

[Acts No. 4029, December 08, 1932]

AN ACT TO AMEND SECTION FIFTY-EIGHT OF ACT NUMBERED FOUR HUNDRED AND NINETY-SIX, OTHERWISE KNOWN AS "THE LAND REGISTRATION ACT", AND TO PROVIDE FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section fifty-eight of Act Numbered Four hundred and ninety-six, otherwise known as "The Land Registration Act", is hereby amended to read as follows:

"SEC. 58. When a deed in fee is for a part only of the land described in a certificate of title, or for one or more of the several lots into which said land shall have been subdivided, the register of deeds shall not enter the transfer certificate to the grantee until a plan of such land showing all the portions or lots into which it has been subdivided, and the technical description of each portion or lot, have been verified and approved by the Director of Lands, but shall only, upon written request of the party concerned, make a memorandum of such deed of conveyance on the grantor's certificate of title and on its owner's duplicate, said memorandum to serve only as a notice to third parties of the fact that such portion or lot has been sold to the person or persons named in said deed. Upon the approval of said plan and technical descriptions a certified copy thereof shall be filed in the office of the register of deeds and recorded in the corresponding certificate of title, and thereupon the register of deeds shall, after entering the transfer certificate of title and issuing its owner's duplicate to the grantee for the portion sold, also enter a new certificate and issue an owner's duplicate to the grantor for the part of the land not included in the deed: *Provided, however,* That if the land has been subdivided into several lots, designated by numbers or letters, the register of deeds may, if desired by the grantor, instead of cancelling the latter's certificate and issuing a new one to the same for the remaining unconveyed lots, enter on said certificate and on its owner's duplicate a memorandum of such deed of conveyance and of the issuance of the transfer certificate to the grantee for the lot or lots thus conveyed, and that the grantor's certificate is cancelled as to such lot or lots; and every certificate with such memorandum shall be effectual for the purpose of showing the grantor's title to the remainder of the land not conveyed as if the old certificate had been cancelled and a new certificate of such land had been entered; and no transfer certificate to a grantee for part only of the land shall be invalid by reason of the non-issuance of a new certificate to the grantor for the remaining unconveyed portion: *Provided, further,* That when there is discrepancy between the subdivision plan and the original plan, and in the opinion of the Director of Lands such discrepancy may be prejudicial to an adjoining owner or other person having interest on the adjoining land, the matter shall be reported to the Court of First Instance of the province where the land lies, and the court, after notice to all persons concerned and hearing,