

RROW Project of the City

Hon. Faustino Atiwag Olowan
Vice Mayor
Baguio City

31 May 2022

Dear Sir,

Greetings in Christ! First and foremost, let me congratulate you for garnering the people's vote of confidence to be the 2nd Father of the City for another term.

We are writing your good office to ask the City Council to Intervene in matters pertaining to our Foundation's (MDGFI's) Domicile and the Brgy (Lourdes Subd. Proper) affairs as a whole mainly for:

- 1. Continuation and Finalization of drainage along Queen of Angels Rd** (due to the stench and the fact that it has become a breeding ground for mosquitos which might be the reason for the inhabitants to be prone to dengue)
- 2. Temporary Halt on the ROW project of the City**—as we have been given a Letter from CBAO—Notice of Violation and Encroachment signed by Engr. Donald A. Gas-ib, Division Chief, Investigation and Demolition Division with an attached letter by Januario S. Borillo, Engr IV, City Engineering Office Re: Road Right of Way Recovery Program (RROW)
- 3. The Lorenza Act**—to protect the poor from land grabbers; their right to have a descent home if none and the right to keep their houses if they all ready have one in concurrence with existing Philippine Laws and our claim to 01-4

On the **first** item, this is something not new to you as this is covered partly by Brgy Resolution NO 2020-10-01 series of 2020 of Brgy. Lourdes Subd. Proper **Attached in the folder as ANNEX B**

It has also been covered in our letter to Mayor Magalong dated 11 Jan 2021 (**Attached as Annex Q**) and received by the Office of The City Mayor on 18 January 2021. The first 2 pages **Attached now as ANNEX E**

The drainage in contention is a funded project of the City that as per the letter of Engr. Edgar Victorio R. Olpindo, City Engineer to Mayor Magalong, **has been halted by a text message of Mr Swanny Dicang to Mayor Magalong (Attached now as ANNEX C)** With reference to our letter to Mayor Magalong (page 2 par 5 **Attached as ANNEX E**) we ascertained that MR Swanny Dicang has no connecton whatsoever to MDGFI who is now the beneficial owner of the property where the drainage has been stopped. We were also asking in that same letter what his capacity and purpose is to stop the drainage project.

Just as Ms Ellen Lao also has no right whatsoever to have it halted and claim that she owns the road which is the main reason the undersigned was forced to claim the property and both roads under 01-4. Also discussed in the same letter referenced above on page 2 par 2 - 3.

A letter to the President re: my claim over the said parcel of land and the roads adjacent to it has been part of the same letter to the Mayor. The first page is **Attached now as ANNEX D** with the reply from the Land Management Bureau **Attached as ANNEX J**.

This is also where the **second** item comes in. Based on **Attachments ANNEX T1, T2, T3, T4 (as examples)** the City Engineering office made a mistake with the plotting that came from the City Mapping Office. **T1** is Map 32 that was shown during the CBAO meeting held last April 26, 2022. If I am not mistaken, the 3 lots under Rosario Villar with the unnamed 4th lot (# 503, 500 sq m, tagged as T-29925) are the lots Ms Lao is claiming to be hers. T2 will show you that if you use Google LIVE's survey measurement service, the total lot area of the vacant lot from Villar's house to Sahagon's house is

Modern Principles of Good Governance, Inc.

OFFICE OF THE CITY MAYOR
VICE MAYOR
RECEIVED
Date: JUN 01 2022

LOURDES PROPER BRGY.
RECEIVED
By: *Mercy Anne Aswigue*
Date: 6-1-2022

Laura
Laura Atiwag Olowan, CM Phil
Lic. No. 2961
6/1/2022

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Letter to CBAD– Notice of Violation and Encroachment

almost the same (even more) as the total of the 4 lots added up.

For purposes of showing the accuracy of Google Live with the google version used by our City Engineers, I've added **T3**. Taking to consider the triangle shaped lot beside Ms Lao's lots that are adjacent to Dominican Rd. and Queen of Angels Rd. the total of the 5 lots when added up is almost the same as shown in the survey app. Yet based on **T1** this lots have overlapped Queen of Angels Rd too.

T4 was added to show that despite the accuracy of Google Live, plotting the roads would still mean a discrepancy.

The Subd plan from 1958 (with Original Survey Plan 1911-1912) has also been **Attached as ANNEX U** to show that the proposed Road is exactly where it is today. Seemingly, the easement that was discussed in the meeting we attended with the BRGY and my neighbors is not existent in the same Plan.

It is with that that we are asking your good office and the City Council to intervene and put a **Temporary Halt (or a Temporary Restraining Order) on the ROW project of the City until such time that the system they are using to plot is either free of errors or at least with an accuracy that is viable with the true and exact survey.**

In line with this, may we also ask your good office and the City Council to be clear with the implementing rules for ROW as per IRR of RA 10752.

Section 4. Modes of Acquiring Real Property with subsequent sections on **Sec 6.5 Procurement** and **6.6 Replacement Costs**

It is of our understanding that as per IRR the Implementing Agency (IA) shall do the **survey, "shall prepare the basic plan and performance-type specifications for the structure to be replaced," make a price offer,** etc. and not the other way around of asking all those in attendance in the meeting with CBAO (whose houses and structures are in contention) to be liable and responsible for the removal thereof and to ensure the proper submission of documents to prove that otherwise to include having a resurvey at the expense of the structure owner. **Sec 17 Right-of-Way Survey Documents for Acquired Properties.** The IA (Implementing Agency in this case CBAO and the City Engineering Office) shall "submit the relevant documents indicating the survey limits for the lands acquired..."

It is also wrong for the mediators to question the rights of my neighbors over the lands their abodes have been built as seconded by **Sec 6.8 Owners of Structures and Improvements With No Rights to the Land** which is expanded even to cover Relocation. With **6.12 Special Cases covering Tax Declarations and other documents to show proof of ownership.**

Unless of course the City has it's own IRR for ROW then may we ask a copy thereof. **Section 18 Agency Manual of Procedures for ROW Acquisitions.**

"to provide clear, specific, and operational guidelines for the efficient acquisition of ROW for its infrastructure projects, each IA shall prepare and implement its own "Manual of Procedures for ROW Acquisition" (Manual)

"Said Manual should be consistent with the provisions of the Act and this IRR..."

Notwithstanding that **RA 11689** has been recently enacted into law then, the City has to be clear with **Article X** thereof as to **how Alienable and Disposable Lands should be acted upon.**

As mentioned on the early part of this missive, we have enclosed the copy of page 1 of MDGFI's original letter to PRRD claiming not only the land holding our domicile but to include both roads Queen of Angels and Queen of Apostles under 01-4 with hopes of ensuring the preservation of the place and accessibility for our neighborhood as well (**page 1 2nd paragraph**).

We also are with the prayer that the Brgy adopts our letter to your good office, through a resolution, that they will carry our proposals just as we are manifesting to carry the Resolution of the Brgy to make both roads a one way route.

We have also attached a copy of our reply letter addressed to Engr. Donald A.

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Gas-ib, dated 31 May 2022 with complete attachments.

As for the **3rd** matter: **The Lorenza Act**

As a matter of fact, your good office and the City Council invited me to shed light pertaining to 01-4 and other matters during the Nov 25 City Council Session which is also part of the Letter to Mayor Magalong (page 1 **ANNEX E**). We have referenced that for purposes of continuity. As I have explained in that session that we have had talks with DENR and their panel of lawyers regarding my claim on 01-4 or the whole Philippine Archipelago. Also as referenced above, we have attached the reply of the Land Management Bureau for our request to have the property of Simeon Dicang and the adjacent roads to be tagged as the property of MDGFI **ANNEX J**.

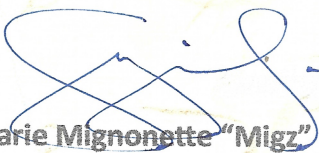
More so, in page 3 of the letter to Mayor Magalong we have acknowledged that Mr Agapito and Lorenza Dicang were given that lot by FEM for **“safe keeping”** hence, in their own right are keepers. Their youngest daughter, Josephine Dicang Punla who also serves as the VP for OFW affairs has been designated as the Administrator for the Dicang and Tiongco clans.

The Lorenza Act will serve as a reference for which I, as the beneficial land owner of 01-4 and the government will not step into the rights of not only the keepers but also the Filipino people as a whole with questions pertaining to land use, land Titling, government land sale and the like. It shall in a nutshell, ensure that the all Filipino Families will have at least a 144 sq m house built on a 200 sq m lot that they can call their HOME.

Very befitting to call it so, as though *Mrs. Lorenza Dicang had no educational background whatsoever, she fought for her rights to a 2.8Hct land with not only the rich “squatters” to contend with, but also to contend with a past Mayor who spearheaded the sale of the property to this rich and educated “squatters.”*

A draft of the Lorenza Act shall be included in my letter to OOP PRRD and DENR, a copy of which shall be given to the City as soon as the letter is submitted to the said offices in hopes that the City would be the first to adopt it.

BAYASHETURA... For the Glory of God the Father and the Benefit of all His Creations...



Marie Mignonette “Migz” D. Gaviola

MDGFI CFO/COO

“We shall teach our brothers to fish and not simply give them fish. The Lifestyle Change Program of the Foundation was formed to implement the program that he (Pres. Marcos) envisioned ... that we in turn enhanced.”

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num	Last name	Area in sq m	
503		500	T-29925
1001	Villar	1000	T-18008
497	Villar	500	T-19659
2298	Villar	2297	T-25505

Total 4297 sq m

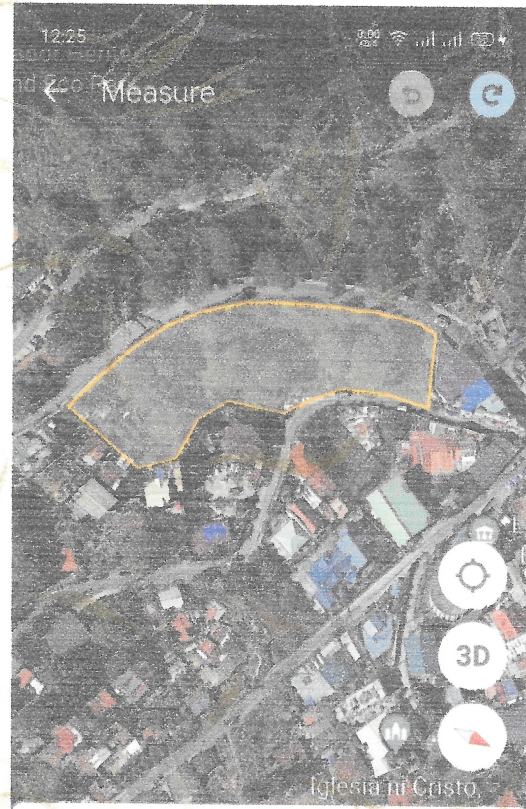


Perimeter ⓘ

200 m ▾

Area

2,008 m² ▾



Perimeter ⓘ

338 m ▾

Area

4,633 m² ▾

num	Last name	Area in sq m	
6	De Sahagon	6	T - 50430
21	Cacanando	20	T-018-2011001140
39	Collado	38	T-018-2011000099
50	Sahagon	49	T-50427
70	Sahagon & SPS	68	T-82070
324	Summit Bank	319	T-76826

Total 500 sq m



