

[PEA RESOLUTION NO. 1004, s. 1993, June 01, 1993]

APPROVAL OF SCHEDULE OF FEES TO BE IMPOSED BY PEA FOR ITS SERVICES IN THE PROCESSING OF APPLICATIONS FOR RECLAMATION PROJECTS, TITLING OF RECLAIMED LANDS, FORESHORE LEASE, AND MISCELLANEOUS SALES CLEARANCE

RESOLVED, that pursuant to Presidential Decree No. 1084 and Executive Order No. 525, a schedule of Fees to be imposed by the Public Estates Authority (PEA) for its services in the processing of applications for reclamation projects, titling of reclaimed lands, foreshore lease clearance and miscellaneous sales application clearance, be as it is hereby approved, as follows:

1.0 Titling and Management Fee — P25,000.00

This fee shall be charged by PEA as payment for its services rendered to the applicant particularly the approval of the title and the conveyance of said title to the applicant by way of a Deed of Absolute Transfer.

This shall cover the reclamation of areas underwater, whether foreshore or inland, undertaken by the following:

A. A private person or entity without the consent of proper authorities or PEA for the purpose of making the reclaimed land or portions of it available in the open market, or for the proponents own use or both. These are "Reclaimed Land" undertaken or completed after the creation of Public Estates Authority in violation of PD 3-A and PD 1084 and the proponent is now requesting the assistance of PEA for the purpose of titling the property.

B. Local Government Units (LGU) either by itself or through a National Government Agency or by the private sector for the purpose of making the reclaimed area or portions of it available in the open market or for the proponents own use or both. These are "Reclaimed Land" undertaken or completed after the creation of Public Estates Authority in violation of PD 3-A and PD 1084 and the proponent is now requesting the assistance of PEA for the purpose of titling the property.

1.1 Scope of Undertaking — PEA shall undertake and be responsible for the registration of title of the Reclaimed Area in PEA's name, in accordance with existing pertinent laws. The scope of undertaking shall include but not be limited to the following:

— Review of Survey Plans, technical description and other documents submitted by the proponent.

- Filing of Miscellaneous Sales Application (MSA) with the CENRO.
- Follow-up of the application to expedite its approval up to the issuance of special patent and Original Certificate of Title (OCT).
- Site inspection whenever necessary including appraisal of the property.
- Preparation and transmittal of pertinent communications/endorsement to concerned Government Agencies and
- Preparation of the appropriate Memorandum of Agreement (MOA) for the project.

1.2 Other Charges — Other charges or costs may also be charged by PEA such as the sum representing the difference between the costs of reclamation or equity of the proponent and fair market value on the ground that said reclamation was undertaken in violation of the provisions of PD 3-A and EO-525. Said amount shall be paid to PEA upon execution by the parties of the proper deed conveying the reclaimed Area to the proponent. This transaction shall be covered by a Memo of Agreement (MOA) between PEA and the proponent under such terms and conditions as may be agreed upon by the parties concerned.

2.0 Clearance Fee for Foreshore Lease Agreement (FLA)

2.1 Filing Fee — P50.00

A filing fee shall be charged by PEA to the applicant upon filing of the request for issuance of Foreshore Lease Clearance.

2.2 Clearance Fee — A uniform fee of one and a half percent (1.5%) of the assessed value of the property plus out-of-pocket expenses shall be charged to all FLA applicants irrespective of its size and location.

This shall cover the issuance of clearance for a Foreshore Lease Agreement (FLA). The FLA is granted by DENR usually for a period of twenty-five (25) years. The Community Environment and Natural Resources Office (CENRO) requires all FLA Proponents to secure a clearance from PEA especially if the foreshore area applied for shall be reclaimed or developed. This is a manifestation of DENR's recognition of PEA's charter, although there is no formal agreement between the two parties regarding this matter.

(The CENRO also charges P50.00 as Filing Fee and payment of rental based at 3% of the appraised value of the land plus 1% of the value of the existing or proposed improvements prior to the award of the Lease Contract.)

2.3 Scope of Undertaking — PEA shall be responsible for the issuance of clearance indicating no objection to the FLA application on the basis that PEA has no development plan/program on the subject area and that there are no pending reclamation proposals with PEA on the site. The scope of undertaking shall include but is not limited to the following:

- Review of survey plans, and other documents submitted by the proponent.