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ADVOCATE

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Date _____

22nd September 2020

**CERTIFICATE OF TITLE
AND SEARCH REPORT**

This certificate and report is given at the request of Mr. Cruz Silva from Ambelim, Salcete, Goa, in respect of the following property:

Description of the property:

All that property surveyed under No.224/1-A of Carmona village of Salcete Taluka, admeasuring 2755 (two thousand seven hundred fifty five) sq. metres, being Plot No.4 of the property known as VISSOVEM or VISOVEA KIRBHAT, fifth, seventh and eighth lotes, situated at Carmona, within the area of Village Panchayat of Carmona, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration Office of Salcete, namely fifth lote under No.20033 at page 119 overleaf and page 120 of Book B No.51 of New Series, seventh lote under No.20034 at page 119 overleaf and page 120 of Book B No.51 of New Series and eighth lote under No.20544 at pages 179 overleaf of Book B No.52 of New series and all lotes also forms parts of the property described in the Land Registration Office of Salcete under No.10266 of Book B 39 of Old Series and forms part of the property enrolled in the Land Revenue Office of Salcete under Matriz Nos.83 and 2084 and bounded on the east by six metres wide internal road, on the west by property surveyed under No.220/4 of Carmona village and on the north and south by property surveyed under No.224/1.

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Documents scrutinised: (All in xerox copies)

- a) Certificates of description in respect of the properties described in the Land Registration Office of Salcete under Nos.20033, 20544 and 10266 of New Series with inscriptions dt. 19.02.2015 issued by Civil Registrar cum Sub-Registrar of Salcete, Margao;
- b) Certificates of inscription in respect of Inscriptions Nos.25117, 23347 and 23546 dt. 12.06.2019 issued by Civil Registrar cum Sub-Registrar of Salcete, Margao;
- c) Certified copy of the records of Inventory Proceedings No.60/2003/D from the Court of the Civil Judge, Junior Division, Margao initiated by Antonieta Amancio Argentina Rodrigues Afonso alias Antonieta Argentina Rodrigues;
- d) Deed of Family Partition dt. 24th May 2013 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-BK1-03045-2013 dt. 24.05.2013;
- e) Form No. I & XIV and survey plan of Survey No.224/1-A of Carmona village of Salcete Taluka;
- f) Judgement and Order dt.18.06.2015 passed by the Deputy Collector & SDO, Margao in Case No.LRC/PART/Carmona/115/2014/1/4704;
- g) Memorandum of Understanding dt.07.02.2015 with subsequent Addendum dt. 15.09.2015,
- h) Conversion Sanad from the Collector of South Goa, Margao under No.COL/SG/CONV/54/2015/10459 dt. 11.10.2015;
- i) Technical Clearance Order under No.TPM/27702/CARM/224/1-A/16/2318 dt, 06.05.2016 with Renewal under No.TPM/27702/Carmona/224/1-A/2019/2687 dt. 18.05.2019 from the office of the Town and Country Planning Department, Margao;

- i) No objection certificate under No.PHC-Chin/NOC/16-17/259 dt. 17.06.2016 issued by Health Officer, Primary Health Centre, Chinchinim;
- ii) Construction Licence under No.VP/C/Const.Lic/2016-17/534/08 dt. 17.08.2016 with Renewal under Ref.No.VP/CAR/2019-20/607 dt.13.08.2019 issued by Village Panchayat of Carmona;
- iii) Approved plans;
- iv) Certificate of Registration of Partnership Trinity Estates and Developers issued by Registrar of Firms, Margao with Deed of Partnership;
- v) Agreement for sale cum Development with possession dt. 18th October 2019 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-I-2974-2019 dt. 18th October 2019 with Power of Attorney dt.18th October 2019;
- vi) Nil encumbrance certificate under No.1162/2020 dt.16.09.2020 issued by Civil Registrar cum Sub-Registrar of Salcete, Margao.

SCRUTINY OF RECORDS:

From certificate of description read with records of Inventory Proceedings No.60/2003/D and Partition Order dt. 18.06.2015 passed in Case No.LRC/PART/Carmona /115/2014 and survey records above referred to it is clear there exists a property, namely property surveyed under No.224/1-A of Carmona village of Salcete Taluka, admeasuring 2755 (two thousand seven hundred fifty five) sq. metres, being Plot No.4 of the property known as VISSOVEM or VISOVEA KIRBHAT, fifth, seventh and eighth lots, situated at Carmona, within the area of Village Panchayat of Carmona, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration Office of Salcete, namely fifth lot under No.20033 at page 119 overleaf and page 120 of Book B No.51 of New Series, seventh lot under No.20034 at page 119 overleaf and page 120 of Book B No.51 of New Series and

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eighth lote under No.20544 at pages 179 overleaf of Book B No.52 of New series and all lotes also forms parts of the property described in the Land Registration Office of Salcete under No.10266 of Book B 39 of Old Series and forms part of the property enrolled in the Land Revenue Office of Salcete under Matriz Nos.83 and 2084, more particularly described in detail hereinabove and hereinafter referred to as the "said property";

From certificates of description read with corresponding inscriptions it is clear that said fifth, seventh and eighth lotes of entire property described in the Land Registration Office of Salcete under Nos.20033, 20034 and 20544 of New Series, forming one property is inscribed in the Land Registration Office of Salcete in the name of Antonieta Ernestina Soares alias Anita Soares and her husband Mr. George Victor Rodrigues alias Jorge Victor Rodrigues;

From the records of the Inventory Proceedings No.60/2003/D initiated in the Court of the Civil Judge, Jr. Div., Margao by Antonieta Amacia Argentina Rodrigues Afonso, upon the death of her parents said Mr. George Victor Rodrigues alias Jorge Victor Rodrigues and his wife Mrs. Antonieta Ernestina Soares alias Anita Soares, the said three lotes as one property was listed under Item No.1 among other properties being the estate left by said deceased, whereby the said entire property under Item No.1 for the purpose of partition divided into five plots, whereby Plot No.4, described in detail hereinabove and herein referred to as the "said property" was allotted to Smt. Alzira Rosalina Rodrigues alias Alzira Rodrigues, wife of late Leopoldo J.W. Fernandes and her children including her son, Mr. Bosco Fernandes;

From Deed of Family Partition dt. 24th May 2013 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-BK1-03045-2013 dt. 24.05.2013, said Smt. Alzira Rosalina Rodrigues alias Alzira Rodrigues, and her children along with their respective spouses partitioned the said joint

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properties jointly owned by them, whereby the said Plot No.4, described in detail hereinabove and herein referred to as the "said property" was allotted to Mr. Bosco Fernandes and his wife Mrs. Mertyn Fernandes;

Thus said Mr. Bosco Fernandes and his wife became sole owners and possessors of the said property;

From Memorandum of Understanding dt.07.02.2015 read with subsequent Addendum dt. 15.09.2015 it is clear that said Mr. Bosco Fernandes and his wife have permitted the M/s. Trinity Estates and Developers, a registered partnership firm, having office at Margao, Goa to develop the said property by constructing row villas therein and dispose of the same on the terms and conditions mentioned in the said Memorandum of Understanding;

From Conversion Sanad issued by the Collector of South Goa, Margao under No. COL/SG/CONV/54/2015/10459 dt. 11.10.2015, read with Technical Clearance Order from the Town and Country Planning Department, Margao under No. TPM/27702/Carm/224/1-A/16/2318, dated 6th May 2016 and further renewed under No. TPM/27702/Carmona/224/1-A/2019/2687, dated 18th April 2019, Construction Licence from Village Panchayat of Carmona under No. VP/C/Const.Lic/2016-17/534/08, dated 17th August 2016, and further renewed under No. VP/CAR/2019-20/607 dated 13th August 2019, and NOC from Primary Health Centre, Chinchinim it is clear that construction of a complex comprising of residential villas have been approved by concerned authorities.

From the Agreement of Sale with possession dt.18th October 2019 read with Power of Attorney of same date it is clear that said Mr. Bosco Fernandes and his wife and said M/s. Trinity Estates and Developers agreed to sell the said property to Mr. Cruz Silva with benefits of all licences, permissions etc. and received part of consideration and balance consideration is to be paid in instalments and partly by constructing four villas, namely Row Villas Nos.1 and 5 to said owners, Mr. Bosco Fernandes and his wife and Row

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Villas Nos.4 and 8 to said M/s. Trinity Estates and Developers in proposed complex in said property and permitted said purchaser to develop the said property as per said permissions and licence and dispose of the premises therein to his customers, except the said four row villas retained by them.

I have gone through the nil encumbrance certificate and also searched the records of the Sub-Registrar of Salcete, Margao and did not find anylien/charge/encumbrance recorded against the said property.

CONCLUSION AND OPINION

From going through the above documents I have to conclude and opine that -

- a) the said property is free from all encumbrances, charges, liens, defects in title whatsoever;
- b) said Mr. Bosco Fernandes and his wife are sole owners and possessors of the said property described hereinabove and their title to the said property is free, clear, unencumbered and marketable;
- c) by virtue of Memorandum of understanding read with Addendum and obtaining all permissions, approvals, licences etc for proposed development in said property said M/s. Trinity Estates and Developers created right and interest in the said property;
- d) said Mr. Cruz Silva as per said Agreement for Sale cum Development with possession is entitled to develop the said property and dispose of the premises in proposed complex to his customers alongwith the proportionate share in land, except the said four row villas under Nos.1 and 4 and 5 and 8, and such purchasers/customers will acquire clear title to such premises.

Margao,



22nd September 2020

Adv.Kamalakant Pai