



Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. (632) 929-66-26 to 29 • (632) 929-62-52  
929-66-20 • 929-66-33 to 35  
929-70-41 to 43

**MEMORANDUM**

**TO :** The Director  
Lands Management Bureau  
  
All Regional Technical Director for LMS

**FROM :** The Undersecretary for Land Management

**SUBJECT :** DENR-NPC MOA

**DATE :** MAR 04 2004

---

Forwarded herewith is a photocopy of the Memorandum of Agreement entered into by and between the DENR and the National Power Corporation regarding the survey and titling of all unregistered properties of NPC.

For your information, record and appropriate action.

  
**MANUEL D. GERACHI, CESO I**

Disc 10-Choc-moa10

128

**Let's Go Green**

**MEMORANDUM OF AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

This Memorandum of Agreement entered into by and among:

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)** with principal office at Visayas Avenue, Diliman, Quezon City, represented herein by its Secretary Honorable **ELISEA G. GOZUN**;

- and -

The **NATIONAL POWER CORPORATION (NPC)**, a government-owned and controlled corporation created and existing under and by virtue of Republic Act No. 6395, as amended, with principal office at the NPC Building Complex, Quezon Avenue corner Agham Road, Diliman, Quezon City, herein represented by its President and CEO, **ROGELIO M. MURGA**;

**-WITNESSETH THAT-**

**WHEREAS**, Section 47 of Republic Act No. 9136 otherwise known as the Electric Power Industry Reform Act of 2001 provides, among others that the generation assets, real estate and other disposable assets of NPC shall be privatized;

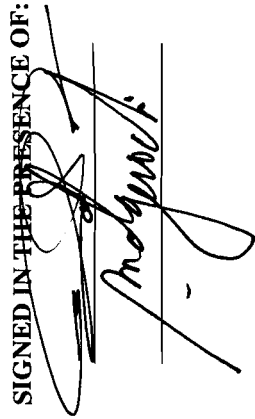
**WHEREAS**, a substantial number of the real estate of the NPC are still unregistered and/or have not been surveyed and/or segregated and have no certificates of title;

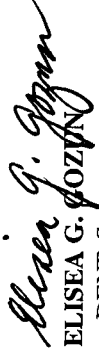
**WHEREAS**, Her Excellency President Gloria Macapagal Arroyo, issued Memorandum Order No. 39, dated October 19, 2001 directing the titling of the unregistered lands of the NPC located all over the Philippines;

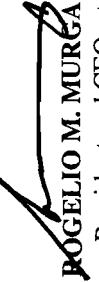
**WHEREAS**, Presidential Decree No. 1529 or the Property Registration Decree provides that, when the public interest requires that title to any unregistered land be settled and adjudicated, the President may direct and order the survey and registration of the land involved;

**WHEREAS**, the DENR is directed to immediately conduct and/or facilitate the survey of all unregistered properties of the National Power Corporation in accordance with Section 35 of the Property Registration Decree as amended and of other applicable existing laws;

**WHEREAS**, under Executive Order No. 192 (Providing for the Reorganization of the Department of Environment, Energy and Natural Resources and Renaming it as Department of Environment and Natural Resources) the DENR Regional Offices are mandated to conduct and approve land surveys and in appropriate cases initiate the processing of land patents;

SIGNED IN THE PRESENCE OF:  


DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
By:   
ELISEA G. GOZUN  
DENR Secretary

NATIONAL POWER CORPORATION  
By:   
ROGELIO M. MURGA  
President and CEO

SIGNED IN THE PRESENCE OF

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

*Elisea G. Gozian*  
ELISEA G. GOZIAN  
DENR Secretary

By:

NATIONAL POWER CORPORATION

*Rogelio M. Murda*  
ROGELIO M. MURDA  
President and CEO

By:

**NOW THEREFORE**, for and in consideration of the above premises, the parties herein have mutually agreed to execute this MEMORANDUM OF AGREEMENT under the following conditions:

1. The NPC, as mandated by law, shall pursue the survey and titling of all its unsurveyed, unsegregated and unregistered or untitled properties.
2. The DENR, through its concerned Regional Offices, shall conduct the actual survey of unsurveyed NPC properties by contract, subject to existing laws, rules and regulations.
3. The DENR Regional Offices shall expedite the review, evaluation and approval of the survey in accordance with existing laws, rules and regulations on the matter.
4. The DENR Regional Offices, the Lands Management Bureau (LMB), the concerned PENRO/CENRO and other DENR Offices shall assist in the titling of all unregistered NPC lands covered by approved surveys.
5. The DENR Regional Offices, the LMB and the concerned PENRO/CENRO and other DENR Offices shall expedite the submission of verification reports and other documents in compliance with court orders in relation to on-going applications for registration of unregistered lands filed by NPC.
6. The NPC shall provide funds to the DENR to finance all expenses relative to the conduct of the survey.
7. The NPC and DENR shall create a joint Monitoring Team headed by the DENR Undersecretary for Land Management and the NPC General Counsel to implement the terms and conditions of this MOA. Specifically, the Team shall:
  - a) monitor the over-all progress of survey and titling process by the concerned DENR offices;
  - b) represent the DENR Secretary and the NPC President in coordinating with these offices on matters covered by this MOA; and
  - c) submit periodic progress reports to the DENR Secretary and the NPC President.

The parties hereto **AGREE** to mutually cooperate in every possible way to give **MEANING AND EFFECT** to this MEMORANDUM OF AGREEMENT.

This MOA hereby repeals and supersedes the MOA dated April 18, 2002 entered into between NPC and DENR.

This MOA takes effect upon approval of all parties herein and shall remain in force and in effect unless amended/revoked in writing by the parties.

IN WITNESS WHEREOF, the parties have set their hands this 26th day of Feb., 2004, at Quezon City, Metro Manila.

National Power Corporation

Department of Environment and Natural Resources


By:

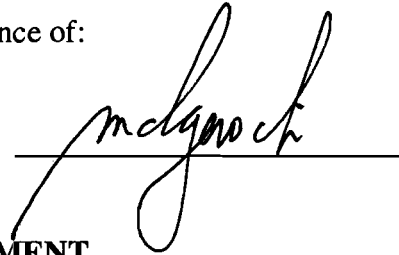
By:

  
**ROGELIO M. MURGA**  
President & CEO

  
**ELISEA G. GOZUN**  
Secretary

Signed in the presence of:





**ACKNOWLEDGMENT**

Republic of the Philippines )  
Quezon City ) S.S.

**BEFORE ME**, a Notary Public, for and in Quezon City, this 26th day of February, 2004, personally appeared the following persons, with their respective Community Tax Certificates, to wit:

Name	Comm. Tax Cert. No.	Date/Place of Issue
<b>ROGELIO M. MURGA</b>	<u>23247010</u>	<u>Feb. 13, 2004 / Q.C.</u>
<b>ELISEA G. GOZUN</b>	<u>CTC No. 13762020</u>	<u>Jan. 12, 2004 / Q.C.</u>

Known to me to be the same persons who executed the foregoing agreement and they acknowledged to me that the same is their free and voluntary act and deed.

**WITNESS MY HAND AND NOTARIAL SEAL** at Q.C., Philippines, on the date and place first above written.

Doc. No. 221  
Page No. 6  
Book No. 111  
Series of 2004

  
**ATTY. LUIS MANUEL U. BUGAYONG**  
NOTARY PUBLIC