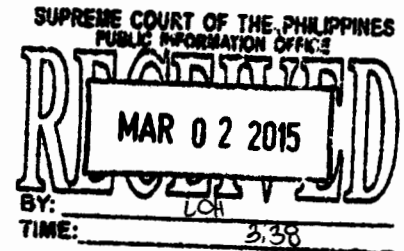




Republic of the Philippines  
**Supreme Court**  
 Manila  
**FIRST DIVISION**



**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated January 12, 2015, which reads as follows:*

**“G.R. No. 174406 – LAND BANK OF THE PHILIPPINES, Petitioner, v. LAUREEN LEE-LAURENARIA, Respondent.**

Petitioner Land Bank of the Philippines (LBP) assails the November 30, 2005 Decision<sup>1</sup> and August 29, 2006 Resolution<sup>2</sup> of the Court of Appeals in CA-G.R. SP No. 89006, entitled “*Land Bank of the Philippines v. Laureen Lee Laurenaria*,” which affirmed the January 20, 2005 Decision<sup>3</sup> of the Regional Trial Court (RTC), Branch 52, Sorsogon City, in Civil Case No. 2002-6984, entitled “*Land Bank of the Philippines v. Laureen Lee-Laurenaria, Secretary of Agrarian Reform, and Provincial Adjudicator, Manuel M. Capellan*,” with the latter sustaining the Provincial Adjudicator in his valuation of the subject unregistered parcel of land in the amount of ₱424,770.34, representing the just compensation due the owner thereof.

Respondent Laureen Lee-Laurenaria (Laurenaria) is the owner of an unregistered parcel of land located at Hubo, Magallanes, Sorsogon, with an area of 46.9003 hectares and covered by Tax Declaration No. UT-TD-1999-11-019-0014. In 2001, she voluntarily offered to sell (VOS) the said parcel of land to the Department of Agrarian Reform (DAR) under

<sup>1</sup> *Rollo*, pp. 65-72; penned by Associate Justice Magdangal M. de Leon with Associate Justices Portia Aliño-Hormachuelos and Mariano C. del Castillo (now a member of this Court), concurring.

<sup>2</sup> *Id.* at 75-76.

<sup>3</sup> *Id.* at 128-131; penned by Judge Honesto A. Villamor.

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Republic Act No. 6657 or the Comprehensive Agrarian Reform Program (CARP). However, only 7.0877 hectares were acquired by the DAR.

The DAR, petitioner LBP, the Bureau of Agrarian Reform Committee (BARC), and the Municipal Agrarian Reform Office (MARO) conducted a joint field investigation over the subject parcel of land. After which, petitioner LBP valued the subject property at ₱190,921.59. Respondent Laurenaria sent a letter rejecting the offered valuation. This prompted petitioner LBP to deposit the offered amount in respondent Laurenaria's name on December 18, 2001.

In accordance with Republic Act No. 6657 and existing DAR rules and regulations, a summary administrative proceeding for the determination of just compensation of the subject property was conducted before the Department of Agrarian Reform Adjudication Board (DARAB) Provincial Adjudicator, Regional Office, Sorsogon City. The proceeding was docketed as LV Case No. -50-'01.

On January 8, 2002, Provincial Adjudicator Manuel M. Capellan rendered a decision.<sup>4</sup> The *fallo* of which provides:

WHEREFORE, in view of the foregoing, the prior valuation by the Land Bank of the Philippines is hereby set-aside and a new valuation is fixed at FOUR HUNDRED TWENTY[-]FOUR THOUSAND SEVEN HUNDRED SEVENTY PESOS and .34 Centavos (₱424,770.34) for the acquired area of 7.0877 hectares. The Land Bank of the Philippines is hereby directed to pay the landowner in the manner provided for by law.<sup>5</sup>

Petitioner LBP moved for reconsideration of the foregoing decision, which the Provincial Adjudicator denied in an Order<sup>6</sup> dated March 21, 2002.

Disagreeing with the new valuation, on April 1, 2002, petitioner LBP filed a petition for judicial determination of just compensation with RTC-Branch 52, Sorsogon City, docketed as Civil Case No. 2002-6984, entitled "*Land Bank of the Philippines v. Laureen Lee-Laurenaria, Secretary of Agrarian Reform, and Provincial Adjudicator, Manuel M. Capellan.*" In said petition, petitioner LBP alleged that the Provincial Adjudicator erred in taking into consideration the selling price of copra at ₱16.00/kilo, which does not represent the average selling price thereof for the 12-month period

<sup>4</sup> Id. at 109-111.

<sup>5</sup> Id. at 111.

<sup>6</sup> Id. at 114.

prior its (LBP) receipt of the Claim Folder from the DAR in September 2001.

Petitioner LBP averred further that its valuation in the amount of ₱190,921.59 was arrived at after taking into consideration Section 17 of Republic Act No. 6657 and DAR Administrative Order (A.O.) No. 11, Series of 1994, as amended by A.O. No. 5, Series of 1998 (DAR A.O. No. 5, S. 1998), which provides for a selling price of copra at ₱5.52/kg.

Respondent Laurenaria asserted in her Answer that the Provincial Adjudicator's valuation was just, proper and correct considering that the latter was the most competent, most neutral, and most objective, and the DARAB is the best entity to determine just compensation. She also claimed that petitioner LBP was really not expected to accept any valuation which exceeds its estimate. She contended that petitioner LBP's petition was frivolous and intended to wear her down from pursuing her claim so that she will just settle for a lower unjust valuation. Thus, she prayed for the dismissal of the petition.

For its part, the DAR admitted all of petitioner LBP's allegations in its petition and adopted its valuation. In its answer, the DAR stated, to wit:

1. Defendants admit the allegations contained in paragraphs one (1), two (2)[,] three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12) and thirteen (13) of the petition;
2. Defendants hereby adopt the valuation made by the petitioner Land Bank of the Philippines in the amount of ONE HUNDRED NINETY THOUSAND NINE HUNDRED TWENTY[-]ONE PESOS AND 59/100 (₱190,921.59) because the said valuation is in accordance with Sec. 17 of R.A. 6657 and DAR Administrative Order No. 11, Series of 1994 as amended by DAR Administrative Order No. 5, Series of 1998 which pertains to the rules and regulations governing the valuation of agricultural lands covered by the Comprehensive Agrarian Reform [P]rogram of the government.

WHEREFORE, it is respectfully prayed unto this Honorable Court that after due hearing judgment be rendered:

1. Affirming the valuation made by the petitioner Land Bank of the Philippines in the amount of ₱190,921.59 for the total acquired area of 7.0877 hectares;

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2. Other relief and remedies which is just and equitable under the premises is also prayed for.<sup>7</sup>

### The Regional Trial Court Decision

On January 20, 2005, the RTC rendered a decision affirming the DARAB's valuation of the just compensation of the subject parcel of land, to wit:

WHEREFORE, premises considered, judgment is hereby rendered:

- 1) Fixing the amount of FOUR HUNDRED TWENTY-FOUR THOUSAND, SEVEN HUNDRED SEVENTY AND 34/100 (₱424,770.34) Philippine currency to be the just compensation for the 7.0877 hectares of agricultural land situated at Hubo, Magallanes, Sorsogon covered by Title No. UT-TD-1999-11-019-0014 in the name of Laureen Lee Laurenaria as the registered owner, represented by her Att[o]rney-in-Fact, Inocencio Lee, which property was taken by the government pursuant to the Agrarian Reform Program of the government as provided by R.A. No. 6657.
- 2) Ordering the Petitioner Land Bank of the Philippines to pay the Private Respondent the amount of Four Hundred Twenty-Four Thousand, Seven Hundred Seventy and 34/100 (₱424,770.34) Philippine currency in the manner provided by R.A. 6657 by way of full payment of the said just compensation after deducting whatever amount previously received by the private respondent from the Petitioner Land Bank of the Philippines as part of the just compensation.
- 3) Without pronouncement as to costs.<sup>8</sup>

The RTC adopted the computation of the Provincial Adjudicator, which, it said, was based on the guidelines provided in DAR A.O. No. 5, S. 1998, on the valuation of CARP covered land, viz:

$$\begin{aligned} LV &= \text{CNI} \times 0.9 - \text{MV} \times 0.1 \\ &820 \text{ kls. AGP / FIR} \\ &16.00 \text{ ASP / PCA data} \end{aligned}$$

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<sup>7</sup> Records, p. 24.

<sup>8</sup> Rollo, p. 131.

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$$LV = 820 \times 16.00 \times .70 - .12 \\ 76,533.33 \times 0.9$$

$$MV = 15,300 \times 1.08 \times .90 - 75 \times 150.00 \times 1.08 \times .90 \\ 14,871.60 - 10,935.00 - 25,806.60$$

$$LV = 76,533.33 \times 0.9 - 25,806.60 \times 0.1 \\ = 68,879.99 - 2,580.60 \\ = 71,460.65 \times 5.0877 \\ = 363,570.34 \text{ for cocoland (x x x)}$$

For Idle Land,

$$LV = MV \times 2 \\ MV = 15,300.00 \\ LV = 15,300.00 \times 2 \\ = 30,600.00 \times 2.0000 \\ = 61,200.00$$

Total:

$$363,570.34 + 61,200.00 \\ = 424,770.34 \text{ for the total area of } 7.0877 \text{ hectares } \times \times \times^9$$

In affirming the assailed computation, the RTC held that it took into consideration the comparable sale in the area based on the documents submitted by herein respondent Laurenaria involving lands acquired by herein petitioner LBP in 1999 and 2003 in Malbug, Magallanes, Sorsogon and Sinton, Magallanes, Sorsogon; and the amounts which said bank paid to the landowners. The valuation fixed by petitioner LBP averaged at ₱70,000.00 per hectare.

Further, the RTC stated that the computation of the Provincial Adjudicator was a more realistic appraisal of the full and fair equivalent of the property taken from the owner. On the other hand, the RTC held that petitioner LBP's valuation was unrealistically low.

Petitioner LBP moved for reconsideration of the Decision of the RTC which the latter denied in an order dated March 8, 2005.

Dissatisfied, petitioner LBP filed a petition for review before the Court of Appeals on April 11, 2005.

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<sup>9</sup> Id. at 129-130.

### The Court of Appeals Decision

On November 30, 2005, the Court of Appeals affirmed the assailed Decision of the RTC, viz:

**WHEREFORE**, the petition is hereby DENIED and the decision appealed from is **AFFIRMED**.<sup>10</sup>

According to the Court of Appeals, the determination of just compensation remains within the discretion of the trial court provided that the factual matters are established during trial and the factors enumerated in *Land Bank of the Philippines v. Banal*<sup>11</sup> are reckoned with in arriving at the just compensation based on the formula prescribed by DAR A.O. No. 6, S. 1992, as amended by DAR A.O. No. 11, S. 1994. It observed that the RTC, in upholding the findings of the DARAB, considered several factors, such as: comparable sale transaction in the area, the proximity to the center of commerce, the current value of like properties, the improvements, its actual use, as well as the social and economic benefits that the landholding can give to the community, based on the evidence presented by the parties during trial. Thus, the appellate court did not disturb the RTC's factual findings, which were in agreement with that of the administrative body that had the required expertise, specialized skills and knowledge in the determination of the valuation of the land under consideration.

The Court of Appeals stressed that the factual findings of administrative bodies are generally held binding and final as long as they are supported by substantial evidence in the records of the case. Where the Provincial Adjudicator and the trial court are in agreement based on facts duly presented and considered, then the Court of Appeals must affirm their findings.

Petitioner LBP's subsequent motion for reconsideration of the foregoing decision was denied by the Court of Appeals in its Resolution dated August 29, 2006.

Undeterred, petitioner LBP filed this petition for review on *certiorari* anchored on the following assignment of errors:

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<sup>10</sup> Id. at 13.

<sup>11</sup> 478 Phil. 701 (2004).



## A.

**WHETHER OR NOT THE APPELLATE COURT GRAVELY ERRED IN THE ISSUANCE OF THE ASSAILED DECISION OF 30 NOVEMBER 2005 AND THE CHALLENGED RESOLUTION OF 29 AUGUST 2006 WHICH IS IN TOTAL DISREGARD OF SEC. 17, R.A. 6657 IN CONJUNCTION WITH DAR A.O. NO. 11, S. OF 1994, AS AMENDED BY A.O. NO. 5, S. 1998[,] AND THE SUPREME COURT DECISIONS IN LUZ LIM CASE REITERATING THE BANAL AND CELADA CASES, WHICH RESULTED IN INORDINATELY HIGH VALUATION OF PHP 424,770.34 *VIS-À-VIS* DAR/LBP'S VALUATION OF PHP 190,921.59.**

## B.

**WHETHER OR NOT THE APPELLATE COURT GRAVELY ERRED IN SUSTAINING THE FINDINGS OF FACTS OF THE COURT *A QUO* WHICH ARE NOT SUPPORTED BY SUBSTANTIAL EVIDENCE, GLARINGLY ERRONEOUS, MANIFESTLY MISTAKEN AND CONTRARY TO EXISTING LAW AND JURISPRUDENCE.<sup>12</sup>**

### The Court's Ruling

The foregoing assignment of errors notwithstanding, however, the essential issue for resolution in this case boils down to the question of how much is the just compensation of the 7.0877 hectares land voluntarily offered for sale in 2001 by respondent Laurenaria to DAR pursuant to pertinent laws, rules and regulations?

In its Memorandum, petitioner LBP alleged that the Court of Appeals did not consider, much less give probative value and weight to its relevant and competent evidence. It averred that the Court of Appeals simply skipped the vital and relevant issues, and did not consider the DAR's authority to issue rules and regulations and the validity of DAR A.O. No. 11, S. 1994, as amended by DAR A.O. No. 5, S. 1998. And it asserted that the Court of Appeals totally disregarded Section 17 of Republic Act No. 6657, as amended, and the aforementioned administrative orders.

In essence, petitioner LBP is asking the Court to review the pieces of evidence it had adduced during trial.

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<sup>12</sup> *Rollo*, p. 225.

At the outset, it must be remembered that in resolving a petition for review, the Court “does not sit as an arbiter of facts for it is not the function of the Supreme Court to analyze or weigh all over again the evidence already considered in the proceedings below.”<sup>13</sup> However, there are notable exceptions, such as: a) when the Court of Appeals failed to notice certain relevant facts which, if properly considered, would justify a different conclusion; and b) when the findings of fact are conclusions without citation of the specific evidence on which they are based.<sup>14</sup>

The Court finds the above exceptions applicable in this case. Both the appellate and trial courts adopted *in toto* the findings of fact of the Provincial Adjudicator, but their decisions neither cited the evidentiary bases upon which their resolutions were based, nor referred to applicable jurisprudence.

Based on the Field Investigation Report, the subject property is composed of two types of land: 5.0877 hectares of *coconut land* and 2 hectares of *idle land*.

### Coconut Land

Contrary to petitioner LBP’s claim, a review of the Provincial Adjudicator’s decision reveals that the latter applied the formula stated in DAR A.O. No. 5, S. 1998, specifically the formula under II(A)(A.1), which states:

II. The following rules and regulations are hereby promulgated to govern the valuation of lands subject of acquisition whether under voluntary offer to sell (VOS) or compulsory acquisition (CA).

A. There shall be one basic formula for the valuation of lands covered by VOS or CA:

$$LV = (CNI \times 0.6) + (CS \times 0.3) + (MV \times 0.1)$$

Where: LV = Land Value

CNI = Capitalized Net Income

CS = Comparable Sales

MV = Market Value per Tax Declaration

The above formula shall be used if all the three factors are present, relevant, and applicable.

<sup>13</sup> *Serra v. Mumar*, G.R. No. 193861, March 14, 2012, 668 SCRA 335, 343-344.

<sup>14</sup> *Treñas v. People*, G.R. No. 195002, January 25, 2012, 664 SCRA 355, 364; *Heirs of Albina G. Ampil v. Manahan*, G.R. No. 175990, October 11, 2012, 684 SCRA 130, 139.



A.1 When the CS factor is not present and CNI and MV are applicable, the formula shall be:

$$LV = (CNI \times 0.9) + (MV \times 0.1)$$

Pertinent documentary evidence on record shows also that the foregoing formula was correctly used considering that there was no comparable sales in the area. The field investigation report stated that “there is no available comparable sale transaction within the municipality and province.”<sup>15</sup> This was confirmed by petitioner LBP’s agrarian reform specialist, who was presented in court as witness.<sup>16</sup>

However, when the Court evaluated the computations of both the Provincial Adjudicator and petitioner LBP, it found discrepancies in the values they used *vis-à-vis* the specific factors that make up the formula as provided under DAR A.O. No. 5, S. 1998.

Particularly, both the Provincial Adjudicator and petitioner LBP failed to heed the guideline under DAR A.O. No. 5, S. 1998 on how to compute for the “capitalized net income” or CNI, to wit:

A. FORMULA FOR CAPITALIZED NET INCOME (CNI) OF COCONUT LAND.

DAR'S FORMULA	PROVINCIAL ADJUDICATOR'S FORMULA	LAND BANK'S FORMULA
<p>Capitalized Net Income – This shall refer to the difference between the gross sales (AGP x SP) and total cost of operations (CO) capitalized at 12%.</p> <p>Expressed in equation form:  <math display="block">CNI = \frac{(AGP \times SP) - CO}{0.12}</math> </p> <p>Where:            CNI = Capitalized Net Income</p>	$[CNI = AGP \times SP \times CO - 0.12]$ $= AGP \times SP \times 0.70 - 0.12$ $= 820 \times 16.00 \times 0.70 - 0.12$ $= 76,533.33 \times 0.90^{17}$	$[CNI = \frac{AGP \times SP \times CO}{0.12}]$ $= \frac{AGP \times SP \times 0.70}{0.12}$ $= \frac{(820.50 \times 5.52 \times 70\%)^{18}}{0.12}$

<sup>15</sup> Records, p. 88.

<sup>16</sup> TSN, November 26, 2002, p. 8.

<sup>17</sup> Rollo, p. 110.

<sup>18</sup> Id. at 97.

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<p>AGP = Annual Gross Production corresponding to the latest available 12 months' gross production immediately preceding the date of the FI.</p> <p>SP = The average of the latest available 12 months' selling prices prior to the date of receipt of the CF by LBP for processing, such prices to be secured from the Department of Agriculture (DA) and other appropriate regulatory bodies or, in their absence, from the Bureau of Agricultural Statistics. If possible, SP data shall be gathered for the barangay or municipality where the property is located. In the absence thereof, SP may be secured within the province or region.</p> <p>CO = Cost of Operations Whenever the cost of operations could not be obtained or verified, an assumed net</p>		
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<p>income rate (NIR) of 20% shall be used. Landholdings planted to coconut which are productive at the time of FI shall continue to use the assumed NIR of 70%. DAR and LBP shall continue to conduct joint industry studies to establish the applicable NIR for each crop covered under CARP.</p> <p>0.12 = Capitalization Rate</p>		
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To emphasize, *firstly*, the Provincial Adjudicator multiplied the CO (0.70) with the product of AGP and SP, when he should have subtracted the same therefrom. Petitioner LBP also did the exact mistake in its computation. And *secondly*, the Provincial Adjudicator subtracted the capitalization rate of 12% instead of making it a divisor. Oddly enough, the figure 76,533.33 can be arrived at if 12% had been made a divisor.

The Court is baffled by the above discrepancy. The DAR's formula is clear and easy to follow. However, both the Provincial Adjudicator and petitioner LBP failed to adhere thereto. Worse, no explanation was presented to account for the deviation from the DAR-prescribed formula.

**B. MARKET VALUE (MV) OF COCONUT LAND**

The Court likewise observed that in computing for the MV of the coconut land, both the Provincial Adjudicator and petitioner LBP did not follow the guideline in DAR A.O. No. 5, S. 1998, which provides that the value of the MV is to be taken from the Tax Declaration of the real property in question. Instead, both of them applied different formulas and number of factors to come up with the value for the MV. Further, the Court noted a mathematical error in the Provincial Adjudicator's mathematical computation, *i.e.*, the value of 25,806.60 cannot possibly be the difference between 14,871.60 and 10,935.00, but their sum.

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PROVINCIAL ADJUDICATOR	LAND BANK
$MV = 15,300 \times 1.08 \times 0.90 - 75 \times 150 \times 1.08 \times 0.90$ $= 14,871.60 - 10,935.00 = 25,806.60^{19}$	$MV = 15,300 \times 93\% \times 1.111 = 15,808.42$ $RCPI = 172.7/155.5 = 1.111$ $75 \text{ t/ha} \times \text{P}50.00 \times 93\% \times 1.111 = 3,874.61$  $=$ $19,683.03.^{20}$

### Idle Land

As for the idle land, the Provincial Adjudicator correctly used the following formula based on II(A)(A.3) of DAR A.O. No. 5, S. 1998, to wit:

A.3 When both the CS and CNI are not present and only MV is applicable, the formula shall be:

$$LV = MV \times 2$$

In no case shall the value of idle land using the formula  $MV \times 2$  exceed the lowest value of land within the same estate under consideration or within the same barangay or municipality (in that order) approved by LBP within one (1) year from receipt of claim folder.

but the numerical factors he applied in the formula appears to be erroneous.

#### Provincial Adjudicator's Computation

$$LV = MV \times 2$$

$$MV = 15,300.00$$

$$LV = 15,300.00 \times 2$$

$$= 30,600.00 \times 2.0000 \text{ [hectares]}$$

$$= 61,200.00^{21}$$

The Provincial Adjudicator did not explain in his decision where he obtained the value of "15,300.00" he used in the formula. The Court can only assume that the value was taken from Annex "T" (Schedule of Fair Market Values)<sup>22</sup> of this petition, which states that the market value of a third class coconut land is ₱15,300.00.

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<sup>19</sup> Id. at 110.

<sup>20</sup> Id. at 97.

<sup>21</sup> Id. at 111.

<sup>22</sup> Id. at 137.

But this is incorrect for the simple reason that the said value (15,300.00) applies to coconut land and not to idle land.

Note that after going through the record of the case, the Court did not find a copy of the tax declaration of the subject parcel of land upon which it could verify the “*market value*” thereof.

Petitioner LBP also argues that the selling price for copra should have been based on the 12-month average selling price prior to the receipt of the claim folder by it from the DAR, which was in September 2001. Thus, it follows that the 12-month period covered is from August 2000 to August 2001.

However, the records reveal that petitioner LBP’s selling price of ₱5.52 was taken from the average of the selling prices from **July 2000 to July 2001**. Strictly speaking, this does not fall within the 12-month period, and if used in the computation of just compensation, may not result in a fair and just value.

Moreover, petitioner LBP avers that it was error for the appellate court to adopt the Decision of the RTC, which used factors such as “*all the potentials of the property*” and “*comparable sales of like properties*” as parameters in the determination of just compensation. It insists that the said factors are not among the parameters provided in Section 17 of Republic Act No. 6657.

In this, the Court agrees. Section 17 of Republic Act No. 6657 states:

**Section 17. Determination of Just Compensation.**— In determining just compensation, the cost of acquisition of the land, the current value of like properties, its nature, actual use and income, the sworn valuation by the owner, the tax declarations, and the assessment made by government assessors shall be considered. The social and economic benefits contributed by the farmers and the farmworkers and by the Government to the property as well as the nonpayment of taxes or loans secured from any government financing institution on the said land shall be considered as additional factors to determine its valuation.

Nowhere in Section 17 of Republic Act No. 6657 can one find “*all potentials of the property*” and “*comparable sales of like properties*” as factors in determining the just compensation. In addition, the field investigation report shows that “*there is no available comparable sale transaction within the municipality and province.*” This is the reason why

the formula excluded CS as one of the factors. As such, the Court will not further discuss comparable sales as it is irrelevant in the subject property.

While the determination of just compensation is essentially a judicial function vested in the RTC acting as a Special Agrarian Court, the judge cannot abuse his discretion by not taking into full consideration the factors specifically identified by law and implementing rules.<sup>23</sup> As the law now stands, it is clear that the Special Agrarian Courts are duty-bound to take into consideration the factors fixed by Section 17 of Republic Act No. 6657 and apply the basic formula prescribed and laid down in the pertinent administrative regulations,<sup>24</sup> in this case DAR A.O. No. 5, S. 1998 to determine just compensation.

Sadly, the cited discrepancies in the factors used in the proper formula and mathematical errors in the computation of the Provincial Adjudicator were replicated in the Decisions of the Court of Appeals and the RTC.

Note, however, that even if the Court has identified the errors committed in the computation, it is unable to determine the just compensation of the subject parcel of land in view of the nonexistence of a copy of the tax declaration thereof from which the “*market value*” may be determined.

Hence, given all the foregoing, a remand of the case to the RTC is imperative for the reception of additional evidence relative to the “*market value*” of the subject 7.0877 hectares parcel of land, and thereafter, the proper computation of the just compensation due to respondent Laurenaria following to the letter the guidelines and formula dictated by DAR A.O. No. 5, S. 1998, as discussed herein.

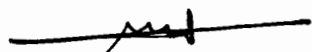
**WHEREFORE**, premises considered, the case is **REMANDED** to the court of origin, Regional Trial Court of Sorsogon City, Branch 52, for further reception of evidence on the “*market value*” and the re-computation of the correct and proper just compensation of the subject 7.0877 hectares parcel of land bearing in mind the mathematical errors noted by the Court; and to identify all data and formulas to be used, as well as to explain the bases of the figures to be applied.

<sup>23</sup> *Land Bank of the Philippines v. Heirs of Salvador Encinas*, G.R. No. 167735, April 18, 2012, 670 SCRA 52, 62.

<sup>24</sup> *Land Bank of the Philippines v. Honeycomb Farms Corp.*, G.R. No. 166259, November 12, 2012, 685 SCRA 76, 98.

**SO ORDERED.”**

Very truly yours,

  
**EDGAR O. ARICHETA**  
 Division Clerk of Court *in 2/24*  
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