



Republic of the Philippines

# ANG BAGONG LAHING FILIPINO DEVELOPMENT FOUNDATION, INC.,

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S.E.C. Registry No. A2002-00833-2002  
Non-Government Organization

EXCERPT FROM THE MINUTES OF SPECIAL MEETING OF THE ABOVE-NAMED FOUNDATION, HELD ON FEBRUARY 7, 2008 AT 10:00 O'CLOCK IN THE MORNING AT THE FOUNDATION'S OFFICE, MAKATI CITY.

## LAND FOR THE LANDLESS Acquisition under TORRENS SYSTEM Real Property Act 1858

TO STOP THE "EVIL BITCH", OF MODUS OPERANDI OF THE RICH AND INFLUENTIAL PEOPLE, RESULTED IN 20 MILLION FAKE LAND TITLES OCT, TCT, PATENT AND GRANTS ISSUED BY LAND REGISTRATION COMMISSION (L.R.C.), REGISTRY OF DEEDS (R.D.), D.E.N.R., AND OTHER AGENCIES CONCERNS OF THE GOVERNMENT IS A ROOT OF DEEPEST CORRUPTION AND SCRUPULOUS ANOMALY OF ARMS STRUGGLE AND ACT OF TERRORISM NATIONWIDE.

## RESOLUTION NO. 01

Series of 2008

SUBJECT: A RESOLUTION URGING THE REGIONAL DIRECTORS, PROVINCIAL, CITY, MUNICIPAL, BARANGAY AND ROVING COORDINATORS NATIONWIDE TO DISSEMINATE THIS LONG-HELD INFORMATION AS IMPLEMENTING GUIDELINES TO THE LAND POLICY BY VIRTUE OF JUDICIARY LAND TITLES AND DEEDS AS PROMULGATED BY THE SUPREME COURT EN BANC DECISION G. R. No. 103727, G.R. No. 106496 PROMULGATED DECEMBER 18, 1996. (Late Don Mariano Esteban vs. Court of Appeals 265, SCRA 753)

WHEREAS: The Ang Bagong Lahing Filipino Development Foundation, Incorporated, is duly established and organized and existing under Philippine Law (Republic Act. 1459) with principal office at 7426 EMF Bldg., Santillan St., Pio Del Pilar Makati City, with SEC. REGISTRATION No. 200200833-2002, (NGO) operates under the DECLARATION OF PRINCIPLES AND STATE POLICIES ARTICLE II) R.A. 3046 as Amended by: R.A. 5446; RD. No. 1596 and PD. No. 1599 Section 3, Art XVII. The state shall encourage Non-government, Community-based or Sectoral Organizations that promote the welfare of the nation. The state shall protect the right to health of the people and instill health consciousness among them, the state is mandated to promote a just and dynamic social order that will ensure the prosperity and independence of the NATION AND FREE THE PEOPLE FROM POVERTY.

WHEREAS: Ang Bagong Lahing Filipino Development Foundation, Inc., is duly Registered in the National Library S.E.C. 178.6, entitled TORRENS SYSTEM PROCEEDING REGISTRATION OF REAL PROPERTY TITLES AND DEEDS UNDER REAL PROPERTY ACT 1858 respect of letters, the copyright shall belong to the writer subject to the provisions of Article 723 of the Civil Code. (Sec. 6, RD. No. 49a), with ISBN: 971-93393-0-6 on August 3, 2004 with Registration No. A 2002-1375. RESOLUTION No. 01 Series of 2003 published in the national and elite newspapers Philippine Daily Inquirer on February 16, 2003, entitled LAND FOR THE LANDLESS AND HOME FOR THE HOMELESS on page 90, SEC. 9, VOL. 8 No. 70. (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph.)

WHEREAS: The Torrens System in the Philippines is judicial in form but administrative in character. "Judicial proceedings for the registration of land throughout the Philippines shall be in rem and shall be based on the generally accepted principles underlying the Torrens System (Sec. 2, RD. 1529). In connection with Section 108 of PD. 1529, Act No. 141, it is conclusive upon the whole world including the government. Because all land to which claimants have acquired imperfect or incomplete title within the contemplation of Section 48 of Commonwealth Act No. 141-----Most of the lands now occupied or possessed by the people throughout the Philippines are not covered by titles issued by the Government. (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph)

By possession of the land since time immemorial.-Occupant of lands who, by themselves and their predecessors-in-interest, have been in possession of the land since time immemorial. Their possession of the land for such length of time justifies the presumption that the land had never been part of the public domain and that it had been private property even before Spanish conquest. (Republic vs. Court of Appeals, 335 SCRA 693; see also Oh Cho vs. Director of Lands, 75 Phil. 890; Nelayan vs. Nelayan, 109 Phil. 183; Manarapaac vs. Cabatuan, 21 SCRA 743) (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph.)

The Government according to the LRC Commissioner Antonio M. Noblejas. Can it be that the government a direct source of fraudulent evidences? Besides the legal ownership rights of the private person heirs are fully supported by strong evidences of ownership over the land adapting the evidences of the Republic of the Philippines but the claim for ownership by the government and that the paragraph I of the government Position Paper over the same subject land has been strongly opposed under the principle of PRIUS TEMPORE PORTIUR JURI by the Private N.G.O. considering that no less than the AMICUS CURAE and the court were the ones confirmed the legitimacy and the physical evidence of the said land owners, besides, the alleged expropriation by the government over the subject land in favor of the legal owners. Therefore, the government should be barred by statute of Limitation and/or Estoppel for public interest, since people demand honest services from the government, because the government never possessed said better ownership and legal rights over the land than what the heirs have in as much as the legal heirs remained physically fit, alive and kicking and controverting strongly the deceptive allegation of the Republic of the Philippines that the owners and heirs over the subject land were dead and no survivor to claim it so it should necessarily be reverted to public domain, are allegations full of deception and purely hearsay. (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph.) DWCA P 61, 62, 63, 69

## ICCs / IPs

WHEREAS: Proclamation 1081, dated September 21, 1972, General Order No.1 dated September 22 1972, RD. No. 410, Declaring Ancestral Lands occupied and cultivated by National Cultural communities as Alienable and Disposable, and for other purposes. (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph.)

WHEREAS: Under the new society, the Social Justice Program are given top priority, and in furtherance a greater portion of the resources of the Government have been channeled to them;

WHEREAS: in order to give greater substance to these Social Justice Programs and the endeavors to bring forth equality for all the citizens of this republic, it is required that the landless Muslims and Members of the other Cultural Minority Group shall be given the same opportunity to own the lands occupied and cultivate by them, which lands were likewise occupied and cultivated by their ancestors.

The IPRA categorically declares ancestral lands and domains held by native title as to have been public land-domains and lands held under native title are, therefore, indisputably presumed to have never been public lands and are private. (Cruz vs. Secretary of Environmental and Natural Resources, supra)

By the enactment of IPRA, Congress did not purport to annul any and all Torrens titles within areas claimed as ancestral lands or ancestral domains. (Cruz vs. Secretary of Environmental and Natural Resources, supra)

WHEREAS: The Creation of Supreme Court in 1580, Indeed long before hand ownership of the Noble Clan, Taguean Clan over the Archipelago has been concretely rectified upon the creation of the Royal Audiencia establishing a Supreme Court in the Philippines has been successfully done on May 5, 1583, followed by the issuance of the Supreme Court Decision Deciding that a portion of the Island of Mindanao were absolutely owned by our Muslim Brothers. This was settled finally in the Lamayan District in Sta. Ana, Manila long before Malacañang had been constructed and allowing our Muslim, Brothers to owned a portion of the land they live in with reference over our Christian Brothers. (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph.)

"Time immemorial. - Refers to a period of time when as far back as memo-

ry can go, certain Indigenous Cultural Communities/Indigenous Peoples are known to have occupied, possessed in the concept of owner, and utilized a defined territory devolved to them, by operation of customary law or inherited from their ancestors, in accordance with their customs and traditions. (R.A. No. 8371 "Indigenous Peoples Rights Act of 1997," Sec. 3[p]) (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph.)

WHEREAS: The Regalian Doctrine or Jura Regalia is a Western legal concept that was first introduced by the Spaniards in the country through the law of the Indies and the Royal Cedula. (Cruz vs. Secretary of Environment and Natural Resources, 347 SCRA 128) The Spanish Title--01-4, Titulo de Propiedad-4136 are already nullified and no longer admissible as evidence of ownership, with this passage of Spanish Mortgage Law of Presidential Decree No. 892, effective February 16, 1976, Spanish Title can no longer be used as evidence of land ownership. Under the same decree, lands not under the Torrens System shall be considered as unregistered land. (Republic vs. Court of Appeals, 135 SCRA 156; Director of Lands vs. Rivas, 141 SCRA 329) (Republic vs. Intermediate Appellate Court, 186 SCRA 88) "LET THE PEOPLE KNOW" Book

WHEREAS: The Spanish historian claimed that the Philippines was discovered by Magellan in honor of the King of Spain is entirely misleading and full of deception because said claim was only an avenue to justify the declaration of CESSATION TREATY between the American and Spanish government involving the islands of the Philippines. DWCA P 46

Besides, based on agreement predicted by this Decision with Compromise Agreement, the issue as to the legality of ownership of the American government over the subject land was whether or not said land is lawful to be inherited by the Philippine government from the U.S. government. Certainly, based on the evidences and circumstances, the ownership of the Philippine Republic and its government over the subject noble lands was void and unconstitutional even if the basis was a Philippine Constitution of 1935 but neither the Malolos Constitution could warrant the legality of Philippine government ownership over the said land on the reason that U.S. government acquired unlawful right over the land, the same, it thwarted the EVIL interest of the Republic of the Philippines over the subject lands. (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph) DWCA pg. 51

WHEREAS: The Decision with Compromise Agreement, 7th Judicial District, Branch XXVIII, Pasay City, LRC/CIVIL CASE No. 3957-P Presiding Judge Hon. Enrique A. Agana, a sworn statement that, it was known fact when both LRC Commissioner Antonio Noblejas and Asst. Commissioner Gregorio Bilog Jr. divulged the Modus Operandi of the organized syndicate in both LRC and in the Bureau of Lands then to defeat the interest of the herein land owners, which were an admission of these land authority that the eligible land records and documents of the OCT No. T-01-4, TCT No. T-408, and TCT No. T-498 had been subjected to manipulation, alteration falsification orchestrated by no other than in the LRC and the Bureau of Lands in connivance by those in the Register of Deeds. (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph.) DWCA P 80 con.

WHEREAS: If we refresh our idea for the truth over the land in question based on the government position paper and its evidences, ultimately, we could assess the veracity of ownership over said land of a person who has better rights and interest over the subject matter. Indeed, concretely rectified upon the creation of the Supreme Court in 1580. Paragraph K of the government Possession Paper manifested with Supreme Court Chief Justice Hon. Jose P. Laurel dissenting opinion, it declared all Presidential Proclamations, Executive Orders, Letters of Instructions and Decree of any purpose or purposes had no force and effect over real properties covered by TORRENS TITLE for and in the name of private person in the absence of just compensation. (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph) DWCA pg. 49, 57, 58, 73

WHEREAS: Yet, very clearly, that land grabbing scheme massively laundered iced by socialized housing programs (PAG-IBIG, GSIS, SSS, NHA) urban and agricultural land reform (DENR) and (NCIP) program of the government in connivance with the developers, sometimes in the pretext of NATIONAL GOVERNMENT infrastructure program is a silent confiscation of real properties of the private persons. By these circumstances where the National Government arrogantly launched its immovable, it is hard to admit that there was no violation of Due Process. Actually, it is presently a serious offense of the National Government for grand design of its cohorts depriving the constitutional mandate of Section 1 and Section 2 of Article III of our 1935 Constitution, directly defeating the real substance of Due Process, namely: (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph) DWCA P 8, 9

WHEREAS: The sworn testimonials of NBI Director Jolly Bugarin before the Senate Blue Ribbon Committee headed by the Ex-Senate President Gil Puyat and made as integral portion of the government Position Paper divulging several Modus Operandi of those in the LRC-BUREAU OF LAND before in conspiracy of those influential group in the government in the massive issuance of fake land titles in favor of the land grabbers and oligarch real estate developers as they were benefited by those who could pay lucrative sum. The Modus Operandi is as follows: The grand design, land grabbing of the LRC-BUREAU OF LANDS in conspiracy with their cohorts - Real Estate Developers has caused the root of some 20 million fake land titles over the subject lands under the following procedures; (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph) P58 DWCA

WHEREAS: Register of Deed created a vacuum which is another basis of the land grabbers to reproduce rapidly multiply proliferate their unlawful activities upon raping the virtue of the country's Torrens System by way of mass production of invalid Land Titles for continues cycles of scam to the final prejudice of the government and the general public. (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph.) DWCA P 80

WHEREAS: The Law have admittedly say that not even the NATIONAL GOVERNMENT may acquire the land in question owned by private person by way of prescription even if to the extent of taking the land for roads and highways or infrastructures by reason of EMINENT DOMAIN, the Title thereof could not be transferred to the government, which held under the case of Herrera vs. Auditor General 102 Phil. 1017 (1960) that such registered property can not be lost to the government by prescription and the owner is entitled to be paid of the price thereof as prescribed by our 1935 Constitution Section 2 of Article III (Bill of Right). (Machine copy is hereto attached as "ANNEX" and made an integral part of this paragraph) DWCA P 115

WHEREAS: Paragraph G. of said government Position Paper, Report of the Senate Blue Ribbon Committee, led and initiated by Hon. Senate President Gil Puyat, Sr., who conducted the investigation over the reported land scam to restore the trust and confidence of the Filipino people over the strength and Wisdom of Torrens System in the country subsidizing said paramount interest while national security is at stake, participated and connived by the Department of Public Works and Highways, Building Permit Division, L.R.C. and the Survey and Record Section of the Bureau of Lands, including Register of Deeds of the affected Towns, Cities and Municipalities in massive issuance of Falsified Land Titles from O.C.T. 01 to O.C.T. No. 100,000 embracing the subject embarrassment of the national government which were taken advantage by irresponsible Real Estate Developers, Local and Barangay Official who where directly engaged in the selling of right of the subject land. DWCA P69

WHEREAS: The only course to stop total changes of corruption is to eradicate the unmanageable evil and anomaly in the LRC and in the Register of Deeds, HULRB, Pag-ibig, and SSS where the lawful registered owner, should be a holder of Torrens Title for the land they acquired by their own labours, sweat and exerted efforts for quite so long. To hold such land beyond the true and lawful orders of land ownership in greater sense would vindicated within the ambit of law is in the Torrens System because, to the contrary, the Supreme Court cited the incident in a case Vital vs. Arore, et al, (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph.) DWCA P 100

WHEREAS: The, Resolution No. 01 Series of 2003, held on January 31, 2003 at B.L.P.D. Foundation Office Makati City, was published in the national elite news paper Philippine Daily Inquirer, entitled Land for the Landless Home for the Homeless stated thereon paragraph (5), WHEREAS, the rationale of this resolution in not to harass, blackmail, confiscate or disturb real properties already acquired through administrative characters and fraudulent titles with fraudulent decree. The Torrens System is in good faith and a symbol of unification, peace, political, social and economic stability and therefore the scheme is "AS IS WHERE IS", which means that all properties already occupied, settled and developed are necessarily not adversely affected; but to registered under the provision of TORRENS SYSTEM Real Property Act 1850 which is the real existing law of the land. (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph.)

WHEREAS: A proceeding is "in rem" if the object is to bar indifferently all who might be minded to make an objection of any sort against the right sought to be established, or if anyone in the world has right to be heard on the strength of the alleging facts which, if true, show an inconsistent interest. (Manuela Grey Alba vs. Anacleto R. De la Cruz, G.R. No. L-5246, Sept. 16 1910) (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph.)

HOWEVER: It is a universal acceptance, the title of the Land once registered under Torrens System, is sufficient notice to the whole world because such action is an action In Rem. All concern including the government and its agencies should take notice of this rule, that no one can plead by reason of ignorance of registration. (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph.)

## PROBATIVE VALUE OF A TORRENS TITLE

a.) A Torrens title is generally a conclusive evidence of the ownership of the land referred to therein (Ching vs. Court of Appeals, 1990, 181 SCRA 9, 18; Sec. 49, Act 496). It is settled that mere possession cannot defeat the title of a holder of a registered Torrens title to real property (J.M. Tuazon & Co. Inc. vs. Court of Appeals, 1979, 93 SCRA 146 cited in Abad vs Court of Appeals, 1989, 179 SCRA 817, 826-827). A Torrens certificate accumulates in one document a precise and correct statement of the exact status of the fee simple title which as owner possesses. The certificate, once issued, is the evidence of the title which the owner has (Legarda, et al., vs. Saledy, 31 Phil. 590 [915].

b.) A Torrens title, once registered, cannot be defeated, even by adverse, open, and notorious possession. A registered title under the Torrens system cannot be defeated by prescription. The title, once registered, is noticed to the whole world. All persons must take notice. No one can plead ignorance of the registration (Egao vs. Court of Appeals, 1989, 174 SCRA 484, 492 citing Legarda vs. Saledy, 31 Phil. 590, 595; See also Sec. 46 of Act 496, Land Registration Act).

c.) In the case of a transfer certificate of title, the same is enforceable in the hands of a holder in good faith and for valuable consideration or an "innocent purchaser for value." An "innocent purchaser for value" is deemed, under the Torrens system, to include an innocent lessee, mortgagee, or other encumbrances for value (Ibid citing Leung Yee vs. Strong Machinery Co., 37 Phil. 644). Section 51, Paragraph 2 of the Property Registration Decree (PD. 1529) of Land Registration Act (Act No. 496).

d.) Section 3 of Presidential Decree No. 1073 dated January 25, 1977 further provides: "Section 3 the judicial confirmation of incomplete titles to public land based on unperfected Spanish Grants such as application for the purchase, prior to the transfer or sovereignty from Spanish to the United State shall no longer be allowed. However, PD. 1529 should be read in conjunction with the provisions of this section shall not be construed as prohibiting any person claiming the same land under Section 48 (B) and Section 48 (C) if he meets the conditions prescribed for Judicial confirmation of Torrens System."

## THE PRIVILEGE OF TORRENS SYSTEM PROCEEDINGS

As viewed by another authority on the subject, the Torrens System has these advantages:

1. It abolishes endless fees.
2. It eliminates repeated examinations of titles.
3. It reduces records enormously.
4. It instantly reveals ownership.
5. It protects against encumbrances not noted on the Torrens Certificate.
6. It makes fraud almost impossible.
7. It assures.
8. It keeps up the system without adding to the burden of taxation because the beneficiaries of the system pay the fees.
9. It eliminates tax titles.
10. It gives state title eternal title as the state insure perpetually.
11. It furnishes state title insurance instead of private title insurance.
12. It makes possible the transfer of titles or of loans within the compass of hours instead of a matter of days and week.

(Sheldon, Land Registration in III., pp. 75-76; Powell on Land Registration, pp. 3-11; Beers, Torrens System of Realty Titles. P 1; Roxas vs. Enriquez, 29 Phil. 65 [1914]; and Secs. 38, 46 and 50, Act 496, now Sections 32, 47, 51 of PD. 1529)

FINALLY: That the above mentioned land is affirmed and confirmed by honorable Supreme Court in an EN BANC DECISION under G.R. No. 103727 and G.R. No. 106496, (Late Don Mariano San Pedro y Esteban vs. Court of Appeals, 265 SCRA 753), became final and immediately executory, promulgated December 18, 1996, and EN BANC Supreme Court Resolution dated 11th of July, 2000; 30th January, 2001 and 5th March, 2002 with warning: "that no further pleadings will be entertained or the same land cannot be again litigated in any future action at any court of justice in the Philippines." (Id., Art. 481) (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph.)

FINALLY RESOLVE THAT: That the Ang Bagong Lahing Filipino Development Foundation, Incorporated, herein respondent-lawful owner holder of Torrens System Proceeding and Registration of Property Title by Registration under Real Property Act 1858, the Torrens System operates on the principles of Title by Registration (i.e. the indefeasibility of a registered interest) rather than Registration of Title or by Deeds who has been in possession of subject land in dispute, the action is to quite all the aforesaid titles because has no longer probative value on the reason that the Spanish Mortgage Law PD. 892 and Spanish Title is supposed to be abrogated for national interest, and that Land Title cannot facilitate the purpose of the True owners against the government and other parties is imperceptibly in nature (Baladay vs. Castrillo, et al, 1961, SCRA 99, Ramirez vs. Court of Appeals, et al, 1969, 30 SCRA 297). (Machine copy is hereto attached as ANNEX and made an integral part of this paragraph.) DWCA P 102

I hereby certify to the correctness of the above-quoted information.

  
ANG BAGONG LAHING FILIPINO DEVELOPMENT FOUNDATION, INC.  
7426 EMF Bldg. Santillan St., Pio Del Pilar, Makati City

## "VISION"

An entity, conscious of its role to promote and attain the full trust and confidence of the Republic in the TORRENS TITLE.

EUROPEAN COMMISSION

# B. L. P.

## TORRENS SYSTEM PROCEEDING LAW PALUPA PROGRAM AND BEYOND

For more information please call: (02) 889-7933