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B.A. (Hon.) L.L.B.
Advocate High Court & Notary

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Ref. No.:

Date :

Date : 21/04/2017

TITLE VERIFICATION, SEARCH REPORT & LEGAL OPINION

To,
The Manager,
Bank of India,
Mapusa, Goa.

Ref: Title Opinion of plot B admeasuring 1475 sq. metres bearing survey no. 21/7-A being part of property known as GHORBATA or MAINAVADO situated at Aldona, Bardez, Goa.

With reference to your letter dated 03/03/2017, I on the basis of the title deeds forwarded to me pertaining to the said property and other information submitted by you, have conducted a detailed search and investigation and submit my Search Report as under :-

1.	Name and Address of the title holder	M/s. Link Property Developers Ltd, with its registered office at A 2/2, New Horizons, D.B. Marg, Miramar, Panaji, Goa.
2.	Title Deed in Original seen by me	a) License dated 18/2/2017 issued by Village Panchayat of Aldona. b) Deed of sale dated 25/8/2015. c) Power of Attorney dated 12/10/2016. d) Form I & XIV of survey no. 21/7-A. e) Judgment, Order and Decree dated 27/3/2000 in RCA No.54/1988. f) Judgment, Order and Decree dated 28/2/1995 in RCS No.17/78/B. g) Judgment, Order and Decree dated 26/5/2000 in RCA.No.39/1995. Construction License dated



		<p>22/6/2015 issued by Village Panchayat of Aldona.</p> <p>i) Nil Encumbrance Certificates dated 14/56/2015 & 22/8/2016.</p> <p>j) Agreement of sale dated 25/8/2016.</p> <p>k) Rectification deed dated 27/6/2015</p> <p>l) Specific Power of Attorney dated 5/7/2016. (not properly stamped)</p> <p>m) Rectification deed dated 25/8/2015.</p> <p>n) Deed of Sale dated 14/7/2008</p> <p>o) Deed of Sale dated 6/7/2007.</p> <p>p) Rectification deed dated 6/1/2017.</p> <p>q) Inscription & description certificates.</p> <p>r) Approved plan from TCP dated 14/2/2017 & Approved plan from Panchayat dated 18/2/2017.</p> <p>s) Will dated 13/8/1944.</p> <p>t) Inv. Proc. No.1586 dated 3/2/1992.</p> <p>u) Deed of gift with acceptance & consent dated 4/5/1965.</p> <p>v) Order dated 11/8/2015 issued by Dy.Collector, Mapusa.</p> <p>w) Judgment, Order and Decree dated 1/8/1988 in RCS No.127/76/A.</p>
3.	Description of immovable property	<p>All that property known as GHORBATA or MAINAVADO situated at Aldona, within the limits of Village Panchayat of Aldona, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, described in the Land Registration Office under nos.18891 & 13892 at fl. 128 & 129 (R) of Book B 49 new and enrolled in the Taluka Revenue Office under nos.912, 914, 925 & 929, admeasuring 1775 sq.mts, bearing survey no.21/7 and is bounded as under :-</p> <p>East : by survey no.21/8 West : by road North : by remaining part of same property and road. South : by road</p> <p>All that plot B admeasuring 1475 sq. metres bearing survey no. 21/7-A and is bounded as under :-</p>

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		<p>East: by property of Leo Mendonca. West: by road Dando of Comunidade. North: by road leading to ward. South: by road access to house of Aleixo Alvares.</p>
4.	Search in Sub-Registrar's Office	<p>(i) <u>Location of the property</u> :</p> <p>(The particulars of the sub-district within which the property is located & the address of the registering property. In case the property is situated in more than one sub-district/district, the particulars of all the concerned sub-district/districts and address of the registering property to be given).</p> <p>situated at Aldona, within the limits of Village Panchayat of Aldona, Taluka and Sub-District of Bardez, District of North Goa, State of Goa.</p> <p>(ii) <u>Search and Investigation:</u></p> <p>(The search in the records such as index no.1, index no.2, book no.1/supplementary book no.1 should be made for the past 30 yrs to trace any encumbrance is created on the property. A brief narration may be given on the route & chain of title for 30 yrs and how the title is conferred on the mortgagor. The details of the books/indexes searched by advocate to be stated. In the event of any break in chain of title or in case of any mortgage, charge or encumbrance subsists over the property, the details thereof specifying how the break in chain of title took place to be stated).</p> <p>That the property originally belonged to Benjamin F. Andre Joao C. Mendonca & Etelvina P.F.Batista e Mendonca.</p> <p>Benjamin F. Andre Joao C. Mendonca expired on 8/9/1944 leaving behind his widow and children:</p>

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- a) Alice J. de Mendonca
- b) Alda C. de Mendonca
- c) Alzira L. Rita de Mendonca
- d) Luis Xavier J.A. Tome J. Mendonca.
- e) Amanda de Mendonca.

On the death of Benjamin F. Andre Joao C. Mendonca, Inv. Proc. No.1586 was initiated in the civil court, Mapusa and the property was listed at Sr.No.2 and ½ share was allotted to his widow Etelvina P.F.Batista e Mendonca and other ½ share to his son Luis Xavier J.A. Tome J. Mendonca alias Luis X. Mendonca.

By Deed of gift with acceptance & consent dated 04/05/1965 Etelvina P.F.Batista e Mendonca gifted her half share in favour of Luis X. Mendonca with the consent of her daughters and their spouses and accordingly he became owner of the said property.

Etelvina P.F.Batista e Mendonca with her daughters filed RCS No.17/78/B challenging the gift deed 04/05/1965 and the suit was dismissed by Judgment, Order and Decree dated 28/2/1995 by the civil court.

Against the dismissal of the said suit Etelvina P.F.Batista e Mendonca with her daughters filed RCA No.39/1995 which was dismissed by Judgment, Order and Decree dated 26/5/2000.

Etelvina P.F.Batista e Mendonca with her daughters filed 127/76/A which was disposed off by Judgment, Order and Decree dated 01/8/1988 in which it is held that the daughters continue to have share in the usufructory rights in the said property.

Luis X. Mendonca & his wife Maria T.Mendonca filed RCA No.54/1988 against Judgment, Order and Decree dated 01/8/1988 which appeal was allowed and set aside as a result of

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which the allotment in the inventory and gift deed in favour of Luis X. Mendonca conferring absolute ownership and possessory rights in its entirety in him was confirmed.

In Form I & XIV the property is mutated in favour of Luis X. Mendonca & his wife Maria T.Mendonca.

Being owners Luis X. Mendonca & his wife Maria T.Mendonca sold the plot to Mr. Ramesh K. Mayekar by sale deed dated 6/7/2007 registered in the office of Sub-Registrar of Bardez under no.3450 at pgs. 108 to 131, Book I, vol. 2196 dated 10/2/2007.

Mr. Ramesh K. Mayekar & his wife sold the plot to Mr. Dayanand G.Narvekar by sale deed dated 14/7/2008 registered in the office of Sub-Registrar of Bardez under no. 64091 at pgs.1124 to 1138, Book I, vol. 1270 dated 11/9/2008.

Rectification deed dated 25/8/2015 to sale deed dated 14/7/2008 was executed Mr. Ramesh K. Mayekar & his wife in favour of Mr. Dayanand G.Narvekar.

Mr. Dayanand G.Narvekar & Mrs. Sushma D.Narvekar sold the plot to M/s. Link Property Developers Ltd by sale deed dated 25/8/2015 registered in the office of Sub-Registrar of Bardez under no.BRZ-BK1-07532-2015, CD NO.BRZD771 dated 25/8/2015 and accordingly M/s. Link Property Developers Ltd become owners of the plot and their title over the same is clear & marketable.

By Rectification deed dated 27/6/2015 the survey no.21/7 was corrected as survey no.21/7-A.

Being owners M/s. Link Property Developers Ltd agreed to sell the plot to Mega Structures Real Estate Ltd. to

develop and sell by agreement for sale dated 25/8/2016 registered in the office of Sub-Registrar of Bardez under no. BRZ-BK1-03770-2016, CD NO.BRZD781 dated 26/8/2016 and the deed was rectified by Rectification deed dated 06/01/2017 registered in the office of Sub-Registrar of Bardez under no. BRZ-BK1-00109-2017, CD NO.BRZD784 dated 10/1/2017 and certain corrections are rectified and the units in terms of kind to be constructed being part of consideration to the owners.

Mega Structures Real Estate Ltd. obtained License dated 18/2/2017 with approved plan issued by Village Panchayat of Aldona and approved by all departments including Village Panchayat of Aldona for construction of building in the said plot.

In the said agreement M/s. Link Property Developers Ltd given permission to Mega Structures Real Estate Ltd. to create equitable mortgage for construction loan and the loan can be used by Mega Structures Real Estate Ltd. for construction of building in the said plot and also gave permission to sell remaining units to prospective purchasers of flats, shops etc. and collect the purchase price from prospective purchasers.

Accordingly the title of M/s. Link Property Developers Ltd. over the said plot is clean, clear and marketable and entitled to enter into agreement for sale with Mega Structures Real Estate Ltd. and develop the said property and sell the units to prospective purchasers and there is no impediment to accept the flats which prospective purchasers intend to purchase to accept as security for loan.



I have also taken necessary searches in the office of Sub-Registrar of Bardez as per Nil Encumbrance Certificates dated 14/56/2015 & 22/8/2016 and it is found that the said plot is free from all encumbrances, charges, demands.

Accordingly, the route and chain of title for last 30 years has been established and the title of ownership has been conferred upon the party (mortgagor).

There is no any break in the chain of title or any charge or encumbrances subsists over the plot.

(iii) I confirm that the title deeds submitted are originals and the same are registered before the Registering Authority.

(iv) Whether the property is ancestral and/or under joint ownership. If so, details of the co-parceners/Karta and/or the co-owners. The respective share should be incorporated specifically.

The plot is not ancestral and/or under joint ownership.

(v) Minor's interest : Any minor's interest if involved in the property proposed to be mortgaged or any other claims. If minor's interest is involved, what precautions are to be taken to protect bank's interest as mortgagee to be stated? Please note that if the property belongs to minor, permission of court is generally required to create the mortgage of property.

No minor's interest is involved in the plot proposed to be mortgaged.

(vi) Documents pending for registration : The inquiry is to be made whether any document creating mortgage, charge or encumbrance is pending registration in the concerned sub-registrar's/ registrar property are to be stated. If so, full

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		<p>details of such change etc. Of charge holders should be specified.</p> <p>There are no documents pending for registration in Sub-Registrar of Ilhas as search is made in the said office.</p>
5.	<p>Whether Urban Land (Ceiling and Regulation) Act, 1976 is applicable in the State where the property is located. If applicable whether the immovable property/s falls within the purview of the Act, verification and investigation should be made under Sec.26,27 & 28 of the Act to ensure that mortgagor/s has obtained necessary permission from the competent authority under the Act. Documents evidence showing such permission is obtained has to be attached with the report.</p>	<p>No such act made applicable to the State of Goa.</p>
6.	<p>Whether the property is acquired under Land Acquisition Act, 1894 and applicability of other State Legislations.</p>	<p>No</p>
7.	<p>Leasehold, immovable property (Where land/building is leasehold, please verify the terms of lease, whether any permission / N.O.C. from the</p>	<p>N.A</p>

	lessor/competent authority is required for creation of mortgage of such lease hold property)	
8.	Investigation under Income Tax Act 1961	No
9.	Investigation in regard to agricultural land.	Sanad dated is issued by Collector, Panaji.
10.	Details of Certified copies of revenue records obtained to confirm that no dues are outstanding by the mortgagor.	No revenue taxes are payable.
11.	Any other special enactment which is applicable to the property proposed to be mortgaged and affects the title.	No
12.	If the property is owned by Company, additional safeguards like search before the Registrar of Companies to be obtained be stated.	N.A

CERTIFICATE

I hereby certify that I have made search and verified the information furnished in this report and have compared the title deeds given to me with the copies of them in the office of Sub-Registrar and have found both tallying with each other. The statements and other information given in the report are correct and true. I Certify that M/s. Link Property Developers Ltd have clear, absolute and marketable title over the said plot shown above free of any encumbrances, charge or claims and entitled to enter into agreement for sale with Mega Structures Real Estate Ltd. and develop the said property and sell the units to prospective purchasers.

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If prospective purchasers of the flats, shops etc. remain personally present and deposit the following title documents in original with intention to create equitable mortgage, it will satisfy the requirements of creation of equitable mortgage by the prospective purchasers of the flats, shops etc. The original agreement of sale between the owner/builder and the prospective purchasers and NOC from owner/builder is required to create equitable mortgage of prospective purchasers of the flats, shops etc. The following persons should be present personally to deposit the original title deeds with your branch for creation of equitable mortgage.

The prospective purchasers of the flats, shops etc.

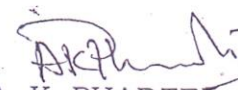
The following documents have to be obtained for creation of valid equitable mortgage by deposit of title deeds:

- a) Original sale deed dated 25/8/2015
- b) Copy of Sanad.
- c) Copy of Nil Encumbrance Certificates dated 14/56/2015 & 22/8/2016.
- d) Copy of License dated 18/2/2017 with approved plan issued by Village Panchayat of Aldona.
- e) Original Agreement for sale of flats, shops etc. for prospective purchasers.
- f) Copy of Rectification deed dated 25/8/2015.
- g) Copy of agreement of sale dated 25/8/2016.
- h) Copy of Rectification deed dated 06/1/2017.

The stamp duty payable on oral assent has been paid.

I hereby return the documents forwarded to me vide your above said letter.

Yours Faithfully,


(A. K. PHADTE)
ADVOCATE 21/04/2017
