

DATE: 15/07/2017

TITLE REPORT

This Title Report is prepared at the request of Mr. Nolan de Noronha de Ataide, resident of H-9, Landscape City, CHOGM Road, Porvorim, Bardez, Goa.

1. DESCRIPTION OF THE PROPERTY:

All that property described as Plot No. 15A, presently admeasuring 975 sq.mts. bearing Survey No.122 Sub-division No.2 of Ella village, situated in a larger property, namely, Plot No.D1 situated on the west side of the entire property known as CONTIECHEM BATTA or ADEATEA VALLEM BATTA, situated in the village Ella, "Freguesia" of Santa Luiza, Tiswadi Taluka, District of North Goa, State of Goa, within the jurisdiction of the village Panchayat of Ella-Se Old Goa, which Plot No.15A represents a disannexed fraction of 886.65/122907 of the said entire property CONTIECHEM BATTA or ADEATEA VALLEM BATTA, described in the Conservatoria do Registo Predial (Land Registration Office) of the Comarca of Ilhas under No.7829 on folio 11 of Book B 21 new, and an equal fraction of the same property inscribed in the Revenue Office of Panaji under No.268, with the form of a trapezium, for urban house construction, and bounded as follows: On the North by the existing road from Old Goa to Cruz dos Milagres and Plot No.17C of the same property; On the South by Plots No.15B and 15C of the same property; On the East by Plot No.15C, 16 and 17C of the same property and on the West Plot No.15B and existing road Old Goa to Cruz dos Milagres.

2. DOCUMENTS INSPECTED:

- a) Deed of Sale dated 25/08/1966.
- b) Will dated 21/03/1991.
- c) Certificate of Death of Vicente Filipe Fernandes dated 10/06/2004.
- d) Certificate of Death of Micas da Viegas Estibeiros Fernandes dated 07/07/2004.
- e) Form No. I & XIV.
- f) Sanad dated 12/06/2015.



- g) Construction Licence from Village Panchayat of Se-Old Goa dated 12/05/2017.
- h) Technical Clearance Order from Town and Country Planning Department dated 24/03/2017.
- i) Provisional No Objection Certificate from Directorate of Health Services dated 29/03/2017.
- j) Approved Construction Plan.

3. FLOW OF TITLE:

The flow of title has been scrutinised for the period of the last fifty years prior to the date of this Report.

It is seen from the Deed of Sale dated 22/08/1966, registered in the Office of the Sub-Registrar of Ilhas at Panaji, under Registration No.100 at pages 60 to 66 of Book No.1 Vol 15 dated 31/01/1997 that the Plot in question originally belonged to Mr. Domingos Fernandes and his wife Maria Elvina Santana Rodrigues. It is further seen that by the said Deed of Sale the said Plot of land was sold by Mr. Domingos Fernandes and his wife Maria Elvina Santana Rodrigues as its sole owners to Mrs. Micas Luiza Da Viegas Estibeirol, married to Santana Maria Vicente Filipe Boa Ventura Miguel De Santo Antonio Fernandes. The said Deed of Sale is duly registered before the competent Sub-Registrar and therefore the said Mrs. Micas L.D.V. Estibeirol became its owner.

By a Will dated 21/03/1991 registered under No.189 recorded in Book No.81 at page 67 onwards of the book of Wills in the office of the Notary Ex-Officio of Ilhas, at Panaji, the said Mrs. Micas Luiza Da Viegas Estibeirol constituted her husband Vicente Filipe Fernandes as her sole and universal heir. It is further recorded therein that she does not have any descendants and hence entitle to dispose of her entire estate in the manner she desires. The Will also records that the bequests made in her said Will are with the consent of her husband who has executed a Deed of Consent before the Notary Ex-Officio on the same day as the Will. The Will further stipulates that should her husband pre decess her, than certain other bequests made in favour of other beneficiaries shall come into force. From the Death Certificates produced it is seen that the husband Vicente Filipe



Fernandes expired on 03/07/1995 and Mrs. Micas L.D.V. Estebeiro expired much later on 02/10/2003. The bequests made in the Will in favour of other beneficiaries therefore came into force. One of the bequests made is the bequest of the Plot in question to her nephew Mr. Oscar Luis Filipe de Ataide. By virtue of the bequest made by Mrs. Micas L.D.V. Estebeiro to Mr. Oscar Luis Filipe de Ataide in her Will, the said Mr. Oscar Luis Filipe de Ataide became the sole owner of the said Plot of land.

By a Deed of Gift dated 21/11/2012 registered under Registration No.PNJ-BK1-03085-2012, Book-1 Documents, CD Number PNJD18 in the Office of the Sub-Registrar of Ilhas, at Panaji, the said Mr. Oscar Luis Filipe de Ataide and his wife Dr.(Mrs.) Ida de Noronha de Ataide gifted the said Plot to their son Mr. Nolan de Noronha de Ataide. The said Mr. Nolan de Noronha de Ataide therefore became the sole owner of the said Plot.

The Form No.I & XIV produced shows both the names of the deceased Micas da Viegas Estebeiro Fernandes and Nolan de Noronha de Ataide in the Occupants Column.

Here it is to be noted that in the Deed of Sale dated 25/08/1966, the area of the Plot is mentioned as " approximate area of 886.85 sq.mts", however the Form No. I & XIV shows an area of 975 sq.mts. which is the actual area of the said Plot and which has been in uninterrupted possession of the said Micas Estebeiro Fernandes since August 1966 and upon her demise with her successors in title as afore mentioned.

Mr. Nolan de Noronha de Ataide has obtained a Sanad for conversion of land from the Additional Collector-I of North Goa dated 12/06/2015 wherein the said Plot having an area of 975 sq.mts. has been allowed to be converted from agricultural to non-agricultural use.

By a Technical Clearance Order dated 24/03/2017 issued by the Town and Country Planning Department, Mr. Nolan de Noronha de Ataide obtained Technical Clearance for construction of three residential bungalows on the said Plot.



By a Provisional No Objection Certificate dated 29/03/2017 issued by the Directorate of Health Services, the Medical Officer in charge certified that there was no objection to construct three residential bungalows on the said Plot.

By a Construction Licence bearing No.VP/SOG/07/2017-18, dated 12/05/2017 issued by Village Panchayat of Se-Old Goa, Mr. Nolan de Noronha de Ataide was allowed to construct three residential bungalows on the said Plot in accordance with approved plans and conditions mentioned in the licence. The Construction Plans were approved by the said Village Panchayat, Health Officer, and Town and Country Planning Department on 15/03/2017.

From the documents produced there is nothing to suggest that there are any encumbrances on the said Plot of land.

4. OPENION:

In my opinion Mr. Nolan de Noronha de Ataide has a good and marketable title to the Plot in question surveyed under survey No.122/2 of Ella village, and the Plot is free from encumbrances. Further Mr. Nolan de Noronha de Ataide has got valid licences from the competent authorities and approved plans to construct three residential bungalows in the said Plot.



(A.J.R. Couto)