

**\*\*Title:** Carolina Vda. De Figuracion et al. vs. Emilia Figuracion-Gerilla (703 Phil. 455)\*\*

**\*\*Facts:\*\***

- **\*\*1955:\*\*** Leandro Figuracion executed a Deed of Quitclaim for two parcels of land (Lot No. 2299 and Lot No. 705) in favor of his six children but the lots and their income were retained by Leandro and his spouse Carolina for expenses.

- **\*\*1958:\*\*** Leandro died intestate. The properties were registered under the names of “Leandro Figuracion married to Carolina Adviento.”

- **\*\*1961:\*\*** Agripina Adviento, the daughter of Eulalio Adviento and Marcela Estioko, executed a Deed of Quitclaim favoring her niece Emilia Figuracion for the eastern half of Lot No. 707, initially owned by Eulalio.

- **\*\*1962:\*\*** Carolina, claiming to be the sole heir of Eulalio and Faustina, executed an Affidavit of Self-Adjudication for Lot No. 707; the same day, she sold the entire Lot No. 707 to Felipa and Hilaria. This resulted in the issuance of TCT No. 42244 in Felipa and Hilaria’s names for Lot No. 707.

- **\*\*1994:\*\*** Hilaria and her agents threatened to demolish Emilia’s house, which she had built on the eastern half of Lot No. 707 upon returning from the U.S. in 1981. This prompted Emilia to file a complaint for partition, annulment of the adjudication, reconveyance, quieting of title, and damages.

- **\*\*Procedural Posture:\*\***

- The complaint filed by Emilia was dismissed by the RTC, which annulled the Affidavit of Self-Adjudication, Deed of Sale, and TCT No. 42244.

- Emilia appealed to the CA, which reversed the RTC decision on partition for Lot No. 707 but agreed on the prematurity of partition for Lot Nos. 2299 and 705.

- Petitioners brought the case to the Supreme Court after the CA decision partly favored Emilia.

**\*\*Issues:\*\***

1. Whether Lot No. 707 can be partitioned given the claim of ownership by Emilia over half of it.

2. Whether the Deed of Quitclaim executed by Agripina in favor of Emilia is valid.

3. Whether partition of Lot Nos. 2299 and 705 is appropriate before the settlement of

Leandro's estate.

4. Whether the co-ownership of Lot No. 707 was effectively repudiated by petitioners and if Emilia's claim is barred by prescription or laches.

**\*\*Court's Decision:\*\***

**\*\*1. Partition of Lot No. 707:\*\***

- The Court determined that the respondent, Emilia, traced her rightful ownership to the Deed of Quitclaim executed by Agripina. The Court held that Emilia, as a co-owner of Lot No. 707, is entitled to its partition.

**\*\*2. Validity of Deed of Quitclaim:\*\***

- The Deed of Quitclaim was contested by the petitioners as a void donation for lack of acceptance. However, the Court ruled that this defense was raised too late in the procedural process, thus barred by estoppel. The Deed was deemed an onerous contract not requiring formal acceptance.

**\*\*3. Partition of Lot Nos. 2299 and 705:\*\***

- The partition for these lots was premature pending estate settlement and unresolved disputes about expenses for Leandro and Carolina's illness and burial.

**\*\*4. Repudiation and Prescription:\*\***

- The Court found that the co-ownership was not clearly repudiated until 1994. Therefore, the prescription had not set in, and laches was not applicable. Emilia's participation in co-ownership continued until the filing of the complaint.

**\*\*Doctrine:\*\***

- Co-owners' sales affect only their respective shares.
- Clear repudiation of co-ownership and the knowledge thereof by other co-owners are required for the period of prescription to commence.
- An Affidavit of Self-Adjudication cannot impair the collective ownership rights of heirs.
- Implied trust arises when property is wrongfully registered; trustees cannot repudiate such trust through registration.

**\*\*Class Notes:\*\***

- **\*\*Partition Actions:\*\***
- \*Prerequisite of ownership resolution.\*
- \*Relief only for undivided shares without other co-owner's consent.\*

- **Repudiation of Co-Ownership:**
- Four conditions including notice to co-owners.
- Failure to show clear notice sustains joint ownership.
- **Implied Trust:**
- Created by wrongful registration, nullifying exclusive claims without proper adjudication.

**Historical Background:**

The case reflects common inheritance disputes complicated by multiple marriages, multiple heirs, and co-owned properties, testing civil law principles on co-ownership, the effect of notarized documents on property, and inheritance divisions under the Old Civil Code applicable to marriages before 1950.