

KAMALAKANT N. PAI

B.A. (HONS.) LL.B.

ADVOCATE

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Off : 211, Second Floor,
Mapari Audi Plaza,
Behind Salgaocar Chambers,
MARGAO - GOA
☎ : 2703544 M.: 9822488903
E-mail: kamalakantpai@yahoo.com
Res. : F - 1/2, Roshan Apts.,
Opp. Borkar's Super Store,
Vidyanagar,
MARGAO - GOA
☎ : 2750511

Date _____
20th February 2025

CERTIFICATE OF TITLE AND

SEARCH REPORT

This certificate and opinion given at the request of Mr. Altone D'Costa of Margao, Goa in respect of the property described hereunder:

Description of the property:

ALL THAT rustic property named 'CUMBARCONY' or VALADO DE SOARES, situated at Madel Pequeno ward of Margao City, within the area of Margao Municipal Council, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, not described in the Land Registration Office of Salcete but enrolled in the Land Revenue office of Salcete under Matriz No.1,858 and surveyed under Chalta No.28 of P.T.Sheet No.72, having an area of 3100 sq. mts and bounded on the east by public road, on the west by property surveyed under Chalta No.3 of P.T.Sheet No.66, on the north by property surveyed under Chalta No.29 of P.T.Sheet No.72 and on the south by property under Chalta No.3 of P.T.Sheet No.66.

Documents scrutinised:

1. Certificate issued by Comunidade of Margao dt.13.12.2006;

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2. Deed of Succession drawn on 22nd July 2017 by Notary Ex-Officio of Canacona recorded at pages 61 to 63V of Notarial Book No.52;
3. Deed of Succession drawn on 02nd July 2018 by Notary Ex-officio and Sub-Registrar of Salcete, Margao and recorded at folios 91V to 92 of Deeds Book No.1652;
4. Deed of Succession drawn on 01st June 2020 by Special Notary and Jt. Sub-Registrar of Salcete, Margao recorded at folios 80 to 81 of Deeds Book No.1676;
5. Deed of Sale dt. 26th February 2021 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-1-1044 -2021 on 12th March 2021;
6. Deed of Gift dt. 13th August 2024 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-1-4134-2024 on 19th August 2024;
7. Conversion issued by the Collector of South Goa, Margao under Sanad No.CAD2SALo8-22-187/11903 dt. 13.09.2022;
8. Development Permission bearing Reference No. SGPDA/P/6585/1706/22-23 dt. 15.02.2023 from the South Goa Planning and Development Authority;
9. Construction Licence bearing Reference No.A/26/2023-2024 dated 02.02.2024 from the Margao Municipal Council, Margao;
10. Approved plans;
11. Survey plan
12. Form D/Property Card
13. Nil Encumbrance Certificate under No.NEC/2/2024//2929;

n/cw

SCRUTINY OF RECORDS:

From the Certificate issued by the Comunidade of Margao it is clear that the said property originally belonged to Comunidade of Margao who granted the same to Mr. Joao Caitano Fernandes alias Joao Francisco Fernandes and his wife Eliza Fernandes alias Maria Elvira Fernandes alias Elvina Fernandes alias Alvina Fernandes;

From Deed of Succession drawn on 22nd July 2017 by Notary Ex-Officio of Canacona recorded at pages 61 to 63V of Notarial Book No.52 it is clear that said Mr. Joao Caitano Fernandes alias Joao Francisco Fernandes and his wife Eliza Fernandes alias Maria Elvira Fernandes alias Elvina Fernandes alias Alvina Fernandes expired on 08th August 1967 and 03rd December 1999 respectively leaving behind three sons and one daughter, namely (a) Mr. Roque Antonio Conceicao Fernandes married to Mrs. Joaquina Martina Fernandes, (b) Mr. Miguel Xavier Terezinho Fernandes married to Mrs. Lily Remediana Alexinha Fernandes, (c) Mr. Pedro Remedios Patricio Antonio Fernandes married to Mrs. Iolanda Natalina Fernandes and (d) Mrs. Joaquina Liberate Piedade Fernandes married to Mr. Augusto Vas as only heirs and successors and they have been qualified so by virtue of said Deed of Succession drawn on 22nd July 2017 by Notary Ex-Officio of Canacona recorded at pages 61 to 63V of Notarial Book No.52;

From Deed of Succession drawn on 02nd July 2018 by Notary Ex-officio and Sub-Registrar of Salcete, Margao and recorded at folios 91V to 92 of Deeds Book No.1652 it is clear that that said Mr. Roque Antonio Conceicao Fernandes expired on 13th November 2017 leaving behind his wife, Mrs. Joaquina Martina Fernandes as widow and one son and one daughter, namely Mr. Anson Fernandes and Mrs. Merlyn Maria Fernandes married to Mr. Jovito

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Xavier Rodrigues as only heirs and successors and they have been qualified so by virtue of said Deed of Succession drawn on 02nd July 2018;

From Deed of Succession drawn on 01st June 2020 by Special Notary and Jt. Sub-Registrar of Salcete, Margao recorded at folios 80 to 81 of Deeds Book No.1676 it is clear said Mr. Minguel Xavier Terezinho Fernandes expired on 27th August 2019 leaving behind his widow Mrs. Lily Remediana Alexinha Fernandes, as his wife and moiety holder and three children as only heirs and successors and they have been qualified so by virtue of said Deed of Succession drawn on 01st June 2020;

From Deed of Sale dt. February 2021 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-1-1044-2021 on 12th March 2024 it is clear that the aforesaid heirs and successors of said Mr. Joao Caitano Fernandes alias Joao Francisco Fernandes and his wife Eliza Fernandes alias Maria Elvira Fernandes alias Alvina Fernandes alias Alvina Fernandes mentioned above, who inherited the said property from said original owners sold and conveyed the said property to Mr. Jofton DCosta;

From Deed of Gift dt. 13th August 2024 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-1-4134-2024 on 19th August 2024 it is clear that said Mr. Jofton DCosta and his wife gifted the said property to Mr. Altone D'Costa;

In view of the above said Mr. Altone D'Costa and his wife became the absolute and exclusive owners in possession of the said property.

From conversion Sanad under No.CAD2SALO8-22-187/11903 dt. 13.09.2022 it is clear that the said property has been converted for non agricultural use of construction.

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From Development Permission bearing Reference No. SGPDA/P/6585/1706/22-23 dt. 15.02.2023 issued by the South Goa Planning and Development Authority and Construction Licence bearing Reference No. No.A/26/2023-2024 dated 02.02.2024 issued by the Margao Municipal Council, Margao read with approved plans it is clear that multi storeyed commercial building comprising Basement Floor, Ground Floor plus upper floors has been proposed to be constructed in the said property.

I have gone through the Nil encumbrance certificate and found that the said property is free from all encumbrances, charges, liens or defects in title whatsoever.

CONCLUSION:

From the documents discussed above, I have to conclude and opine that -

- a) Mr. Altone DCosta and his wife are sole owners and possessors of the said property described hereinabove and their title to the said property is free, clear and marketable;
- b) the said property is free from all encumbrances, charges, liens or defects in title whatsoever;
- c) that all required permissions and licences have been obtained to construct a commercial building in the said property;
- c) that in case any person/s purchases any premises in proposed building in the said property with proportionate share in land, such purchaser/purchasers will acquire clear

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title to the same and same can be secured for any
loan/finance;

Margao,

20.02.2025



(ADV.KAMALAKANT N. PAI)