

CERTIFICATE OF TITLE

I. - DESCRIPTION OF THE PROPERTY

All that Plot of land totally admeasuring 3425 sq.mts. in which is stands the **Block A and B of the Project "RIO ROYALE"** comprising of two part and parcels of land identified as:-

(i)-Property admeasuring 3085m² bearing Survey.no.41/1 of Village Candolim, of property identified as "TAMBURQUI" which property is described in the Land-Registration Office of Bardez under no.3697 at folio 175 of book B-10 and is not enrolled in the Taluka Revenue Office and

(ii)-All that part and parcel of land admeasuring an area of 340 sqmts. surveyed under no.41/7-A-1 being part of the property admeasuring 776 sqmts. surveyed under no.41/7-A of Village Candolim, both situated at Candolim, within the limits of Village Panchayat of Candolim, Taluka and Registration Sub-District Bardez, District North Goa in the State of Goa, which property is described in the Office of Land Registrar Bardez under no.29438 at folio 178 of book B-75 and is enrolled in the Taluka Revenue Office under Matriz no.776 and enrolled under Cadastral Survey no.1130.

(i)-The SAID PLOT bearing Survey.no.41/1 is bounded as under:-

Towards the North:-By Road.

Towards the South:-By Sy.no.41/6,4,7, and 7A of Candolim.

Towards the East :-By Sy.no.41/2 of Candolim.

Towards the West :-By Sy.no.41/1A and 3 of Candolim.



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- (ii) The said PLOT bearing surveyed under no.41/7-A is bounded as under:-

Towards the North:-By Survey no.41/1 and Road.

Towards the South:-By Survey.no.41/15 of Candolim.

Towards the East :-By Survey.no.28/17;22 and 23 and 40/1 of Candolim.

Towards the West :-By Survey.no.41/7;10 and 12 of Candolim.

II.- DESCRIPTION OF THE DOCUMENTS SCRUTINISED

I have examined the following documents which are valid as per existing laws:-

(I)- Property surveyed under no.41/1 of Village Candolim.

- (i) Certificates of Description and Inscription from Land Registrar Bardez.
- (ii) Form I ad XIV concerning Survey no.41/1 of Village Candolim.
- (iii) Sp.C.S. no.34/2006/A in the Court of Civil Judge Senior Division Mapusa.
- (iv) Deed of Succession dated 23-11-1993 drawn at folio 84 to 87 of book 771 in the Office of Notary-Ex-Officio-Sub-Registrar Mapusa.
- (v) Deed of Succession or Qualification dated 1-8-1994 drawn at folio 82V to 85V (R) of book 775 in the Office of Notary-Ex-Officio-Sub-Registrar Mapusa.
- (vi) Will dated 18-3-1982 drawn at folio 72 to 76V of book 118 in the Office of Notary-Ex-Officio-Sub-Registrar Mapusa.



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- (vii) Agreement of Sale dated 04-12-1993 between John Fernandes and others and M/s. Agustine and Agustine.
- (viii) Sanad dated 13-2-1997 under no.CNV/BAR/403/96/607 from the Office of Deputy Collector and SDO Mapusa Goa.
- (ix) Agreement for Sale and Ratification dated 20-3-1999 between Mr. Mario D'Souza and M/s. Agustine and Agustine.
- (x) Memorandum of Agreement dated 10-8-2004 between Mr. John Wilfred Fernandes and M/s. Agustine and Agustine.
- (xi) Order dated 23-06-2017 in case no.33/2012/A in the Court of Civil Judge Senior Division at Panaji.
- (xii) Order dated 06-11-2017 in Writ Pet. no.818/2017 in the High Court of Bombay.
- (xiii) Order in Sp. Leave Pet. no.11029/2018 in the Supreme Court.
- (xiv) Deed of Sale dated 30-9-2018 registered under Book I Doc. Reg. no.BRZ-BK1-04270-2018, CD number BRZD803 in the Office of Sub-Registrar Bardez.
- (xv) Memorandum of Understanding and Undertaking dated 02-03-2019 executed before the Notary Sayed Abbas of Panaji Tiswadi Taluka, under Reg.no.814/2019 on 02-03-2019.
- (xvi) Surrender of Rights dated 6-6-2019 registered before the Notary Shashikant Joshi of Panaji Goa.
- (xvii) Joint Development Agreement dated 18-12-2019 between M/s. Sheraton Township LLP AND Rio Luxury Homes Pvt. Ltd. notarized before Notary A.K. Phadte of Mapusa Bardez Goa.

(II) -Property bearing Survey no.41/7-A-1

- (i) Certificates of Description and Inscription from Land Registrar Bardez.



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- (ii) Extract of Inventory proceedings under no.5 to 7 of 13-4-1929 initiated on demise of Jose Severiano Fernandes and his wife Ana Regina Luis in the court of Judicial division of Bardez along with the copy of translation, and
- (iii) Cadastral Survey Certificate of old cadastral survey no.1130 of village candolim.
- (iv) Form III(index of lands)of Survey no.41/7.
- (v) Form IX of Survey no.41/7-A and 41/7-A-1 of village candolim Bardez.
- (vi) Sale Deed dated 4-1-1975 registered under no.12/75 of book I Vol.86 in the Office of Sub-Registrar Bardez.
- (vii) Deed of Succession dated 7-6-1985 drawn at folio 20 (R) of book 726 in the Office of Notary-Ex-Officio-Sub-Registrar Bardez.
- (viii) Deed of Succession dated 23-11-1993 drawn at folio 771 at pages 84 to 87 of book 771 in the Office of Notary-Ex-Officio-Sub-Registrar Bardez.
- (ix) Extract of Inv. Pro.200/2001 from the Court of Civil Judge Senior Division at Mapusa.
- (x) Inventory proceedings under no.351/2009/C initiated on death of Resurrection Fernandes alias Resurreicao Rosario Fernandes and his wife Mary Lobo Fernandes alias Mary Fernandes.



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- (xi) Deed of Sale dated 05-12-2016 registered under Book 1 Document reg. no. BRZ-BK1-05045-2016, CD Number BRZD784 on 12-12-2016 in the Office of Sub-Registrar Bardez.
- (xii) Joint Development Agreement dated 18-12-2019 executed before the Notary A.K. Phadte of Mapusa Bardez Goa Reg. under no.66/95.
- (xiii) By Deed of sale dated 9-3-2022 registered registration Bokk-1 Document, under registration no. BRZ-1-1030-2022, in the Office of Sub-Registrar Bardez.
- (xiv) Addendum cum Supplementary Joint Development dated 4-6-2022 to the Joint Development Agreement dated 18-12-2021 executed before the Notary A.K. Phadte of Mapusa Bardez Goa.
- (xv) Old Cadastral Survey Plan.
- (xvi) Survey Plan.

(III) COMMON DOCUMENTS

(i)-Addendum cum Supplementary Joint Development dated 4-6-2022 to the Joint Development Agreement dated 18-12-2021 executed before the Notary A.K. Phadte of Mapusa Bardez Goa.

(ii)-Order dated 30-11-2022 under no. NGPDA/Can/44/290/2175/2022 from the Office of North Goa Planning and Development Authority.

(iv)-Order dated 30-11-2022 under no. NGPDA/Can/44/290/2176/2022 from the Office of North Goa Planning and Development Authority.



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(v)-On 30-12-2022 Construction Licence under no.VP/32/3/29/2022-2023/2893 was issued by the Office of the Village Panchayat Candolim Bardez Goa.

III.- FLOW OF TITLE

On perusal of the above listed documents and on giving searches in the relevant Offices I confirm that:

(i)-The First Property bearing Survey no.41/1

The entire property originally belonged to Ursula Mascarenhas, widow of Andre Caetano Henrique de Santana Menino Jesus Fernandes as the same stands inscribed in her favour in the year 23-4-1963 in the office of land registrar Bardez.

The said Andre Francisco Caetano Henrique de Santana Menino Jesus Fernandes had died on 5-5-1938 survived by his widow and moiety sharer the said Smt. Ursula Mascarenhas and as his heir the following children (i)- Francisco Xavier Fernandes who died in the status of a bachelor on 24-8-1979 (ii)- Joao alias John Wilfred Fernandes and Celestina Lucia Sylvia Fernandes.

On 27-1-1992 the said Ursula Mascarenhas expired being survived by the following legal heirs:-

(i)-Shri.Joao Damaciano Jeronimo alias John Fernandes

(ii)Smt. Celestina Lucia Sylvia Fernandes, widow of John Fortunato D'Souza who died on 27-1-1984 being survived by his moiety sharer Smt. Celestina Lucia Sylvia Fernandes and his legal heir his son



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(a)- Mario D'Souza,

(b)-Romaldo Wilfred Christopher D'Souza

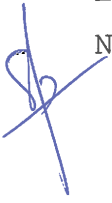
(c)-Derrick D'Souza

(d)-Leo Joseph Cruz D'Souza and the same is as confirmed by the Deed of Succession dated 23-11-1993 drawn at pages 84 to 87 of Book no. 771 on 20-4-1994 before the office of Notary Public Ex-Officio, Mapusa Bardez Goa and another Deed of Succession dated 1-8-1994 drawn at pages 82v to 85v of Book no. 775 before the office of Notary Public Ex-Officio, Mapusa Bardez Goa.

By an Agreement dated 4-12-1993 Shri John Wilfred Fernandes with his wife Nina Santos e Fernandes; (ii)-Smt.Celestina Lucia Sylvia Fernandes;(iii)Shri. Romaldo Wilfred Christopher D'Souza, and (iv)-Shri. Derrick D'Souza, and (v)Leo Joseph Cruz D'Souza with his wife all entered into an Agreement with Augustine and Augustine, on the terms and conditions therein, for Joint Venture of the said Property.

The said Agreement was ratified on 20-3-1999 by Mario de Souza.

Subsequently it was learnt On 18-3-1982 the said Ursula as a widow made a Will bequeathing the said property to her son Shri.Joao alias John Wilfred Fernandes and with lifetime usufruct reserved in favour of her daughter Smt.Celestina Lucia Sylvia Fernandes; which Will is drawn in the Office of Notary-Ex-Officio-Sub-Registrar Bardez.




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On the basis of the aforesaid Will, on 10-8-2004, M/s. Augustine and Augustine entered into a Memorandum of Understanding with John Wilfred Fernandes and his wife, excluding Smt. Celestina Lucia Sylvia Fernandes and her children.

Subsequently the said John Wilfred Fernandes and his wife challenged the Deed of Succession dated 23-11-1993 and the Deed of Succession dated 1-8-1994 by a Sp.C.S. no.34/2006/A in the Court of Civil Judge Senior Division Mapusa.

By Order and Decree dated 30-6-2009 Shri John Wilfred Fernandes and his wife Nina Santos were declared the Owners of the property and the two Deeds of Succession dated 23-11-1993 and 1-8-1994 were declared null and void, and the said Smt.Celestina Lucia Sylvia Fernandes and her children had to compensate John Wilfred Fernandes and his wife with an amount of Rs.1,34,00,000/- with 18% interest p.a.

By Order dated 30-06-2009 was challenged by Smt.Celestina Lucia Sylvia Fernandes and her children vide Review Application under no.33/2012/A along with Condonation Application which the Hon'ble Court was pleased to dismiss, against which a Writ Petition under no.818/2017 was filed in the High Court of Judicature at Bombay, Goa Bench, which was also dismissed vide Order dated 06-11-2017; which Order was appealed in the Supreme Court against Special Leave Appeal (C)no.11029/2018. The Supreme Court was pleased to uphold the Order dated 06-11-2017 passed by the Hon'ble High Court of Bombay and thus the Leave Appeal was dismissed.



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Thus by Judgement and Order dated 30-6-2009, and the Order of the High Court Shri John Wilfred Fernandes and his wife became the exclusive Owners in possession of the said property.

On 10-8-2009 Shri Joao alias John Wilfred Fernandes and his wife Nina executed a M.O.U. with Augustine and Augustine for extension of time.

By a Deed of Sale dated 30-9-2018 Shri John Wilfred Fernandes with his wife Nina Fernandes sold the SAID PROPERTY to M/s. Sheraton Township LLP; which Deed is duly registered under no.BRZ-BK1-104270-2018 dated 3-10-2018 in the Office of Sub-Registrar Mapusa Bardez.

By Surrender of Rights dated 6-6-2019 M/s. Augustine and Augustine surrendered all its rights under the Agreement dated 4-12-1993, 23-9-1999 and 10-8-2009 in favour of M/s. Sheraton Township LLP, executed before the Notary Shashikant Joshi of Panaji Goa.

On 18-12-2019, M/s. Sheraton Township LLP entered into an Joint Development Agreement with Rio Luxury Homes Pvt. Ltd for development and sale of the said property, whereby in terms of the said Agreement it was agreed that the 50% of the super built-up area shall be allotted to developers Rio Luxury Homes Pvt. Ltd and the 50% of the super built-up area shall be retained by the Owner M/s. Sheraton Township LLP on the terms and conditions expressed therein, which Joint Development Agreement is notarized before the Notary A.K. Phadte of Mapusa Bardez Goa.




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(ii)-The second property bearing survey no.41/7-A.

By virtue of Partition order 16-6-1928 in the Inventory Proceeding initiated on demise of late Jose Severiano Fernandes and his wife Ana Regina Luis the said whole property was listed at item no.9, whereby One Fifth Share each in the said property was bidden in auction and allotted to their five children (i)-Resurreicao Rosario Fernandes (ii)-Eleuterio Aleixo Fernandes (iii)-Carmo Luis Mateus Fernandes (iv)-Arcangela Floripes Fernandes and (v)- Sebastiano Jovito Fernandes and the same is confirmed by Final Order dated 8-4-1929 passed by the Court of Civil Judge Judicial Division Bardez.

The said 1/5th share of the Said property 'TAMBURDQUI' along with the dwelling House standing thereon which was allotted and belonged to Resurreicao Rosario Fernandes who was married to Maria Eugenia Lobo e Fernandes stands inscribed in his favour under inscription no.22262 at folio 192 (R) of book G-28 in the Office of Land Registrar Bardez on 13-4-1929 and the said 1/5th share now forms an independent and distinct property by itself presently inter-alia bearing survey 41/7 which corresponds to the old cadastral survey no.1130.

It is observed from the records that the said distinct property is surveyed under old cadastral survey no.1130 as seen from the numerical index and records of Demarcation of Village Candolim the said property belonging to Resurreicao Rosario Fernandes, who was absent at that relevant time, which is issued by the directorate of Survey and which now corresponds inter-alia with the new Survey no.41/7(part)



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which plot, as confirmed by the super superimposition of the old cadastral survey Plan bearing old cadastral survey no.1130 with the New Survey 41/7(part).

The said Resurreicao Rosario Fernandes expired on 21-7-1955 survived by his widow and moiety sharer Smt. Maria Eugenia Lobo e Fernandes also known as Lobo Soares alias Mary Fernandes e Soares and as his sole and universal legal heirs his following children namely (i)-Angela Fernandes, (ii)-Smt. Filomena Fernandes (iii)-Joe Fernandes and (iv)-Shri. Avilasio Fernandes, which is confirmed by Inventory Proceedings no. no.351/2009/C initiated in the Court of Civil Judge Senior Division at Mapusa.

It is observed that at the time of promulgation of the Survey rights in the year 1971-72 the name of Mary Fernandes Soares wife of late.Resurreicao Rosario Fernandes stands recorded in the Form III(index of Lands)and Subsequently in the Form IX bearing survey no.41/7 of village Candolim admeasuring an area of 1475 sqmts. of village Candolim.

Thus Smt. Mary Fernandes Soares and her above named children thus were in lawful owners in possession of the said property surveyed under no. 41/7 of village Candolim.

By a Deed dated 4-1-1975 Smt. Maria Eugenia Lobo e Fernandes also known as Mary Lobo Soares alias Mary Fernandes e Soares along with the legal heirs of late his Resurreicao Rosario Fernandes:(i)-Shri.Avilasio Fernandes, (ii)-Angela Fernandes (iii)-Smt. Filomena Fernandes (iv)-Joe Fernandes



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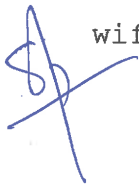
sold to Shri. Bento Francis D'Souza an area of 776 sqmts, which Deed is duly registered in the Office of Sub-Registrar Bardez.

The said Bento Francis D'Souza died on 9-9-1980 survived by his widow Ermelinda Figueredo and as his sole and universal legal heir his son Doloroso Conceicao Lourence Martins D'Souza and the same is confirmed by Deed of Succession dated 7-6-1985 which was initiated upon the demise of said Bento Francis D'Souza, and drawn at folio 20 (R) of book 726 in the Office of Notary-Ex-Officio-Sub-Registrar Bardez.

From the said deed of succession it is observed that the said properties surveyed under number 41/2, 41/7 and 41/15 belonged to the said Late Bento D'Souza which were listed in the said Deed of Succession, which subsequently devolved upon his widow and moiety sharer Smt. Ermelinda D'Souza who is entitled to 1/2 share and to his sole heir Doloroso Conceicao Lourence Martins D'Souza the balance 1/2 share.

Thus the names of Smt. Ermelinda D'Souza and Doloroso Conceicao Lourence Martins D'Souza stands recorded in the Manual Form I and XIV bearing survey number 41/2, 41/7 and 41/15 admeasuring an area of 575 sqmts. and 1475 sqmts. and 325 sqmts. respectively of village Candolim.

Thus through the Deed of sale dated 4-1-1975 and succession deed of 1985 it is confirmed that the said properties were in the ownership and possession of Said Bento D'Souza and his wife Smt. Ermelinda D'Souza prior to the promulgation of




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Survey Rights in 1972 and also further the names of said Smt. Ermelinda D'Souza and her son Doloroso Conceicao Lourence Martins D'Souza stands recorded in the respective Survey Records. And since then they were in uninterrupted possession and ownership of the said property over a period of 30 years without any third party claims/rights claims and as such can be were in lawful ownership and in possession of the said properties bearing survey no.41/2,41/7 and 41/15 of village Candolim.

The said Doloroso Conceicao Lourence Martins D'Souza died on 24-1-1999 being survived by his widow Smt.Priscilla D'Souza and his son as his sole and universal heir Shri.Denver Savio Bento D'Souza.

Subsequently the said Smt.Priscilla D'souza filed inventory proceedings under no.200/2001/B upon the demise of Late, Bento D'Souza, late Ermelinda D'Souza and Late Doloroso Conceicao Lourence Martins D'Souza, whereby the said properties bearingsurvey no.41/7 were listed at item no.II, and the same was bidded in auction and allotted to Smt.Priscilla D'Souza, as confirmed by Order of Homologation dated 20-7-2005 in the said Inv.Pro.200/2001 initiated in the Court of Civil Judge Senior Division at Mapusa.

It appears from records that the said Smt. Priscilla D'souza partitioned the area admeasuring 776 sqmts. which forms the part of Survey no.41/7 and was allotted a new Survey no.41/7-A.



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By Deed of Sale dated 5-12-2016, Smt. Priscilla Pinto D'Souza with her son Denvor Savio D'Souza sold the said Property Surveyed under no.41/2 admeasuring 575 sqmts. and 41/7-A admeasuring 776 sqmts. to M/s. Sheraton Infra, the Owners hereto ; which Deed is duly registered under no.BRZ-BK1-05045-2016 in the Office of Sub-Registrar Bardez.

On 18-12-2019, M/S.SHERATON INFRA entered into an Joint Development Agreement with RIO LUXURY HOMES PRIVATE LTD for development and sale of the said property, whereby in terms of the said Agreement it was agreed that the 50% of the super built-up area shall be allotted to the RIO LUXURY HOMES PRIVATE LTD and the 50% of the super built-up area shall be retained by M/S.SHERATON INFRA on the terms and conditions expressed therein, which Joint Development Agreement is executed before the Notary A.K. Phadte of Mapusa Bardez Goa.

By Deed of sale dated 9-3-2022 M/S.SHERATON INFRA sold to M/S.SHERATON Township LLP all that portion admeasuring 340 sqmts. out of the said Property admeasuring 776 sqmts. Surveyed under no.41/7-A, confirmed by RIO LUXURY HOMES PRIVATE LTD., which Deed is duly registered under Book-1 Document, registration no.BRZ-BK1-1030-2022, in the Office of Sub-Registrar Bardez.

On 4-6-2022 an Addendum Cum Supplementary Joint Development to the Joint Development Agreement dated 18-12-2021 was executed between M/S.SHERATON INFRA And M/S.SHERATON TOWNSHIP LLP And RIO LUXURY HOMES PRIVATE LTD. as Developers, as M/S.SHERATON Township LLP was the owner in possession of an area of 340 sqmts. being part of survey no.41/7-A and the



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terms and conditions were further modified, as agreed in terms of the said Addendum, executed before the Notary A.K. Phadte of Mapusa Bardez Goa.

Subsequently M/S.SHERATON Township LLP carried out partition of the said Plot 340 sqmts. and in terms of order dated 30-11-2022 in case no. NGPDA/Can/44/290/2175/2022 from the Office of North Goa Planning and Development Authority was allotted separate sub-division no.41/7-A-1 to the said portion by the Office of North Goa Planning and Development Authority and thus the name of M/S.SHERATON Township LLP stands recorded in Survey Records of Rights in the Form I and XIV of survey no.41/7-A-1 admeasuring 340 sqmts. under mutation no.68691.

On 30-11-2022 Order under no.NGPDA/Can/44/290/2176/2022 was issued from the Office of North Goa Planning and Development Authority for Amalgamation of Plots bearing survey no.41/1 and 41/7-(part) and construction for proposed residential building in the said Plots.

On 30-12-2022 Construction Licence under no.VP/32/3/29/2022-2023/2893 was issued by the Office of the Village Panchayat Candolim Bardez Goa for Amalgamation of Plots bearing survey no.41/1 and 41/7-A-1 and construction for proposed residential building in the said Plots.

IV.- OPINION

In the above circumstances I confirm that (i)-M/s. Sheraton Township LLP have clear, and absolute, valid and marketable title to the said Property, Surveyed under No.41/1

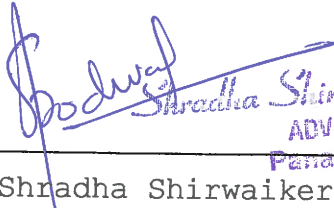


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admeasuring 3425sqmts. subject to the Joint Development Agreement dated 18-12-2019 with Rio Luxury Homes Pvt. Ltd.

(ii)-M/s. Sheraton Township LLP have clear, and absolute, valid and marketable title to the said Plot admeasuring 340 Sqmts. surveyed under NO.41/7-A-1 subject the Addendum cum Supplementary Agreement dated 4-6-2022 with Rio Luxury Homes Pvt. Ltd.

Panaji-Goa,
10/04/2023


Shradha Shirwaiker Poduval
ADVOCATE
Panaji - Goa
Adv. Shradha Shirwaiker Poduval

A. DISCLAIMER

1. This Title Opinion is based only on above facts and above mentioned documents provided to me, any court litigation/other dispute or personal/business disputes of current or previous owner of the Captioned Property is not subject of this Search and Title Opinion.
2. Any court litigation/other disputes or personal /business disputes of current or previous owner of the Subject Premises are not subject of this title report. No search has been undertaken in any courts or tribunals.
3. It is observed that many Banks, Financial Institution or private money lenders do not register their Equitable Mortgages. It is also observed that intimation required to be sent to the sub-registrar on Mortgages by Deposition of Title Deed is not done by the banks or financial institutions. Therefore, details of such cannot be traceable so I submit this report only on the basis of the documents produced before me.



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4. No documents are retained by me and all the documents are handed over back
to the client.

