



Republic of the Philippines
Third Judicial Region
REGIONAL TRIAL COURT
Branch 96
Dinalupihan, Bataan

KARLYN RHIANA VAILOCES as represented
herein by her Atty-in-Fact ADELIA V.
ESPINO,

Petitioner,

LRC NO. DH-364-20

For: Issuance of owner's Duplicate
Copy of TCT No. T-209964

-versus-

REGISTER OF DEEDS FOR THE PROVINCE
OF BATAAN,

x-----x

ORDER

Petitioner KARLYN RHIANA VAILOCES, "most respectfully prays after notice and hearing, this Honorable Court issues an Order directing the Registry of Deeds for the Province of Bataan to issue a new owner's duplicate title for Transfer Certificate of Title No. T-209964 to be regarded as the original copy for all intents and purposes.

The Petitioner alleges that: "is of legal age, Filipino, and with residence and postal address at Luacan, Dinalupihan, Bataan; she is represented herein by Adelia V. Espino as proven by a special power of attorney dated May 8, 2018 hereto attached as **Annex "A"**; Respondent is a government agency and with offices at Balanga City, Bataan; it is headed by Atty. Emmanuel Capuchino; it is in this office where the title subject matter of this petition emanated; parties may be served with summons and other legal processes by the Honorable Court at their given address indicated above; the subject of this petition is the owner's duplicate copy of Transfer Certificate of /title No. T-209964 and it cover a property covered by a real property measuring Two Hundred Eighty Five (285) square meters, more or less; said property is located in Luacan, Dinalupihan, Bataan; it is more particularly describe as follows:

"A parcel of land (Lot 3-B-3 of the subd. Plan Psd-03-009123 being a portion of Lot 3-B (LRC) Psd-317184 LRC. No.), situated in Bo. Luacan, Mun. of Dinalupihan, Bataan, Prov. of Bataan. Bounded on the SE. along line 1-2 by Lot 3-B-4 of the subd., plan; on the SW., along line 2-3 by Lot 2, blk. 130; on the SE., along line 3-4 by Lot 1, Blk. 130; both of Dinalupihan Homesite; on the NW., along line 4-5 by Brgy. Road; on the NE., along line 5-1 by Lot 3-B-2 of the subd. Plan. Beginning at a pt. marked "1" on plan being s.79 deg. 29"W., 2502.04 from BLLM 1, Mun. of Dinalupihan: x x x x containing an area of TWO HUNDRED EIGHTY FIVE (285) SQUARE METERS, more or less.xxx."

the electronic copy of the above title is hereto attached as Annex "B"; on June 1, 2018, the petitioner bought the subject property from its original owner Armando L. Valencia through his representative Adelia V. Espino, copy of the Deed of Sale is hereto attached as **Annex "C"**; when he was still the owner of the subject title, Mr. Armando L. Valencia entrusted the custody of the subject to Ms. Adela V. Espino; however, she lost the owner's duplicate c of said title and can no longer locate it despite diligent efforts; after buying the subject title, the petitioner asked Mrs. Adelia V. Espino to represent her in the filing of this case as she is the one with personal knowledge as to how the owner's duplicate title was lost; thus, on behalf of the petitioner, Mrs. Adelia V. Espino executed an Affidavit of Loss dated May 8,

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2018 hereto attached as **Annex "D"**; said Affidavit of Loss was annotated as Entry No. 2018008473 on page 5 of the electronic copy of the subject title and is hereto marked as **Annex "B-1"**; subject property is declared for tax purposes under the name of the original owner Armando L. Valencia as per Tax Declaration Number 09029. A copy of which is hereto attached as **Annex "E"**; Taxes due on the said parcel of land has been religiously paid by the petitioner up to the current year (2020) as proven by Official Receipt No. 0789016 and 0788310 dated June 29, 2020 hereto attached as **Annex "F" and "F-1"**; the instant was filed in order that a new owner's duplicate title can be issued to the petitioner under the name of the previous owner so she can finally start the process of transferring the subject property under her name; the property covered by the subject title is free from all liens and encumbrances; it has not sold, transferred, or conveyed to anyone except to the herein petitioner; in addition to the above and pursuant to Section 6, Rule 7 of A.M. No. 19-10-20-SC, the following are herein provided, to wit: a). Names of witnesses who shall be presented to prove the instant claim: 1. Adelia Espino 2. Others; b). summary of the witnesses' intended testimonies: 1. Witness shall testify on relevant matters stated in this petition 2. Other matters germane to this petition; c). judicial affidavit of the witness is hereto attached to this pleading and to form integral parts hereof; d). the herein annexed documents shall be given in evidence in support of the allegations contained above; petitioner most respectfully prays after notice and hearing, this Honorable Court issues an Order directing the Registry of Deeds for the Province of Bataan to issue a new owner's duplicate title for Transfer Certificate of Title No. T-209964 to be regarded as the original copy for all intents and purposes.

WHEREFORE, finding the petition to be sufficient in form and substance, the same is hereby set for hearing on **September 29, 2020 at 9:00 in the morning** and all interested persons are hereby required to appear and show cause, if any they have, why the petition should not be granted.

The Sheriff of this court is hereby directed to post copies of this Order in the Bulletin Board of this Court and the Office of the Clerk of Court (OCC)-RTC Dinalupihan, Bataan, at the Provincial Capitol of Bataan, Balanga City, Bataan, in the Municipal Hall of Dinalupihan, Bataan and in the Barangay Hall where the property subject matter of this case is located for three (3) consecutive weeks prior to the date of hearing.

The Office of the Registry of Deeds of Balanga is hereby ordered to submit a report to this court as to whether or not the title subject matter of this case is on file, intact and existing in their office and the encumbrances annotated on the said title within ten (10) days from receipt of the copy of this Order.

SO ORDERED.

Dinalupihan, Bataan, July 15, 2020.


AMELITA CRUZ CORPUZ
Presiding Judge

Copy furnished:

1. Karlyn Rhiana Vailoces
2. Adelia V. Espino
3. Atty. Juvy Mell B. Sanchez-Malit
4. Register of Deeds of Bataan
5. File Copy