

**WRIT OF EXECUTION,
DEMOLITION
AND
POSSESSION ORDER**

Sept. 10, 1974

SARAO MOTORS/FRANCISCO MOTORS CORP)
 PHILIPPINE SHARE COMPANY)
 PILAR DEVELOPMENT CORPORATION)
 TEODORO LIM, FELIX BAEZ AND HEIRS)
 VALINTINO CAJUDO / CANDIDO CLEOFAS)
 FORT WILLIAM MCKINLEY AND THE)
 MANILA RAILROAD COMPANY)
 UNIVERSITY OF THE PHILIPPINES)
 THRU HONORABLE SOLICITOR GENERAL)
 THE COMMISSIONER OF LAND)
 REGISTRATION COMMISSION)
 THE HONORABLE DIRECTOR OF BUREAU)
 OF LANDS, THE REPUBLIC OF THE)
 PHILIPPINES)
 AND TO ALL WHICH IT MAY CONCERN)
 Defendants

DON ANNACLETO MADRIGAL ACOP)
 JULIAN M. TALLANO)
 Intervenor

x-----x

WRIT OF EXECUTION, DEMOLITION AND POSSESSION ORDER

For resolution is the urgent Motion for issuance of WRIT OF EXECUTION, POSSESSION AND DEMOLITION ORDER, filed by the Intervenor, Mr. Julian M. Tallano, a Judicial Appointed Administrator of the Tallano-Acop Estate, to enforce the herein beneficiaries and the Intervenor's constitutional rights embodied on February 4, 1972 Judgment with Compromise Agreement and that March 21, 1974 Clarificatory Order in their favor, which are now the subject matter of said Motion in order to exercise the true essence of justice, as they pleaded so long for a period of 12 years court battles.

The Motion, Alleging the necessity to take their most imperative lawful rights over their estate that they had gained by virtue of Land Registration Act 496 and Cadastral Act 2259, to preserve their interest and correspondingly enforced what was mandated in the said judgment with Compromise Agreement dated February 4, 1972 and March 21, 1974 Clarificatory Order for the legitimate land beneficiaries embodied thereat so as not to render inutile with adverse affect against the Tallano and Acop Heirs if such judgment

have not been enforced within the reglamentary period.

In meeting and resolving the same, the Court can not help neither deny said Intervenor's Motion. As I have had repeatedly put into emphasis that judgment without enforcement thereof could be fatal to the deserving litigant and eventually to this civilized society of ours. Again, similarly, a sea without a shore and a ship without a port are hazardous circumstances to our society while to keep ourselves living with nobility under the horizon of blue sky is much more convenient even of lesser bounty wealth rather than to stay in the mountain of gold but the consideration of which our lives be in compromise with the devildom.

Laying the factual basis for granting the Motion was that findings of this Court emanated in a LRC/ Civil Case No. 3957-P that first judgment was pronounced and had been issued on February 4, 1972 in favor of Mr. Benito Tallano. Who exposed the grand designed Motion for Reconsideration over a Land Tile OCT 01-4 embracing the archipelago filed by the Honorable Solicitor General. That on that Motion, the Hon. Solicitor General should have a burden of proof to controvert the surviving oppositor. Benito Tallano, who is not the legitimate heirs of the late Prince Julian Mcleod Tallano. That said late Prince have no surviving heirs at all so the subject land necessarily be reverted to the Government of the Republic of the Philippines. But, obviously, none of those above that the Hon. Solicitor General had succeeded to prove his own allegations by rebuttal evidences not even single evidence.

Rather, they were trapped their grand design preserving for the interest of the influential few, when, the oppositor

regarding his claim over the Crisostomo Estate in Cabanatuan City, Nueva Ecija, yet, he satisfactorily received the advice of his senior officer then with the promise of recovery assistance over the subject land if ever said Hon. Governor Eduardo Joson, Sr. survive from the war. Said promise was fulfilled by the Great Governor immediately upon his election to the post of Nueva Ecija Governor against Governor Calicu, the second cousin of Benito Agustin Tallano who was convinced by his cousin Benito Tallano to defer Calica's electoral protest against the Great Governor Eduardo Joson, Sr., on the account that Governor Calica then had respected the Arrangement of his cousin, Benito Tallano, being a campaign manager of Governor Eduardo Joson, Sr. in San Jose, Nueva Ecija then.

On this chronological historic Incidents along with the Nueva Ecija Governor had suffice that Tallano Heirs are the Heirs of the late Prince Julian Mcleod Tallano and added factual information that the name of Intervenor, Julian Morden Tallano, suggested by said loving Governor Eduardo Joson, Sr. to adapt the said name for this newly born child, now the intervenor, came from the noble name of the late Prince Julian Mcleod Tallano, the registered owner of OCT No. T 01-4, that embraced the whole archipelago.

That on that proceeding conducted by Justice Laurel Commission, the Tallanos presented similar documents which were found Authentic particularly: the owner's duplicate copy of OCT No. T-01-4 which was declared lost and destroyed by the account of World War II, beside that there were existing salvaged records relative thereto. That said documents were found in the possession of the National Library, Bureau of Archive, although it was admitted by the Record Officer of

That the entire archipelago has an area of around 629,309 square nautical miles and the North Borneo is 31,106 square nautical miles but the area of the archipelago was depleted into 438,951 square nautical miles which was deliberately done along with the approval of our 1935 and 1973 Philippine Constitution committed by those with vested interest to land grab the lands (See Annex B and B1, Map of the Philippines before and after 1935 Constitution.).

These virtual evil attempt had been done through demoralizing the validity of OCT No. T-01-4 destroying its authenticity but with the main objective paramount to any one else to land grab the land under TC No. T-408 and TCT No. T-498 in the name of Don Esteban Benitez Tallano and Gregorio Madrigal Acop, consisting of around 396,602.37 hectares of Prime Lots within the economic zone of the metropolis and other prime lots in the country and the whole archipelago at the extreme possibility by those oligarch-land grabbers-real estate developers, which are under sustenance of the national government, through Decrees, Executive Orders, Letter of instruction and Proclamations but beyond of which would be the heavier hammer to the head of the entire Filipino which may happen in the near future under the issue of sovereignty in spite of the fact that no other Title had been issued for the entire archipelago except that OCT No. T-01-4 and that TCT No. T-408 and TCT No. 498 for the provinces (See Annex C). That we must anticipate the offensive vindication of the foreign proponents over the disputed Islands because the Land Title of the archipelago, that OCT No. T-01-4, the paramount Title of the archipelago as evidence to prove its ownership over the Island in favor of the legitimate land owner would be seeking

event and legal remedy in the International Court of Justice
(See Annex D – Proclamation).

That the richest legacies to the entire Filipino people initiated for by the late King Luisong Tagean back some 2,000 years of habitation over the Isla Maharlika (before) now Philippines, just to uplift economic well being of every Filipino with nobility and dignity in the eyes of our International acumen is no other than the archipelago itself fully rich of gold, precious stones, and metal including that of natural gases, gasoline and Deuterium, which are apparently vesible in the Island of Luzon, in the Mindanao Deep, Sabah, and Freedom Islands:

That this written testimony form part of the Solicitor General Position Papers controverting the accusation of the counsel of the dependants Esteban Benitez Tallano and Gregorio Madrigal Acop, that the government under the Macapagal Administration had falsified the said OCT 01-4 and that TCT No. T-408 and TCT No. T-498, while in deed, such accusations are baseless charges since there were no other Land Title that had been issued between 1764 and that year 1964 to date that derogates such OCAT No. T-01-4, much more that TCT No. T-408 and that T-498 except those outside the subject provinces indicated in Exhibit E and E1.

WHEREFORE, in view of the foregoing and perusal to the Motion of the Heirs and Mr. Julian M. Tallano for the issuance of Writ of Execution, Possession and Demolition over the land that covers Land Title of OCT No. T-01-4 for the whole archipelago to neutralize the orchestrated plans to disintegrate the disputed island of Kalayaan and the North

Borneo or Sabah from the Philippines for the Interest of foreign claimants, said Motion should be given due course while the truth, the two Islands are, by history, part of the archipelago. The said Motion has been granted by virtue of Judgment with Compromise Agreement dated February 4, 1972 which was dedicated a separate subject matter from the issue emanates from OCT No. T-01-4, TCT No. T-408 and TCT No. T-498 that cause for the issuance of a CLarificatory Order dated March 21, 1974, also in favor of the Intervernors, Julian M. Tallano, et. al: this Honorable Court has commanded the Deputy Branch Sheriff, Atty. Hermino Ubana to execute the Clrifificatory Order of March 21, 1974 and that Decision of February 4, 1972 with Compromise Agreement to recover and take in physical possession of the two (2) Islands, the North Borneo or Sabah, the Kalayaan Island and all land s all ove the archipeilago embreaced by OCT No. T-01-4, except those exempted under Judgment with Compromise Agreement and following real properties which are portion of the Tallano-Acop Estate evidenced by TCT No. T-408 and TCT No. T-498, these derivative Title was OCT No. T-01-4 and such Estates should be turned over to the custody and to the disposition or the Judicial Administrator, Mr. Julian M. Tallano, to wit:

1. To recover the land consisting of two (2) hectares in Pasig City along Harison Plaza and turn over to the eligible claimant, Hon. Mayor Pablo Cuneta, who eligibly bought such real properties from the intervenor's predecessor in the year 1969.
2. A lot containing an area of Six Hundred Twenty Seven Thousand (627,000) square meters, being portion of plan 11-69, PSU 2031, situated in Sitio Mendez in Barangay

Baeza, Quezon City, Island of Luzon, particularly, bounded on the SE along line 1-2 by road lot 15, on the SW, along line 2-4 by lot 3, Blk 21, on the NW and NE along line 4-5-6-7-8 by lot 299, and on the SE along line 8-1 by road lot 15;

3. A lot containing an area of Two Million Five Hundred Ninety One Thousand Two Hundred Eight and point fifty five (1,591,208.55) square meters, more or less, situated in the area of Capital Site, Quezon City, along IBP Road and Letex Eand, portion of PSU 2031:
4. A lot containing an area of One Thousand Two Hundred Twenty Five (1,225) hectares and three thousand (3,000) square meters, situated along Fairview Avenue and NAWASA EQUADUCT bounded on the East by Commonwealth Avenue and on the South by Republic Avenue and the proposed B.F. Homes, situated in Sitio Commonwealth, Barangay Diliman, Quezon City:
5. That by the Order of Reconveyance in favor of the Tallano's Heirs from the spurious land owners/unlawful detainers and illegal occupants at least three (3) parcels of lands evidenced by OCT No. 291, transferred into TCT No. 2288 and from TCT No. 1638, allegedly in the year 1913 in Book No. 12, Page 140, of the Province of Rizal, should be repossessed such land covers the following:

PARCEL 1 – Bounded on the North by the Pasay Estate; on the East by the property under unlawful claims of the Manila Railroad and Company; on the South by spurious claims properties of the heirs of Francisco Cruz and Juan Pascual and

on the West by spurious properties of Francisco de Mayuga, Gregorio Feliciano, Santiago Garcia, Narciso Mayuga, Jacinto Garcia, Pedro Cruz, Santiago Garcia and Narciso Mayuga, the said Pasay City Estate and the Triple Estate, containing an area of One Million Four Hundred and Sixty Five Thousand Seven Hundred and Seventy Three (1,465,773) square meters, more or less, or for a total of One Hundred Forty Six hectares and Five Thousand Seven Hundred Seventy Three square meters, the same should be recovered by virtue of this Order in favor of the above given heirs, the Tallano families and Acop clan.

PARCEL 2 – Bounded on the North by the Pasay Estate: two roads and the spurious San Pedro de Makati Estate: on the Northeast by the spurious property of the Manila Railroad Company; on the South by the property of Apolonio Cruz, Balak Creek, Canales Creek, properties of Eleuterio Santos, Lope de Leon Francisco Soriano, the Cutcut Creek and the properties of the heirs of Simon Thomas; and on the West by the property of the Manila Railroad and Company, beginning at a point marked “1” on Plan, bearing N. 17 deg. E 279.31 m. from E. 1,1,1.M. No. 1, this Maricaban Estate; containing an area of Eight Hundred Four (804) hectares and Eight Thousand Forty (8,400) square meters, more or less;

PARCEL 3 – Bounded on the North by San Pedro de Makatie, the alleged claims of the Estate of Pedro Roxas and

that allege properties of the U.S.A (Fort William McKinley). and allege properties of Pedro Roxas; on the East by properties claims spuriously by Modesto Cruz, Mariano Raymundo, Juana Cruz, Mencio Esteban, Florencia Espiritu, Severo Patero, Simona Ususan, Esteban Santos, Victoriano de la Cruz, Paula Esteban, Rulalio Cruz, Tomas Cruz, Leon Sandrito, Mariano Porcincula, CLemencia Sandoval, Pantaleon Franco, Manuel Espiritu, Daniel Manalo, Cornelia Sandoval, Ponciano Capistrano, Agustin Manuel, Lucas Mariano, Juan Cuevas, Andrea Midat, Cirilo Beltran, Cipriano Blag, Eusebio Tinga, Felix Osorio, Claudio Osorio, Eduardo Cardoso, Magan Islao Cardoso, Eugenio Jacinto, Bernabe Cardoso, Monico Perez and Cristino Victoria, the last mark point nine being separated by Hagonoy Creek and by Laguna de Bay; on the South by Maulin Creedk; and on the Southwest by spurious claims of Basilio Felipe, Manuel Quiogue and Apolonio Cruz, the last one being separated by Bulak Creek and property under spurious claims of Manila Railroad and Company, beginning at a point marked "1" on Plan, bearing N. 89 deg 36' E, 6226.14 m from 1,.1,.M N. 1, the spurious Marlcuban Estate;

6. 1) A parcel of land containing an area of Two Thousand Four Hundred Seventy Seven (2,477) hectares evidenced by fictitious Survey Plans such as PSU 289, 290, 291, 292, 293, 294 covering the whole of Almanza, Municipality of Las Piñas, Province of Rizal

2) A parcel of land covered by fictitious PSU 305 situated in Quezon City embracing an area of Two Thousand Nine Hundred Fifty Four (2,954) hectares;

7. A parcel of land identified under Parcel 1, PSU 2031, situated in Pildira 2, On the East bounded by Tambo-MIA Road, on the West by Lot under Parcel 1, PSU 2031, on the North bounded by Pildira 1, on the North by the on-going ??? on the proposal Concorde Subdivision, situated in Pildera I and Pildera II, Pasay City , containing an area of 750 hectares;

And ordering the elements of Integrated National Police, the Philippine Constabulary, the officials of Local and Barangay Government Units in the areas including the Metropolitan Command in the Greater Manila Area to coordinate with Branch Deputy Sheriff Atty. Herminio Ubana and his Deputized Sheriffs and law enforcement authority to take over all the properties herein mentioned and demolish any structures which were the subject matter of the above entitled case; LRC/Civil Case No. 3957-Pm for and in favor of the said Intervenors, Julian M. Tallano, et. al.

That Atty. Epifanio Sobejana of Quezon City, a regular member of the , a Private Law Practitioner, whose integrity and honor has not been tainted by any amount of interest whom said Lawyer's ability reciprocates the requirements of the deprived Party, the victims of injustices and clandestine land-grabbing, the Intervenor, Mr. Julian M. Tallano's Motion to deputized said Atty. Epifanio Sobejano as PRIVATE SHERIFF in the absence of Atty. Herminio Ubana if ever, the Deputy Provincial Sheriff of this Honorable Court, to execute this order in a wider

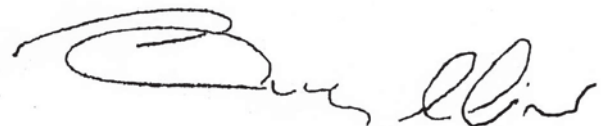
scope of area of responsibility has been granted and approved for equity and justice, provided the requirements herein set forth by the Court should be properly observed in due respect and disposition in accordance with the Judgment with Compromise Agreement between the Tallano's and the Republic of the Philippines represented by its Hon. Solicitor General.

And finally, to recover all properties found nationwide covered by Land Title OCT No. T-01-4 and be turned over to the herein Judicial Administrator.

Let this WRIT OF EXECUTION, POSSESSION AND DEMOLITION be executed accordingly.

SO ORDERED.

Pasay City, September 10, 1974



ENRIQUE A. AGANA

Judge

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