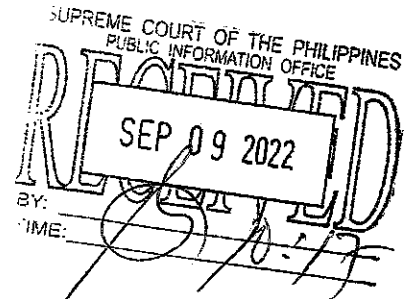




Republic of the Philippines
Supreme Court
 Baguio City

THIRD DIVISION



**MUNICIPALITY OF BAKUN,
 BENGUET, herein represented by
 MAYOR FAUSTO T. LABINIO,**
 Petitioner,

G.R. No. 241370

Present:

-versus-

**MUNICIPALITY OF SUGPON,
 ILOCOS SUR, herein represented
 by MAYOR FERNANDO C.
 QUITON,* SR.,**

LEONEN, *Chairperson,*
 LAZARO-JAVIER,
 M. LOPEZ,
 J. LOPEZ, and
 KHO, JR., *JJ.*

Respondent.

Promulgated:

April 20, 2022

X-----MisDcBatt-----X

DECISION

M. LOPEZ, J.:

Assailed in the Petition for Review on *Certiorari*¹ before this Court are the Decision² dated February 1, 2018 and the Resolution³ dated July 6, 2018 of the Court of Appeals (CA) in CA-G.R. SP No. 141726, which affirmed *in toto* the April 28, 2015⁴ and July 27, 2015⁵ Resolutions of the Regional Trial Court of Tagudin, Ilocos Sur, Branch 25 (RTC) in SP Proc. No. 01540-T. The RTC set aside Joint Resolution No. 1,⁶ Series of 2014, dated May 12, 2014 of the Sangguniang Panlalawigan of Ilocos Sur and Benguet (Sangguniang Panlalawigan) and adjudicated 1,117.20 hectares (ha.) of land to the Municipality of Sugpon, Ilocos Sur.

* "Quinton" in some parts of the *rollo*.

¹ *Rollo*, pp. 10–27.

² *Id.* at 57–72. Penned by Associate Justice Henri Jean Paul B. Ining (now Member of this Court), with the concurrence of Associate Justices Sesinando E. Villon and Danton Q. Bueser.

³ *Id.* at 73–74.

⁴ *Id.* at 31–50. Penned by Judge Mario Anacieto M. Bañez.

⁵ *Id.* at 52–56.

⁶ *Id.* at 30.

J

ANTECEDENTS

The dispute involved a 1,117.20-ha. parcel of land found within the boundaries of the Municipality of Bakun, Province of Benguet, represented by Mayor Fausto T. Labinio (Bakun), and the Municipality of Sugpon, Province of Ilocos Sur, represented by Mayor Gernando C. Quiton, Sr. (Sugpon).⁷ The case was referred to the Sangguniang Panlalawigan, which then created a joint committee to settle the controversy.⁸

After due proceedings, on May 12, 2014, the Sangguniang Panlalawigan issued Joint Resolution No. 1, Series of 2014⁹ adjudicating the disputed area to Bakun. Aggrieved, Sugpon appealed to the RTC.¹⁰

On April 28, 2015, the RTC issued a Resolution¹¹ reversing Joint Resolution No. 1, Series of 2014. It held that Act Nos. 1646¹² and 2877¹³ could not be the basis for Bakun to assert a better right over the disputed property because these laws do not provide a specific delineation of the metes and bounds of the two municipalities. Meanwhile, Sugpon presented maps which showed that the disputed area was beyond the boundary of Benguet and inside the territorial jurisdiction of Sugpon. The maps cannot be lightly set aside because these are public instruments. The RTC concluded that the evidence presented by Sugpon had greater weight than that of Bakun's, which was not corroborated in its material points.¹⁴ Thus:

WHEREFORE, this Court most respectfully:

1. SETS-ASIDE (*sic*) and REVERSE Joint Resolution No. 1, Series of 2014 dated May 12, 2014 of the Sangguniang Panlalawigan of Benguet and Ilocos Sur and hereby adjudicates the disputed area of 1,117.20 hectares, subject matter of this appeal unto or as part and parcel of the territorial jurisdiction of Petitioner-Appellant Municipality of Sugpon, Ilocos Sur as represented by its mayor; and

2. Declaring the Certificates of Land Ownership Award ("CLOA") titles namely:

[x x x] as part of the territorial jurisdiction of the Municipality of Sugpon, Ilocos Sur.

⁷ The disputed areas are found in the following barangays and their component sitios of Sugpon, Ilocos Sur: (1) Banga, Sugpon (Tangilig, Lutaan); (2) Caoayan, Sugpon (Nagawa, Nava); and (3) Danac, Sugpon (Sawangan, Napitak). See *id.* at 32.

⁸ *Id.* at 32 and 58.

⁹ *Id.* at 30.

¹⁰ *Id.* at 31.

¹¹ *Id.* at 31-50.

¹² Entitled "AN ACT ESTABLISHING A NEW BOUNDARY LINE BETWEEN THE SUBPROVINCE OF AMBURAYAN AND THE PROVINCES OF ILOCOS SUR AND LA UNION, MAKING THE MUNICIPALITY OF TAGUDIN THE CAPITAL OF THE SUBPROVINCE OF AMBURAYAN, AND FIXING THE POWERS AND DUTIES OF PROVINCIAL OFFICERS AND PROVINCIAL BOARDS IN PROVINCES ORGANIZED UNDER THE SPECIAL PROVINCIAL GOVERNMENT ACT RELATIVE TO MUNICIPALITIES ORGANIZED UNDER THE MUNICIPAL CODE" (May 15, 1907).

¹³ Entitled "AN ACT TO MODIFY AND ESTABLISH THE BOUNDARY LINE BETWEEN THE MOUNTAIN PROVINCE AND THE PROVINCES OF ILOCOS SUR AND LA UNION, ACT NO. 2877" (February 4, 1920).

¹⁴ *Rollo*, pp. 34-48.

SO ORDERED.¹⁵

Unsuccessful at reconsideration,¹⁶ Bakun filed a petition before the CA.

In a Decision¹⁷ dated February 1, 2018, the CA denied Bakun's petition and maintained that the disputed land is within the jurisdiction of Sugpon. The CA held that since this involves a boundary dispute, the quantum of evidence necessary to decide the issues is preponderance of evidence. In the present case, the pieces of evidence forwarded by Sugpon were more than enough to prove its claim that it had territorial jurisdiction over the disputed property.¹⁸

The CA echoed the RTC that the old legislations relied upon by Bakun did not categorically and accurately provide a specific delineation of the boundaries of Sugpon and Bakun. Act Nos. 1646 and 2877 merely describe the lines between the sub-province of Amburayan and Ilocos Sur and between the sub-province of Amburayan and La Union. However, there was no mention of Benguet or the extent to which Benguet and the municipalities of Sugpon and Bakun would exercise territorial jurisdiction over the disputed property. Indeed, these laws cannot be the basis for determining the boundary lines of the two municipalities.¹⁹ The dispositive portion of the Decision reads:

WHEREFORE, the petition is DENIED.

The April 28, 2015 Resolution and the July 27, 2015 Resolution, both issued by the Regional Trial Court, Branch 25, Tagudin, Ilocos Sur, in SP. [Proc.] No. 01540-T, are AFFIRMED *in toto*.

SO ORDERED.²⁰

The CA denied Bakun's Motion for Reconsideration in a Resolution²¹ dated July 6, 2018. Hence, this recourse.

Bakun proffers that it presented greater weight of evidence that the disputed area belonged to the municipality. Furthermore, Bakun insists that the boundary separating Bakun and Sugpon was already defined by Act Nos. 1646 and 2877. On the other hand, the documents presented by Sugpon, such as maps, certifications, and the petitions of residents and elders, are not conclusive and should not be given weight.²²

¹⁵ Id. at 48–50.

¹⁶ See Resolution dated July 25, 2015; *rollo*, pp. 52–56.

¹⁷ Id. at 57–72.

¹⁸ Id. at 61–66.

¹⁹ Id. at 66–67.

²⁰ Id. at 71–72.

²¹ Id. at 73–74.

²² Id. at 14–18.

In its Comment,²³ Sugpon counters that only questions of law may be raised in a petition for review on *certiorari* under Rule 45 of the Rules of Court. Nonetheless, Bakun raised a factual question by asking the Court to re-examine and weigh again the pieces of evidence presented by the parties to determine what evidence satisfies the required quantum of proof of preponderance of evidence. At any rate, the CA correctly ruled that Sugpon has territorial jurisdiction over the disputed area.²⁴

RULING

The petition lacks merit.

This Court is not a trier of facts. Generally, only questions of law can be raised in a petition for review on *certiorari* under Rule 45 of the Rules of Court, subject to limited exceptions.²⁵ To successfully invoke these exceptions, petitioner must prove the need for this Court to examine the lower court's factual findings. Merely invoking an exception without proof will not warrant an examination beyond the limits of Rule 45.²⁶ Here, we do not find any of the exceptions present to justify a re-evaluation of the findings of fact of the trial court as affirmed by the appellate court. On the contrary, the CA and RTC's findings are supported by the evidence on record.

First, Sugpon presented the Administrative Map of Benguet showing that the disputed area is beyond the territorial area of Benguet and is, in fact, inside the territorial jurisdiction of Sugpon. This was corroborated by other documentary evidence, such as Land Classification Map Nos. 3441 and 1298, the Topographic and Administrative Map of Ilocos Sur, and a certification from the officer-in-charge of the Community Environment and Natural Resources Office of the Department of Environment and Natural Resources, which shows that the disputed areas are within the territory of Sugpon.²⁷ In addition, the Department of Agrarian Reform issued a certification stating that the disputed areas are located in Sugpon. Bakun did not present evidence rebutting this certification. Moreover, Sugpon submitted tax declarations showing that the land forms part of its territory, supported by a certification

²³ Id. at 87–107.

²⁴ Id. at 90–104.

²⁵ (1) When the conclusion is a finding grounded entirely on speculation, surmises or conjectures; (2) When the inference made is manifestly mistaken, absurd or impossible; (3) Where there is a grave abuse of discretion; (4) When the judgment is based on a misapprehension of facts; (5) When the findings of fact are conflicting; (6) When the CA, in making its findings, went beyond the issues of the case and the same is contrary to the admissions of both appellant and appellee; (7) The findings of the CA are contrary to those of the trial court; (8) When the findings of fact are conclusions without citation of specific evidence on which they are based; (9) When the facts set forth in the petition as well as in the petitioner's main and reply briefs are not disputed by the respondents; and (10) The finding of fact of the CA is premised on the supposed absence of evidence and is contradicted by the evidence on record. (*Bagong Repormang Samahan ng mga Tsuper at Operator sa Rotang Pasig Quiapo via Palengke San Joaquin Ikot, Inc. v. City of Mandaluyong*, G.R. No. 218593, June 15, 2020, <<https://sc.judiciary.gov.ph/15494/>>.)

²⁶ Id.

²⁷ *Rollo*, pp. 36–37 and 69.

and a Master List of Tax Declaration from the Municipal Assessor of Sugpon.²⁸ The CA aptly held:

These documents are reliable to establish the extent of territory of these municipalities. In the absence of evidence of falsity of these documents, We treat them as credible proof of the land boundaries for they are public documents which were made pursuant to law and issued by public officers whose performance of duty enjoys the presumption of regularity. These maps are indispensable to determine the range and extent of the territory where the government can exercise powers and its technical description to clearly delineate one territory from the other.²⁹

Next, the Schools Division Superintendent issued a certification that Nagawa Elementary School (located in the disputed property) is under the jurisdiction of the Department of Education, Division of Ilocos Sur. A pioneer teacher corroborated this by attesting that Sugpon established the public school. Remarkably, Bakun did not dispute the veracity of these documents. Also, Sugpon proved that it established voting centers in Barangay Nagawa and Caoayan (among the disputed areas) and that the voters in Barangay Lotaan, Tangilig, Banga (also among the disputed areas) are registered voters of Sugpon. The election officer of Sugpon attested to this fact.³⁰

Further, Sugpon submitted a Certificate of Ancestral Domain Title showing that the disputed area has been continuously occupied, possessed, and utilized by the indigenous people and residents of Sugpon. This fact was corroborated by a petition of the residents and elders of the disputed areas that the conflicted areas have been under the territorial jurisdiction of Sugpon since time immemorial.³¹ Indeed, while the determination of jurisdiction is not to be made by the populace,³² the petitions of residents and other documentary evidence presented by Sugpon, taken together, collectively demonstrate that the disputed areas form part of the territory of Sugpon.

On the other hand, Bakun relies on Act Nos. 1646 and 2877, insisting that these laws define the boundaries of Bakun and Sugpon. We do not agree.

History shows that Bakun and Sugpon originally formed part of the sub-province of Amburayan, within the Mountain Province, together with the townships of Alilem, San Gabriel, Santol, Sigay, Sudipen, and Suyo, and the municipality of Tagudin.³³ In 1917, the Administrative Code³⁴ was amended and placed Tagudin, Alilem, Sigay, Sugpon, and Suyo under the jurisdiction of Ilocos Sur. Meanwhile, the municipal districts of San Gabriel, Santol, and Sudipen were transferred to La Union.³⁵ In 1920, Act No. 2877

²⁸ Id. at 41 and 70–71.

²⁹ Id. at 69.

³⁰ Id. at 38–41 and 69–70.

³¹ Id. at 41–42 and 70–71.

³² See *Barangay Sangalang v. Barangay Maguihan*, 623 Phil. 711, 728 (2009).

³³ Section 43, Article II, Chapter 2 of Act No. 2657.

³⁴ Act No. 2711, entitled “AN ACT AMENDING THE ADMINISTRATIVE CODE” (October 1, 1917).


³⁵ Section 123, Article II, Chapter 8 of Act No. 2711.

was enacted, establishing the boundary line between the Mountain Province and the Ilocos Sur and La Union provinces. Act No. 2877, however, did not categorically fix the exact boundaries of the municipalities of Bakun and Sugpon. Section 1 of Act No. 2877 reads:

Section 1. The present boundary line between the Mountain Province and the Provinces of Ilocos Sur and La Union is hereby modified and fixed by moving it eastward to a location beginning approximately at the northeast corner of the present subprovince, of Lepanto and running in a direction slightly southwest to the point of intersection of the present boundaries between Amburayan, Lepanto, and Benguet, thence following the present boundary between the subprovinces of Amburayan and Benguet to its intersection with the boundary line of the Province of La Union. The portion of the present subprovince of Lepanto lying east of the new boundary line is hereby added to the subprovince of Bontoc. All territories west of said line, which include various municipal districts which commercially are naturally tributary to the seaport towns of Ilocos Sur and La Union, are hereby transferred to, and made part of, said provinces. The provincial boards of the provinces concerned need not order a survey of said boundary line but only shall cause the erection of monuments at convenient or necessary points on said line for the guidance of local officials and the public in general. To this end, the provincial boards of Ilocos Sur and La Union, or such representatives as may be duly authorized by them, shall confer with the provincial board of the Mountain Province or its duly authorized representatives with a view to locating and monumenting the boundary line herein fixed, and the line thus monumented, if approved by the Secretary of the Interior, shall be the boundary between the Mountain Province and the Provinces of Ilocos Sur and La Union.

We agree with the observation of the RTC:

[Act] Nos. 1646 and 2877, dated May 15, 1907 and February 4, 1920, respectively which established the boundary of the subprovince of Amburayan and Ilocos Sur and abolished said subprovince of Amburayan would not provide a clear solution to this controversy regarding the exact boundaries of these two municipalities as they are vague on the matter and would not specifically delineate the metes and bounds of Bakun, Benguet and Sugpon, Ilocos Sur. As pointed out, the all-encompassing proviso, "the portion of the present subprovince of Lepanto lying east of the new boundary line is hereby added to the subprovince of Bontoc. All territories west of said line, which includes [sic] various municipal districts which commercially and naturally tributary to the seaport towns of Ilocos Sur and La Union, are hereby transferred to, and made part of, said provinces", would not even mention the province of Benguet, much more the municipalities of Bakun and Sugpon. Act No. 2877 which is an Act to Modify and Establish the Boundary Line Between the Mountain Province and the Provinces of Ilocos Sur and La Union would merely state that the boundaries of these provinces are modified and fixed "by moving it eastward to a location beginning approximately at the northeast corner of the present subprovince of Lepanto and running in a direction slightly southwest to the point of intersection of the present boundaries between Amburayan, Lepanto, and Benguet to its intersection with the boundary line of the province of La Union". x x x (Sec. 1 thereof). The same law would further mandate the provincial boards of Ilocos Sur and La Union, or such



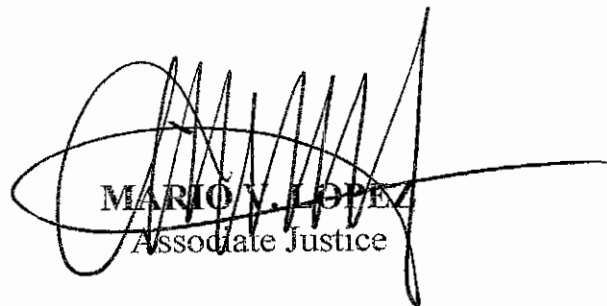
representatives as may be authorized by them, to confer with the provincial board of the Mountain Province or its duly authorized representatives with a view of locating and monumenting the line therein fixed. The line thus monumented, if approved by the Secretary of the Interior, shall be the boundary between the Mountain Province and the Provinces of Ilocos Sur and La Union.

There is then no clear basis provided for in these early laws to resolve the controversy at hand. It may provide a historical and legal basis of how these once integral upland territories have been subdivided to become components of the provinces they belong in these present times but is a vague and inadequate basis to resolve the controversy herein presented. Infact, inasmuch as Bakun, along with the municipal districts of Alilem, Suyo, Sugpon, Sigay, Santol, Sudipen, [and] Bagulin comprised the then Amburayan Subprovince, with Tagudin as its capital, it may be argued that Bakun is a part of Ilocos Sur, in relation to the technical description in Section 1 of Act [No.] 2877. This submission is reinforced in the light of Sugpon's position that "Bakun does not even cite any organic law of its sole creation or proffer any evidence whatsoever of its creation or how was it included in the Province of Benguet[.]"³⁶

Moreover, even applying the guidelines set in Act No. 1646 in establishing the new boundary lines between the sub-province of Amburayan and the provinces of Ilocos Sur and La Union, and Act No. 2877 in modifying the boundaries between the Mountain Province and the provinces of Ilocos Sur and La Union, they do not prove that the disputed properties would form part of the territory of Bakun. Bakun simply failed to show, by preponderant evidence, that the conflicted areas are located within the "new boundary line." It bears noting that Bakun presented only five (5) documents to prove its claim: (1) a copy of Act Nos. 1645-1648 and Philippine Legislative Act Nos. 2876 and 2877; (2) Joint Resolution No. 1, Series of 2014; (3) daily wage payrolls, disbursement vouchers for the payment of different contracts about different projects accomplished by Bakun in the disputed area, plantilla of appointments of different employees, and a list of projects undertaken by Bakun in the area; (4) copies of tax declarations; and (5) a list of registered voters of Barangay Nagawa, Bakun, Benguet.³⁷ These pieces of evidence show that Bakun exercised some acts of dominion over the property, but do not prove that the modified boundary line covers the disputed areas.

ACCORDINGLY, the petition is DENIED.


SO ORDERED.

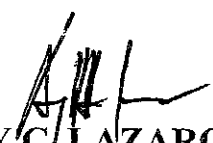

MARIO V. LOPEZ
Associate Justice

³⁶ *Rollo*, pp. 35-36.

³⁷ *Id.* at 63.

WE CONCUR:


MARVIC M.V.F. LEONEN
Associate Justice



AMY C. LAZARO-JAVIER
Associate Justice


JHOSEF Y. LOPEZ
Associate Justice


ANTONIO T. KHO, JR.
Associate Justice

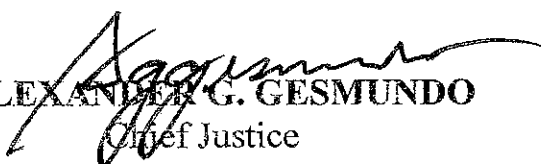
ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


MARVIC M.V.F. LEONEN
Associate Justice
Chairperson, Third Division

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


ALEXANDER G. GESMUNDO
Chief Justice