

SHAILESH S. VENGURLEKAR,

ADVOCATE

REF.NO

DATE:-

Date: May 14, 2020

TITLE CERTIFICATE

This title certificate is issued by the undersigned in respect of the properties described in the Schedule herein below under 1A (II) and 1B at the request of Riviera Constructions Pvt. Ltd, having their registered office in the Gomes Catao Complex, near Cine Alankar, Feira Baixa, Mapusa, Bardez, Goa:

SCHEDULE OF THE PROPERTY:

IA - PROPERTY BEARING SURVEY NO. 52/19 -
Entire Property:

(i) ALL THAT, property known as "Gorbata" or "Gharbhatt" or "Cristovam Dias" admeasuring 1,700 sq. mtrs having therein a residential house bearing house no. 1258(1275 old) situated at Bamonvaddo, Siolim, Village Panchayat of Siolim, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, which property is described in the

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Land Registration Office in its under number 37318 of Book B 95 (New) at page 188 forming a distinct and separate part of the larger property described under 3535 of Book B 10 New, enrolled in the Revenue Office for Matriz Predial under no. 357 of the 3rd circumscription, which part is surveyed in the Old Cadastral survey under no. 1380 corresponding surveyed for Record of Rights under Survey no. 52/19 of the Revenue Village of Siolim and is bounded as under:

ON THE EAST: By the property bearing Survey No. 50/18 belonging to Riviera Constructions Pvt. Ltd;

ON THE WEST: By the property bearing Survey No. 53/17 of the village of Siolim belonging to the heirs of Pandurang Naique now belonging to Riviera Constructions Pvt. Ltd.

ON THE NORTH: By the property bearing Survey No. 52/15, 52/16 and 52/17 all now belonging to Riviera Constructions Pvt. Ltd.

ON THE SOUTH: By the property bearing Survey No. 52/20 of the Village of Siolim, belonging to Riviera Constructions Pvt. Ltd.

(ii) DISTINCT PART OF THE PROPERTY BEING DEVELOPED

All that distinct and separate part of the entire property described under Schedule IA(i) land admeasuring 1,031 square meters, being eastern part of the entire property bearing survey number

(Signature)

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52/19 of the Revenue Village of Siolim, Taluka and Sub-District of Bardez, District of North Goa,

State of Goa viz., the property more particularly described in Schedule I hereinabove written, which plot is bounded as under:

ON THE EAST: By the property bearing Survey No. 50/18 belonging to Riviera Constructions Pvt. Ltd;

ON THE WEST: By the remaining part of the property bearing Survey number 52/19 belonging to the original owners, admeasuring 669 square metres, and described in Schedule I hereinabove.

ON THE NORTH: By the property bearing Survey No. 52/15, 52/16 and 52/17, and belonging to Riviera Constructions Pvt. Ltd.

ON THE SOUTH: By the properties bearing Survey No. 52/20 of belonging to Vandana Anant Pai and Anant Pai and now belonging to Riviera Constructions Pvt. Ltd.

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DOCUMENTS RELIED UPON:

1. Description in Land Registration Office under number 37318 of Book B 95 (New) at page 188 forming a part of the entire property described under no. 3535 at folio 13 of B 10 new.
2. Description in the Land Registration Office under no. 3535 at folio 13 of B 10 new.
3. Inscription in the Land Registration Office under number 33004 of Book G 37 at page 118 in respect of the property described under no. 3535.
4. Inscription in the Land Registration Office under number 33005 of Book G 37 at page 118 in respect of the property described under no. 37318 of Book B 95 (new) at page 188.
5. Deed of Gift dated 28th October 1970 registered with the Sub -Registrar of Bardez at Mapusa in favour of Joao Jose Fernandes, resident of Siolim on the basis of Deed of Sale dated 18th September 1944 recorded in the books of the Notary Public Adv. Jose Joaquim Filipe Pinto de Menezes of Mapusa, Bardez Goa.

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6. Records and proceedings of Inventory Proceedings no: 113/2018/A before the Hon'ble Civil Judge Senior Division "A" Court at Mapusa on the death of Joao Jose Fernandes and Ana Regina Fernandes.

7. Town & Country Planning Department approval under ref no: NOC/49(6)/785/SIO/TCP/19/5190 dated 19.11.2019.

8. Sale Deed executed on 30.12.2019 and registered under no: BRZ-1-4213-2019 dated 30.12.2019 with the Civil Registrar cum Sub Registrar of Bardez at Mapusa by the said erstwhile owners in favour of Riviera Constructions Private Limited.

9. Form I & XIV in the name of Ana Rozina Fernandes.

10. Survey Plan of the property bearing Survey number 52/19.

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TRACING OF TITLE:

The said property in its entirety was originally described no. 3535 at folio 13, of Book no. B 10 (new) in the Land Registration Office of Bardez and, as seen from the corresponding Inscription bearing no. 33004, was inscribed in the name of Braulio Mariano Gonzaga Gomes, landlord of Siolim. It is also found recorded therein that it was allotted to him by Deed of Partition dated 29th January 1939 drawn up at folio 17 of Book no 334 of the Notary Public Socrates da Costa of the Judicial Division of Ilhas.

A part of the said entire property corresponding to the property described in Schedule 1 A (i) was sold by the said Braulio Mariano Gonzaga Gomes by Deed of Sale dated 18th September 1944 to Joao Jose Fernandes, which sale is recorded in the books of the then Notary Public Pinto de Menezes at page 50 of Book no. 497 .



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In view of the sale of the said part by the said Deed dated 18th September 1944, the part sold was described separately under description no. 37318 at page 188 of Book no. B 95 (new) and inscribed in the name of the said Joao Jose Fernandes under no. 33005 as seen from the said description and corresponding inscription.

The said Joao Jose Fernandes alias John Jose Fernandes was married to Ana Regina Fernandes and by Deed of Gift dated 28th October 1970 registered with the Sub-Registrar of Bardez at Mapusa under no. 399 at pages 13 to 17 of Volume no 45 of Book no. I dated 14.12.1970 the said Joao Jose Fernandes and his wife Ana Regina Fernandes, gifted the said property described in Schedule 1 A (i) to (1) Mr. Paulo Francisco Fernandes alias Paul Francis Fernandes married to Mrs. Intermiana Josefa Fernandes alias Juliana Fernandes, (2) Mr. Jose Maria Fernandes alias Joseph Maria Fernandes

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married Mrs. Santana Filomena Marcelina Fernandes
 and (3) Mr. Aleixo Rafael Fernandes Alias Alex R.
 Fernandes married to Mrs. Lucia Piedade Tecla
 Fernandes Alias Tecla Fernandes with the
 reservation of the life time usufruct in favour of
 the Donnors.

The said Joao Jose Fernandes and his wife
 Ana Regina Fernandes died on 18.03.1984 and
 26.12.1986 respectively. On the death of the
 said Joao Jose Fernandes and his wife Ana Regina
 Fernandes, the usufructuary rights were therefore
 extinguished and confirmed in the name of the
 donees/owners.

The said property described in
 Schedule IA (i) was subject to Inventory
 Proceedings no: 113/2018/A before the Hon'ble
 Civil Judge Senior Division "A" Court at Mapusa on
 the death of the said Joao Jose Fernandes and his
 wife Ana Regina Fernandes, wherein it was
 described as item no: 1 in the Description of
 Assets.

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In the said auction amongst the interested parties was held on 16th October 2019 and provisional chart of allotment was finalised on 22/10/2019.

In pursuance of the provisional chart "the erstwhile owners" who are the final allottees deposited the owelty money or the purchase price in terms of the provisional chart dated 22/10/2019 on 30th December 2019.

After compliance of all the terms of the provisional chart and payment of stamp duty a Final Chart was drawn at Exb 30.

On deposit of owelty money the above referred to erstwhile owners by a Sale Deed executed on 30.12.2019 and registered under no: BRZ-1-4213-2019 dated 30.12.2019 with the Civil Registrar cum Sub Registrar of Bardez at Mapusa sold a plot of land having an area of 1,031 square meters of the said property out of the said entire property to M/s Riviera Constructions Pvt. Ltd., which plot of land comprises the eastern part of the said entire property described in Schedule IA (i) herein above



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and the said eastern part sold to is more particularly described as an independent plot in Schedule IA (ii) herein above, and herein referred to as THE SAID PLOT, which plot is duly identified in the plan annexed to the Deed of Sale dated 30.12.2019.

The said erstwhile owners (1) Mr. Paulo Francisco Fernandes alias Paul Francis Fernandes married to Mrs. Intermiana Josefa Fernandes alias Juliana Fernandes, (2) Mr. Jose Maria Fernandes alias Joseph Maria Fernandes married Mrs. Santana Filomena Marcelina Fernandes, (3) Mr. Aleixo Rafael Fernandes alias Alex R. Fernandes married to Mrs. Lucia Piedade Tecla Fernandes Alias Tecla Fernandes. The erstwhile owners therefore became the owners in possession of the said property and acquired a clear and marketable title to the said property before execution of the sale deed.

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The sale of the said plot was approved by the Town and Country Planning Department by their approval under Ref. No. NOC/49(6)/785/SIO/TCP/19/5190 dated 19.11.2019.

The said M/s Riviera Constructions Pvt. Ltd., are therefore the owners in possession of the said plot more particularly described in Schedule IA (ii) hereinabove and have thus acquired a clear and marketable title to the said plot.

IB - PROPERTY DEARING SURVEY NO. 52/15 & 16.

Property known as "Kher" situated at ward Bamonvaddo, Village of Siolim, Taluka and sub-District of Bardez, District of North Goa, State of Goa, surveyed for record of rights under survey number 52/15 admeasuring 1,775 square metres and 52/16 admeasuring 50 square metres, totally admeasuring 1,825 square meters, not known to be described in the Land Registration Office nor enrolled in the Revenue Office for Matriz Predial and bounded as under:



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East: By the property bearing survey number 52/17 belonging originally to Ravindra Chodankar retired and now belonging to Riviera Constructions Pvt. Ltd.

West: By the property bearing Survey number 52/14 and belonging to Joao Francisco Britto.

North: By the property bearing Survey number 52/13 belonging to Francis Crasto.

South: By the property bearing Survey number 52/19 originally belonging to late Joao Jose Fernandes and Ana Regina Fernandes and now belonging to Riviera Constructions Pvt. Ltd.

DOCUMENTS RELIED UPON:

1. Records of Inventory Proceedings No.339/2017/C on the death of Olinda Lobo and others held in the Court of the Civil Judge Senior Division "C" Court of Bardez at Mapusa.
2. Agreement of Sale dated 10.08.2017 by virtue of which the said Paul Lobo and his wife Vinita Lobo agreed to sell the said property to Riviera Constructions Pvt. Ltd
3. Public Notice dated 28.09.2017 appearing in the daily Navhind Times dated 29th September 2017 published in the name of the undersigned.

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4. Certificate dated 15th October 2017 issued by the undersigned advocate stating that no person has filed any objections pursuant to the said public notice.

5. Sale Deed executed on 5.9.2018 and registered under Book-I Doc.Reg.no.BRZ-BKI-03946-2018, CD NO.BRZD803 dated 5.9.2018 with the Civil Registrar cum Sub Registrar of Bardez at Mapusa by which the said Paul Lobo and Vinita Lobo sold the said property to Riviera Constructions Pvt. Ltd.

6. Sanad for conversion under Sec 32 of the Land Revenue Code bearing ref: 4/366/CNV/AC-III/2018/308 dated 28.02.2020 converting the land for non agricultural use.

6. Form I & XIV in the name of the original owner Olinda Lobo.

7. Form I & XIV in the name of Riviera Constructions Pvt. Ltd.

8. Survey Plan of the property bearing Survey number 52/15 and 16.

TRACING OF TITLE:

The property described at Schedule IB, and herein referred to as THE SAID SECOND PROPERTY, belonged



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to (1) Mr. Paul Apollinaris Lobo alias Paul Lobo and his wife 2) Mrs. Vanita Ramchandra Dethe alias Vanita lobo, of Calangute, Bardez, Goa.

The said second property with the dilapidated house situated therein originally belonged to Mrs. Olinda Lobo alias Maria Cecilia Olinda Lobo alias Maria Cecilia Lobo and her husband Benedict Paulo Lobo alias Benedict Thomas S. Lobo alias Benedict Lobo alias Benny Lobo, both of whom are deceased having died on 04/08/2006 and 12/03/2004 respectively leaving behind as their exclusive heirs two sons by name 1) Paul Apollinaris Lobo alias Paul Lobo married to Mrs. Vanita Ramchandra Dethe alias Vanita Lobo, under system of communion of assets in Goa, and 2) Elizeo Lancelat Lobo alias Elizeo Lancelot Lobo, bachelor, deceased.

The said Elizeo Lancelat Lobo alias Elizeo Lancelot Lobo, alias Lancy Lobo died on 15/02/2016 as a bachelor without any descendants or ascendants, leaving behind as his collateral and as only heir his brother the said Paul Apollinaris Lobo alias Paul Lobo married to Mrs. Vanita Ramchandra Dethe alias Vinita Lobo alias Vanita Lobo, who are thus the exclusive owners in possession of the said second property.

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The said Paul Apollinaris Lobo and his wife Vanita Lobo (hereinafter referred to as THE OWNERS) by an Agreement of Sale dated 10th August 2017, agreed to sell the said second property to M/s Riviera Constructions Pvt.Ltd., subject to conducting an Inventory Proceedings on the death of the said Olinda Lobo, alias Maria Cecilia Olinda Lobo, alias Maria Cecilia Lobo and her husband Benedict Paulo Lobo alias Benedict Thomas S. Lobo alias Benedict Lobo, alias Benny Lobo and their bachelor son Elizeo Lancelat Lobo alias Elizeo Lancelot Lobo, alias Lancy Lobo.

The said Inventory Proceedings bearing no. 339/2017/C on the death of the said Olinda Lobo alias Maria Cecilia Olinda Lobo alias Maria Cecilia Lobo and her husband Benedict Paulo Lobo alias Benedict Thomas S. Lobo alias Benedict Lobo alias Benny Lobo and their bachelor son Elizeo Lancelat Lobo alias Elizeo Lancelot Lobo, alias Lancy Lobo were instituted in the Court of the Civil Judge Senior Division of Bardez at Mapusa.

In the said Inventory Proceedings bearing no. 339/2017/C , the said second property was listed or described under item no.1 and was allotted to the owners by final Order dated 29th August 2017 passed by the Civil Judge Senior Division "C" Court at Mapusa. The said Inventory Proceedings have now attained finality for want of appeal or any challenge.

On disposal of the said Inventory Proceedings, M/s Riviera Constructions Pvt.Ltd., published a PUBLIC NOTICE dated 28.09.2017 through the undersigned, in the local newspaper THE NAVHIND TIMES calling for objections, if any, for sale and purchase of the said Second Property, from the public in genera and it is hereby affirmed that no person filed any objections in pursuance of the said public notices claiming any right to the said second property. In fact till date there have been no objections to the said sale.

The title of the Owners to the said Second Property was therefore clear and marketable.

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In view of the above, M/s Riviera Constructions Pvt. Ltd., paid the consideration to the Owners in terms of Agreement of Sale dated 10th August 2017 and the owners by a Sale Deed executed on 5.9.2018 and registered under Book-I Doc.Reg.no.BRZ-BKI-03946-2018, CD NO.BRZD803 dated 5.9.2018 with the Civil Registrar cum Sub Registrar of Bardez at Mapusa, sold the said property having the said two survey numbers 52/15 and 52/16 to the said M/s Riviera Constructions Pvt. Ltd., of Mapusa.

The said Second Property viz. property bearing survey no.52/15 and 16 of Siolim Village is presently surveyed in the name of Riviera Constructions Pvt Ltd..

M/s Riviera Constructions Pvt. Ltd., of Mapusa are therefore the absolute owners in possession of the said property.

COMBINED TECHNICAL APPROVALS AND LICENSES for all the survey numbers 52/15, 52/16 and 52/19 (part).



1. TECHNICAL CLEARANCE ORDER from Town & Country Planning Dept. ref: TPB/5867/SIO/TCP-2020/574 dated 03.02.2020.

2. CONSTRUCTION LICENCE from Village Panchayat of Siolim Marna ref: VP/S.M./19-20/BAR/30/2953 dated 07.03.2020 along with Approved Plans.

The Town & Country Planning Department approved the amalgamation of the said two plots and granted a combined technical approval for survey numbers 52/15, 16 and 19 (part) permitting the owner to develop the said properties in terms of the technical clearance order and construction licence referred to herein above.

The Village Panchayat based on the technical approval of the Town and Country Planning Department granted an amalgamated Construction License bearing reference no. VP/S.M./19-20/BAR/30/2953 dated 07/03/2020 by Village Panchayat of Siolim - Marna and permitting the Developer to carry out the construction and requiring the developer to produce the sanad in respect of survey number 52/19 (part) at the time of obtaining occupancy certificate on completion of the project.



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In view of the above referred to title documents, approvals and licenses, I therefore certify that M/s. Riviera Constructions Pvt. Ltd., M/s, have a clear and marketable title to the said properties IA(ii) & IB bearing Survey no. 52/19 (part) & property bearing Survey no. 52/15 & 16 of Siolim. It is further certified that there is no impediment of whatsoever nature for M/s. Riviera Constructions Pvt. Ltd., to develop the said above properties described in Schedule IA(ii) and IB by constructing thereupon building or buildings consisting of flats, apartments and villas in terms of the licenses and approved plans and allot and sell built up area so constructed for a consideration to third parties/allottees.

(SHAILESH VENGURLEKAR)
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