

Sent email re' madwar

ZITTA AUT.  
26.11.19

Prim'Awla - Qorti Civili.

Referenza ta' l-uffiċċju

19129

Referenza tagħkom:

Atti tas-Subasta Nru 48/2019 - BOV plc vs Stephen Schembri

Data: 12/11/2019



Post in kwistjoni: Maisonette "Arkati" bl-ittra mhux ufficċjali "C" fi Sqaq Numru 1, Triq il-Wied,  
Birkirkara  
Sugġett: Valutazzjoni ta' ċens tal-art

L-esponenti intalab mill- Onorabbli Prim'Awla tal-Qorti Civili sa biex jirredigi opinjoni  
professjonalni dwar il-valutażżjoni tal-propjeta in kwistjoni.

### Introduzzjoni

Is-sit in kwistjoni jinsab fi żona UCA – Urban Conservation Area jigifieri fejn ma jistax issir žvilup  
iktar min żewġ sulari jew daqs kemm hemm ezistenti min qabel 1968. Il-propjeta qeda tiġi  
murija markata fil-pjanta **Annetti A**.

Is-sit gie mkejjel fuq is-sit kif ukoll b'referenza mal-pjanti tal-permess maħruġa mill-Awtorita'  
tal-Ipjanar **Annetti B**.

Il-kejl tal-propjeta kollha jitwettaq skont il-kodiċi tal-prattika tal-kejl kif maħruġ mill-Kamra tal-  
Periti *Valuation Standards 2012*.

**Rapport ta'valutazzjoni:**

- (a) Id-data tal-valutazzjoni;

**12 ta' Novembru 2019**

- (b) Id-data li saret referenza għaliha meta ġiet valutata l-propjeta;

**30 ta' Settembru 2019**

- (c) L-istat li jiġi kkalkulat li l-propjeta kienet fih fid-data li saret referenza għaliha meta ġiet valutata l-propjeta;

Din il-propjeta tikkonsisti f'maisonette (wieħed minn erbgħa) fil-pjan terran li flimkien maz-zewġ blokki ta' appartamenti sovrastanti ul-kumpless ta' garaxxijiet u 'car spaces' sottostanti f'basement level jiffurmaw il-kumpless magħruf bħala 'L-Arkati', b'entratura separata, liema maisonette hija tieni wahda minn naħha tal-lemin meta tħares mit-triq u hija sottostanti appartamenti numru ħamsa u sebgħha, inkluz sehem mit-tanax indiviz tal-pussess tal-kurittur li huwa komuni għat-tnejn il-unit. Konfinanti mal-imsemmija maisonette minn Nofsinhar hemm l-imsemmija Triq il-Wied, mill-Punent mal-maisonette markata bl-ittra mhux ufficjali 'B', u mill-Lvant mal-maisonette markat bl-ittra mhux ufficjali 'D'.

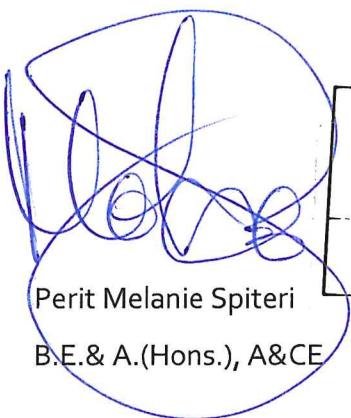
Kif tidħol ġewwa wieħed issib salott, karma tal-banju, il-master bedroom b'kamra tal-banju magħha, kċina u karma tas-sodda oħra maqsuma fi tnejn. Fuq wara tal-propjeta, wieħed issib il-bitħa.

- (d) L-użu li kien qed isir mill-propjeta fid-data li saret referenza għaliha meta ġiet valutata l-propjeta inkluża l-informazzjoni dwar jekk il-propjeta kienitx fl-istess żmien suġġetta għal drittijiet ta' terzi bħalma huma enfitewsi, użu, użufrutt jew kera;

**Din il-propjeta kienet qed tintuza bħala residenzja ewlenija fid-data li giet valutata. Il-perit inkarigat minn din l-stima ma giex infurmat jekk hemmx drittijiet ta' terzi bħalma huma enfitewsi, użu, użufrutt jew kera u għalhekk gie meħud bħala post liberu u frank.**

- (e) L-operazzjonijiet paragunabbi, jekk ikun hemm, li l-propjeta tkun ġiet valutata b'riferenza għalihom;
- Ġew iparagunati rati tal-begħ fil-qrib u ta'propjetajiet simili fid-daqs u tip bħal din in kwistjoni. Din kienet tikonsisti min riċerka tat-Times of Malta, kif ukoll minn siti elettroniċi ta' 'real estate agents'.**
- (f) Ir-restrizzjonijiet li joħorgu mill-iskemar skont il-pjani lokali u, jew raġunijiet pertinenti oħra;
- Peres li din il-propjeta hija terran u hija parti min binja kbira, ma hemmx lok għal aktar zvilupp, għal hekk ma tigiex affewwata mil-pjan lokali tal-Planning Authority.**
- (g) Il-metodu ta' kif waslu għall-valutazzjoni tagħihhom;
- Intuza l-metodu komparabli tax-xiri ta' propjetajiet simili għal din in kwistjoni .**
- (h) Dikjarazzjoni tal-Periti kif ukoll tal-eserti l-oħra involuti fil-valutazzjoni, skont is-subartikolu preċedenti, li ma kellhom l-ebda kunflitt ta' interess fid-data tal-valutazzjoni;
- Hawn taħt iffirmat tikkonferma li ma hemm l-ebda kunflitt ta' interess li nagħti parir tal-opinjoni tal-valur tal-propjeta, peress li s-sottoskrift jew l-asocjati tiegħu ma jibbenefikawx mill-istruzzjoni tal-valutazzjoni, għajr il-miżata tal-valutazzjoni.**

Id-dokumentazzjoni u l-kirjiet ta' titoli ma ġewx approvdu lili. Sa kemm ma jiġix innotifikat bil-kontra, nassumu li kull projeta għandha titolu tajjeb u kummerċjabbli u hija ħielsa minn kull litigazzjoni pendenti. Nassumu wkoll li d-dokumentazzjoni kollha tingħibed b'mod sodisfaċenti u

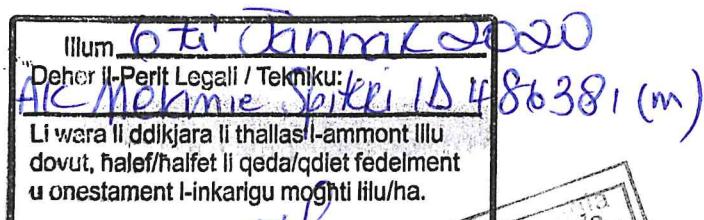
  
Perit Melanie Spiteri  
B.E.& A.(Hons.), A&CE



25 NOV 2019

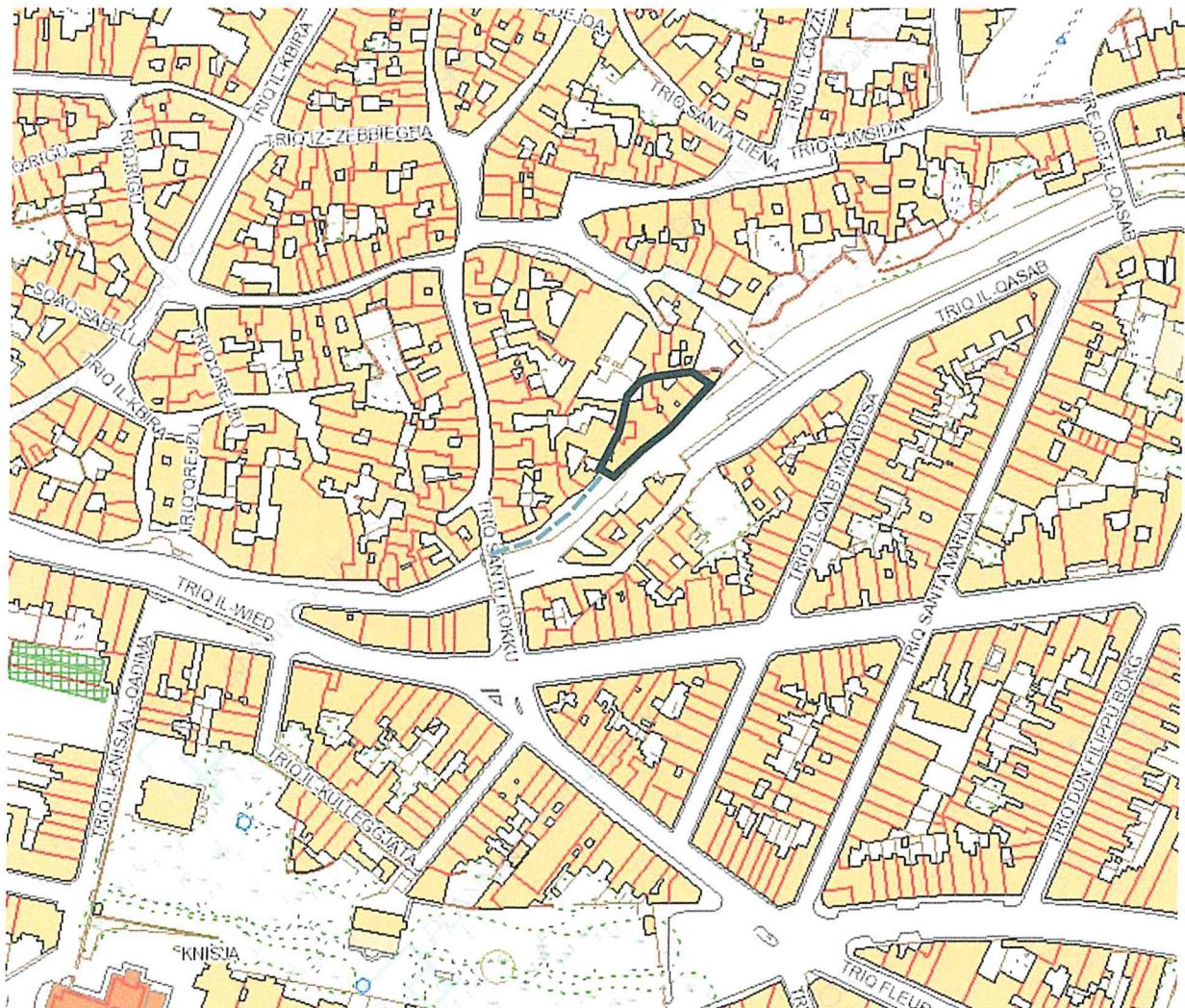
Illum .....  
Ippreżentot u null .....   
bla dok b' Bi tliet (3). Dokumenti

  
Annaise Spiteri  
Deputat Registratur  
Qrati tal-Gustizzja (Malta)



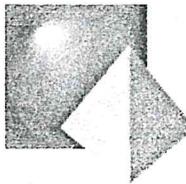
## Annetti A – Site Plan

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## **Annetti B – Pjanti tal-permess**

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AUTORITÀ TA' L-I P P J A N A R  
PLANNING AUTHORITY

To: Mr Valeriano Schembri  
Shinenkan  
St. Paul's Street  
Naxxar

Date: 24 June, 1999  
Our Ref: PA 04850/98

Application Number: PA 04850/98  
Application Type: Full development permission  
Date Received: 6 August, 1998  
Approved  
Documents : PA 4850/98/2A/19A/19B/19C.

Location: 8, Triq Il-Wied, Birkirkara  
Proposal: To demolish existing room and erect flats and basement garages.

**Development Planning Act 1992 Section 33  
Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and plans described above, subject to the following conditions:

1. Introductory notes and general conditions (A) on form DC 1/88 apply. Conditions for underlying basements and garages (B) also apply. Condition A 15 does not apply to this development though.
2. Height of the building should not exceed three (3) floors, plus the underlying basement.
3. The garage shall only be used for the parking of private cars.
4. The ramp leading down to the underlying basement/garage shall at no point, along the centreline of its length, be steeper than 1:8 if ramp is straight or 1:10 if the ramp is helical. The ramp shall be so formed that it does not encroach onto the pavement.
5. A water cistern, having a volume in cubic metres of 60% of total roof area (in square metres), is to be constructed to store rainwater run-off from the built-up area of the development.
6. The facade of the building should be constructed in local stone except where other materials, finishes and colour are indicated on the approved drawings.
7. All apertures and balconies are to be constructed of timber.
8. All metal works shall be in wrought iron.

9. The stairs serving as a fire exit are to be kept clear at all times.
10. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.
11. The development hereby permitted shall not be brought into use until a Final Compliance Certificate, certifying that the development has been carried out in full accordance with the plans approved by this permission and with the other conditions imposed in this permission, has been issued by the Planning Authority.
12. The following group of conditions apply to all development:
  - a) All works shall be carried out strictly in accordance with the approved plans. However, where ambiguities or discrepancies arise between the approved plans and the conditions on this decision notice, the conditions shall take precedence over the approved plans.
  - b) Before work begins, the enclosed green copy of the Building Permit must be displayed on site. This must be mounted on a notice board, suitably protected from the weather, and easily legible from the street. The permit must be maintained in good condition until works on site are complete.
  - c) No building material, waste, machinery or plant shall be allowed to obstruct the pavement or the smooth flow of traffic in the vicinity of the site. Deposit of materials or placing of equipment in the street must be authorised by the Police.
  - d) Copies of all approved plans and elevations must be available for inspection on site by Planning Directorate staff at all reasonable times.
  - e) Where applicable, all building works must be in accordance with the official alignment and proposed/existing finished road levels as set out on site by the Planning Directorate's Land Surveyor. The Land Survey Unit of the Planning Directorate must be informed when the setting out of the alignment and levels is required.
  - f) Before building operations start, where applicable, the street is to be opened up and brought up to its proper and approved formation levels by the applicant.
  - g) This development permission is valid for a period of three years from the date of the permission. If, upon the lapse of this three year period, the site has NOT BEEN COMMITTED in accordance with the permit a new application must be submitted to the Planning Authority. If, however, the site has been committed and works HAVE COMMENCED the validity of the permit shall be extended for a period of a further twelve months. In the case of the latter, you should inform the Planning Authority of your intention to utilise your right to extend the permission for a further twelve months and the Authority shall issue a formal notification of this extension.
  - h) The enclosed Commencement Notice shall be returned to the Planning Authority so that it is received at least five days prior to the commencement of the development hereby permitted.
  - i) This permit is being issued saving the right of any third party to appeal from such permit. If

the applicant wants to avail himself of this permit immediately or pending any third party appeal, the development will be at the risk of applicant in case the permit is revoked by the Appeals Board or the Court of Appeal respectively.

This permit is granted saving third party rights. The applicant is not excused from obtaining any other permission required by law. The applicant should contact the following regarding the location and provision of services prior to commencing development:- Enemalta, Water Services Corporation, Mallacom, Drainage Department and Melita Cable.



FRANCES GALEA  
Secretary  
Development Control Commission

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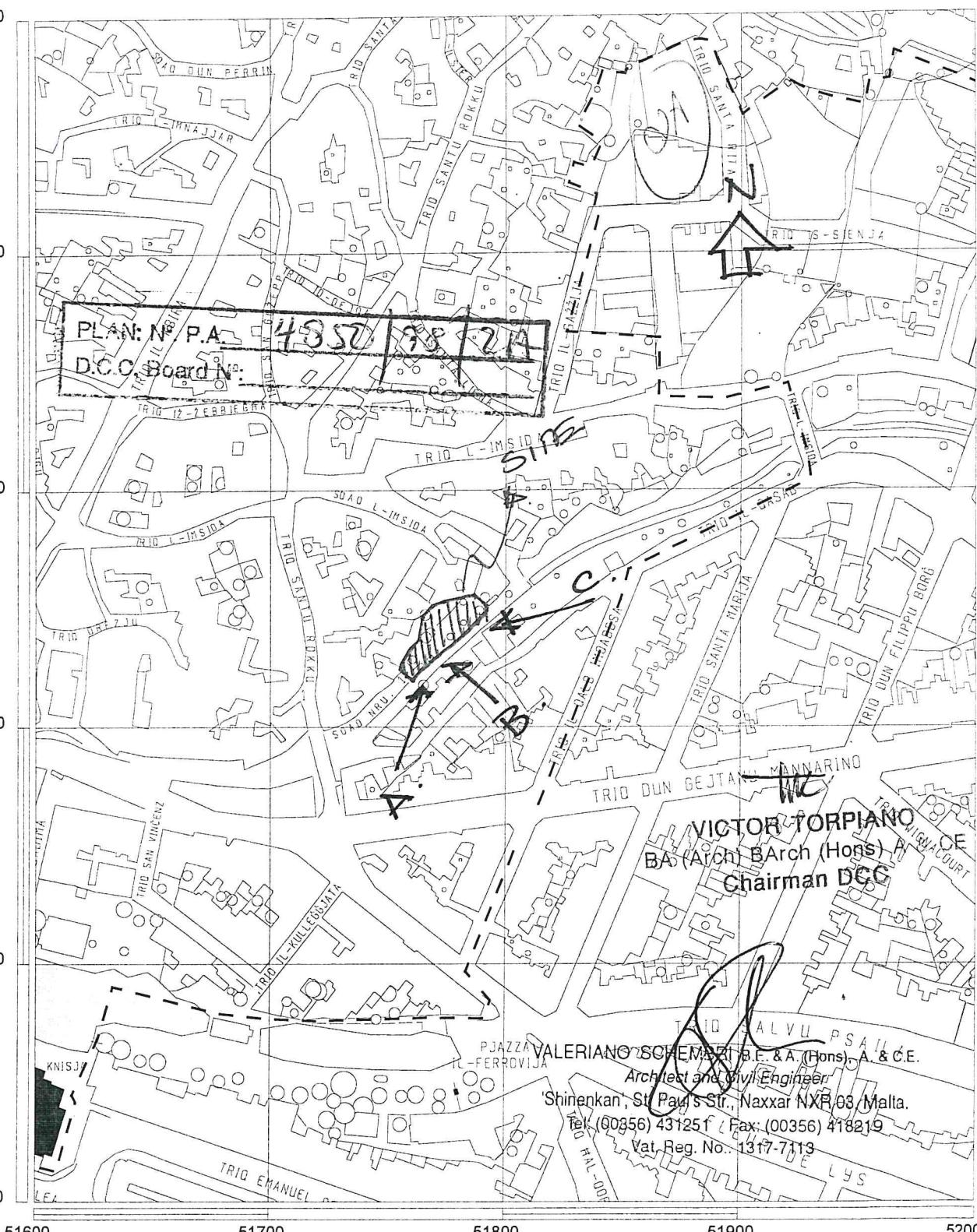
51600

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**PLANNING AUTHORITY**  
Mapping Unit Site Plan, Scale 1:2500

St. Francis Ravelin  
Floriana



PO Box 200, Valletta  
Tel: 240976 Fax: 224846

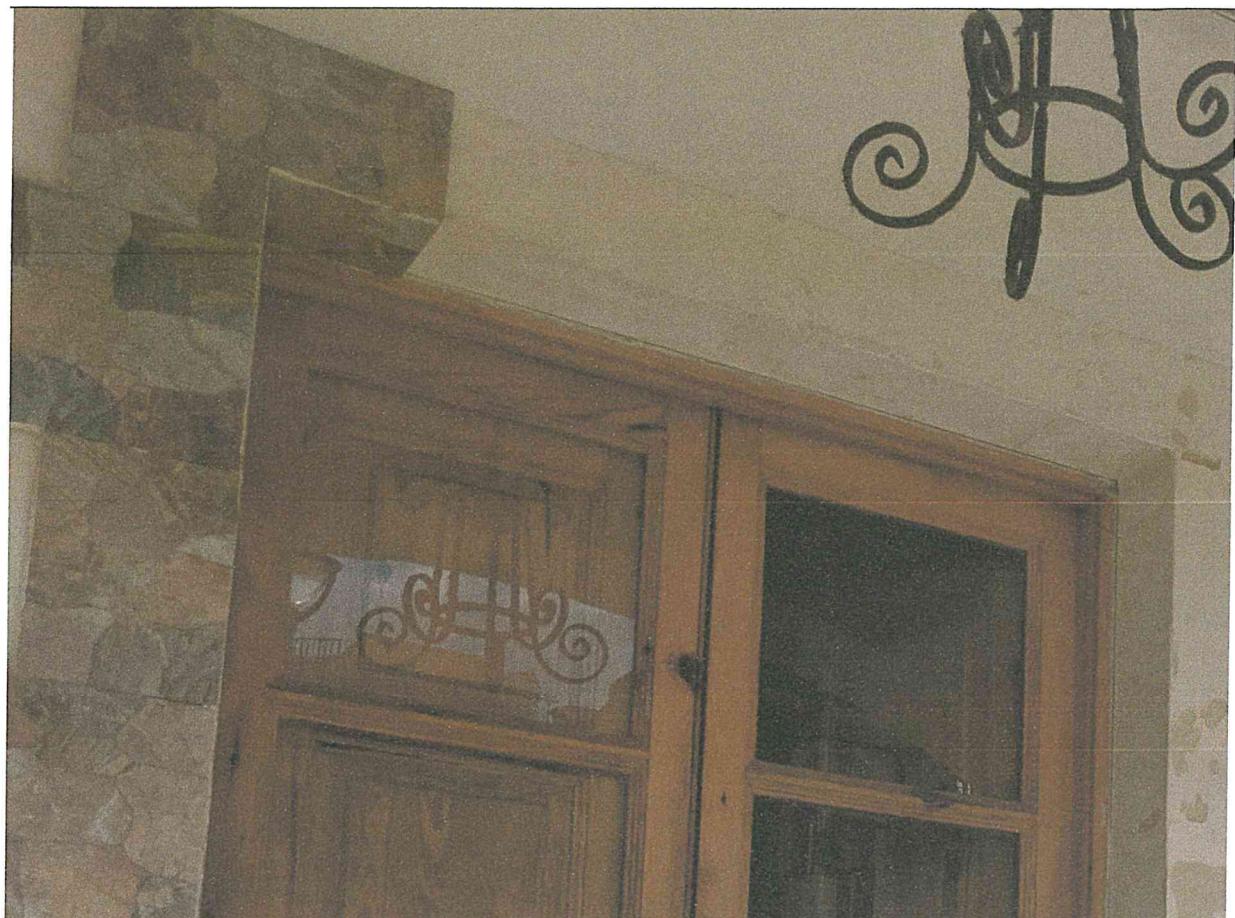
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**DIRECTION OF PHOTOS**

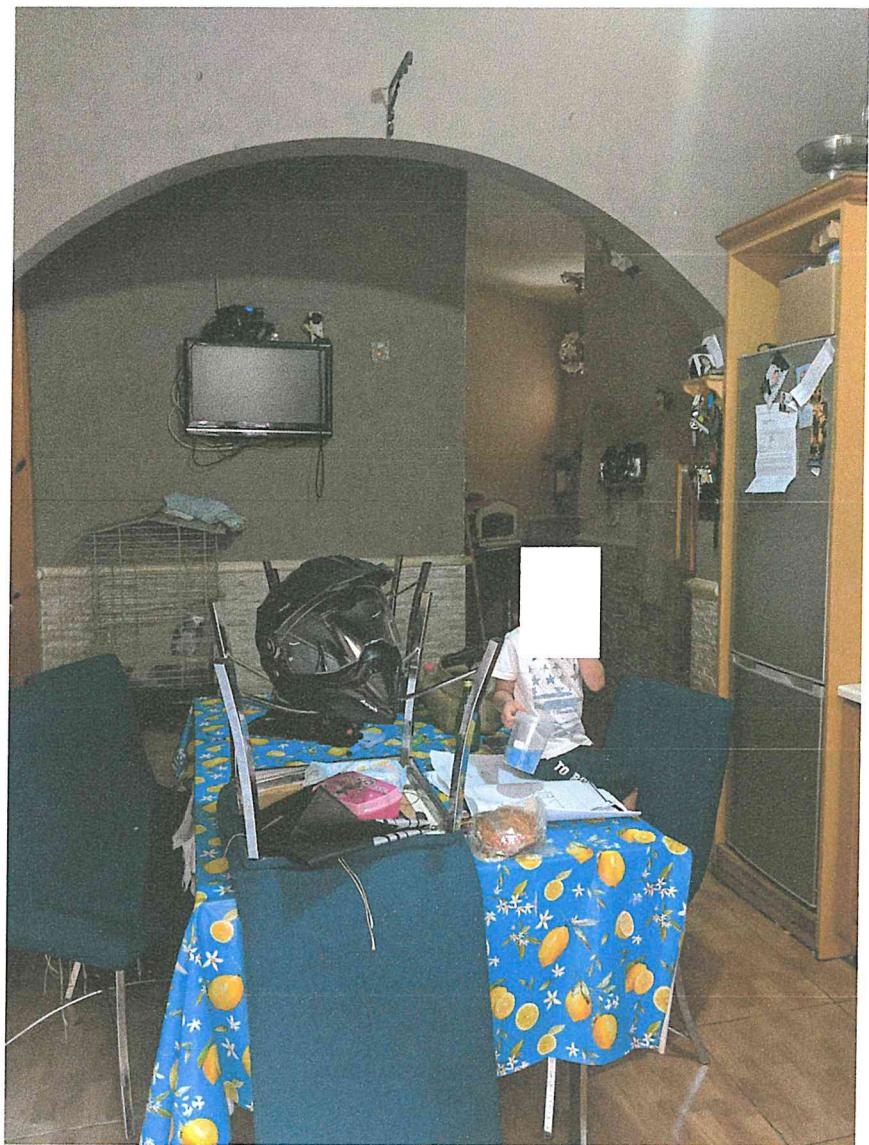
Date :- 5/8/98

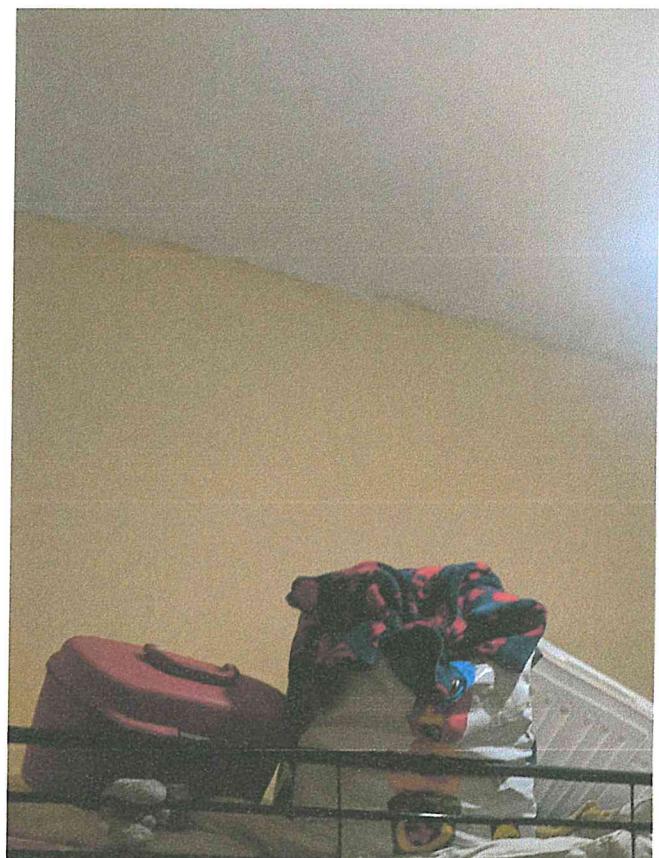
- The numbered lines indicate 100m intervals on a U.T.M. grid
- This site plan is not to be used for interpretation or scaling of scheme alignments
- Users noting additions or corrections to this map are kindly requested to inform the Mapping Unit

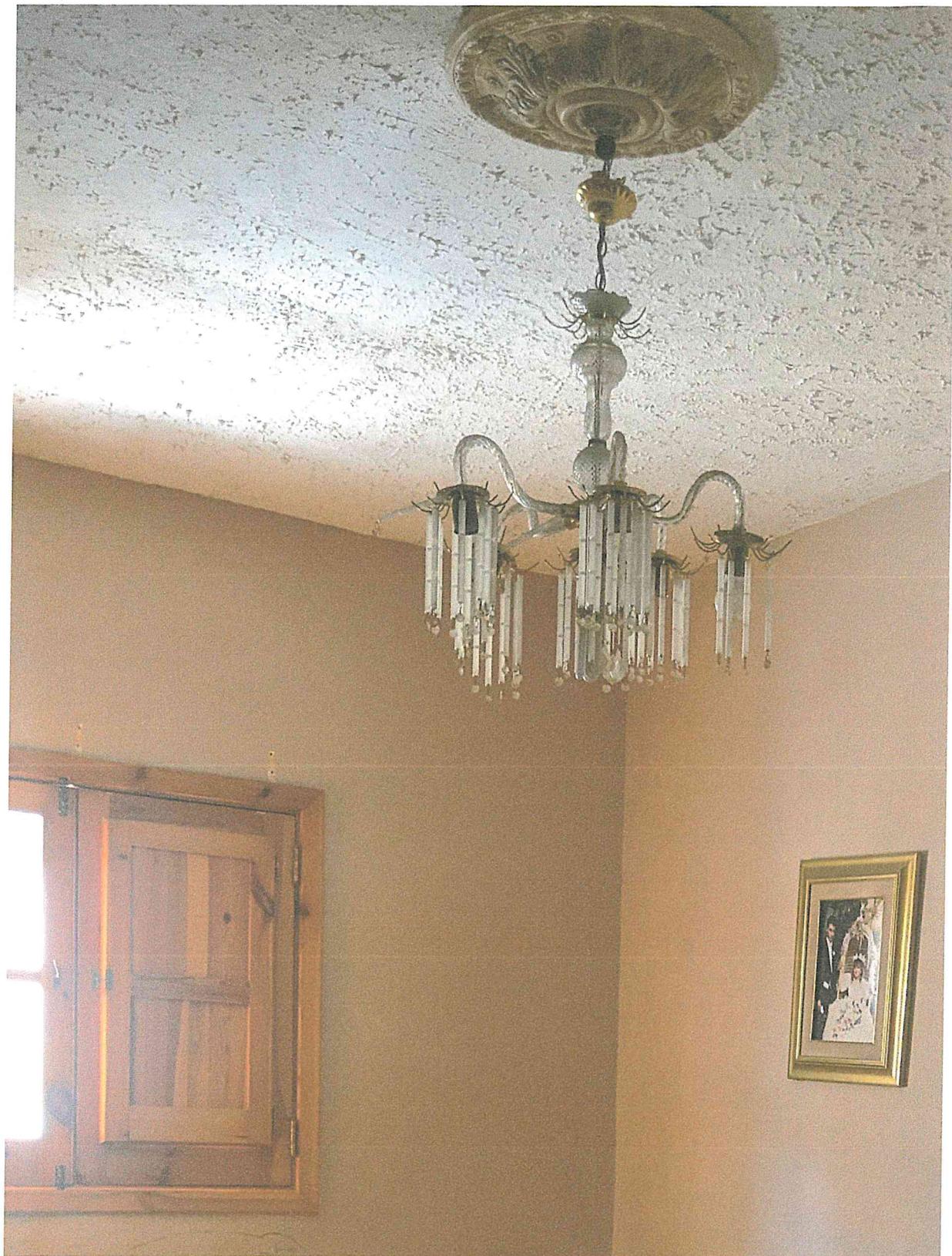
**Annetti C – Ritratti tas-Sit**











**PART III**  
**EIGHTH SCHEDULE**

**Physical Attributes of Immovable Property**

Locality	<u>Birkie</u>	Address	<u>'Alkari' 'C' Span no 1, Tippi-Wieki, Birkie</u>
Total Footprint of Area Transferred *	<u>Circa .</u>		
Area Transferred *	<u>115.00</u> sq.mt		

***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 checked="" type="checkbox"/> Bungalow	<input type="checkbox"/> Flat/Apartment
	<input type="checkbox"/> Penthouse	<input type="checkbox"/> Mezzanine	<input checked="" type="checkbox"/> Maisonette	<input type="checkbox"/> Farmhouse
	<input type="checkbox"/> Terraced House	<input type="checkbox"/> Ground Floor Tenement		
Age of Premises	<input type="checkbox"/> 0-20 years	<input checked="" type="checkbox"/> Over 20 years	<input type="checkbox"/> Pre WW2	
Surroundings	<input type="checkbox"/> Sea View	<input type="checkbox"/> Country View	<input checked="" type="checkbox"/> Urban	
Environment	<input checked="" type="checkbox"/> Quiet	<input 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 <i>Tick as many as appropriate</i>	<input type="checkbox"/> With Garden	<input type="checkbox"/> With Pool	<input type="checkbox"/> With Lift	<input type="checkbox"/> With Basement
	<input checked="" type="checkbox"/> No Garage	<input 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 plastering, electricity, plumbing and floor tiles

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

Date:

22/11/2018

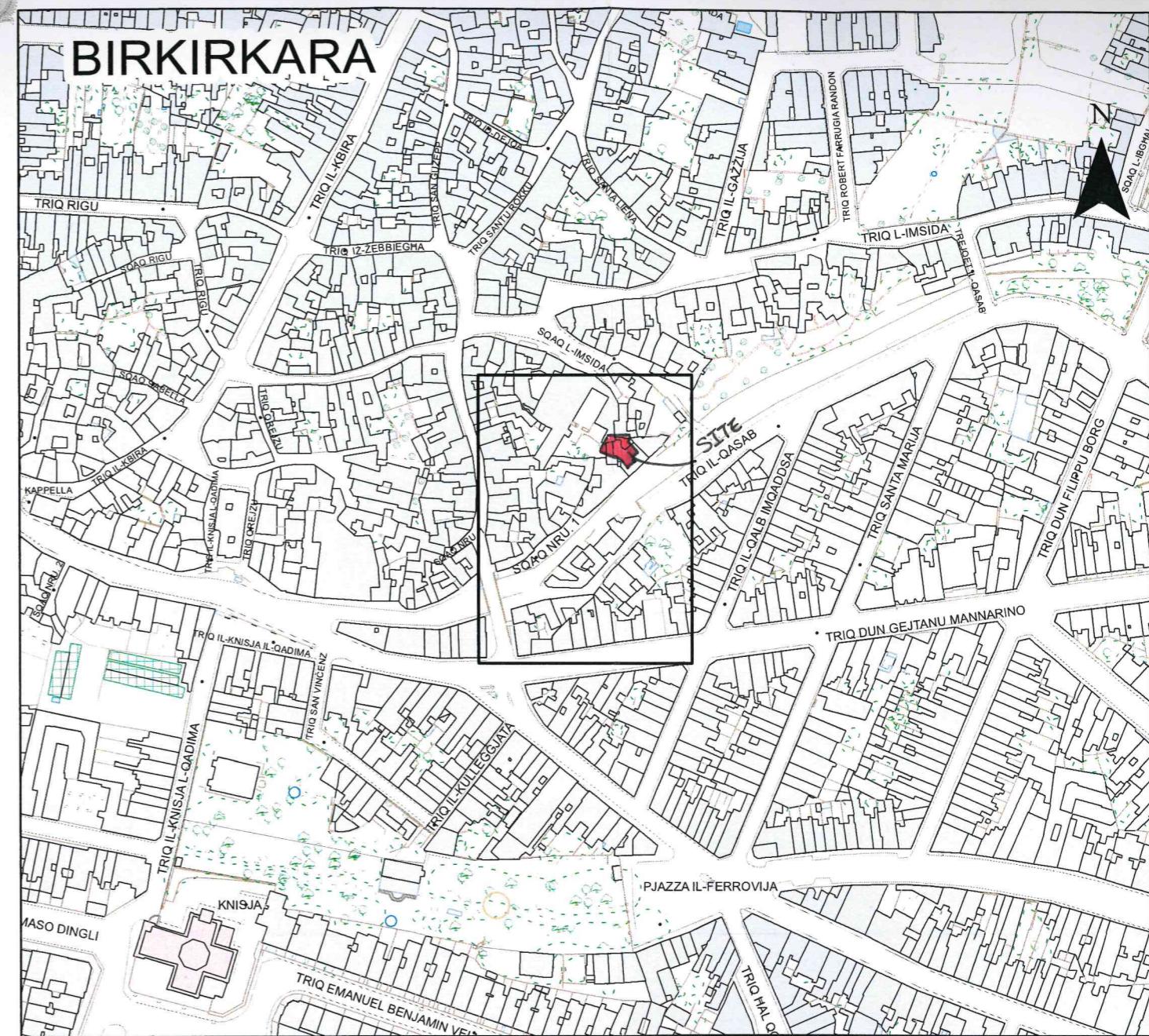
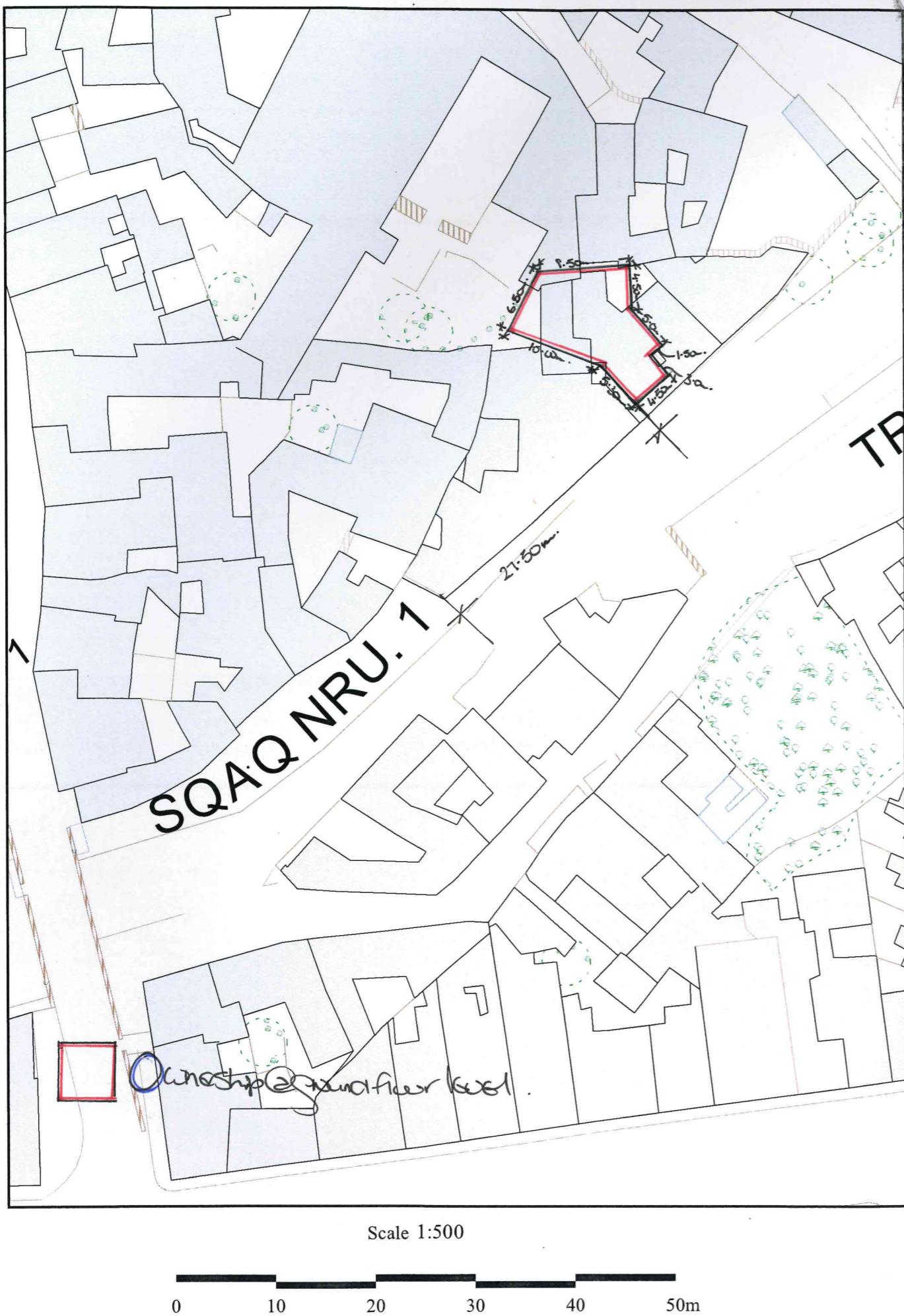
Perit's Signature:

630

Warrant Number:

Rubber Stamp:





Pjan  
Gvern ta' Malta



**Government of Malta**  
***Land Registry***  
Bolino, 116, Tria il-Punent, Valletta

Nru tal-Mappa: **147091 E** | Pożizzjoni Ċentrali: x = **51761**  
Map Number: *Centre Coordinates: y = 72820*

**5072** Data: **19/11/2019**  
*m S.S.* Date:

Perit:

*Architect:*

Timbru tal-Perit:

Architect's Stamp



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

LR 135172

Dritt imhallas  
*Fee Paid*

Prim Aula tal-Qorti Civili .

Fi-Adites-Subase no 48 bopf.  
Bdv plc v/s. Stephen Schembri .

Nota addizjonali bi-Poit Melanie Spiteri .

Premes ta-din in-nota jien nida li jekk i-valur tal-proprietar  
hu ta-flitejn u tketin elf euro (€230,00.00).



Illum ..... 27 NOV 2019 .....

Ippreżentata mill ..... Poit melanie  
bla dok/b ..... Spiteri ..... dokumenti

Dr. Susan Cassar LL.B.(Hons), M.Adv.  
Deputat Registratur

