

Mr. D. S. Petkar (Notary)
Mr. Nilesh B. Naik
Mrs. Ana Clara Ejipsy e Remedios
Mr. Kevin J. Braganza
Miss Theola T. Dias
Miss Benifer Braganza



Anthony P. Braganza

Advocate & Associates

Office :

Comunidade Building, Near Church,
Mapusa, Bardez - Goa.

Phone : 2252760 / 2250294

23/01/2017.

TITLE REPORT

At the instance of Mr. Oswald F. De mello, Director of Classic Squares Pvt. Ltd., I proceed to scrutinize the documents placed in my hands, for my scrutiny and opinion in respect of the properties surveyed under Chalta no. 3, 3 -A & 3-B of P.T. Sheet no. 26 of Mapusa City Survey Records, which is within the limits of Mapusa Municipal Council, Sub District of Bardez Taluka, District of North Goa, State of Goa and admeasuring 9,036sq.mts., 4349 sq.mts. & 2183 sq.mts. respectively.

SCHEDULE - I

All that immovable property known as "CUSTAM CAMOTIM" also known as "CORMOL BOMBA" situated at Ward Duler, which is within the limits of Mapusa Municipal Council, Sub District of Bardez Taluka, District of North Goa, State of Goa and is surveyed under Chalta no. 3 of P.T. Sheet no. 26 of Mapusa City Survey Records and totally admeasuring 9,036 sq.mts. The said property is described in the Land Registration office of Bardez under no. 6141 of Book B-16 (New), not enrolled in the Taluka Revenue Office and is surveyed under Old Cadastral No.142 of Village Mapusa, Bardez - Goa. The aforesaid property shall be herein be referred to as "SCHEDULE - I PROPERTY" and is bounded as under :

Mr. D. S. Petkar (Notary)
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North : By property surveyed under Chalta no. 2 of P.T. Sheet no. 20

&Chalta no. 47 of P.T Sheet no. 26

South : By Chalta No. 3A of P.T. Sheet 26;

East : Partly by a water drain and partly by chatna no. 47 of P.T.

Sheet no. 26;

West : By public road;

SCHEDULE - II

All that immovable property known as "CUSTAM CAMOTIM" also known as "CORMOL BOMBA" situated at Ward Duler, which is within the limits of Mapusa Municipal Council, Sub District of Bardez Taluka, District of North Goa, State of Goa and is surveyed under Chalta no. 3-A of P.T. Sheet no. 26 of Mapusa City Survey Records and totally admeasuring 4,349 sq.mts. The said property was previously described in the Land Registration office of Bardez under no. 6249 of Book B-40 (Old) and is presently described under no. 38553 of Book - B 99 (New), not enrolled in the Taluka Revenue Office and is surveyed under Old Cadastral No.141 of Village Mapusa, Bardez - Goa. The aforesaid property shall be herein be referred to as "**SCHEDULE - II PROPERTY**" and is bounded as under :

North : By Chalta No. 3 of P.T. Sheet 26

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Advocate & Associates

Office :

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Mapusa, Bardez - Goa.

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South : Partly By Chalta No. 3-B of P.T sheet 26 and partly by water
drain

East : By Water drain

West : By road

SCHEDULE-III

All that immovable property known as "CUSTAM CAMOTIM" also known as "CORMOL BOMBA" situated at Ward Duler, which is within the limits of Mapusa Municipal Council, Sub District of Bardez Taluka, District of North Goa, State of Goa and is surveyed under Chalta no. 3 - B of P.T. Sheet no. 26 of Mapusa City Survey Records and totally admeasuring 2183 sq.mts. The said property is described in the Land Registration office of Bardez under no. 6142 of Book B-16 (New), not enrolled in the Taluka Revenue Office and is surveyed under Old Cadastral No.138 (part) of Village Mapusa, Bardez - Goa. The aforesaid property shall be herein be referred to as "**SCHEDULE - III PROPERTY**" and is bounded as under :

North : By property surveyed under Chalta no. 3-A of P.T. Sheet No. 26

South : By water drain

East : By water drain

West : By Road

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DOCUMENTS INSPECTED & SCRUTINIZED WITH RESPECT TO
SCHEDULE - I PROPERTY

- 1) Certified translated copy of Description Certificate of property described under no. 6141 of Book B - 16 (New).
- 2) Certified translated copy of Inscription Certificate bearing no. 28999 of Book G 34.
- 3) Certified translated copy of Deed of Sale and Acquittance, dated 09/09/1940.
- 4) Inscription Certificate bearing no. 30281 of Book G - 35.
- 5) Certified translated copy of Inventory Proceedings filed on the demise of Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera.
- 6) Public Will, dated 07/03/1975 executed by Jose Wilfred Clemente de Xavier Braganca.
- 7) Cadastral Plan of old cadastral survey no. 142.
- 8) Registo do Agrimensor with respect to old cadastral survey no. 142.
- 9) Form D with respect to the Chalta no. 3 of P.T. Sheet no. 26 of Mapusa City Survey Records
- 10) Survey Plans with respect to the Chalta no. 3 of P.T. Sheet no. 26 of Mapusa City Survey Records.

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Advocate & Associates

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Mapusa, Bardez - Goa.

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BRIEF FACTS OF THE CASE

The "SCHEDULE - I PROPERTY" surveyed under Chalta no.3 of P.T. Sheet no. 26 of Mapusa City Survey Records corresponds to the property surveyed under Old Cadastral No. 142 of Village Mapusa and the same can be confirmed by super imposing the old cadastral survey plan on the Govt. survey plan of Chalta no. 3 of P.T. Sheet no. 26. The aforesaid property is described in the Land Registration Office of Bardez under no. 6141 of Book B-16(New). At column 17 of the Registo do Agrimensor corresponding to old cadastral survey no. 142, asserts that old cadastral survey no. 142 is described in the Land Registration Office under no. 6141 of Book B - 16 (New).

At column 6 of the Registo do Agrimensor corresponding to the old cadastral survey no. 142, reveals the name of Jose Vilfredo Clemente de Xavier Braganca and his daughter Maria Eulalia Braganca alias Cremildes Braganca as owners in possession.

The property described under no. 6141 comprised of 6 additions. The second and the fourth addition was inscribed in the name of Carlos Fabiao Olinto de Loiola Braganca under inscription no. 28999 of Book G - 34, wherein the same was gifted to him by his father; Pascoal Assis de Xavier Braganca, by virtue of Deed of Gift, dated 18/10/1928. However the second addition is not a subject matter of this Report.

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By virtue of Deed of Sale, dated 09/09/1940, the said Carlos Fabiao Olinto de Loiola Braganca, being a bachelor, sold the second and fourth addition of the property described under no. 6141 to his brother, Jose Wilfredo Clemente de Xavier Braganca.

Pursuant to the said Deed of Sale dated 09/09/1940, the said Jose Wilfredo Clemente de Xavier Braganca got his name inscribed under inscription no. 30281 of Book G - 35 with respect to the second and fourth addition of the property described under no. 6141.

The said Jose Wilfredo Clemente de Xavier Braganca was married to Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera, who expired on 10/09/1949. On the demise of the said Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera, Inventory Proceedings were initiated by her husband, the said Jose Wilfredo and their children viz; (i) Assis de Xavier Braganza, who was then 7 years of age, (ii) Hedwiges Joanette Braganza, who was then 6 years of age, (iii) Jose Welvin de Xavier Braganza, then 5 years of age, (iv) Yvette Sheela Braganza, who was then 2 years of age and (v) Maria Celia Melaine Cremildes Braganza, then 6 months of age; were listed in the Statement on Oath filed on 09/11/1949. The fourth addition of the property described under no. 6141 was listed at Item no. 3 and the same was allotted to said Jose Wilfredo Clemente de Xavier Braganca.

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By Will dated 07/03/1975 drawn in the Judicial Division of Bardez at Mapusa, the said Jose Wilfredo Clemente de Xavier Braganza bequeathed all his properties with the exclusion/exception of a few properties listed therein, in favour of his son, Joseph Welwyn de Xavier Braganza. The said fourth addition of the property described under no. 6141 was not a part of the excluded properties in the said Will and hence the same was bequeathed in favour of Joseph Welwyn de Xavier Braganza.

At the time of promulgation of Survey Records of Mapusa Town, the said fourth addition of the property described under no. 6141 was allotted Chalta no. 3 of P.T. Sheet no. 26 of Mapusa City Survey Records and the name of Joseph Welwyn Braganza is shown as holder in origin of title. Pursuant to the aforesaid Will dated 07/03/1975, the said Joseph Welwyn Braganza has been in peaceful ownership and possession of the property bearing Chalta no. 3 of P.T. Sheet no. 26 of Mapusa City Survey Records without any obstruction and interference from anyone whomsoever.

In view of the above, I am satisfied and certify that the title of Mr. Joseph Welwyn de Xavier Braganza is clear and marketable with respect to the "SCHEDULE - I PROPERTY" since the said Mr. Joseph Welwyn de Xavier Braganza is unmarried, he is not governed by the regime of communion of assets and hence the sole and exclusive owner of the "SCHEDULE - I PROPERTY".

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Anthony P. Braganza

Advocate & Associates

Office :

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Mapusa, Bardez - Goa.

Phone : 2252760 / 2250294

DOCUMENTS INSPECTED & SCRUTINIZED WITH RESPECT TO
SCHEDULE - II PROPERTY

- 1) Certified copy of Description Certificate of property described under no. 6249 of Book B - 40 (Old) at pages 464.
- 2) Certified copy of Inscription Certificate bearing no. 18020 at pages 123 V of Book G-24.
- 3) Certified copy of Inscription Certificate bearing no. 35287 of Book G 39 at pages 62 V.
- 4) Certified copy of Description Certificate of property described under no. 38553 of Book B - 99(New) at pages 14V.
- 5) Certified copy of Inscription Certificate bearing no. 35609 of Book G 39 at pages 110 V.
- 6) Certified translated copy of Inventory Proceedings filed on the demise of Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera.
- 7) Cadastral Plan of old cadastral survey no. 141.
- 8) Registo do Agrimensor with respect to old cadastral survey no. 141.
- 9) Form D with respect to the Chalta no. 3-A of P.T. Sheet no. 26 of Mapusa City Survey Records
- 10) Survey Plans with respect to the Chalta no. 3-A of P.T. Sheet no. 26 of Mapusa City Survey Records.

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Advocate & Associates

Office :

Comunidade Building, Near Church,
Mapusa, Bardez - Goa.

Phone : 2252760 / 2250294

BRIEF FACTS OF THE CASE

The "SCHEDULE - II PROPERTY" surveyed under Chalta no.3-A of P.T. Sheet no. 26 of Mapusa City Survey Records corresponds to the property surveyed under Old Cadastral No. 141 of Village Mapusa and the same can be confirmed by super imposing the old cadastral survey plan on the Govt. survey plan of Chalta no. 3-A of P.T. Sheet no. 26. The aforesaid property was previously described in the Land Registration office of Bardez under no. 6249 of Book B-40 (Old) and is presently described under no. 38553 of Book - B 99 (New). At column 17 of the Registo do Agrimensor corresponding to the old cadastral survey no. 141, asserts that old cadastral survey no. 141 is described in the Land Registration Office under no. 6249 of Book B - 40 (Old).

At column 6 of the Registo do Agrimensor corresponding to the old cadastral survey no. 141, reveals the name of Meclino Domingos Xavier de Braganca as owner in possession.

The said property described in the Land Registration Office under no. 6249 of Book B - 40 (Old) was inscribed in the name of Meclino Domingos Xavier de Braganca under inscription no. 18020 of Book G-24 at pages 23 V.

Pursuant to a Deed of Succession dated 28/04/19 drawn on the demise of Meclino Domingos Xavier de Braganca and others; the

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first, third, fourth and the sixth addition of the property described under no. 6249 was inscribed in favour Lilliana Estela Alice de Braganca alias Lilliana Estela Rodrigues and her husband Filipe Rodrigues.

On perusal of the Description Certificate no. 6249 of Book B-40 (Old) along with the Description Certificate no. 38553 of Book B -99 (New), the first addition of the property described in the Land Registration Office under no. 6249 is independently described in the Land Registration Office under no. 38553 of Book B-99 (New) at pages 14 V.

By Deed of Sale dated 05/05/1948, the said Mrs. Lilliana Estela Alice de Braganca e Rodrigues and her husband Filipe Rodrigues sold the first addition described under no. 38553 of Book B-99 (New) to Jose Wilfred Clemente de Xavier Braganca and pursuant to the same the name of Jose Wilfred Clemente de Xavier Braganca was inscribed under inscription no. 35609 of Book G - 39.

The said Jose Wilfredo Clemente de Xavier Braganca was married to Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera, who expired on 10/09/1949. On the demise of the said Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera, Inventory Proceedings were initiated by her husband, the said Jose Wilfredo and their children viz; (i) Assis de Xavier Braganza, who

Mr. D. S. Petkar (Notary)
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Comunidade Building, Near Church,
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was then 7 years of age, (ii) Hedwiges Joannette Braganza, who was then 6 years of age, (iii) Jose Welvin de Xavier Braganza, then 5 years of age, (iv) Yvette Sheela Braganza, who was then 2 years of age and (v) Maria Celia Melaine Cremildes Braganza, then 6 months of age; were listed in the Statement on Oath filed on 09/11/1949. The said property described under no. 38553 was listed at Item no. 7 and the same was allotted to Hedwiges alias Edviges Joannette Braganza

At the time of promulgation of Survey Records of Mapusa Town, the property described under no. 38553 of Book B-99 was allotted Chalta no. 3-A of P.T. Sheet no. 26 of Mapusa City Survey Records and the name of Hedwiges Jeanette Braganza is shown as holder in origin of title and she has been in peaceful ownership and possession of the property bearing Chalta no. 3-A of P.T. Sheet no. 26 of Mapusa City Survey Records without any obstruction and interference from any one whomsoever.

In view of the above, I am satisfied and certify that the title of Hedwiges alias Edviges Joannette Braganza alias Hedwiges Jeanette Braganza is clear and marketable with respect to the "SCHEDULE - II PROPERTY" and to execute a Conveyance Deed, the husband of the said Hedwiges alias Edviges Joannette Braganza alias Hedwiges Jeanette Braganza has to be made a party (Vendor/Owner) since they are governed by the regime of communion of assets.

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Anthony P. Braganza

Advocate & Associates

Office :

Comunidade Building, Near Church,
Mapusa, Bardez - Goa.

Phone : 2252760 / 2250294

DOCUMENTS INSPECTED & SCRUTINIZED WITH RESPECT TO
SCHEDULE - III PROPERTY

- 1) Certified translated copy of Description Certificate of property described under no. 6142 of Book B - 16 (New).
- 2) Certified translated copy of Inscription Certificate bearing no. 28999 of Book G 34.
- 3) Certified translated copy of Deed of Sale and Acquittance, dated 09/09/1940.
- 4) Inscription Certificate bearing no. 30281 of Book G - 35.
- 5) Certified translated copy of Inventory Proceedings filed on the demise of Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera.
- 6) Deed of Gift with Acceptance, dated 26/09/1968, drawn and executed before the Office of the Sub Registrar of Bardez at Mapusa.
- 7) Public Will, dated 07/03/1975 executed by Jose Wilfred Clemente de Xavier Braganca.
- 8) Cadastral Plan of old cadastral survey no. 138.
- 9) Registo do Agrimensor with respect to old cadastral survey no. 138.
- 10) Form D with respect to the Chalta no. 3-B of P.T. Sheet no. 26 of Mapusa City Survey Records
- 11) Survey Plans with respect to the Chalta no. 3-B of P.T. Sheet no. 26 of Mapusa City Survey Records.

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Advocate & Associates

Office :

Comunidade Building, Near Church,
Mapusa, Bardez - Goa.

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BRIEF FACTS OF THE CASE

The "SCHEDULE -III PROPERTY" surveyed under Chalta no. 3-B of P.T. Sheet no. 26 of Mapusa City Survey Records corresponds to the property surveyed under Old Cadastral No. 138(part) of Village Mapusa and the same can be confirmed by super imposing the old cadastral survey plan on the Govt. survey plan of Chalta no. 3-B of P.T. Sheet no. 26. The aforesaid property is described in the Land Registration Office of Bardez under no. 6142 of Book B-16(New). At column 17 of the Registo do Agrimensor corresponding to old cadastral survey no. 138 asserts that old cadastral survey no. 138 is described in the Land Registration Office under no. 6142 of Book B - 16 (New).

At column 6 of the Registo do Agrimensor corresponding to the old cadastral survey no. 138, reveals the name of Jose Vilfredo Clemente de Xavier Braganca as owner in possession.

The property described under no. 6142 comprised of 2 additions and 3 Glebes or 3 halves of other 3 additions however only the first addition is the subject matter of this current report.

The first addition was inscribed in the name of Carlos Fabiao Olinto de Loiola Braganca under inscription no. 28999 of Book G - 34, wherein the same was gifted to him by his father; Pascoal Assis de Xavier Braganca, by virtue of Deed of Gift, dated 18/10/1928.

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Office :

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By virtue of Deed of Sale, dated 09/09/1940 the said Carlos Fabiao Olinto de Loiola Braganca, being a bachelor, sold the first addition of the property described under no. 6142 to his brother, Jose Wilfredo Clemente de Xavier Braganca.

Pursuant to the said Deed of Sale, dated 09/09/1940, the said Jose Wilfredo Clemente de Xavier Braganca got his name inscribed under inscription no. 30281 of Book G - 35 with respect to the first addition of the property described under no. 6142.

The said Jose Wilfredo Clemente de Xavier Braganca was married to Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera, who expired on 10/09/1949. On the demise of the said Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera, Inventory Proceedings were initiated by her husband, the said Jose Wilfredo and their children viz; (i) Assis de Xavier Braganza, who was then 7 years of age, (ii) Hedwiges Joannette Braganza, who was then 6 years of age, (iii) Jose Welvin de Xavier Braganza, then 5 years of age, (iv) Yvette Sheela Braganza, who was then 2 years of age and (v) Maria Celia Melaine Cremildes Braganza, then 6 months of age; were listed in the Statement on Oath filed on 09/11/1949. The first addition of the property described under no. 6142 was listed at Item no. 1 and the same was allotted to Jose Wilfredo Clemente de Xavier Braganca having half undivided right and the other half was allotted to Assis de Xavier Braganza and Jose Welvin de Xavier Braganza, both having $1/4^{\text{th}}$ right each.

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By Deed of Gift with acceptance dated 26/09/1968, drawn before the Sub Registrar of Bardez at Mapusa, the said Assis de Xavier Braganza gifted his 1/4th right in the first addition of the property described under no. 6142 to his father Jose Wilfredo Clemente de Xavier Braganca.

Pursuant to the Inventory proceedings instituted on the demise of Maria Apolonia Grasmila Laura Das Lourdes Souza e Sequiera and by Deed of Gift with acceptance dated 26/09/1968, Jose Wilfredo Clemente de Xavier Braganca became the owner of 3/4th undivided right in the first addition of the property described under no. 6142.

By Will dated 07/03/1975 drawn in the Judicial Division of Bardez at Mapusa, the said Jose Wilfredo Clemente de Xavier Braganca bequeathed all his properties with the exclusion/exception of a few properties listed therein, in favour of his son, Joseph Welwyn de Xavier Braganca. The said 3/4th undivided right in the first addition of the property described under no. 6142 was not a part of the excluded properties in the said Will and hence the same was bequeathed in favour of Joseph Welwyn de Xavier Braganca.

At the time of promulgation of Survey Records of Mapusa Town, the said first addition of the property described under no. 6142 was allotted Chalta no. 3-B of P.T. Sheet no. 26 of Mapusa City Survey

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Records and the name of Joseph Welwyn Braganza is shown as holder in origin of title. Pursuant to the aforesaid Will dated 07/03/1975, the said Joseph Welwyn Braganza has been in peaceful ownership and possession of the property bearing Chalta no. 3 -B of P.T. Sheet no. 26 of Mapusa City Survey Records without any obstruction and interference from anyone whomsoever.

In view of the above, I am satisfied and certify that the title of Mr. Joseph Welwyn de Xavier Braganza is clear and marketable with respect to the "SCHEDULE - III PROPERTY" since the said Mr. Joseph Welwyn de Xavier Braganza is unmarried, he is not governed by the regime of communion of assets and hence the sole and exclusive owner of the "SCHEDULE -III PROPERTY".

Mapusa

23/02/2017

Kevin J A Braganza

Advocate