



Nelson Soares

ADVOCATE & NOTARY

TISK, PONDA - GOA 403 401

Ph. Office / Res.: 0832-2312536 Mobile: 9822982277

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Ref.

Date :

To.

Mr. Baptista Fernandes,

Prop. Dyna Developers,

Shop No. 2, Febama Apts.

Dhavali Ponda Goa.

Date: 04.04.2017.

Sub: Legal opinion in respect of the land admeasuring 680 sq. metres situated at Tisk Ponda Goa under Survey No. 189/3 of Village Ponda.

Sir,

The land in question of which the legal opinion is sought admeasures 680 sq. metres and 971 sq. metres which are adjoining to one another in which there exists the old residential house with another two structures rented to two different persons and a common well which property is known as **SAIBINICHEM BATA @ SAYAMINICHEM BATA** situated at Tisk Ponda Goa within the area and jurisdiction of the Ponda Municipal Council of the Taluka and Sub District of Ponda of the North Goa District of the State of Goa and which property is registered in the Land Registration Office of Ilhas Goa under No. 16984 of Book B 45 new not enrolled in the Matriz records and forms part of the survey No. 189/3 of Village Ponda and which portion is bounded as under:

North = with the survey No. 189/2 of Mr. Nelson Soares separated by

an old common compound wall,

South = with the survey No. 189/4

East = with the remaining land of the Vendors

West = with the Municipal Road.

Documents perused :

1. Agreement of sale and Development and power of attorney both dt.
17.8.2010.
2. Will Deeds dt. 13.6.1990
3. Will Deed dt. 30.8.1942.
4. Land Registration and Inscription certificate.
5. Form 1 and 14 and plan.
6. House tax.
7. P.D.A. Permission dt. 14.5.2015.
8. Sanad dt. 30.3.2017.
9. Construction Licence dt./ 11.01.20017.
10. Nil Encumbrance certificate.

Having verified the above document I Mr. Nelson Soares advocate and Notary
with office at Ponda hereby state as under:

1. Regarding the document No. 1:



This is an agreement of sale and development dt. 17th day of August 2010 duly registered before the Notary Public Shri Nelson Soares under Serial No. 9648 by which agreement the owners Mr. Antonio Edgar Cardozo and wife as First Party/Vendors agreed to sell to the Second Party /Developer Mr. Baptista Fernandes Prop. Of Dyna Developers the above mentioned land for the purpose of constructing therein a residential building and a Bungalow to the Owners on the terms and conditions as set out in the said agreement and accordingly the possession of the said land has been handed over by the First Party/Owners to the Second Party/Developer along with a power of attorney executed by the Owners in favour of the Developer dt. 17th day of August 2010 duly registered before the Notary Public Shri Nelson Soares under Serial No. 9649 with all the necessary powers mentioned therein. I have verified the original documents.

2. Regarding the document No. 2:

These are two Will Deeds dt. 13th day of June 1990 duly executed before the Notary Ex officio of Ponda under Book of Wills No. 21 at pages 62 to 70 and 70 to 72 which have been executed by one Mr. Jose Francisco Lamartine Damasceno Cardozo and wife in favour of their son the First Party/Vendors herein above bequeathing in his favour the above mentioned land and the houses existing therein described in the said Will Deed under Item No. 3. These are two will deeds executed by husband and wife with another deed of Consent by both husband and wife all of the same date by which Will the said First Party Vendor herein above Mr. Antonio Edgar Cardozo and wife became the sole and exclusive owners of the said land. I have verified the original extract of the said deeds.

3. Regarding the document No. 3:

A handwritten signature in black ink, appearing to be 'Antonio Edgar Cardozo', written over a horizontal line.

This is a Will Deed dt. 30th day of August 1942 duly executed before the then Notary of Ponda Court Mr. Anandrao Babu Camtoim on Book No. 7 at pages 5 to 10 by which deed one Gasparinho Estevam Francisco das Angustias Cardozo alias Gaspar Augusto Cardozo bequeathed in favour of his son the said Jose Francisco Lamartine Damasceno Cardozo the above mentioned land registered in the Land Registration Office of Ilhas Goa under No. 16984 of Book B 45 new, among other properties, by which Will the said Jose Francisco Lamartine Damasceno Cardoso became the sole and exclusive owner of the said land who latter on, as stated above along with his wife bequeathed the said land and house in favour of his son Antonio Edgar Cardozo by way of will deeds described at Item No. 1 above.

4. Regarding the document No. 4:

Having verified the Land Registration document under No. 16984 of Book B 45 new it is seen that the said land is known as 'Saibinichem Bata' situated at Ponda within the boundaries as existing at the relevant time.

Having further verified the Inscription Certificate issued by the said Land Registration Office presently in Archives department it is noticed that the above mentioned property under Land Registration No. 16984 of Book B 45 new is found inscribed in the name of Gaspar Augusto Cardozo under Inscription No. 9978 of book G 19 for having been purchased in public auction which was held on 10th day of April 1933 in the Office of Administration of Ponda Taluka for which due authorization was granted by his Excellency the Governor General dt. 22nd day of February 1933 in the file No. 22 of 1932 from the Cofraria ode Nossa Senhora do Carmo do Extinto Segundo Bataliao da Infantaria de Ponda. [Mt. Carmel Chapel]

5. Regarding the document No. 5:



Having verified the Form 1 and 14 under No. 189/3 of Village Ponda it is seen that the same stands exclusively in the name of Mr. Antonio Edgar Cardozo without any tenants or Mundkars which is a good document and is prepared based on the above documents listed by me.

6. Regarding the document No. 6:

Having verified the house which exists in the above mentioned property it is seen that the same is duly registered in the Ponda Municipal Council under H.No. 189/5 and solely stands in the name of Antonio Edgar Cardozo and tax up to date stands paid.

7. Regarding the document No. 7:

That by virtue of the Agreement of sale and Development described above dt. 17.8.2010 entered into with the Owner Mr. Antonio Edgar Cardozo the Builder/Developer has applied for Development Permission from the Office of the South Goa Planning and Development Authority who having verified the documents produced before having been satisfied granted the Development Permission under S. 44 of the Town and Country Planning Act 1974 for carrying on the work of construction of a building , revised site plan i.e. septic tank and soak pit vide its Order bearing No. SGPDA/P/2920/107/14-15 dt. 11.09.2014 and SGPDA/2920/57/15-16 dt.14.5.2015 in the name of Antonio Edgar Cardozo who is the owner of the said land which permission as applied for by the Developer through the owner.

8. Regarding document No. 8:



This is Conversion certificate issued by the Office of the Add. Collector and Add. District Magistrate Ponda Goa in respect of an area of 1448.7 sq. metres forming part of the survey No. 189/3 of Village Ponda which survey Number has a total area of 1651 sq. meters and having obtained the necessary sanctions from the various Offices necessary Sanad under No. RB/CON/PON/Coll/15/13/205 dt. 30.03.2017 has been issued in the name of the owner Mr. Antonio Edger Cardozo C/o Dyne Developers, Febama Aaprtments, Dhavali Pond Goa.

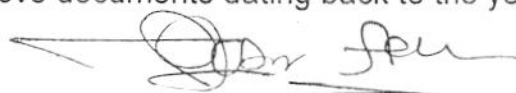
9. Regarding document No. 9:

This is a construction Licence issued by the Ponda Municipal Council under Original Licence bearing No. 62/2015-2016 dt. 28.12.2015 and later on renewed vide Licence bearing No. 82/2016-17 dt. 18.01.2017 for the construction of a building in the same as per the plan approved by the said Council and the SGPDA as mentioned above.

10. Regarding document No. 10:

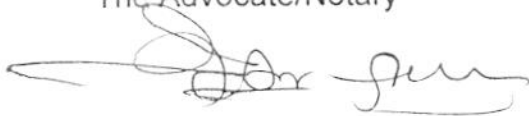
Since the documents mentioned above are not from the Office of the Sub Registrar of Ponda I have given a search in the said Office to check whether there are any encumbrances over the said survey No. 189/3 of Village Ponda form the year 2000 up to date and have found that there are no such encumbrances registered over the said land for the said period and I am annexing a Receipt of search and application made to the said Office in support of the above.

From The documents perused herein above I am of the opinion that the Mr. Antonio Edgar Cardozo and his wife are the sole and absolute owners of the above mentioned land under survey No. 189/3 [part] of Village Ponda and the search has been conducted by me in view of the above documents dating back to the year 1942



up to date and hence my Report and as such M/s Dyna Developers through its Prop. Mr. Baptista Fernandes has all the right to enter into any agreements of sale and execute deeds in respect of the proposed construction to be carried on in the said part land of 680 sq. metres as per the approved plan by reserving a Bungalow as mentioned in the Agreement of Developer to the Owners.

The Advocate/Notary

A handwritten signature in black ink, appearing to read 'Nelson Soares', written over a horizontal line.

Mr. Nelson Soares