

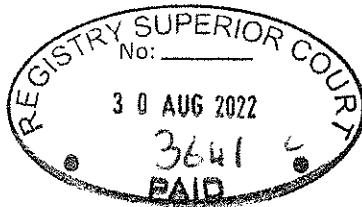
FIL-PRIM'AWLA TAL-QORTI CIVILI

*Subbasta Nru. 40/19*

HSBC BANK MALTA plc

Vs

Zsolt Nysri



RELAZZJONI TAL-ARKITETT U INGINIER CIVILI DARREN SCIBERRAS

1. Permezz ta' digriet inghatat minn din I-Onorabbi Qorti fl-24 ta' Lulju 2019, l-esponent gie nnominat bhala Perit Tekniku sabiex jagħmel deskrizzjoni u valutazzjoni tal-fond numru sitta (6), formanti parti minn blokk mingħajr numru, bl-isem ta' "Fragola Apartments", fi' Triq San Pawl, Mgarr Malta u kif ukoll garaxx numru tmienja (8) li jinsab bil-livell ta' basement, formanti parti mill-istess blokk.
2. Illi biex jaqdi l-inkarigu li nghatalu huwa zamm access nhar il-5 ta' Marzu 2020 fid-disgha ta' filghodu, prezenti is-Sinjura Doreen Cunningham bhala rappresentatrici tal-Bank HSBC u kif ukoll is-Sur Edward Mizzi ukoll rappresentant tal-Bank HSBC. Irrizulta lill-esponent illi hadd mill-intimati ma' kien prezenti fid-dar, fid-data u l-hin meta inzamm l-access.
3. L-esponent informa diversi drabi ohra lill intimat permezz ta' ittri b'appuntamenti tentattivi biex jinżamm access iehor, liema ittri gew impustati mill-esponent biex jaccerta ruhu li dawn kienu qegħdin jaslu, izda wara diversi tentattivi irrizulta illi dan il-fond in kwistjoni kien qiegħed jinkera lill terzi persuni, liema terzi kienu qed jirresjedu ghall-perjodi qosra u jinbidlu f'zmien qasir. Għaldaqstant kien difficiċċi għall-esponent biex jaccessa dan il-fond minhabba li hadd ma beda jwiegeb għat-talba tal-access.

4. Qabel ma giet processata talba ufficiali mill-esponent biex jigi awtorizzat mandat ta' zgass biex ikun jista jsir l-access, l-ufficiali tal-Bank HSBC infurmaw lill esponent illi kellhom access ghall-fond in kwistjoni minhabba li dan l-istess fond kien qieghed jigi rriklamat ma' l-agenzija ta' propjeta' Remax u li rappresentanti ta' din l-istess agenzija kellhom ic-cwievet tal-fond in kwistjoni.
5. Ghaldaqstant, in adempiment ta' l-linkarigu lilu moghti, l-esponenti acceda fil-fond de quo fit-16 ta' Gunju 2022, prezenti is-Sinjura Joyce Lynn Bonello (ID.327284M) rappresentanta tal-agenzija Remax. Hadd mill-intimati ma' kien prezenti fid-dar, fid-data u l-hin meta inzamm l-access.
6. Irrizulta lill-esponent illi l-fond bin-numru sitta (6), formanti parti minn blokk minghajr numru, bl-isem ta' "Fragola Apartments", fi' Triq San Pawl, Mgarr Malta huwa appartament bi tliet ikmamar tas-sodda li jinsab fl-ewwel sular, ilu mibni cirka hmistax-il sena u huwa accessibili minn entrata ta' komun li tizbokka fi' Triq San Pawl, liema access ghal-ewwel sular huwa permezz ta' lift u kif ukoll tarag komuni (ara ritratti numri 1 u 2). Faccata tat-tarag u l-lift komuni wiehed isib l-access principali ghal dan l-appartament (ara ritratti numru 3) li għandu kejl komplexiv ta' cirka 154 metri kwadri. Hekk kif tidhol f'dan l-appartament wiehed isib living room imdaqqa b'tieqa li tagħti għal fuq it-triq, u li annessa magħha tinsab kcina u dining room, li b'kollo għandhom kejl ta' cirka 7.65 metri b' 6.3 metri wisa' (ara ritratti numri 4 sa 6). Adjacenti mal-living room tinsab l-ewwel kamra tas-sodda doppja b'tieqa li tagħti għal-bitha interna, liema bitha hija mibnija skond ir-regoli tas-sanita' (ara ritratti numru 7). Aktar il-quddiem fil-kurit, fuq in-naha tal-lemin imbghad wiehed isib washroom b'tieqa li tagħti ghall-bitha interna, kamra tal-banju principali u fuq in-naha l-ohra tal-appartament wiehed isib it-tieni kamra tas-sodda doppja b'tieqa li tagħti ghall-bitha interna (ara ritratti numri 8 sa 10). Adjacenti mat-tieni kamra tas-sodda jinstab WC zghir b'tieqa li tagħti għal-shaft intern, u aktar il-quddiem lejn il-faccata ta' barra tal-appartament tinsab it-tielet kamra tas-sodda doppja b'tieqa li tagħti għat-qtnejha u kif ukoll b'access ghall-gallerija zghira u kif ukoll annessa magħha tinsab ensuite li għandha tieqa għas-shaft intern

(ara ritratti numri 11 sa 15). Dan il-fond ma fih l-ebda gallerija esterna, ghajr gallerija zghira msemmija hawn fuq u annessa mat-tielet kamra tas-sodda.

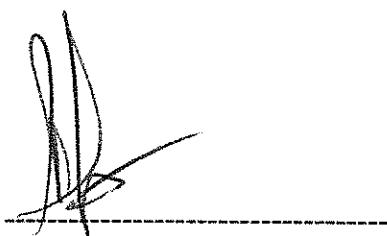
7. Strutturalment dan il-fond jinsab fkundizzjoni tajba. Is-soqfa huma tal-konkos filwaqt li l-hitan huma mibnija minn bricks u gebel. Ta' min isemmi illi gew notati xi 'longitudinal hairline cracks' mat-tul tas-saqaf ta' fuq il-living area u kif ukoll tal-kcina u d-dining area, liema hsarat jidhru li huma kawza ta' settlement tal-binja. Gew notati wkoll cracks fil-hitan tal-living area u li jidhru li huma relatati ma' dawk li jinsabu fis-saqaf. Ghalkemm m'humiex hsarat strutturalment estensivi, pero jehtiegu manutenzjoni biex jigi evitat aktar hsara maz-zmien.
8. Tistgha tghid li internament dan il-fond jikkonsisti f'finishes mhux kompluti li jinkludu aperturi esterni maghmula minn aluminum abjad bi' hgieg single glazing, madum gress ta' kwalita medja, servizzi infrastrutturali li jinkludu d-dawl, ilma u drenagg u kompluti bit-third fix bhal plugs u switches. Il-fond ma fihx soffitti u lanqas bibien interni. Internament il-fond huwa miksi izda jehtieg manutenzjoni fiz-zebgha minhabba deterjorazzjoni f'xi partijiet. Il-kamar tal-banju huma kompluti bil-madum u accessorji li huma funzionabbi.
9. Dan il-fond għandu s-servizzi infrastrutturali bazici funzjonabbi li jinkludu id-dawl, l-ilma u d-drenagg.
10. Dan il-fond prezentament igawdi minn xi veduti izda dawn jistgħu jintilfu meta tigi zviluppata l-art facċata ta' dan il-blokk.
11. Dan il-fond huwa liberu u frank.
12. Dan il-fond ma' fih l-ebda mobbli ghajr sodda doppja li tinsab f'wahda mill-kamar.

13. Dan il-fond jinsab f'zona Residenzjali hekk kif huwa nnotat f'mappa 51 tan-North West Local Plan u kif ukoll jinsab f'zona fejn jistgħa jinbena zvilupp sa 16.3m għoli, hekk kif jixhdu Doc A u B hawn annessi.
14. Qed tigi esebita wkoll il-pjanta immarkata bl'ahmar ta'dan l-appartament f'Doc C u kif ukoll estratt mil-website tal-Awtorita' tal-Ippjanar fejn jikkonferma illi dan l-appartament huwa kopert u konformi mall-permess approvat PA8104/06, li huwa anness bhala Doc D. Ma jezisti l-ebda potenzjal għal aktar zvilupp fuq dan l-appartament.
15. Irrizulta wkoll lill-esponent illi garaxx numru tmienja (8) li jinsab bil-livell ta' basement, formanti parti mill-istess blokk u li huwa accessibl minn rampa li tagħti għal Triq San Pawl, huwa garaxx ta' karozza wahda li jinsab ezatt imiss mar-rampa principali. Għalkemm fuq il-pjanta Doc C immarkata bl-ahmar dan il-garaxx huwa mmarkat bhala numru wieħed u mhux numru tmienja, dan il-garaxx gie indikat lill esponent bhala l-garaxx anness mal-fond in kwistjoni. Dan il-garaxx għandu kejl komplexsiv ta' cirka 28 metri kwadri u għandu għoli ta' 2.91 metri. Dan il-garaxx għandu tieqa għolja li tagħti għal fuq it-triq.
16. Strutturalment dan il-garaxx jinsab f'kundizzjoni tajba. Is-soqfa huma tal-konkos filwaqt li l-hitan huma mibnija minn bricks. Il-garaxx huwa komplut b'bieb tal-metall, art tal-konkos u zebgha u kisi intern.
17. Dan il-garaxx huwa liberu u frank.
18. Dan huwa dak kollu illi f'dan l-istadju l-esponenti għandu l-unur jissottometti għas-savja konsiderazzjoni ta' din l-Onorabbli Qorti.
19. Wara nkonsiderazzjoni ta' diversi fatturi mportanti fosthom il-lokazzjoni, il-potenzjal, id-daqs u kif ukoll l-istat prezenti ta' dan l-appartament, l-esponenti huwa tal-fehma illi l-valur fis-suq tal-appartament in kwistjoni mingħajr il-garaxx, f'Awissu tal-2019 għandu jkun dak ta' mitejn u hmistax-il elf Euro (€ 215,000). Biex wieħed jaggusta dan il-prezz ghaz-zmienijiet

prezenti, l-esponent ihoss illi l-valur ta' dan l-appartament illum għandu jkun dak ta' mitejn u hamsa u erbghin elf Euro (€ 245,000).

20. Wara nkonsiderazzjoni ta' diversi fatturi mportanti fosthom il-lokazzjoni, il-potenzjal, id-daqs u kif ukoll l-istat prezenti tal-baselement garaxx, l-esponenti huwa tal-fehma illi l-valur fis-suq tal-garaxx in kwistjoni f'Awissu tal-2019 għandu jkun dak ta' tmienja u ghoxrin elf Euro (€ 28,000). Biex wieħed jaggusta dan il-prezz ghaz-zmienijiet prezenti, l-esponent ihoss illi l-valur ta' dan il-garaxx illum għandu jkun dak ta' tlieta u tletin elf Euro (€ 33,000).

ILLUM.....05.10.2022  
DEHER IL-PERIT LEGALI/TEKNIKU.....Darren Sciberras  
29.7.81M.....LI HALEF LI QEDA FEDELMENT  
U ONESTAMENT L-INKARIGU MOGHTI LILU



DEPUTAT REGISTRATOR  
Deputy Registratur  
Deputy Registrars  
Qrali ji-Quażiżja (Malta)  
Law Courts (Malta)

AIC Darren Sciberras  
Accredited Property Valuator

12 ta' Lulju 2022

Sciberrasdarren@gmail.com

30 AUG 2022

ILLUM.....  
Apprententata minn.....Darren Sciberras  
Tempo aktar.....Tasse ġok  
(S) a.o  
DEPUTAT REGISTRATOR  
Deputy Registratur  
Deputy Registrars  
Qrali ji-Quażiżja (Malta)  
Law Courts (Malta)



# NORTH WEST LOCAL PLAN

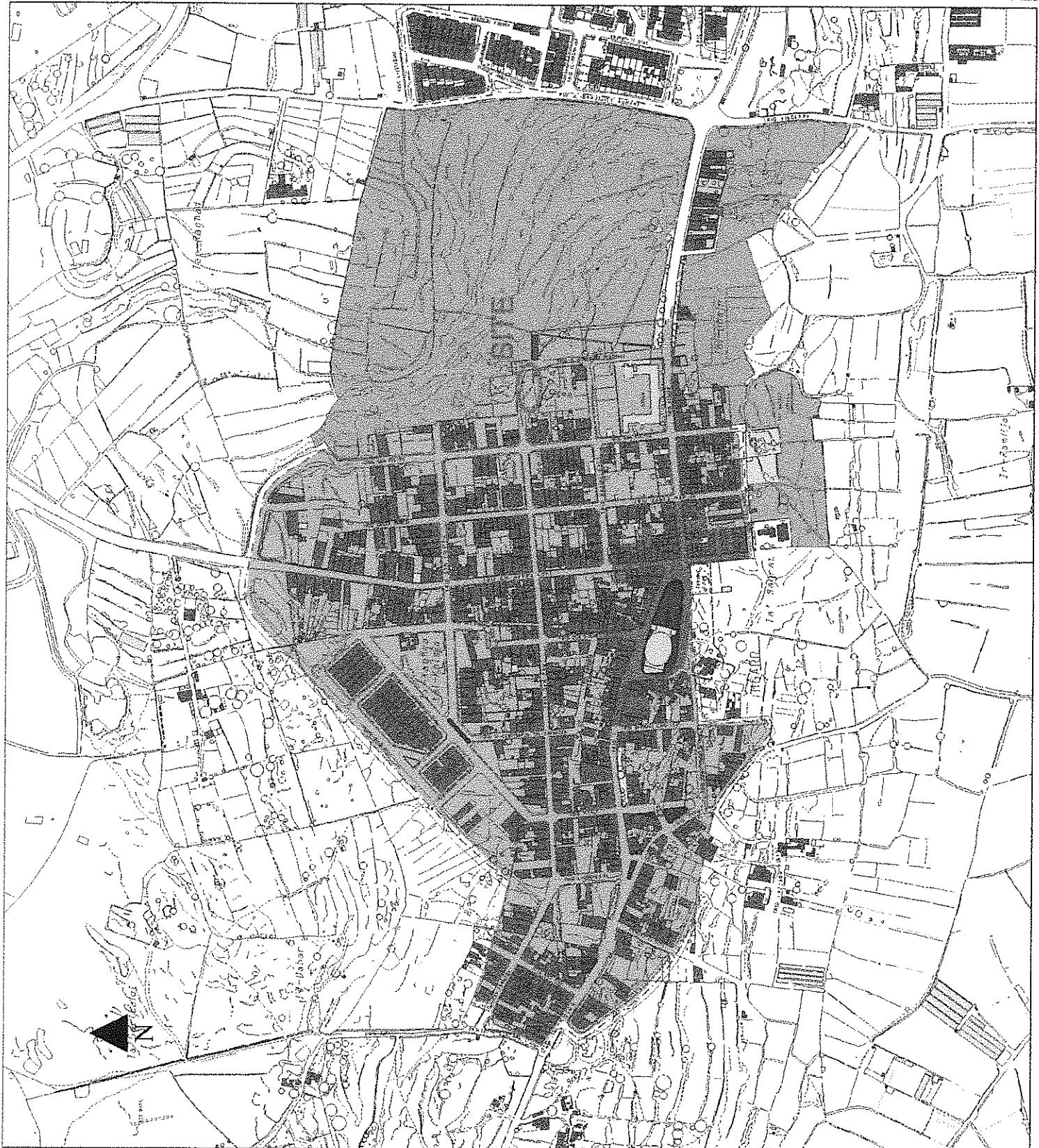


L-Awtorità ta' Malta L-Is-Suġġiġ u -Igħixx  
Malta Environment & Planning Authority

DOC A

## Key

	NWTS 1 Limit to Development Boundary
	NWCO 1 Urban Conservation Area
	NWCO 11 Open Space Gaps
	NWCM 2
	NWLS 3 Local Centre for Mgarr
	NWRS 2 Mgarr Residential Area
	Category 1 ODZ Settlement
	NWUS 6 Urban Open Space
	NWMG 1 Interpretation Facilities for Heritage Sites
	NWMG 2 Protected Urban Spaces



NORTH WEST LOCAL PLAN



L-Awtorita ta' Malta Dwar l-Ambent u l-Piaggier  
Malta Environment & Planning Authority

Key

- |                                     |   |   |
|-------------------------------------|---|---|
| <input checked="" type="checkbox"/> | NWUS 1<br>Limit to Development Boundary |   |
| <input type="checkbox"/>            | NWRS 2<br>Category 1 ODZ Settlements    |   |
| <input type="checkbox"/>            | NWCO 1<br>Urban Conservation Area       |       |
| <input type="checkbox"/>            | 3 Floors<br>plus 3 courses basement     |   |
|                                     |   | Applicable Policy   |
|                                     |   | NWUS 5<br>Building Height Limitations   |

#### Applicable Policy

NWUS 5  
Building Height Limitations





the people's government.

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Schweiz 1:500	1 km	1 minute
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Europa 1:500	1 km	1 minute
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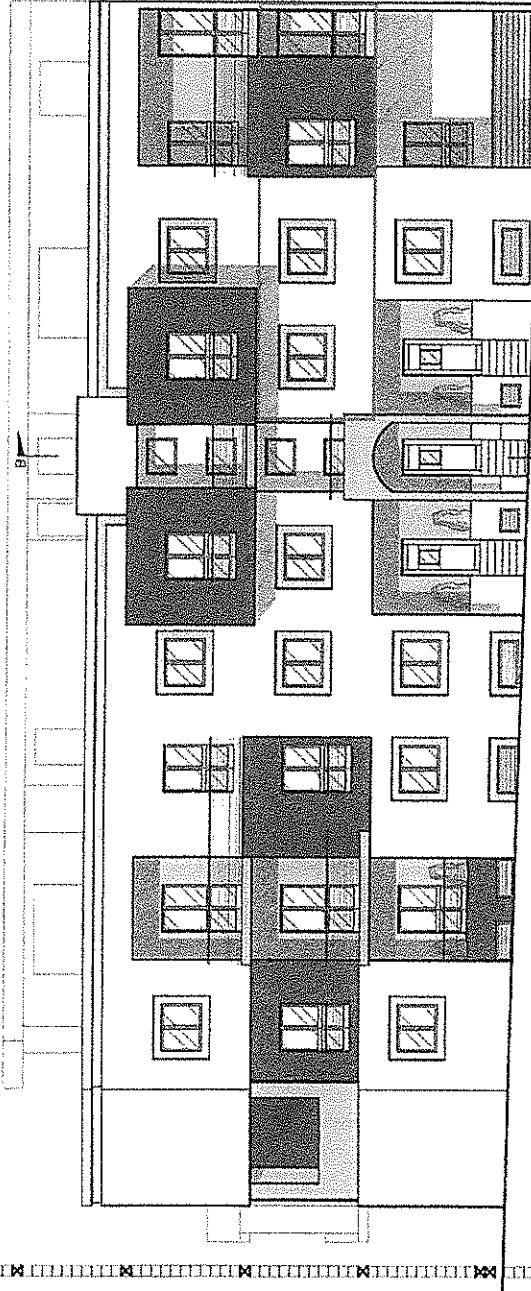
Do not scale.

Dimensions to be verified on plan.

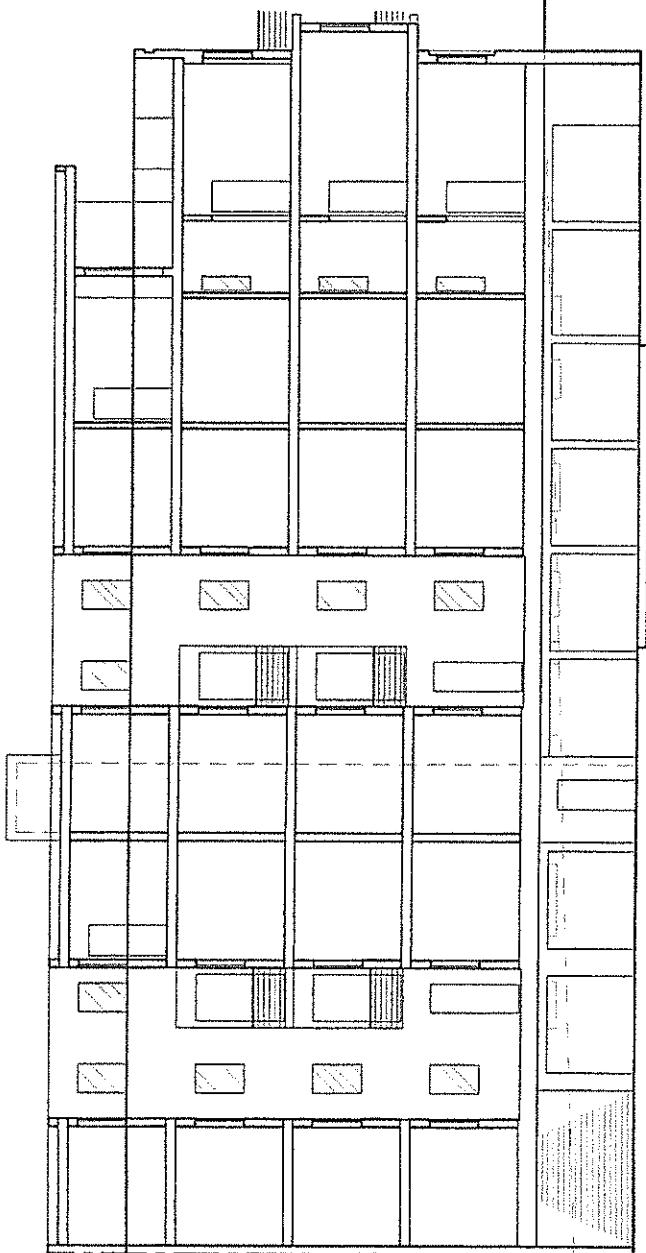
Procedure	Fluoride Concentrations	Mr. Alberto Arguello's Concentrations	Water	Proposed Experiments and Services
Description	Date	Date	Given by	Starting Date
Scaling	04/01/01	11/01/01	HC	10/23
Scaling	04/01/01	11/01/01	HC	10/23

Parfüm- und Kosmetikfirma  
 Dr. A. H. Müller & Sohn  
 75 Düsseldorf, Maxvorstadt  
 Tel. 21-70845  
 markenamtlich registriert

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Proposed Front Elevation



Section A-A

## Case Details

Case Number	Case Status	Location	Description of Works	Applicant	Perit
PA/08104/06 (/Search/CaseDetails_DoiyXv96Ae1v1QgUiatalZA==? casetype=PA)	This application has been approved by Planning Board / Commission.	Site at, Triq il-Konkors Teatrali, Mgarr	To construct basement garages and residential units.	Mr Alberto Augugliaro	Mr Godwin Agius

[Overview](#) [Documents](#)

### Current Application Status

**Case Status:** This application has been approved by Planning Board / Commission.

## Case Information

Case Number:	PA/08104/06
Location of Development:	Site at, Triq il-Konkors Teatrali, Mgarr
Description of Works:	To construct basement garages and residential units.
Reception Date:	21/12/2006
Applicant:	Mr Alberto Augugliaro
Architect:	Perit Mr Godwin Agius

## Initial Processing

**Validation Date:** 26/01/2007  
**Target Date:** 17/07/2007  
**Application Type:** Full development permission  
**Case Category:** Inside Development Zone

## Publication

<b>Site Notice Images:</b>	Photos (/Search/DisplaySiteNotices? caseFullRef=PA%2F08104%2F06%20%20%20%20%20%20%20%20%20%20%20%20)
<b>Publication Date:</b>	10/02/2007
<b>Representation Expiry Date:</b>	25/02/2007

## Recommendation

**Recommendation:** Grant Permission  
**DPA Report Cleared date:** 16/05/2007  
**DPA Report Sent date:** 01/08/2007  
**HAC Minutes:** HAC Minutes  
(/File/DownloadHACMinutes/DoiyXv96Ae1v1QgUitaIZA%3d%3d)

## Board Information

**Board Decision:** Grant Permission  
**Decision Date:** 13/09/2007  
**Decision Posted Date:** 14/11/2007



## Further Information

**Initial Setting-Out Request Concluded:** 09/05/2008  
**Final Setting-Out Request Concluded:** 09/12/2008

## ABOUT

Planning Authority Website (<http://www.pa.org.mt/>)  
Contact Us (/Home/ContactUs)

## Legislation

Planning Legislation (<http://www.justiceservices.gov.mt/LOM.aspx?pageid=27&mode=chrono&gotoid=552>)  
EPRT Legislation (<http://www.justiceservices.gov.mt/LOM.aspx?pageid=27&mode=chrono&gotoid=551>)  
Privacy Policy (<http://www.pa.org.mt/privacy-policy>)

## Actions

My Desktop (/)  
Pre-Publication Cases (/PrePubCases/PrePublicationCases)

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FRAGOLA  
COURT

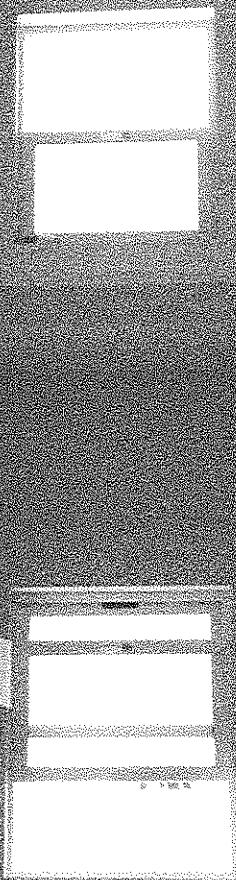
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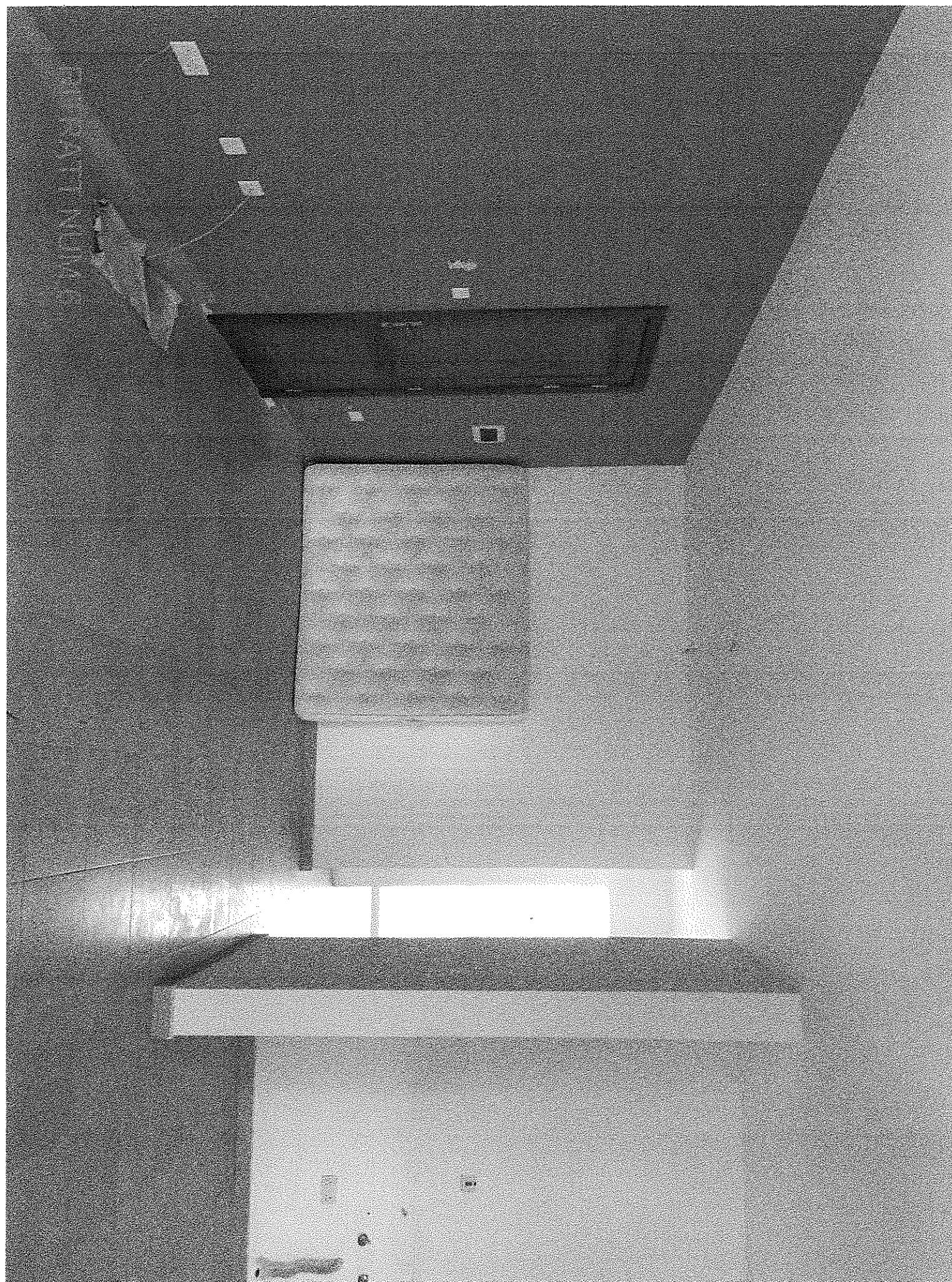
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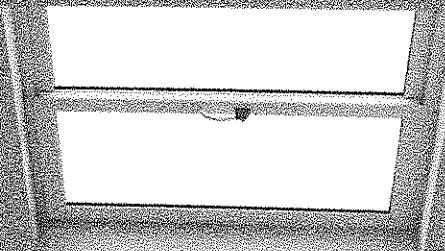




# RITRATTI NUMERI







RITRATTI NUMERI







REMANUFACTURED

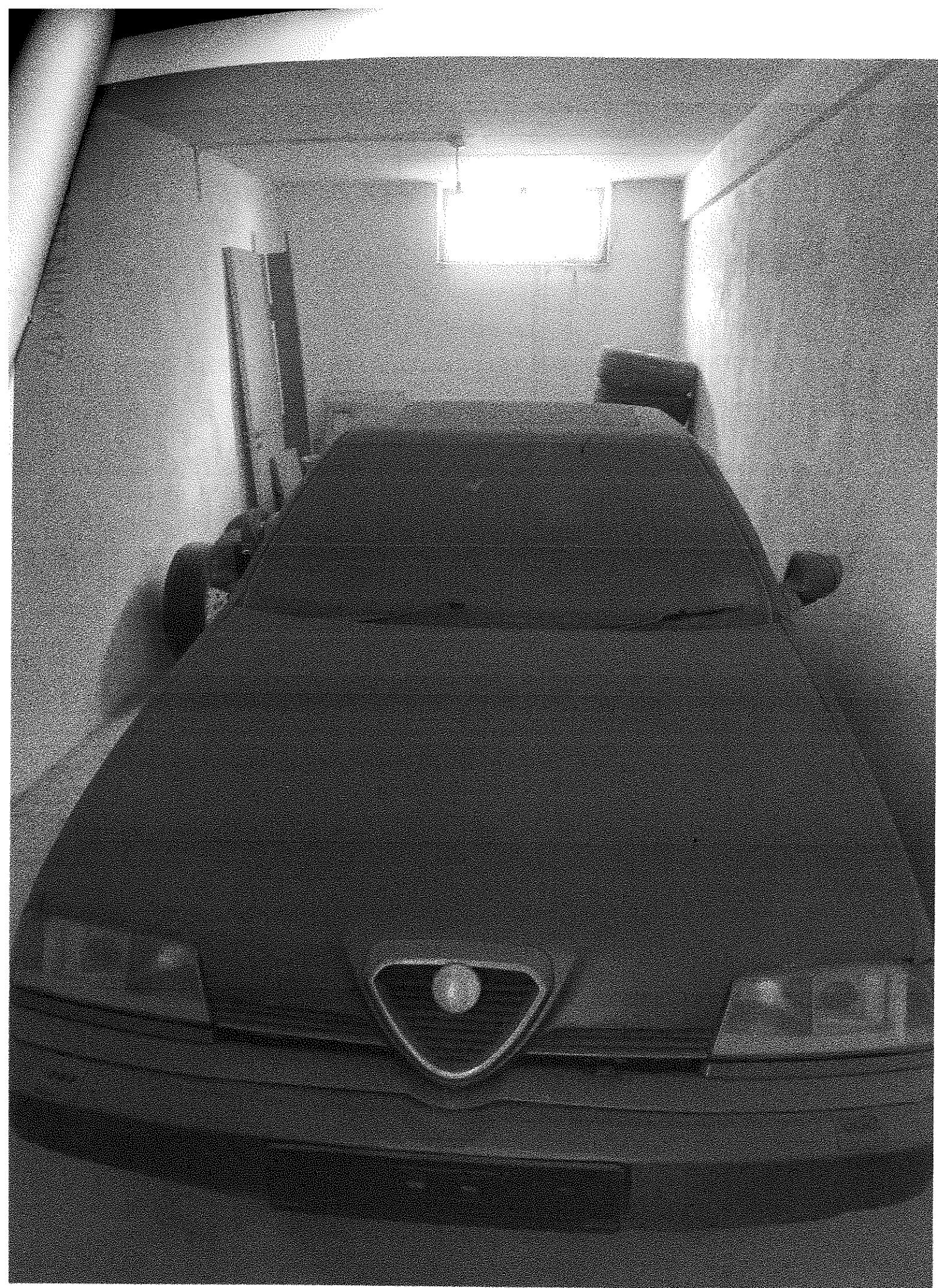


RITRATTI



RITRATTI







# EIGHTH SCHEDULE

FORM OF INMOVABLE PROPERTY  
Mgarr

Apartment 6, Fragola Apartments, Triq San Pawl, Mgarr

Date of Transfer of Title	154sqm
------------------------------	--------

TICK WHERE APPLICABLE (Tick one box in each case except where indicated otherwise)				
Type of Property	<input type="checkbox"/> Villa	<input type="checkbox"/> Semi-Detached	<input type="checkbox"/> Bungalow	<input checked="" type="checkbox"/> Flat/Apartment
	<input type="checkbox"/> Penthouse	<input type="checkbox"/> Mezzanine	<input type="checkbox"/> Maisonette	<input type="checkbox"/> Farmhouse
	<input type="checkbox"/> Terraced House	<input type="checkbox"/> Ground Floor Tenement		
Age of Premises	<input checked="" type="checkbox"/> 0-20 years	<input type="checkbox"/> Over 20 years	<input type="checkbox"/> Pre WWII	
Surroundings	<input type="checkbox"/> Sea View	<input type="checkbox"/> Country View	<input checked="" type="checkbox"/> Urban	
Environment	<input type="checkbox"/> Quiet	<input checked="" type="checkbox"/> Traffic	<input type="checkbox"/> Entertainment	<input type="checkbox"/> Industrial
State of Construction	<input type="checkbox"/> Shell	<input type="checkbox"/> Semi-Finished**	<input checked="" type="checkbox"/> Finished**	
Level of Finishes	<input type="checkbox"/> Good	<input checked="" type="checkbox"/> Adequate	<input type="checkbox"/> Poor	
Amenities Tick as many as appropriate	<input type="checkbox"/> With Garden	<input type="checkbox"/> With Pool	<input checked="" type="checkbox"/> With Lift	<input type="checkbox"/> With Basement
	<input type="checkbox"/> No Garage	<input checked="" type="checkbox"/> One car Garage	<input type="checkbox"/> Two Car Garage	<input type="checkbox"/> Multi Car Garage
Airspace	<input type="checkbox"/> Ownership of Roof	<input checked="" type="checkbox"/> No Ownership of Roof	<input type="checkbox"/> Shared Ownership	

\* Includes all lands and gardens but excludes additional floors, roofs and washrooms

\*\* Includes \*\* plus bathrooms and apertures

\*\* Includes plastering, electricity, plumbing and floor tiles

Date: 30-07-2022

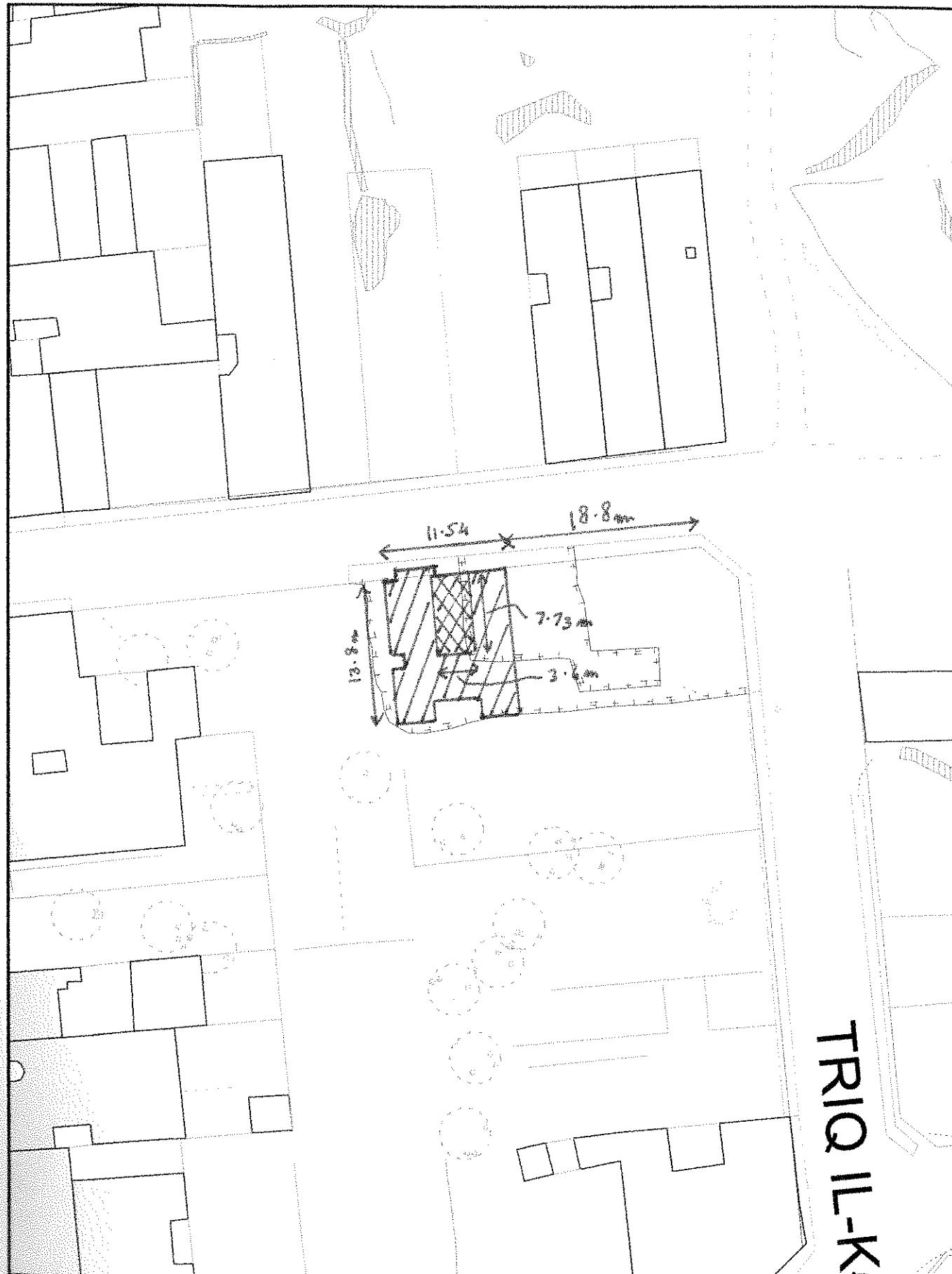
Perit's Signature:



Warrant Number: 536

Rubber Stamp:

Malta Defence Schedule  
R.L. 1971 (1999), Act 11  
An Act to Civil Engineers

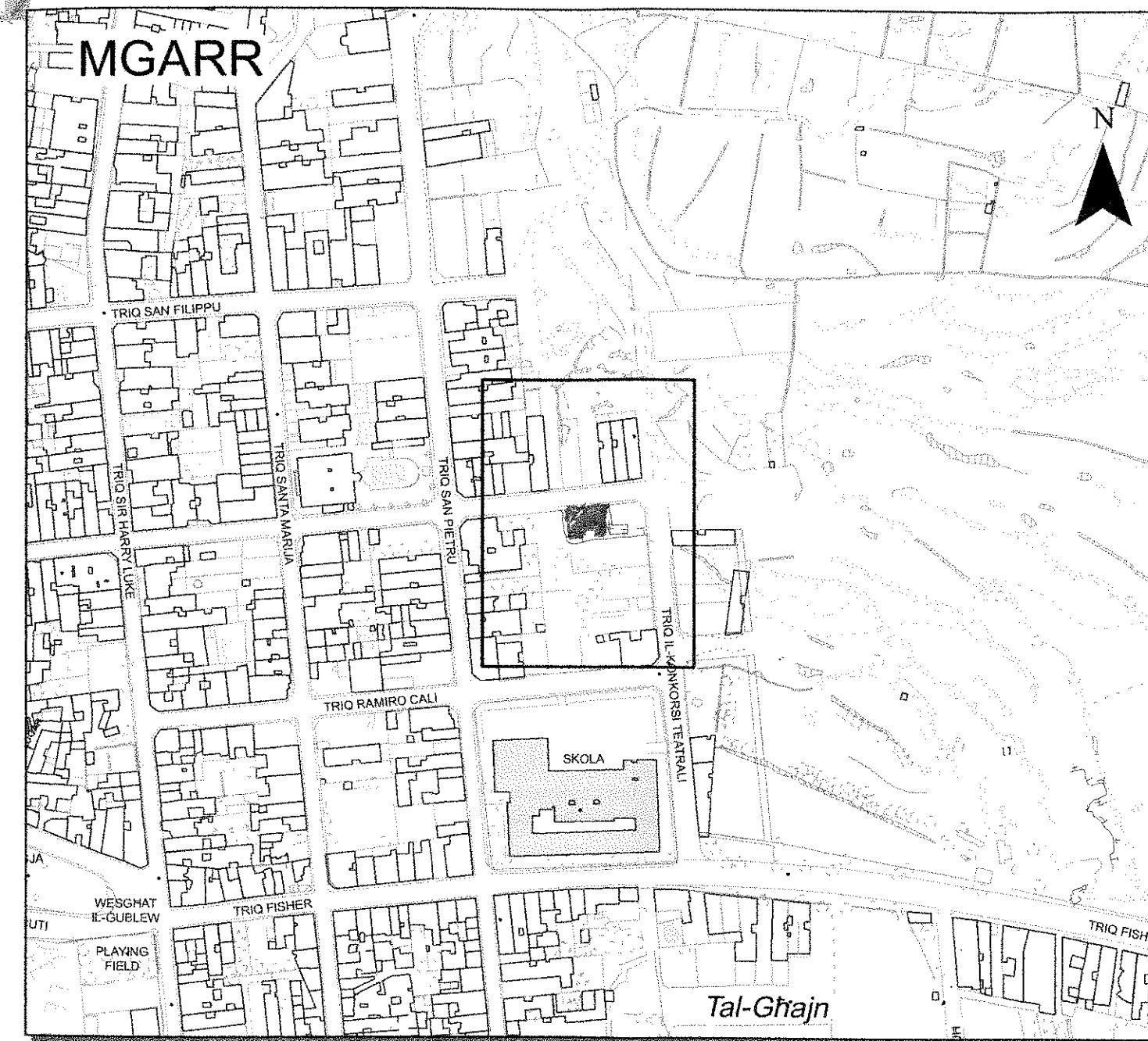


Scale 1:500

0 10 20 30 40 50m

■ - Property at first floor (excl airspace)

■ - Property at basement and first floor (excl airspace)



Pjanta tas-Sit 1:2500 Site Plan

Aġenzija għar-Registrazzjoni tal-Artijiet

116, Casa Bolino, Triq il-Punent, Il-Belt Valletta



Land Registration Agency

116, Casa Bolino, Triq il-Punent, Il-Belt Valletta

Nru tal-Mappa:  
Map Number:

Perit:

Architect:

Timbru tal-Perit:

Architect's Stamp:

Pożizzjoni Ċentrali: x = 43142  
Centre Coordinates: y = 75546

Architect:

Perit Darren Scherzer  
B.E.S. (Hons), A.R.C.E.  
Structural & Civil Engineer

Parti min S.S.:  
Extracted from S.S.:

4275

Data:  
Date:

01/08/2022

Date:

- 126 m<sup>2</sup>  
- 17.8 m<sup>2</sup>

Qies (metri kwadri):  
Area (square metres):

Firma ta' l-Applicant:  
Applicant's Signature:

LR

250841

Dritt imħallas  
Fee Paid