SARVESH M. RIVONKAR Advocate

C/o Fifth Floor, Siddharth Bandodkar Bhavan Above Axis Bank Dr. P. Shirgaonkar Road, Panaji Goa. 403 001 Tel: 2228167, 2424216 Phone: 9881887846, 9764504458

TITLE SEARCH REPORT

This title search report is issued at the request of Mr. Ignatius Nazareth, son of Late Mr. Emidio J. Nazareth, R/o H. No. 160, Bairo Alto, Assagao, Bardez Goa, with respect to the following property mentioned in Schedule hereunder written:

SCHEDULE

All that landed property identified as "**Torda**" also known as "**Gorbata**", situated in the village Salvador-do-Mundo, Taluka Bardez, District of North and State of Goa, within the limits of village Panchayat Salvador-do-Mundo, comprising of Survey and Sub-Division Nos. 45/1, 82/17 and 78/11 of village Salvador-do-Mundo, Taluka Bardez, North Goa. Hereinafter collectively referred to as the SAID PROPERTY for the sake of brevity.

The said property comprising of Survey No. 45/1 admeasuring 1575 sq. mtrs. and bounded as under:

On the North: By Nallah.
On the South: By Public Road.

On the East: By property bearing survey No. 45/2.

On the West: By Road.

The said property comprising of Survey No. 82/17 admeasuring 825 sq. mtrs. and bounded as under:

On the North: By Public Road. On the South: By Public Road.

On the East: By property bearing survey No. 82/18. On the West: By Road and plot bearing No. 82/16



The said property comprising of Survey No. 78/11 admeasuring 2725 sq. mtrs. and bounded as under:

On the North: By Road.

On the South: By property bearing survey No.71/4 On the East: By property bearing survey No. 78/12.

On the West: By Road and plot bearing survey No.78/7, 8 and 9.

The photocopies of the following documents were submitted to me for verification of title of the Owner, Mr. Ignatius Nazareth to the said property.

- Records of Inventory Proceedings No. 10/78 instituted in the Court of Civil Judge Senior Division at Panaji.
- Deed of Relinquishment of illiquid and undivided rights and Deed of Succession dated 28/10/2011 drawn in Book No. 588, before Notary Ex-officio of Quepem, Goa.
- Deed of Gift dated 06/07/2011 duly registered before the Sub Registrar of Bardez under registration No. BRZ-BK1-03288-2011 on 06/07/2011.
- Deed of Gift dated 06/07/2011 duly registered before the Sub Registrar of Bardez under registration No. BRZ-BK1-03289-2011 on 06/07/2011.
- Deed of Gift dated 10/10/2011 duly registered before the Sub Registrar of Bardez under Registration No. BRZ-BK1-04744-2011 on 10/10/2011.
- Survey Form No. I and XIV in respect to Survey and Sub-Division Nos. 45/1, 82/17 and 78/11 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- Survey Plan in respect to Survey and Sub-Division Nos. 45/1, 82/17 and 78/11 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- 8. Marriage Certificate of Mr. Ignatius Nazareth.
- Nil certificate of Encumbrance on property bearing Survey and Sub-Division No. 45/1 of village Salvador-do-Mundo, Taluka Bardez, North Goa dated 20/08/2018.
- Nil certificate of Encumbrance on property bearing Survey and Sub-Division No. 82/17 of village Salvador-do-Mundo, Taluka Bardez, North Goa dated 20/08/2018.
- Memorandum of Understanding dated 03/02/2015 duly executed before Notary U. R. Timble, under Sr. No. 236/2015 in respect to Survey Nos. 45/1, 82/17 and 78/11.
- Power of Attorney dated 03/02/2015 duly executed before Notary U. R. Timble, under Sr. No. 220/2015 in respect to Survey Nos. 45/1, 82/17 and 78/11.

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- Technical Clearance Order bearing ref. No. TPB/2023/SDM/TCP/17/1174 dated 28/04/2017 in respect to said property under survey No. 45/1 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- 14. No objection Certificate under reference No. PHCP/NOC-Const/2017-18/416 dated 10/06/2017 issued by Primary Health Centre Porvorim in respect to said property under survey No. 45/1 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- 15. Conversion Sanad bearing reference No. RB/CNV/BAR/AC-I/70/2015 dated 17/04/2018 issued by office of the Collector, North Goa at Panaji in respect to said property under survey No. 45/1 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- Construction licence under Permission no. VP/SDM/LIC.No.15/2017-2018/621 dated 24/07/2017 in respect to said property under survey No. 45/1 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- Technical Clearance Order bearing ref. No. TPB/1787/SDM/TCP-17/1677 dated 09/06/2017 in respect to said property under survey No. 82/17 of village Salvador-do-Mundo, Taluka Bardez, North Goa
- No objection Certificate under reference No. PHCP/NOC-Const/2017-18/495 dated
 01/07/2017 issued by Primary Health Centre Porvorim in respect to said property under survey No. 82/17 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- Conversion Sanad bearing reference No. RB/CNV/BAR/COLL/22/2015/808 dated 16/05/2017 issued by office of the District Collector, North Goa at Panaji in respect to said property under survey No. 82/17 of village Salvador-do-Mundo, Taluka Bardez, North Goa
- Construction licence under Permission no. VP/SDM/LIC.No.14/2017-2018/620 dated 24/07/2017 in respect to said property under survey No. 82/17 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- Approved plans of the proposed buildings in the said property under Survey No. 45/1 and 82/17 of village Salvador-do-Mundo, Taluka Bardez, North Goa
- Agreement dated 03/07/2018 duly executed before Notary duly executed before Notary U. R. Timble, under Sr. No. 984/D/2018, in respect to Survey Nos. 45/11 and 82/17.
- Application for conversion Sanad dated 19/03/2015 in respect to plot of land under Survey and Sub-Division No. 78/11 of village Salvador-do-Mundo, Taluka Bardez, North Goa.

TRACING OF TITLE

- After careful scrutiny of the aforesaid documents, it is seen that the said property
 originally belonged to Mr. Silvestre Jose Conceicao Mendanha who died on
 28/04/1966, without any will/ gift or any other disposition of his last wish,
 leaving behind his widow Mrs. Cataraina Maria Vueteria Lobo e Mendanha and
 his two children namely (1) Mr. Oswaldo Joseph Mendanha married to Mrs.
 Myra Ophelia De Santa Rita Lobo E Mendanha and (2) Mrs. Bernardette Maria
 Mendanha e Lobo married to Mr. Alberdo Manuel Aristides Vitoria Lobo.
- 2. Upon death of said Mr. Silvestre Jose Conceicao Mendanha, inventory proceedings bearing No. 10/78 were instituted in the Court of Civil Judge Senior Division at Panaji, to partition his estate, wherein the said property comprising of Survey and Sub-Division Nos. 45/1, 82/17 and 78/11 of village Salvador-do-Mundo, Taluka Bardez was listed under item No. 1 in the list of assets and were exclusively allotted to his son Mr. Oswaldo Joseph Mendanha married to Mrs. Myra Ophelia De Santa Rita Lobo E Mendanha.
- The allotment made in the said inventory proceedings was confirmed by order passed on 28/02/1986 by the Civil Judge Senior Division, Panaji.
- 4. The said Mr. Oswaldo Joseph Mendanha died on 10/02/2008 and Mrs. Myra Ophelia De Santa Rita Lobo E Mendanha died on 24/03/2005, without any will/gift or any other disposition of their last wishes, leaving behind three children as their sole and universal heirs, namely, (i) Ms. Glynis Maria

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Mendanha, unmarried (ii) Mr. Roy Joseph Mendanha, unmarried and (iii) Ms. Mylene Maria Mendanha unmarried.

- 5. By Deed of Relinquishment of illiquid and undivided rights and Deed of Succession dated 28/10/2011 drawn in book No. drawn in Book No. 588, before Notary Ex-officio of Quepem, Goa, the said Ms. Glynis Maria Mendanha and Ms. Mylene Maria Mendanha relinquished all their illiquid and undivided rights in the estate/inheritance left by their said deceased parents Mr. Oswaldo Joseph Mendanha and Myra Ophelia De Santa Rita Lobo E Mendanha, in favour of remaining co-heir and consequently the said Mr. Roy Joseph Mendanha became the exclusive owner of the said property.
- 6. By three separate Deeds of Gift dated 06/07/2011, 06/07/2011 and 10/10/2011, all duly registered before the Sub Registrar of Bardez at Mapusa, the said Mr. Roy Joseph Mendanha gifted the SAID PROPERTY comprising of Survey & Sub Division Nos. 45/1, 82/17 and 78/11 of Village Salvador-do-Mundo, Taluka Bardez, Goa, to Mr. Ignatius Nazareth, i.e. under the Deed of Gift dated 06/07/2011 under Registration No. BRZ-BK1-03288-2011, a plot of land out of the SAID PROPERTY under Survey and Sub Division No. 45/1 was gifted and under the Deed of Gift dated 06/07/2011 under Registration No. BRZ-BK1-03289-2011, a plot of land out of the SAID PROPERTY under Survey and Sub Division No. 82/17 was gifted and under the Deed of Gift dated 10/10/2011 under Registration No. BRZ-BK1-04744-2011, a plot of land out of the SAID PROPERTY under Survey and Sub Division No. 78/11 was gifted.
- The name of the Mr. Ignatius Nazareth is exclusively recorded in the occupant's column of survey records Form No. I and XIV of SAID PROPERTY

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comprising of Survey & Sub Division Nos. 45/1, 82/17 and 78/11 of Village Salvador-do-Mundo, Taluka Bardez, Goa. No name is figuring in other rights, tenant's and cultivator's column.

- 8. The said Mr. Ignatius Nazareth is an Indian National of Goan origin and is married to Mrs. Dianne Elizabeth Nettles who is an American National on 25th August, 1978 in the State of South Carolina, USA in accordance with the Law of South Carolina, hence their marriage is not governed by the Portuguese Civil Code as applicable in State of Goa and being so, the said Mrs. Dianne Elizabeth Nettles has not acquired any right to the SAID PROPERTY in accordance with the Portuguese Civil Code due to her marriage with said Mr. Ignatius Nazareth.
- Accordingly, Mr. Ignatius Nazareth is the exclusive lawful owner in possession of the SAID PROPERTY.
- 10. Mr. Ignatius Nazareth have entered into a Memorandum of Understanding dated 03/02/2015 with Edcon Real Estate Developers duly executed before Notary U. R. Timble, under Sr. No. 236/15 for carrying out preliminary requirements to develop and put up construction in the SAID PROPERTY by way of constructing a scheme of building/s and in full and final consideration the DEVELOPERS had offered to construct to Mr. Ignatius Nazareth 38% of the total super built-up area to be built in the SAID PROPERTY, subject to terms and conditions mentioned in the said Memorandum of Understanding dated 03/02/2015.
- 11. Mr. Ignatius Nazareth have also issued a Power of Attorney on 03/02/2015 in favour of partner of Edcon Real Estate Developers duly executed before Notary U. R. Timble under Sr. No. 220/15 inter alia, permitting them to commence and

carry on and complete construction activities after securing approval of construction plans from all competent authorities and to give full effect to the terms and conditions of said Memorandum of Understanding dated 03/02/2015.

- 12. The said Edcon Real Estate Developers in terms of said MOU dated 3/02/2015 obtained the following approvals in respect of said property comprising of survey No. 45/1 for construction of proposed building:
 - Technical Clearance order under reference No. TPP/ 2023/SDM/TCP/1174 dated 28.04.2017 from the Town and Country Planning Department Mapusa.
 - ii) No objection Certificate under reference No. PHCP/NOC-Const/2017-18/416 dated 10/06/2017 issued by Primary Health Centre Porvorim in respect to said property under survey No. 45/1 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
 - iii) Conversion Sanad bearing reference No. RB/CNV/BAR/AC-I/70/2015 dated 17/04/2018 issued by office of the Collector, North Goa at Panaji in respect to said property under survey No. 45/1 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
 - iv) Construction licence bearing No. VP/SDM/LIC.NO.15/2017-2018/621 dated 24/07/2017 from the Village Panchayat of Salvadordo-Mundo
- 13. The said Edcon Real Estate Developers in terms of said MOU dated 3/02/2015 obtained the following approvals in respect of said property comprising of survey No. 82/17 for construction of proposed building:

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- Technical Clearance order under reference No. TPB/1787/SDM/TCP-17/1677 dated 09/06/2017 from the Town and Country Planning Department Mapusa
- ii) No objection Certificate under reference No. PHCP/NOC-Const/2017-18/495 dated 01/07/2017 issued by Primary Health Centre Porvorim in respect to said property under survey No. 82/17 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- iii) Conversion Sanad bearing reference No. RB/CNV/BAR/COLL/22/2015/808 dated 16/05/2017 issued by office of the District Collector, North Goa at Panaji in respect to said property under survey No. 82/17 of village Salvador-do-Mundo, Taluka Bardez, North Goa.
- iv) Construction licence bearing No. VP/SDM/LIC.No.14/2017-2018/620 dated 24/07/2017 from the Village Panchayat of Salvador-do-Mundo.
- 14. In respect of said property comprising of Survey No. 78/11 although the conversion Sanad is applied for vide application dated 19/03/2015 in respect to plot of land under Survey and Sub-Division No. 78/11 the same is not yet granted by the competent authority.
- 15. Thereafter, the said Mr. Ignatius Nazareth and Edcon Real Estate Developers have entered into an Agreement dated 03/07/2018 which is duly executed before Notary U. R. Timble under Sr. No. 984/D/2018 in respect to said property comprising of only two Survey Numbers i.e. 45/1 and 82/17 excluding the Survey No. 78/11, permitting the said Edcon Real Estate Developers in terms of clause 2 to construct the proposed building as per the approved plans sanctioned by all competent authorities and as per the terms and condition imposed by the concerned authorities while sanctioning the approved plans and construction licences issued by the village Panchayat of Salvador-do-Mundo inter alia to sell the flats consisting of super built up/ carpet area along with proportionate undivided share of land in the said property to any third party as

per clause No.8, except the super built up areas allotted to the owner Mr. Ignatius Nazareth, in terms of the said agreement and further to obtain finance or loan from any bank and also to mortgage the super built up area falling to the share of Edcon Real Estate Developers as per clause 33 of the said agreement

except the super built up area allotted to the owner Mr. Ignatius Nazareth.

16. Two Nil encumbrance certificates on the Said property both dated 20/08/2018

separately in respect to property under survey and Sub-Division numbers $45/1\,$

admeasuring 1575 sq. mts. and 82/17 admeasuring 825 sq. mts establishes that

there is no encumbrances on the said property from 6th July 2011 till 3rd July

2018.

CERTIFICATE

From the above documents produced for my scrutiny and after careful examination of

the same, I hereby certify that the said Mr. Ignatius Nazareth is the lawful owner and

have clear and marketable title of the said property comprising of survey and Sub-

Division numbers 45/1 admeasuring 1575 sq. mts. and 82/17 admeasuring 825 sq. mts.

& 78/11 admeasuring 2725 sq mts of Village Salvador-do-Mundo, Taluka Bardez,

District of North, State of Goa. However, the title of the said Mr. Ignatius Nazareth to

Survey No. 45/1 and 82/17 are subject to aforesaid Agreement dated 03.07.2018 and

the title of the said Mr. Ignatius Nazareth to Survey No. 78/11 is subject to the aforesaid

Memorandum of Understanding dated 03/02/2015.

Place: Panaji Goa

Date: 21/08/2018

(Sarvesh Rivonkar)

Advocate