To delegate in whole or in part any or all of the powers herein granted or conferred, by means of an instrument in writing in favor of any third person or persons whom said attorney-in-fact may select;

HEREBY GIVING AND GRANTING unto our said attorney-in-fact full power and authority whatsoever requisite or necessary or proper to be done in and about the premises as full to all intents and purposes as we might or could lawfully do if personally present, with power of substitution and revocation, and hereby, ratifying and confirming all that our said attorney or his substitute shall lawfully do or cause to be done under and by virtue of these presents.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2001 at _____, Philippines.

1.	2.
CTC No.	CTC No.
Issued on	Issued on
Issued at	Issued at

3. 4.
 CTC No. CTC No.
 Issued on Issued on
 Issued at Issued at

5. 6.
 CTC No. CTC No.
 Issued on Issued on
 Issued at Issued at

7. 8.
 CTC No. CTC No.
 Issued on Issued on
 Issued at Issued at

SIGNED IN THE PRESENCE OF:

1. 2.

ACKNOWLEDGMENT

Republic of the Philippines)
 Province of Leyte) S.S.
 Municipality/City of)

BEFORE ME, Notary Public, this _____ day of _____, 20____, personally appeared the above-named persons with their respective Community Tax Certificates, with corresponding dates and places of issue, all to me known to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free voluntary act and deed.

WITNESS MY HAND AND SEAL on the date and place first above written.

 Notary Public

Doc. No. _____
 Page No. _____
 Book No. _____
 Series of _____

19.2 Affidavit by seller confirming sale

AFFIDAVIT

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE SS }
MUNICIPALITY OF _____

I, _____, of legal age, single (or married to _____
_____), resident of _____, after being sworn in accordance with
law, depose and say:

That I am the vendee in the sale of the above-described private agricultural land; That I am a naturalized citizen of the Philippines, by virtue of a final decision of the CFI _____; on _____ that a certified copy of my certificate of naturalization is hereto attached as Annex "A"; that I am qualified to acquire and hold public and private lands in the Philippines.

(Signature of Affiant)

19.3 Deed of Donation

DEED OF DONATION

KNOW ALL MEN BY THESE PRESENTS:

This DEED OF DONATION, made and executed by *(full name of donor)*, of legal age, single/married to _____, and with residence at _____, hereinafter called the DONOR, in favor of *(full name of donee)*, of legal age, Filipino, single/ married to _____, and with residence at _____, hereinafter called the DONEE,

WITNESSETH:

That the DONOR is the owner in fee simple of that certain real property with the buildings and improvements thereon, situated in the _____, and more particularly described in Original/ Transfer Certificate of Title No. _____ of the land registry of _____, as follows, to wit:

(Description of property)

That for and in consideration of the love and affection which the DONOR has for the DONEE, the said DONOR by these presents transfer and conveys, by way of DONATION, unto the said DONEE, his/her heirs and assigns, the above-described real property with all the buildings and improvements thereon, free from all liens and encumbrances;

That the DONOR does hereby state, for the purpose of giving full effects to this donation, that he/she has reserved for himself/herself in full ownership sufficient property to support him/ her in a manner appropriate to his/ her needs;

That the DONEE, does hereby accept this donation of the above-described real property, and does hereby express his/ her gratitude for the kindness and liberty of the DONOR.

IN WITNESS WHEREOF, the DONOR and the DONEE have hereunto set their hands this _____ day of _____, 2002, in the _____

_____ .

(Donor)

Accepted:

(Donee)

Signed in the presence of:

19.4 Affidavit of death

AFFIDAVIT

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF _____

SS }
}

I, _____, of legal age, married to _____ (*or single*) and now residing at _____, Philippines, after having been sworn in accordance with law, depose and say:

1. That I am the only surviving son of one, named _____ who died intestate in the municipality of _____, Philippines, on _____
_____ as evidence by Death Certificate issued by the _____ hereto attached as ANNEX "A" and made an integral part of this Affidavit;

2. That said deceased left an estate consisting of a parcel of land measuring _____ sq. m., located in the municipality of _____, and evidenced by Transfer of Title No. _____ of the Registry of Deeds of _____;

3. That the said parcel of lands is more particularly described as follows, to wit:

(Description)

4. That said deceased left no debts;

5. That the net value of said estate is not more than three thousand pesos (P3,000.00), and is therefore exempt from the estate and inheritance taxes, as evidenced by a certificate of exemption issued by the Bureau of Internal Revenue hereto attached as ANNEX "B" and made an integral part of this affidavit;

6. That pursuant to Rule 74, Sec. 1 of the Rules of Court, I hereby adjudicate unto myself the above described real estate by means of this Affidavit and hereby files same with the Register of Deeds of _____ with the request that said adjudication be made effective without judicial proceedings as prescribed by the aforementioned Rules of Court.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____
_____, 2002, in the _____, Philippines.

(Signature of Affidavit)

19.5 Deed of Exchange

DEED OF EXCHANGE

KNOW ALL MEN BY THESE PRESENTS:

This DEED OF EXCHANGE, made and executed by and between _____,
Filipino, of legal age, single (*or married to* _____), with residence and post-office address
at _____, and _____ Filipino, of legal age, single (*or married to*
_____), with residence and post-office address at _____.

WITNESSETH:

That the said _____ is the owner in fee simple of that certain parcel of land with
improvements thereon, situated in _____, and more particularly described as follows, to
wit:

(Description of property)

his title thereto being evidenced by Transfer (*or Original*) Certificate of Title No. _____
of the Registry of Deeds of _____;

That the said _____ is, on the other hand, the owner in fee simple of that certain
parcel of land with improvements thereon situated in _____
and more particularly described as follows, to wit:

(Description of property)

his title thereto being evidence by Transfer (*or Original*) Certificate of Title No. _____
of the Registry of Deeds of _____;

That both parties hereto have mutually agreed to exchange their respective properties as above-described,
each free from all liens and encumbrances whatsoever;

WHEREFORE, the said _____ does hereby CEDE, TRANSFER and CONVEY unto the
said _____ the real estate first above-described, with all the improvements thereon;
and _____ likewise, the said _____, in turn, does hereby CEDE, TRANSFER,
and CONVEY unto the said _____

the real estate described in the second instance, with all the improvements thereon;

That the respective parties hereto warrant to each other the title to the properties they have respectively
ceded, transferred, and conveyed, against all claims of any person whatsoever.

IN WITNESS WHEREOF, both parties have hereunto set their hands this _____ day of
_____, 2002; in _____, Philippines

(Signature)

(Signature)

Signed in the presence of:

19.6 Deed of Sale of agricultural land

Deed of Sale of Private Agricultural Land

NOTE: In addition to the requisites of law for the due registration of an ordinary deed of sale of land, a deed of sale of private agricultural land must conform with the Constitution of the Philippines (Sec. 7, Art. XII, 1987 Const.) which specifically requires that "(S)ave in case of hereditary succession, no private lands shall be transferred or assigned except to individuals, corporations, or associations, qualified to acquire or hold lands of the public domain" – that is, only to *Filipino citizens or to corporations or associations at least 60% of the capital of which is owned by such citizens*. Circular No. 9 of the Dept. of Justice, dated May 5, 1937, among other things, requires that the deed of sale, in case the vendee alleges to be a citizen of the Philippines, must be *accompanied by an affidavit of the vendee* stating how and when such citizenship of the vendee has been acquired; if by *naturalization*, the certificate of naturalization or a certified copy thereon must be exhibited to the notary who shall make a *notation of the particulars thereof in the deed; provided, however, that if the vendee is personally known to the notary public to be a Filipino citizen, these requirements may be dispensed with, in which case the notary will recite that fact in the body of the acknowledgment or elsewhere in the deed*. If the vendee is a juridical person, the deed must state that it has the constitutional right to acquire public and private lands in the Philippines, and when the deed is to be registered in the Register of Deeds, it must be accompanied by a certificate of the Securities and Exchange Commission showing that the corporation or association is duly registered in his office, and by an affidavit of the treasurer of the corporation or of the association stating that not less than 60% of the capital thereof is owned by Filipino citizens. Such affidavit as required above in the case of an individual, may be framed as follows, to wit:

DEED OF SALE

KNOW ALL MEN BY THESE PRESENTS:

I, _____
(Full name of vendor),

Filipino, single/ married to _____, of legal age, with residence and post-office address at _____, for and in consideration of the sum of _____ PESOS (P _____), Philippine currency, to me in hand paid by

(Full name of vendee)

Filipino, of legal age, with residence and post-office address at _____
_____, do hereby SELL, TRANSFER, AND CONVEY, absolutely and unconditionally, unto the said _____ his/ her heirs and assigns, that certain parcel (or parcels) of land, together with the buildings and improvements thereon, situated in (city or municipality, and province), and more particularly described as follows, to wit:

(Description)

of which I am the registered owner in fee simple in accordance with the Land Registration Act, my title thereto being evidence by Transfer (or Original) Certificate of Title No. _____, issued by the Register of Deeds of _____.

It is hereby mutually agreed that the vendee shall bear all the expenses for the execution and registration of this deed of sale.

IN WITNESS WHEREOF, I have hereunto signed this deed of sale, this _____ day of _____, 2002, at _____, Philippines.

(Vendor)

With my consent:

(Vendor's Wife)

SIGNED IN THE PRESENCE OF:

(Witness)

(Witness)

19.7 Extra-judicial partition

Extrajudicial Deed of Partition

(Complete Form)

KNOW ALL MEN BY THESE PRESENTS:

This AGREEMENT OF PARTITION entered into by and between:

FLORENTINO R. DIZON, of legal age, Filipino, married to Hilda S. Dizon, with residence and postal address at 2323 Macopa St., Magallanes Village, Makati, Rizal, Philippines; and

SULPICIO GUEVARA, of legal age, Filipino, married to Urbana B. Guevara, with residence and postal address at 10 Kitanlad St., Quezon City, Philippines,

WITNESSETH

THAT the Parties herein are the registered co-owners of the parcel of land described in Transfer Certificate of Title No. T-4505 of the Registry of Deeds of Baguio City, more particularly described as follows:

“Beginning at a point marked “1” on plan of Ts-V-941-D, being N.49-38'E, 314.70 m. from Triangulation Station “Sunday” Baguio Townsite; thence N. 34-00 E., 40.00 m. to point 2; S. 56-00'E., 17.00 m. to point 3; thence to S. 23-30' E., 12.00 m. to point 4; S. 13-00' W., 35.94 m. to point 5; N 56-00' W., 40.00 m. to point 1, point of beginning.

Containing an area of ONE THOUSAND TWO HUNDRED AND SIXTY EIGHT
(1,268) SQUARE METERS.

All points referred to are indicated on the plan and are marked on the ground by PLS cyc. Conc.
Mons.

Bounded on the N.W. along line 1-2 by Public Land (Lot 1, Block 4, Holy Ghost Hill Subdivision); on the NE., and E., along lines 2-3-4-5 by Road; and on the SW, along 5-1 by Public Land (Lot 3, Block 4, Holy Ghost Hill Subdivision).

This survey was executed under authority of Chapter XI, Commonwealth Act 141, as amended, and in accordance with existing regulations of the Bureau of Lands, by Perfecto Jularbal, Deputy Public Land Surveyor, on April 2, 1952 and approved on October 13, 1952.

NOTE: This is Lot 2, Block 4 (now Lot 56) Holy Ghost Hill Subdivision and is approved by TSA No. V-941.”

THAT the said Parties have caused the subdivision of the aforesaid parcel of land into two (2) lots, each having an area of SIX HUNDRED THIRTY FOUR (634) SQUARE METERS, more particularly described as Lots 1 and 2 in the subdivision plan (LRC) PSD-193703 which was duly approved by the Land Registration Commissioner, to wit:

Lot 1 (LRC) Psd – 193703

"A parcel of land (Lot 1 of the Subdivision plan (LRC) Psd – 193703 being a portion of the parcel of land described on TS-V-941-D, LRC Rec. No. T.S. Sales Pat.) situated in the Res. Sec. "B", City of Baguio, Island of Luzon. Bounded on the N.E., points 2 to 5 by Subdivision Road (10.00 m. wide); on the SW., points 5 to 1 by Lot 2, of the Subdivision Plan; and on the NW., points 1 to 2 by Lot 1, Block 4 (Holy Ghost Hill Subd. Public Land). Beginning at a point marked "1" on Plan, being N. 49 deg. 38'E., 314.70 m. from Triangulation Station "Sunday" Baguio Townsite,

thence N. 34 deg. 00'E., 40.00 m. to point 2;
thence S. 56 deg. 00'E., 17.00 m. to point 3;
thence S. 23 deg. 30'E., 12.00 m. to point 4;
thence S. 13 deg. 00'W., 2.00 m. to point 5;
thence S. 75 deg. 13'W., 42.17 m. to point of beginning;

containing an area of SIX HUNDRED THIRTY FOUR (634) SQUARE METERS, more or less. All points referred to are indicated on the Plan and marked on the ground as follows: Points 1 to 4 by Old Points and the rest by PS cly. Conc. Mons. 14 x 60 cm.; bearings true; date of Original Survey, April 2, 1952 and that of the Subdivision Survey, executed by Mariano D. Singson, a Geodetic Engineer, on June 30, 1973."

Lot 2 (LRC Psd – 193703)

"A parcel of land (Lot 2 of the Subdivision Plan (LRC) Psd – 193703 being a portion of the parcel of land described on Plan TS-V-941-D, LRC Rec. No. TS Sales Pat.) situated in the Res. Sec. "B", City of Baguio, Island of Luzon. Bounded on the SE., points 2 to 3 by Subdivision Road (10.00 m. wide); on the SW., points 3 to 1 by Lot 3, Block 4 (Holy Ghost Hill Subdivision, Public Land); and on the NW., points 1 to 2 by Lot 1 of the Subdivision Plan. Beginning at a point marked "1" on plan, being N. 49 deg. 38' E., 314.70 m. from Triangulation Station "Sunday", Baguio Townsite,

thence N. 75 deg. 18'E., 42.17 m. to point 2;
thence S. 13 deg. 00'W., 33.94 m. to point 3;
thence N. 56 deg. 00'W., 40.00 m. to point of beginning;

containing an area of SIX HUNDRED AND THIRTY FOUR (634) SQUARE METERS, more or less. All points referred to are indicated on the Plan and marked on the ground by PS Cyl. Conc. Mons. 15 x 60 cm.; bearings true; date of Original Survey, April 2, 1952 and that of the Subdivision Survey, executed by Mariano D. Singson, a Geodetic Engineer, on June 30, 1973."

THAT the above Parties have agreed and covenanted, as by these Presents, do hereby agree and covenant, that Lot 1 as above described shall appertain and belong to FLORENTINO R. DIZON, his heirs and assigns, and that Lot 2 as likewise above described, shall appertain and belong to Sulpicio Guevara, his heirs and assigns.

NOW THEREFORE, for and in consideration of the above agreement, the Parties herein shall have the Transfer Certificate of Title No. T-4505 CANCELLED by the Register of Deeds for Baguio, and in lieu thereof to ISSUE TWO (2) new certificates of title for the two lots in favor of the two owners, respectively.

IN WITNESS WHEREOF, the Parties hereto set their hands below, this 16th day of February, 1974, in the City of Manila, Philippines.

(Sgd.) FLORENTINO R. DIZON

(Sgd.) HILDA S. DIZON

(Sgd.) SULPICIO GUEVARA

(Sgd.) URBANA B. GUEVARA

In the presence of:

(Sgd.) (Witness)

(Sgd.) (Witness)

19.8 Settlement among Heirs

EXTRAJUDICIAL SETTLEMENT AMONG HEIRS

KNOW ALL MEN BY THESE PRESENTS:

This EXTRAJUDICIAL SETTLEMENT, made and entered into be and among:

_____ of legal age, single (*or married to* _____), residing at _____, _____, _____, of legal age, single (*or married to* _____), residing at _____, _____ of legal age, single (*or married to* _____), residing at _____,

WITNESSETH:

That the above-named parties, all of age, are the legitimate children and sole heirs of _____, who died in _____ on _____

Without any will;

That the said deceased, at the time of his death, left a certain real property, situated in _____ and more particularly described as follows, to wit:

(*Description*)

which real property, is covered by Transfer (*or Original*) Certificate of Title No. _____ of the Register of Deeds of _____;

That no personal properties are involved in this extrajudicial settlement.

That to the best knowledge and information of the parties hereto, the said deceased left no debts;

That a true copy of this extrajudicial settlement had been published once a week for three consecutive weeks in _____, a newspaper of general circulation in _____, as certified by the said newspaper hereto attached as Annex "A";

That the parties hereto being all of legal age and with full civil capacity to contract, hereby by these presents agree to divide and adjudicate, as they hereby divide and adjudicate, among themselves, the above-described real estate in the manner following:

To _____, age _____, the following: (*description*);
To _____, age _____, the following: (*description*); and
To _____, age _____, the following (*description*);

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands this _____ day of _____, 2002, in _____, Philippines.

(Signature)

(Signature)

(Signature)

Signed in the presence of:

19.9 Partition Agreement

PARTITION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This AGREEMENT OF PARTITION entered into by and between:

_____, of legal age, single (or married to _____
_____), residing at _____; and _____, of legal age,
single (or married to _____), residing at _____
_____.

WITNESSETH:

WHEREAS, the above-named parties are the registered sole and exclusive co-owners of that certain parcel of land situated in _____, and more particularly described as follows, to wit:

(Description of the property)

their title thereto being evidenced by Transfer/ Original Certificate of Title No. _____
_____ of the Registry of Deeds of _____;

WHEREAS, it is to the convenience and advantage of the said parties that the existing community of ownership between them be terminated, and their respective shares and participation determined by mutual agreement and adjudication;

WHEREAS, for purposes of this partition agreement, the parties hereto have caused the above-described property to be subdivided into lots Nos. _____ and _____, as per tracing cloth and blue print plan Psd. _____ and technical descriptions, duly approved by the Land Registration Commission (LRC) which are attached hereto as Annexes "A" and "B", respectively, and made integral parts of this agreement;

WHEREAS, the parties hereto have mutually and voluntarily agreed, to partition and adjudicate among themselves their common property as above described, in the manner following;

To _____, the following lot: *(description)*;

**IN WITNESS WHEREOF, the parties hereto have hereunto set their hands this _____
day of _____, 2002, in _____, Philippines.**

(Co-owner)

(Co-owner)

Signed in the presence of:

