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Mr. Kevin J. Braganza Mah/5438/09

Mr. Snehank B. Sadekar Mah/2207/16

Miss. Tanvi D. Dhavjekar Mah/3320/16

Miss. Dikshita V. Gadekar Mah/4135/19



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04/03/2023

## **TITLE REPORT**

At the instance of Mr. Oswald F. De Mello, Partner of Classic Homes Pvt. Ltd., I proceed to scrutinize the documents placed in my hands, for my scrutiny and opinion in respect of the property surveyed under no. 255/2 of Village Anjuna Survey Records, which is within the limits of village panchayat of Anjuna, Sub District of Bardez Taluka, District of North Goa, State of Goa and totally admeasuring 13100 sq. mts. and better described in Schedule I hereunder.

### **SCHEDULE - I**

Property known as "Gauvalichem Batta" or "Deulady" or "Deulaili" situated at Ward Gumalvaddo, which was formerly a part of Ward Chiuvar, of Village Anjuna, which is within the limits of Village Panchayat of Anjuna, Sub District of Bardez Taluka, District of North Goa, State of Goa, surveyed under no. 255/2 of Village Anjuna Survey Records and admeasuring 13100 sq.mts.. The aforesaid property is a part of the property described in the Land Registration Office of Bardez under No. 9650 of Book B 25 (New) and enrolled in the Land Revenue Office under no. 752 of the first circumscription. Survey no. 255/2 shall herein after be referred to as the Said Property is bounded as under:

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North: By survey no. 255/1;

South: By road;

East: By survey no. 255/1 and by road which is presently not existing ;

West: By water drain; beyond which lies survey no. 256/1, 1A & 1B;

**DOCUMENTS INSPECTED & SCRUTINIZED WITH  
RESPECT TO THE SAID PROPERTY**

- 1) Extract certified copy of Deed of Partition dated 24/01/1901 in the Notarial Office of Judicial Division of Bardez at Mapusa Joao Copertino Caridade Frias.
- 2) Extract certified copy of the Description in the Land Registration office of Bardez of property described under no. 9650 of Book B 25 (New).
- 3) Extract certified copy of the inscription bearing Nos. 6056 of Book G-9 Bardez.
- 4) Extract certified copy of the inscription bearing Nos. 11033 of Book G - 16 Bardez.
- 5) Extract certified copy of the inscription bearing Nos. 4634 of Book F-7 Bardez.
- 6) Copy of the Registo Do Agrimensor with respect to old cadastral survey no. 3038 of Village Anjuna.
- 7) Certified Cadastral plan of survey no. 3038 of Village Anjuna.
- 8) Certified Cadastral survey records of nos. 2283, 2284 and 2393 of Village Anjuna.

  
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- 9) Extract certified translated copy of Will dated 20/07/1963 in the Notarial Office of Judicial Division of Bardez at Mapusa Antonio Jose Pinto De Menezes.
- 10) Extract certified translated copy of Deed of Heirship & Declaration dated 23/03/1964 in the Notarial Office of Judicial Division of Bardez at Mapusa Antonio Jose Pinto De Menezes.
- 11) Extract certified translated copy of Land Matriz enrolled in the name of Jose Sebastiao X.C.Rodrigues.
- 12) Manual Form I & XIV with respect to the Said Property
- 13) Deed of Sale dated 16/07/2008 executed before the Sub Registrar of Bardez at Mapusa under serial no. 3839/2008.
- 14) Computerised Form I & XIV with respect to the Said Property
- 15) Survey plan with respect to the Said Property.
- 16) Copy of the technical clearance order with respect to the Said Property, issued by the Senior Town Planner, North Goa bearing Ref. No. DB/21094/ANJ/TCP-2022/1186 dated 09/03/2022.
- 17) Copy of the construction license with respect to the Said Property, issued by the Village Panchayat of Anjuna bearing no. VP/ANJ-CAI/2022-2023/483.
- 18) Conversion sanad with respect to the Said Property, issued by the Additional Collector – III, North Goa District bearing no. 4/281/CNV/AC-III/2019/563, dated 02/07/2020.
- 19) NOC issued by the Primary Health Centre Siolim, Bardez – Goa, bearing No. DHS/2022/DHS0901/00023/614, dated 28/04/2022.

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20) Zoning Certificate issued by the Town & Country Planning Department.

### **BRIEF FACTS**

1. The property described in the Land Registration Office of Bardez under no. 9650 of Book B-25 (New) Bardez was originally owned by Rosa Paulina Pereira, widow of Custodio Francisco De Sousa who hailed from Village Anjuna, by virtue of a Deed of Partition dated 24/01/1901 in the Notarial Office of Judicial Division of Bardez at Mapusa Joao Copertino Caridade Frias. In the said Deed of Partition the second addition of a larger property was allotted to the said Rosa Paulina Pereira and pursuant to the same she got the second addition independently described under no. 9650 of Book B-25(New) Bardez which was inscribed in her name i.e. Rosa Paulina Pereira, under inscription no. 6056 of Book G-9 (Bardez).
2. By virtue of Deed of Sale dated 21/08/1911, the said Rosa Paulina Pereira, widow of Custodio Francisco De Sousa sold the property described under no. 9650 to Lourenco Da Conceicao Rodrigues, major, married, Doctor by profession and resident of Anjuna. Pursuant to the said Deed of Sale dated 21/08/1911 the name of Lourenco Da Conceicao Rodrigues got inscribed under no. 11033 of Book G-16 Bardez. Along with the inscription no. 11033 in favour of Lourenco Da Conceicao Rodrigues there was a simultaneous inscription bearing no. 4634, of Foro in

  
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favour of the Comunidade of Anjuna and the said inscription no. 4634 reveals that the property described under no. 9650 is owned by Lourenco Da Conceicao Rodrigues. There is no document on record stating that the payment of Foro along with its 20 annuities owed to the Comunidade has been paid however there are no encumbrances shown in the survey records or any subsequent records

3. Property described in the Land Registration of Bardez under no. 9650 corresponds to original survey no. 256/1 of Village Anjuna that admeasured 18529 sq.mts. (approx), ( now broken down to survey no. 256/1, 1A & 1B) and survey no. 255/2 admeasuring 13100 sq.mts., (the Said Property). Original survey no. 256/1 & survey no. 255/2 of Village Anjuna shall hereinafter jointly be referred to as "the entire property". The entire property (original survey no. 256/1 & survey no. 255/2 of Village Anjuna) also corresponds to old cadastral survey no. 3038 of Village Anjuna. The western boundary of the property described under no. 9650 is a public way and similarly the western boundary of old cadastral survey no. 3038 is a public way. Also the Eastern boundary of 9650 is property belonging to the heirs of Matias Salvador de Souza and the eastern boundary of old cadastral survey no. 3038 is no. 2283, 2284 and 2393 and they all belonged to various de Souza's. Hence it is inferred that Property described in the Land Registration of Bardez under no. 9650 corresponds to original survey no. 256/1 & 255/2 of Village Anjuna (the entire property)..

  
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4. The entire property bearing original survey no. 256/1 & survey no. 255/2 of Village Anjuna was enrolled in the Taluka Revenue Office under matriz no. 752 (rustic property known as Deulai) and under no. 901 (urban property existing in the rustic known as Deulai) of the second circumscription of Anjuna. The said matriz no. 752 & 901 reveals that rustic property known as Deulai and urban property existing in the rustic known as Deulai was enrolled in the name of Jose Silvestre Sebastiao Xavier De Conceicao Rodrigues who was the son of Lourenco Da Conceicao Rodrigues and that payment of land tax with respect to the same was paid by him.
5. The Registo Do Agrimensor with respect to old cadastral survey no. 3038 of Village Anjuna also reveals the name of Sebastiao Conceicao Rodrigues, as occupant in possession and similarly Auto De Demarcacao (property demarcation details) carried out by the Surveyor Marcos Vicente Gonsalves on 15/03/1943 shows that the property "**Deulady**" bearing nos. 3038 belongs to Sebastiao Conceicao Rodrigues. However it may be noted that the cadastral records of Village Anjuna were not finalized as per the law then existing in force.
6. The said Sebastiao Conceicao Rodrigues also known as Jose Silvestre Sebastiao Xavier Da Conceicao Rodrigues was married to Iria Maria Dos Milagres Ermelinda Ditosa da Costa and of their wed lock they had no children/descendants. The said Sebastiao Conceicao

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Rodrigues alias Jose Silvestre Sebastiao Xavier Da Conceicao Rodrigues executed a Public Will dated 20/07/1963 drawn in the Judicial Division and Notarial Office of Bardez at Mapusa wherein he bequeathed all his half undivided rights in favour of his wife the said Iria Maria. In the said Will it is stated that Sebastiao Conceicao Rodrigues (Testator) had no ascendants nor descendants.

7. Subsequently the said Sebastiao Conceicao Rodrigues alias Jose Silvestre Sebastiao Xavier Da Conceicao Rodrigues passed away on 10/10/1963 and pursuant to his demise a Deed of Qualification of Succession and Declaration dated 23/03/1964 was drawn in the Judicial Division and Notarial Office of Bardez at Mapusa and declared his wife Iria Maria Dos Milagres Ermelinda Ditosa da Costa as his sole and universal heir.
8. At the time of promulgation of survey records the name of Lilia Sebastiao Rodrigues was confirmed in Form I & XIV with respect to original survey no. 256/1 & survey no. 255/2 of Village Anjuna (the entire property) and the same was under mutation no. 1290. The clerical error of the name Iria Maria Dos Milagres Ermelinda Ditosa da Costa which was spelt as Lilia Sebastiao Rodrigues was subsequently rectified under mutation no. 18838.
9. It may be noted that Inscription no. 11033 pertaining to property described under no. 9650 is in favour of Lourenco Da Conceicao Rodrigues which was inherited by

  
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his son the said Jose Silvestre Sebastiao Xavier Da Conceicao Rodrigues. There is no Succession or Allotment order confirming the same. Since the matriz no. 752 & 901, cadastral survey records was enrolled/recorded in the name of Jose Silvestre Sebastiao Xavier Da Conceicao Rodrigues and present survey records was confirmed in the name of his widow Iria Maria Dos Milagres Ermelinda Ditosa da Costa; there have been no claims, obstruction and interference from any one whomsoever; hence Jose Silvestre along with his wife Iria Maria being in peaceful and uninterrupted possession of the entire property implies that they inherited the entire property from their father/father in law Lourenco Da Conceicao Rodrigues.

10. By virtue of a Deed of Sale dated 16/07/2008 executed before the Sub Registrar of Bardez at Mapusa under serial no. 3839/2008, the said Iria Maria Dos Milagres Ermelinda Ditosa da Costa sold to **M/S CLASSIC HOMES** survey no. 255/2 of Village Anjuna (the Said Property) admeasuring 13100 sq.mts. and a portion of survey no. 256/1 marked as Plot R admeasuring 1161 sq.mts. Pursuant to the said Deed of Sale the name of **M/S CLASSIC HOMES** was mutated in the survey records with respect to survey no. 255/2 of Village Anjuna and the same was under mutation no. 28031 and the name of Iria Maria Dos Milagres Ermelinda Ditosa da Costa was consequently deleted. Also the name of **M/S CLASSIC HOMES** was mutated in the survey records with respect to survey no. 256/1 of Village Anjuna under mutation no. 28027.

  
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11. The undersigned being the Advocate for M/S CLASSIC HOMES for the past more than 20 years states that since the execution of the said Deed of Sale dated 16/07/2008 **M/S CLASSIC HOMES** is in peaceful and uninterrupted possession of the Said Property without any claim, litigations, obstruction and interference from anyone whomsoever.
12. The office of the Senior Town Planner Mapusa - Goa has issued technical clearance order bearing Ref. No. DB/21094/ANJ/TCP-2022/1186 dated 09/03/2022 for the construction of residential Villas, swimming pools, club house and utility and compound wall in the Said Property.
13. Pursuant to the technical clearance order passed by the Senior Town Planner, the Village Panchayat of Anjuna - Caisua has issued construction license and the same bears License no. VP/ANJ-CAI/2022-2023/483.
14. The Additional Collector - III, North Goa at Mapusa after conducting due inquiry with the respective departments such as the Office of the Mamlatdar of Bardez at Mapusa, Forest Department and Town and Country Planning Department, was pleased to issue conversion sanad thereby converting the Said Property from agricultural to non-agricultural and the same bears no. 4/281/CNV/AC-III/2019/563, dated 02/07/2020.

  
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15. Zoning Certificate issued by the Town & Country Planning Department shows that the Said Property is classified as Settlement Zone in the Regional plan

In view of the facts mentioned hereinabove, I certify that the title of M/S CLASSIC HOMES with respect to "the Said Property" surveyed under no. 255/2 of Village Anjuna Survey Records, which is within the limits of village panchayat of Anjuna - Caisua, Sub District of Bardez Taluka, District of North Goa, State of Goa and totally admeasuring 13100 sq. mts. is clear and marketable.

Mapusa  
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4/03/2023