**FIL-QORTI CIVILI, PRIM AWLA**

REGISTRY SUPERIOR COURT
No:
20 DEC 2019
2100
PAID

Fl-Atti tas-Subbasta

Nru. <u>58/19</u> fl-ismijiet

<u>HSBC BANK MALTA PLC</u>

Vs

<u>FRANCIS BRIFFA et.</u>

# Relazzjoni tal-Perit Tekniku

Il-fond in kwistjoni huwa proprjeta residenzjali li ghandu entratura minn terrazzin komuni, liema terrazzin ghandu access minn Triq il-Kapuccini, Marsa. Dan it-terazzin jaghti access ghal numru ta' residenzi u cioe ghalkemm il-fond ghandu numru tal-bieb (numru 40) l-access tieghu huwa minn spazju estern komuni ma' numru ta' proprjetajiet residenzjali ohrajn. Hekk kif jidher mill-pjanti annessi ma' dan ir-rapport il-fond in kwistjoni huwa mibni fuq tlett livelli, ossia dak tal-ewwel sular fejn hemm intrata u tarag u li qieghed sovrastanti ghal pjan terren li huwa ta' terzi persuni, it-tieni sular u t-tielet sular li huwa wkoll is-sular tal-bejt. Ghalhekk dan il-fond jaghmel parti minn kumpless ta' bini u r-residenzi ta' dan l-istess kumpless jidher li jikkonsistu minn serje ta' proprjetajiet fl-ewwel sular u ohrajn fil-livelli sovrastanti u cioe dawk tat-tieni u t-tielet sular. Fil-pjan terren jidher illi hemm numru ta' garaxxijiet, liema garaxxijiet jinsabu sottostanti r-residenzi tal-kumpless in kwistjoni fejn hemm ukoll il-fond mertu ta' dan ir-rapport.

Triq il-Kapuccini hija triq li fil-maggoranza taghha tikkonsisti minn bini residenzjali b' xi stabilimenti kummercjali prezenti wkoll fl-istess triq. It-triq in kwistjoni hija *cul de sac* u hija accessibli b' vettura minn triq wahda biss u cioe Triq Telgha tal-Gizwiti u imbaghad hemm access pedonali permezz ta' sqaq li jaghti ghal Triq Patri Felicjan Bilocca li hija t-triq fejntinsab il-knisja tal-Marsa.

Il-fond in kwistjoni ghandu kobor ta' circa 115 metri kwadri (*gross floor area*) u din tinkludi il-hxuna tal-hitan esterni. Il-fond ghandu nstallati s-servizzi tal-ilma, tad-dawl u telekommunikazzjoni u jidher li huwa mqabbad mas-sistema tal-*main sewer*. Waqt l-ispezzjoni li saret gie nnutat ukoll illi l-istess fond huwa abitat.

Hekk kif wiehed jidhol f' dan il-fond mill-entratura principali fl-ewwel sular minn bieb tal-*aluminium* bi frames ta' lewn gold isib intrata zghira u tarag ta' wisa' ta' circa metru, liema tarag ghandu forma ta' "L" u jwassal ghat-tieni sular. Fuq il-lemin wiehed

immedjatament isib kamra tas-sodda u din il-kamra thares fuq it-terazzin komuni li jaghti ghal fuq Triq il-Kapuccini permezz ta' gallarija maghluqa b' cint tal-gebel u aperturi tal-*aluminium*. Din il-kamra tas-sodda ghandha gholi ta' madwar 3.5 metri. Gewwa din il-kamra gew ikkonstatati sodda ta' daqs matrimonjali, gwardarobba mdaqqsa ta' lewn iswed u zewg *bedside tables* ta' lewn iswed ukoll. Fuq in-naha tax-xellug wiehed imbaghad isib it-tarag li jaghti ghas-sular tal-bejt u spazju ta' sit*ting room* zghira, mill-liema *sitting room* wiehed jaccessa kamra tas-sodda li ghandha apertura tiftah ghal fuq in-naha ta' wara u ghandha l-hitan taghha li jissepperaw l-istess spazju mis-*sitting room* li huma forma ta' *lightweight partitions.* Il-kamra l-ohra li hija accessibbli mill-ispazju ta' taht it-tarag jidher li qed tintuza bhalha kamra tas-sodda wkoll izda gie nnutat illi din il-kamra m' ghandiex twieqi ghall-barra. Dan l-ispazju ghandu bieb li jaghti access ghal-*shower room*, liema *shower room* ghandha apertura tal-*aluminium* li tiftah ghal fuq in-naha ta' wara tal-fond. Din ix-*shower room* hija ppavimentata b'madum tac-ceramika u partijiet mill-hitan huma miksija b' madum tac-ceramika wkoll. Gewwa l-istess *bathroom* gew ikkonstatati *sink*, WC u *shower.* L-art tal-kmamar tas-sodda u s-*sitting room* zghira ta' taht it-tarag tikkonsisti minn madum tat-terrazzo. L-istess spazji tal-*bathroom* u l-kmamar tas-sodda ghandhom suffetti u in fatti l-gholi tal-*bathroom* huwa circa 2.56 metri mentri dak tal-kmamar tas-sodda huwa ta' circa 2.69 u 3.03 metri. Il-hitan tal-ewwel sular in generali huma mizbughin b' lewn abjad.

It-tarag ta' bejn it-tieni u t-tielet sular ghandu l-poggamman tal-balavostri u l-art tal-istess tarag hija ppavimentata permezz ta' madum ta' lewn kanella car. Hekk kif wiehed jaccessa t-tielet sular li huwa anke l-livell tal-bejt isib spazju mdaqqas li jintuza bhalha *kitchen/dining* u hemm anke *living room* zghira. Fl-ispazju tal-*kitchen/dining* gew ikkonstati ghamara forma ta' kcina tal-injam u mejda b' erbgha siggijiet. L-istess kcina hija mghammra b' appliances ta' fridge u forn u hemm ukoll *air conditioning unit u television* imwahhal ma' wiehed mill-hitan. Din il-kcina ghandha zewg aperturi ossia tieqa tal-*aluminium* li tiftah ghal fuq terrazzin li jhares fuq Triq il-Kapuccini u bieb tal-*aluminium* li jaghti access ghall-istess terrazzin. Dan tal-ahhar ghandu l-art mizbugha b' lewn ahdar u ghandu opramorta mad-dawra tieghu li jidher li tikkonsisti minn hajt tal-

gebel ta' hxuna ta' tminn pulzieri. It-terazzin in kwistjoni huwa irtirat mill-opramorta permezz ta' distanza ta' circa 4.9 metri u l-istess terrazzin ghandu daqs ta' madwar 21 metri kwadri.

Bejn l-ispazju tal-*kitchen/dining* u l-*living room* zghira hemm apertura forma ta' arkata tal-gebel. Fil-*living room* gew ikkonstati sufan u *television* imwahhal ma' hajt. Il-*living room* u l-*kitchen/dining* huma ppavimentati permezz ta' madum tat-terrazzo u l-gholi ta' dawn l-ispazji huwa ta' circa' 2.6 metri minghajr suffetti. In fatti jidher illi s-saqaf ta' dawn l-istess spazji huwa mibni minn *reinforced concrete*. Mill-*living room* hemm bieb li jaghti access ghal *bathroom* fuq in-naha ta' wara tal-fond. Din il-*bathroom* ghandha l-hitan miksija permezz ta' madum tac-ceramika u fiha gew ikkonstatati sink, banju u WC. Il-bejt ta' fuq it-tielet sular ma kienx accessibli waqt l-ispezzjoni li ghamel il-Perit Tekniku.

Il-fond in kwistjoni jidher li nbena qabel is-sena 1967 ghax il-*footprint* tal-istess binja tidher fuq is-*site plans* tal-1967 liema *site plans* huma accessibli mis-sit tal-Awtorita tal-Ippjanar http://geoserver.pa.org.mt/publicgeoserver. Ghalhekk skont il-ligi tal-istess Awtorita il-bini jista' jigi kkunsidrat bhalha bini legali. Madankollu jidher ukoll illi fis-sular tal-bejt jista jkun saru xi alterazzjonijiet matul iz-zmien izda dan ma jistax ikun ikkonfermat f' dan l-istadju. Il-bitha ta' wara ma' kienitx accessibli biex titkejjel id-distanza mis-sular tal-bejt sal-art tal-istess bitha u ghalhekk ma setghax ikun accertat jekk l-istess distanza vertikali hijiex adekwata ghal finijiet tal-ligijiet sanitarji fejn tidhol il-fond tal-istess bitha u cioe fejn hemm it-twieqi tal-*bedrooms*. Ta' min isemmi illi fil-pjan lokali tal-Awtorita tal-Ippjanar is-sulari permissibbli fiz-zona in kwistjoni huwa ta' tlett sulari u dan skont il-*Grand Harbour Local Plan*. Din iz-zona hija wkoll inkluza fl-*Urban Conservation Area* tal-Marsa u ghalhekk l-iskala ta' strutturi permissibli il-fuq mit-tieni sular ikunu ghad-diskrezjoni tal-Awtorita tal-Ippjanar skont l-gholi u l-iskala ta' strutturi legali ezistenti li jkun hemm fil-madwar tal-fond.

Wara li hadt in kunsiderazzjoni l-lokalità, kif ukoll ħwejjeġ oħra li jista' jkollhom x'jaqsmu mal-valur tal-istess proprjetà, il-valur liberu u frank tal-proprjetà hawn fuq deskritta u cioe Numru 40, Triq il-Kapuccini, Marsa huwa ta' EUR 187,000.

Perit Robert Zerafa

Anness A – Site plan

Anness B – Schedule 8

Anness C – Pjanti tal-Fond

Anness D – Pjanta tal-Fond bil-Post Minn Fejn Ittiehdu r-Ritratti

Anness E – Ritratti tal-Fond

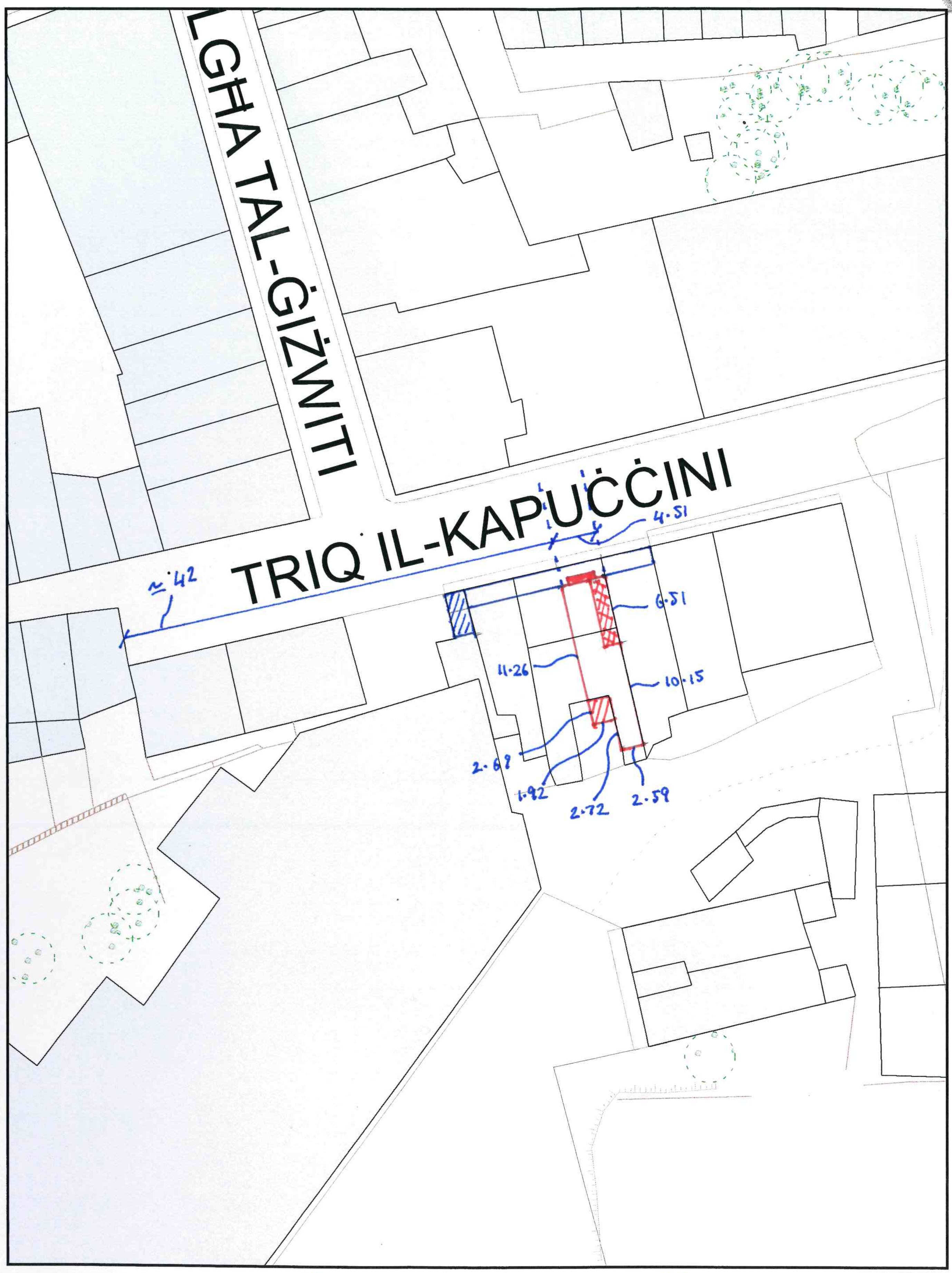
Illum 16 ta' Jannar 2020
Deher il-Perit Legali / Tekniku:
Arc Robert Zerafa 0503976(M)
Li wara li ddikjara li thallas l-ammont lilu dovut, ħalef/ħalfet li qeda/qdiet fedelment u onestament l-inkarigu mogħti lilu/ha.
Deputat Reġistratur

Marvic Farrugia
Deputy Registar

Illum 20 DEC 2019
Ippreżentata mill Perit R. Zerafa
bla dok./b frames (5) dokumenti

Annalise Spiteri
Deputat Reġistratur
Qrati tal-Ġustizzja (Malta)

# ANNESS A

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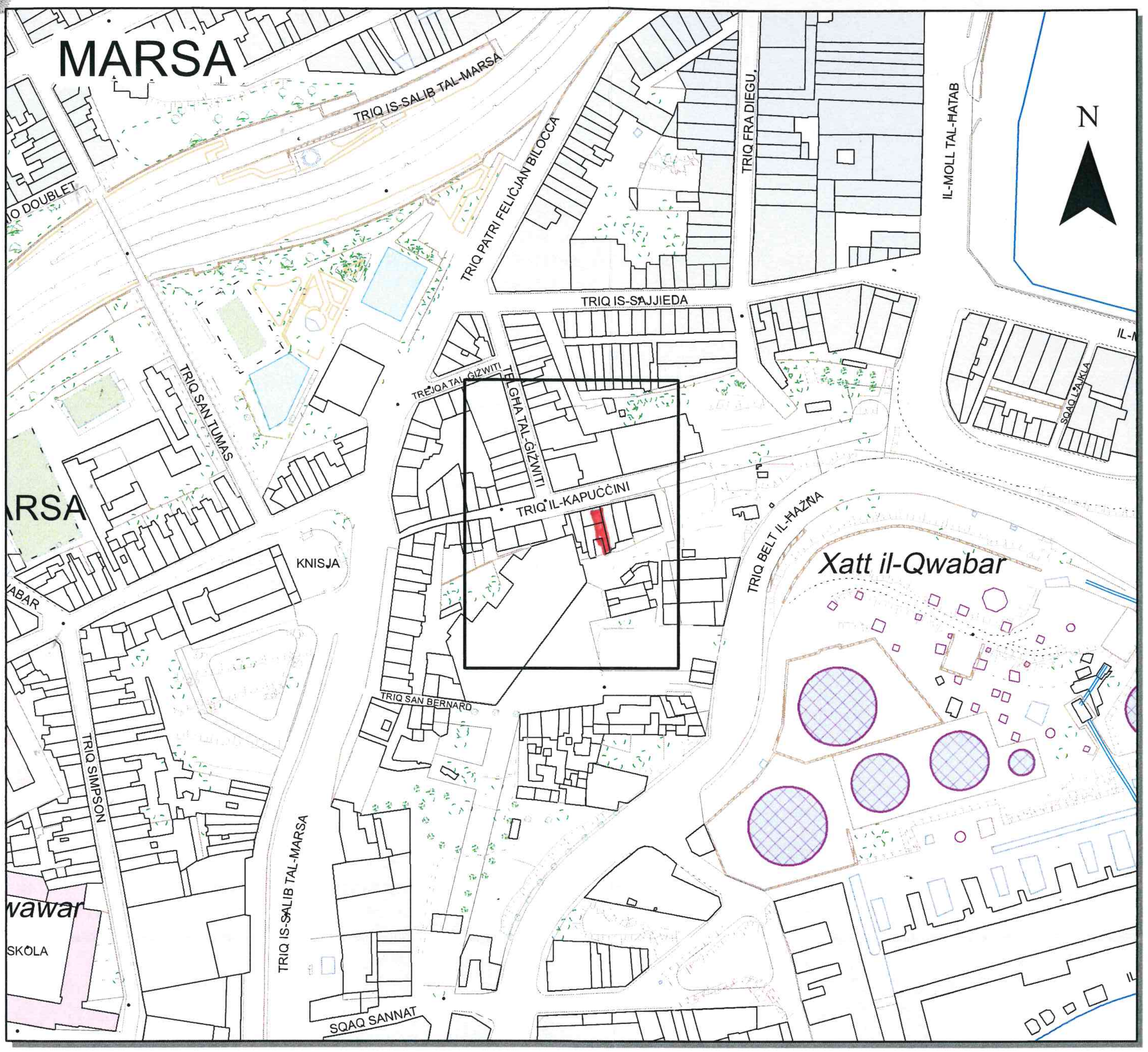



Pjanta tas-Sit **1:2500** *Site Plan*

**Gvern ta' Malta** — **Government of Malta**

## *Reġistru ta' l-Artijiet* — *Land Registry*

*Casa Bolino, 116, Triq il-Punent, Valletta*

| | | | |
|---|---|---|---|
| Nru tal-Mappa: *Map Number:* **146736 E** | Pożizzjoni Ċentrali: *Centre Coordinates:* **x = 54531** **y = 71290** | Parti min S.S.: *Extracted from S.S:* **5471** | Data: *Date:* **15/11/2019** |

Perit: *Architect:*

Timbru tal-Perit: *Architect's Stamp:* Perit Robert Zerafa B.E &A. (Hons.) M.Sc. (Road Eng) A & CE PRZ, 2, Triq Tommaso Dingli Birkirkara BKR 1692

Qies (metri kwadri): *Area (square metres):* 1ST FLOOR ≃ 8.47; 2ND FLOOR ≃ 71.51; RECEDED FLOOR ≃ 41.68

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

LR 134952

Dritt imħallas *Fee Paid*

Legend:
- FOOTPRINT OF PROPERTY NO. 40 AT 1ST FLOOR, 2ND FLOOR AND AIRSPACE/RECEDED FLOOR
- BALCONY AT 2ND FLOOR
- COMMON AREA AT 1ST FLOOR
- FOOTPRINT OF PROPERTY NO. 40 AT 2ND FLOOR AND AIRSPACE/RECEDED FLOOR
- FOOTPRINT OF PROPERTY NO. 40 AT 2ND FLOOR
- COMMON AREA AT GROUND FLOOR AND 1ST FLOOR

Scale 1:500

0 10 20 30 40 50m

# ANNESS B

PART III
EIGHTH SCHEDULE

**Physical Attributes of Immovable Property**

| | | | |
|---|---|---|---|
| **Locality** | MARSA | **Address** | NUMRU 40, TRIQ IL-KAPUCCINI, MARSA |
| **Total Footprint of Area Transferred *** | ≃ 71.5 sq.mt | | |

NOTE: FOOTPRINT AREA AT 2ND FLOOR

***Tick where applicable***

***(Tick one box in each case except where indicated otherwise)***

| | | | | |
|---|---|---|---|---|
| **Type of Property** | ☐ Villa<br>☐ Penthouse<br>☐ Terraced House | ☐ Semi-Detached<br>☐ Mezzanine<br>☐ Ground Floor Tenement | ☐ Bungalow<br>☒ Maisonette | ☐ Flat/Apartment<br>☐ Farmhouse |
| **Age of Premises** | ☐ 0-20 years | ☒ Over 20 years | ☐ Pre WW2 | |
| **Surroundings** | ☐ Sea View | ☐ Country View | ☒ Urban | |
| **Environment** | ☒ Quiet | ☐ Traffic | ☐ Entertainment | ☐ Industrial |
| **State of Construction** | ☐ Shell | ☐ Semi-finished ** | ☒ Finished *** | |
| **Level of Finishes** | ☒ Good | ☐ Adequate | ☐ Poor | |
| **Amenities**<br>***Tick as many as appropriate*** | ☐ With Garden<br>☒ No Garage | ☐ With Pool<br>☐ One Car Garage | ☐ With Lift<br>☐ Two Car Garage | ☐ With Basement<br>☐ Multi Car Garage |
| **Airspace** | ☒ Ownership of Roof | ☐ No Ownership of Roof | ☐ 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*

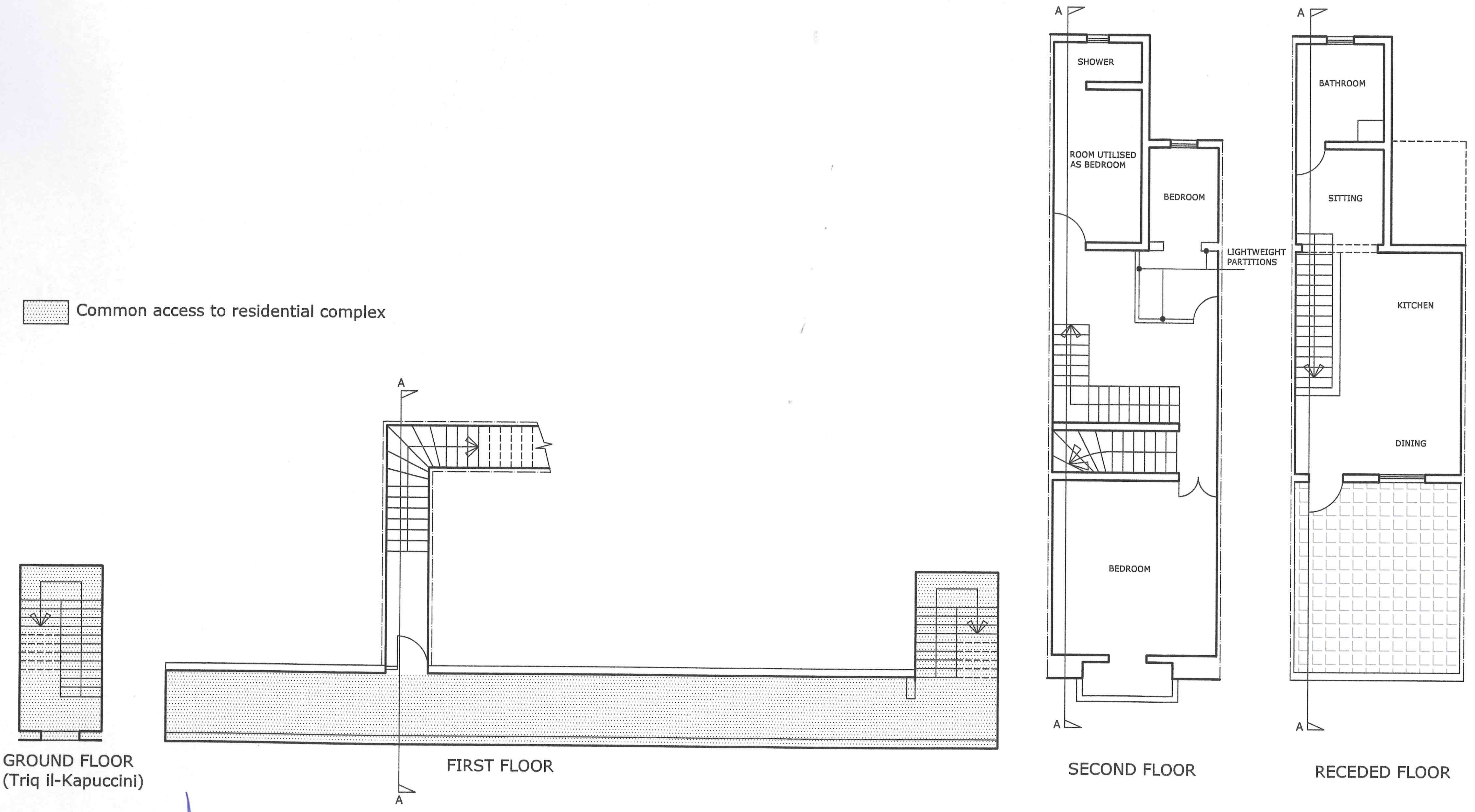
**Date:** 17/12/19

**Perit's Signature:** [signature]

**Warrant Number:** 458

**Rubber Stamp:** Perit Robert Zerafa
B.E &A. (Hons.) M.Sc. (Road Eng) A & CE
PRZ, 2, Triq Tommaso Dingli
Birkirkara BKR 1692

# ANNESS C




ROBERT ZERAFA
PERIT A.&C.E. M.Sc.B.E.&A.(Hons.) CEng MCIHT
PRZ, 2, Triq Tommaso Dingli, Birkirkara BKR1692
perit.zerafa@gmail.com Tel. Contact 99439390

Fl-Atti tas-Subbasta 58/19

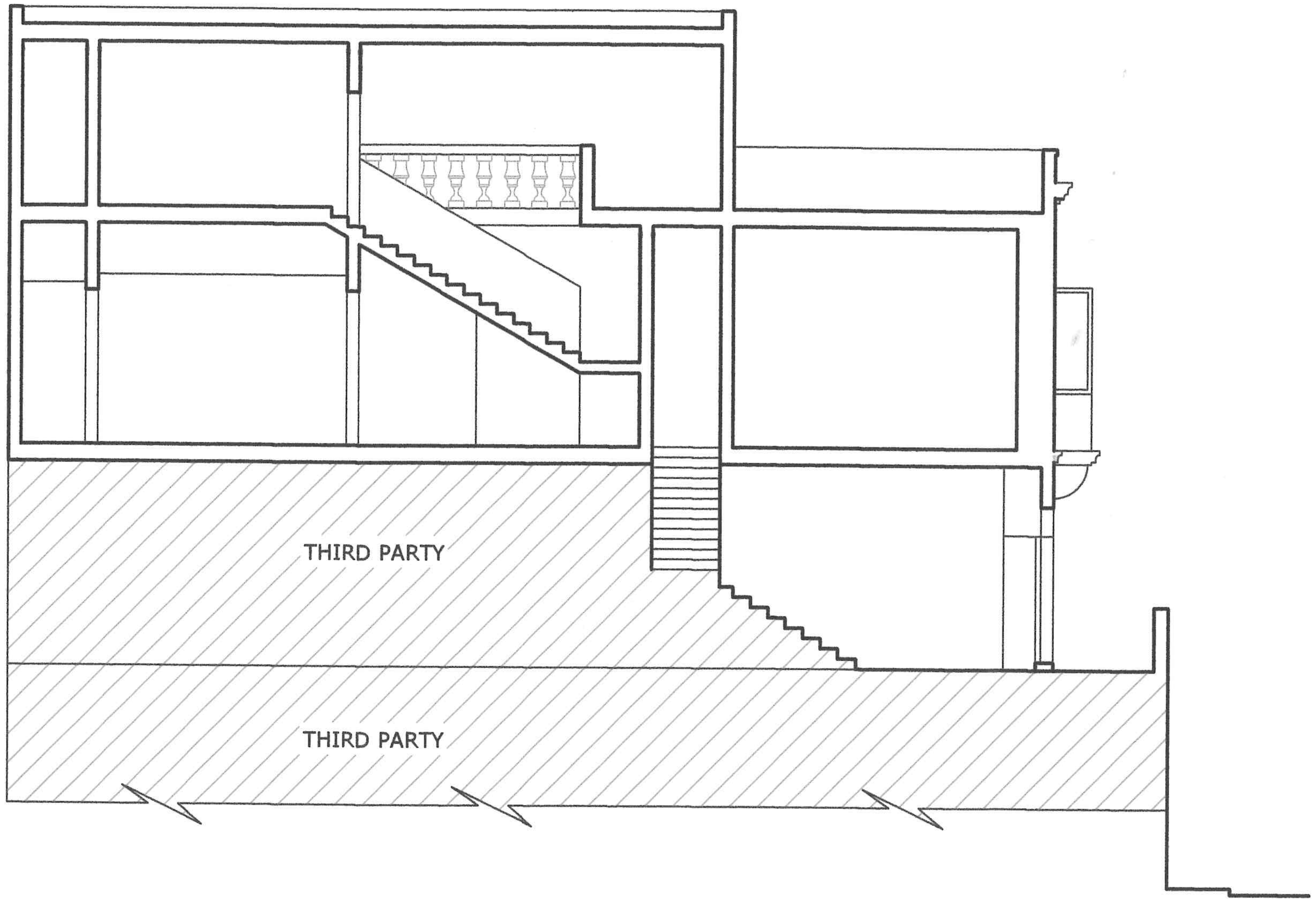
100 50 0 1 2 3 4 5 6 7 8 9 10 m

scale 1:100

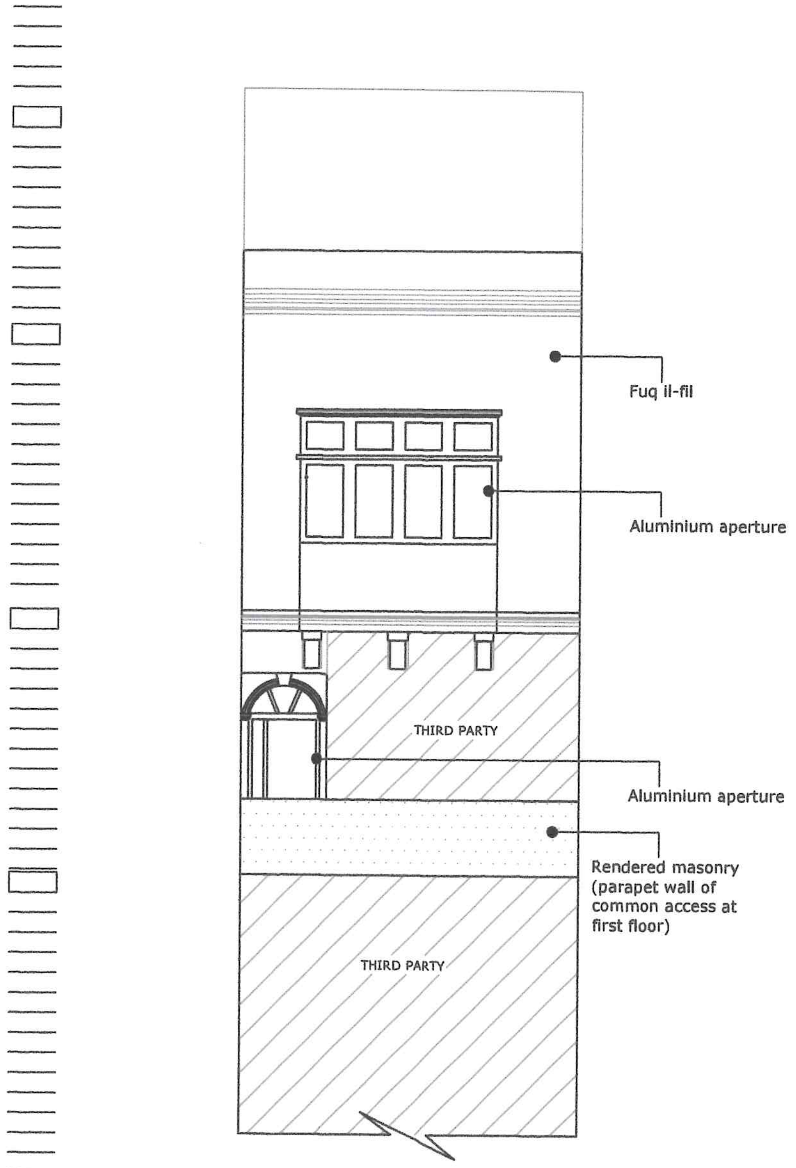
Drawing Title : Existing Plans

Notes :

| | |
|---|---|
| Location : Triq il-Kapuccini,Marsa | |
| Ref. :PRZ/SUB/MRS | Date : DEC 19 |
| Drwg. No. : EX01 | Revision : Nil |
| Scale : 1:100 | Paper size : A3 |




SECTION AA




FRONT ELEVATION

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Fl-Atti tas-Subbasta 58/19

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scale 1:100

Drawing Title : Existing Plans

Notes :

| | |
|---|---|
| Location : Triq il-Kapuccini,Marsa | |
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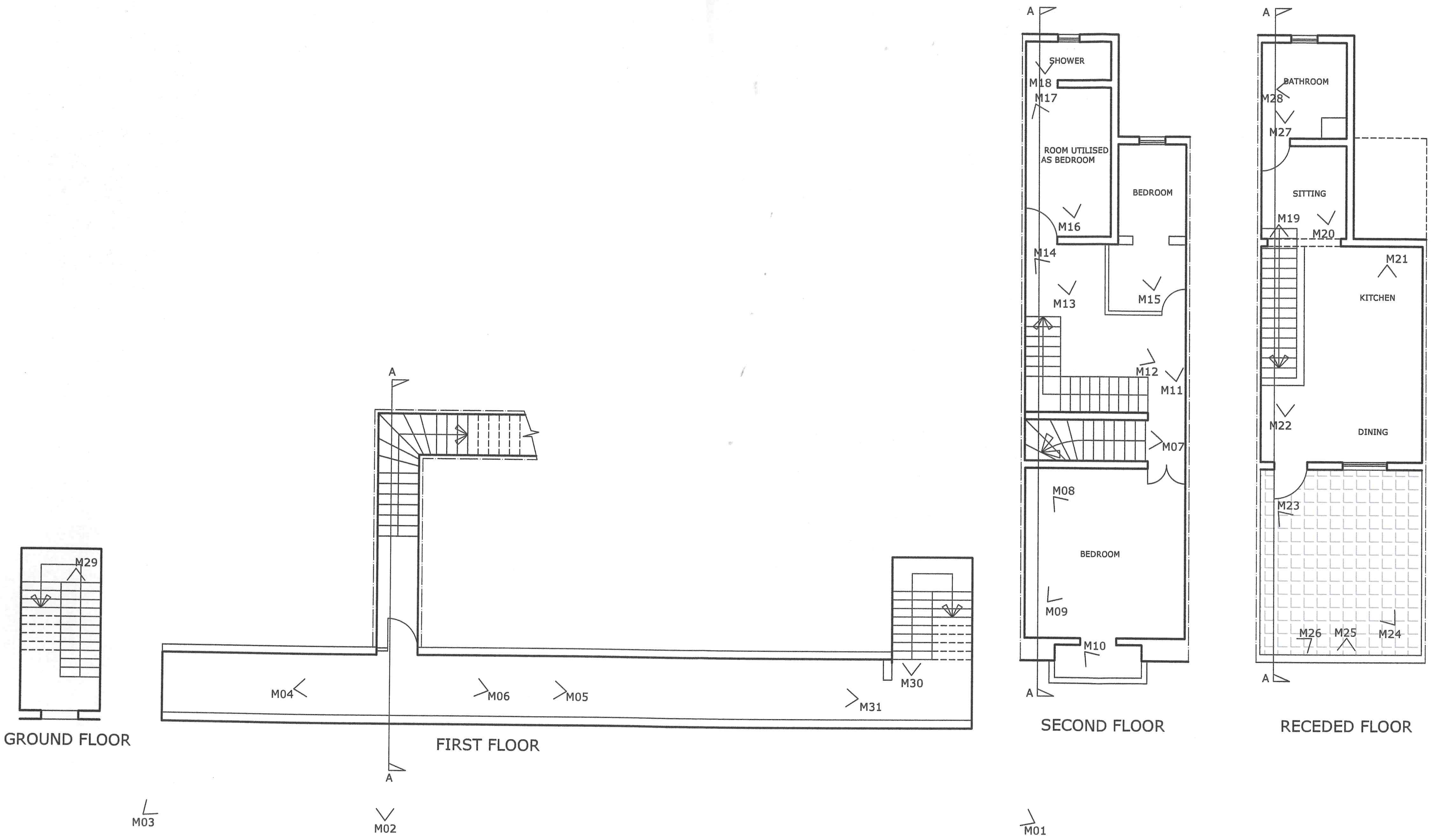
# ANNESS D





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perit.zerafa@gmail.com Tel. Contact 99439390


Fl-Atti tas-Subbasta 58/19

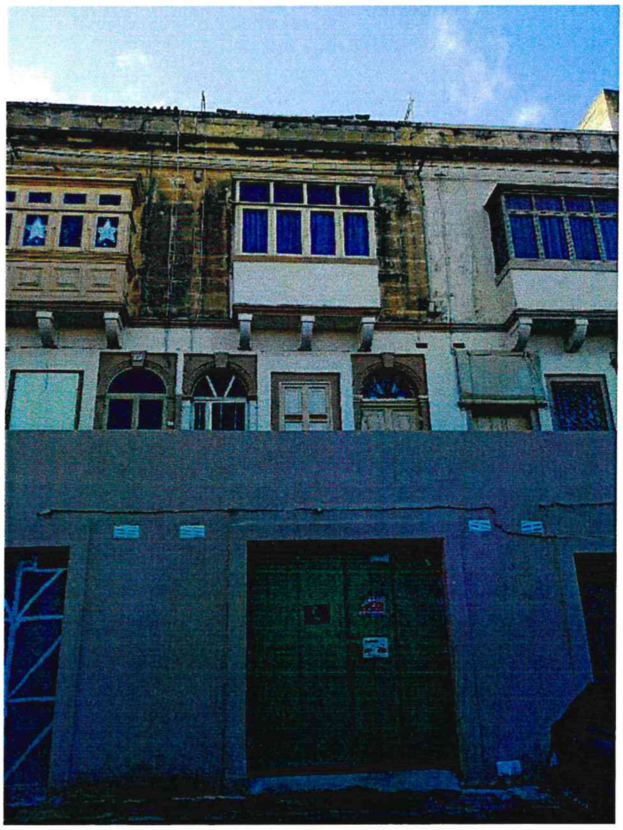
100 50 0 1 2 3 4 5 6 7 8 9 10 m
scale 1:100

Drawing Title : Existing Plans_Location of Photos
Notes :

| | |
|---|---|
| Location : Triq il-Kapuccini,Marsa | |
| Ref. :PRZ/SUB/MRS | Date : DEC 19 |
| Drwg. No. : EX01 | Revision : Nil |
| Scale : 1:100 | Paper size : A3 |

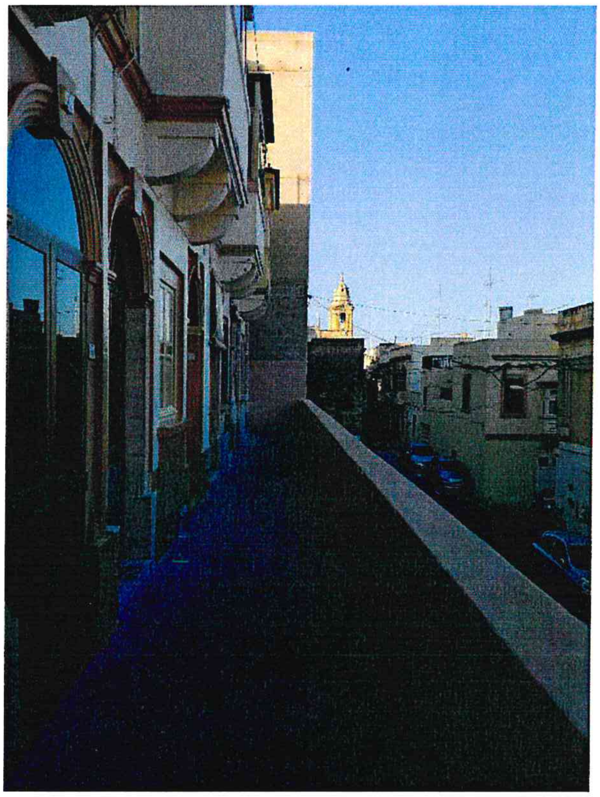
# ANNESS E

**M01**



**M02**

**M03**



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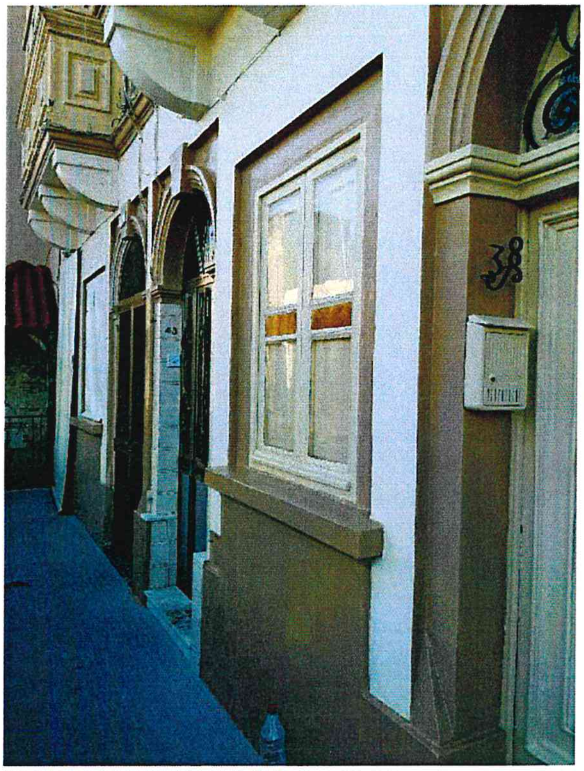
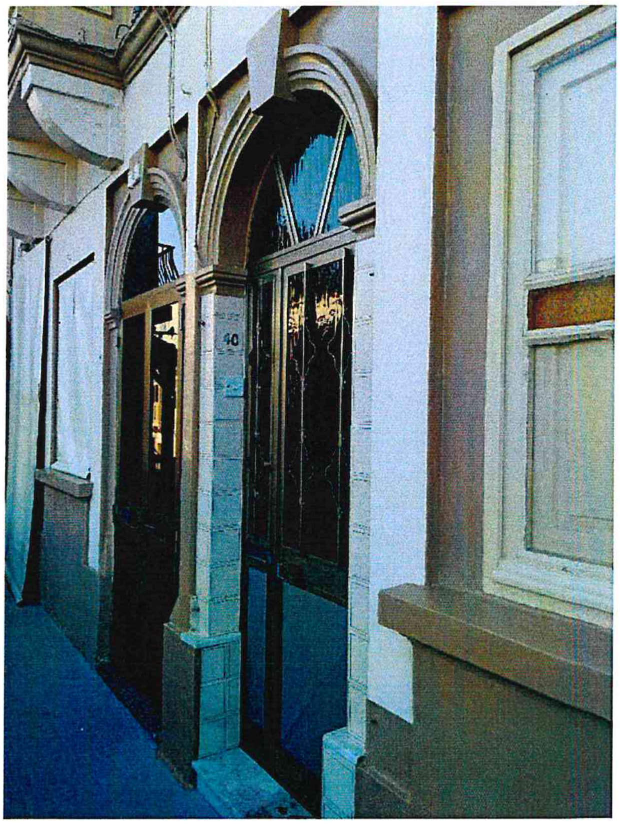
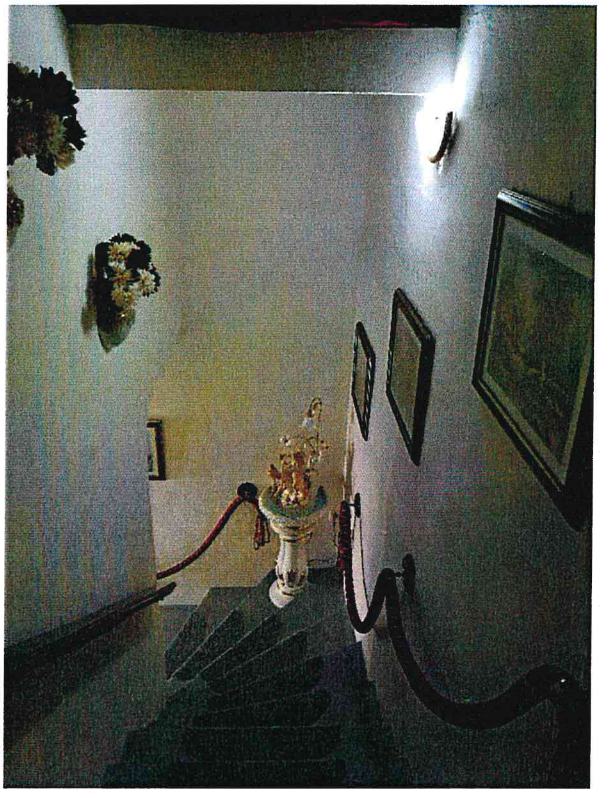


M05

M06





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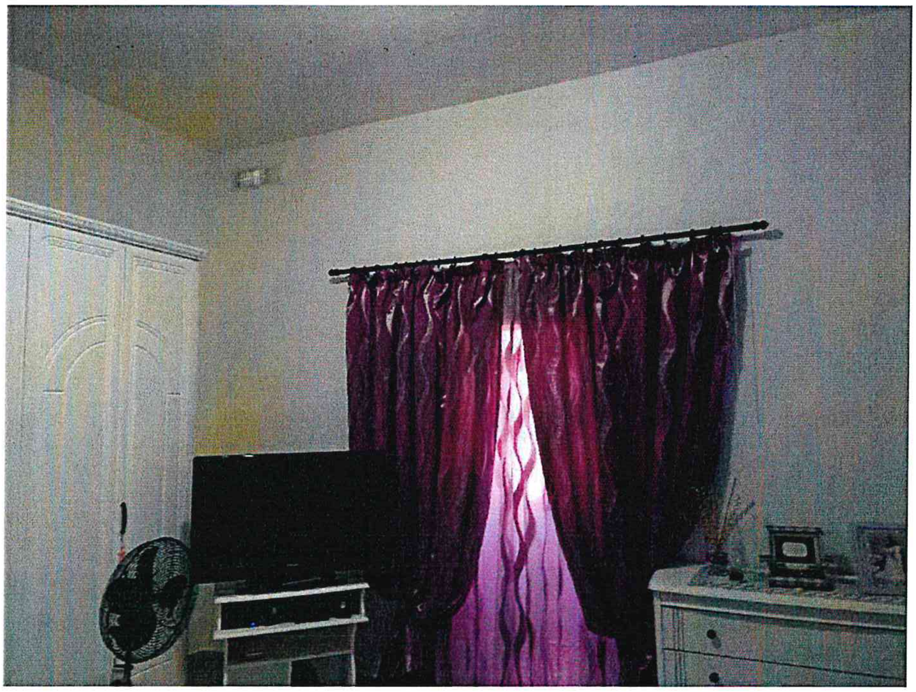

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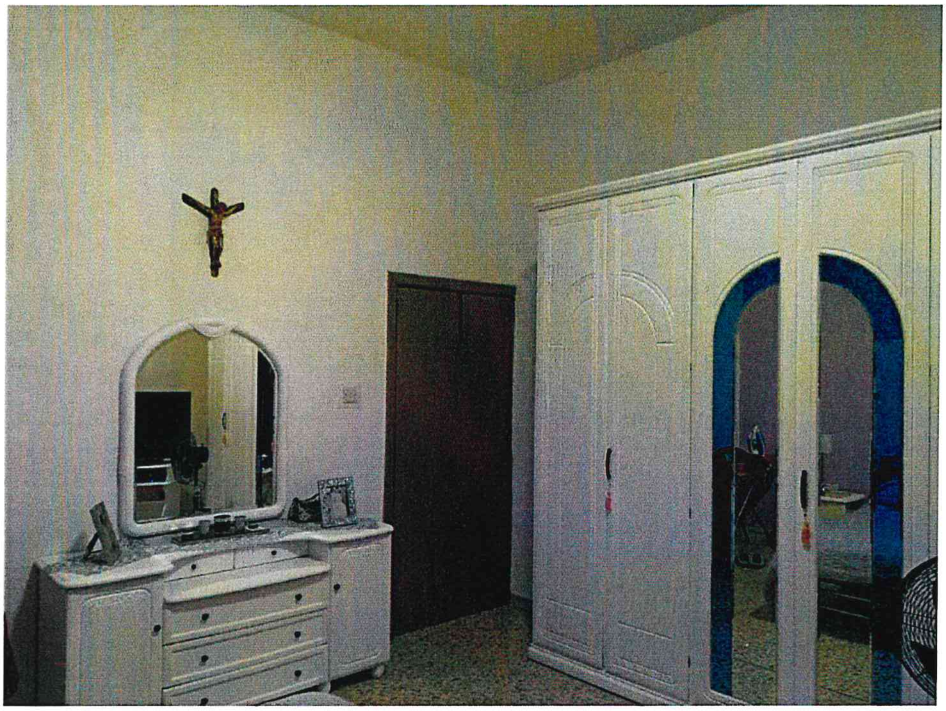

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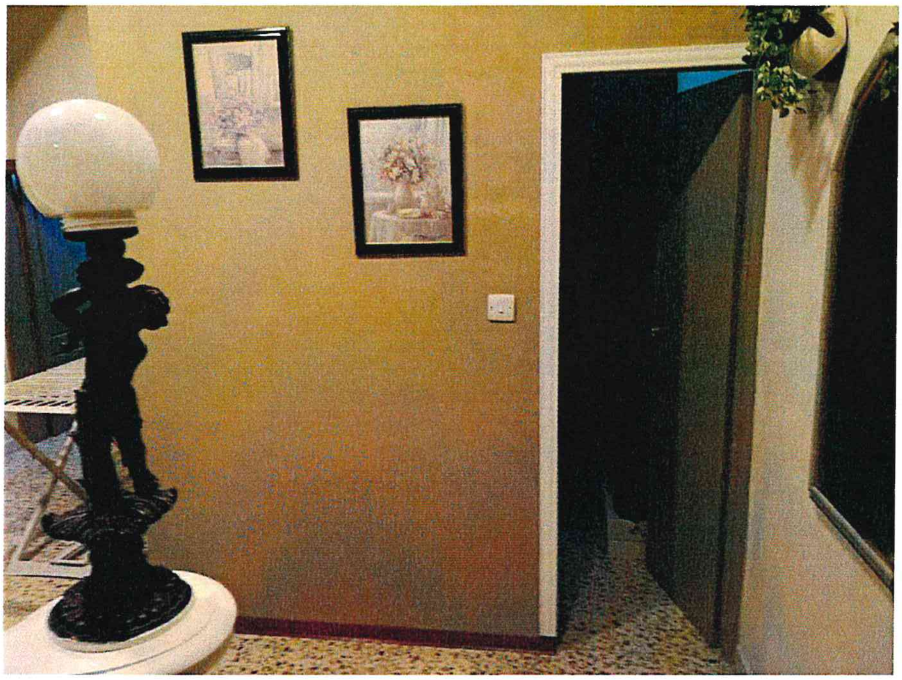
**M10**



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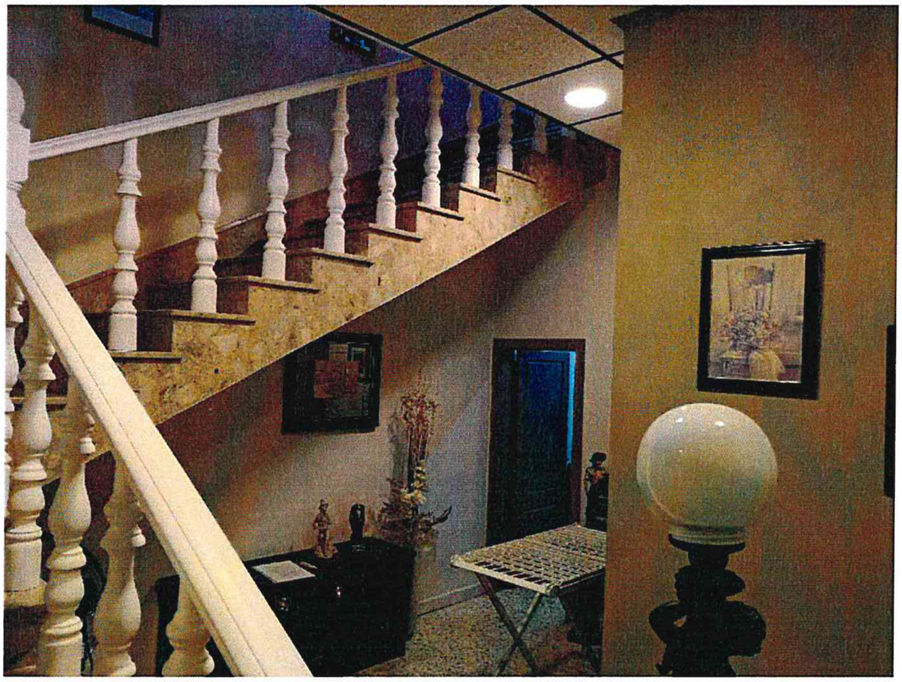

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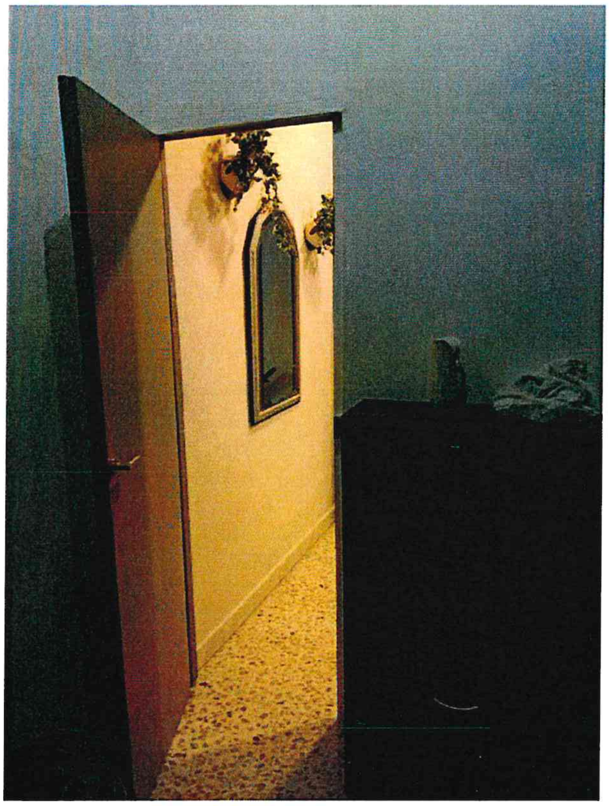

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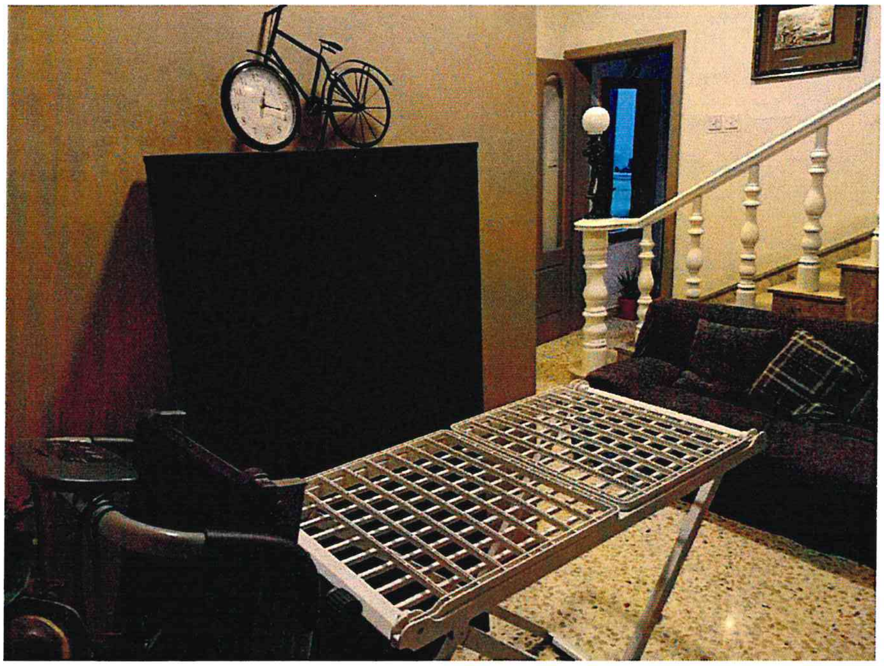

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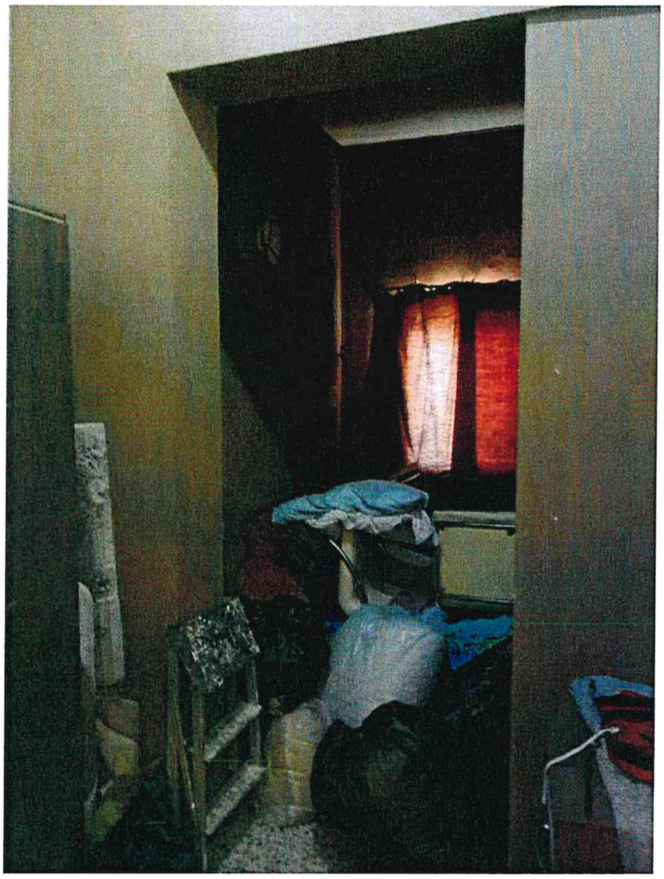

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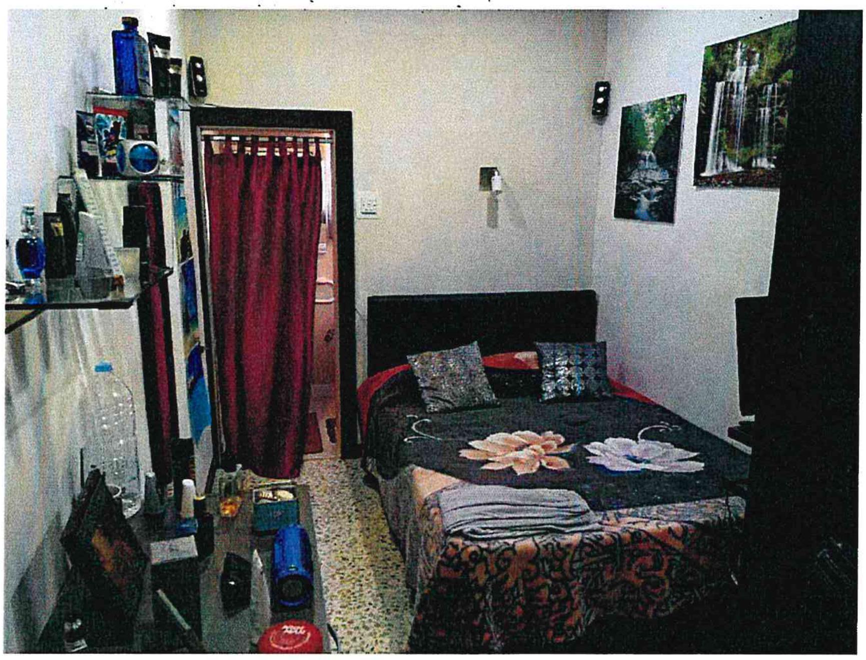

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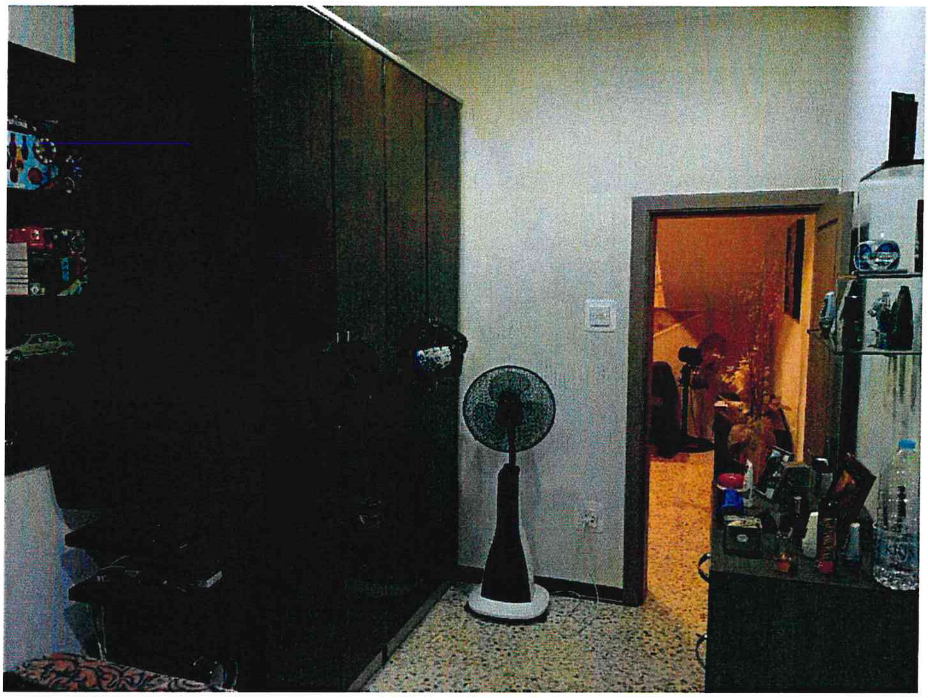

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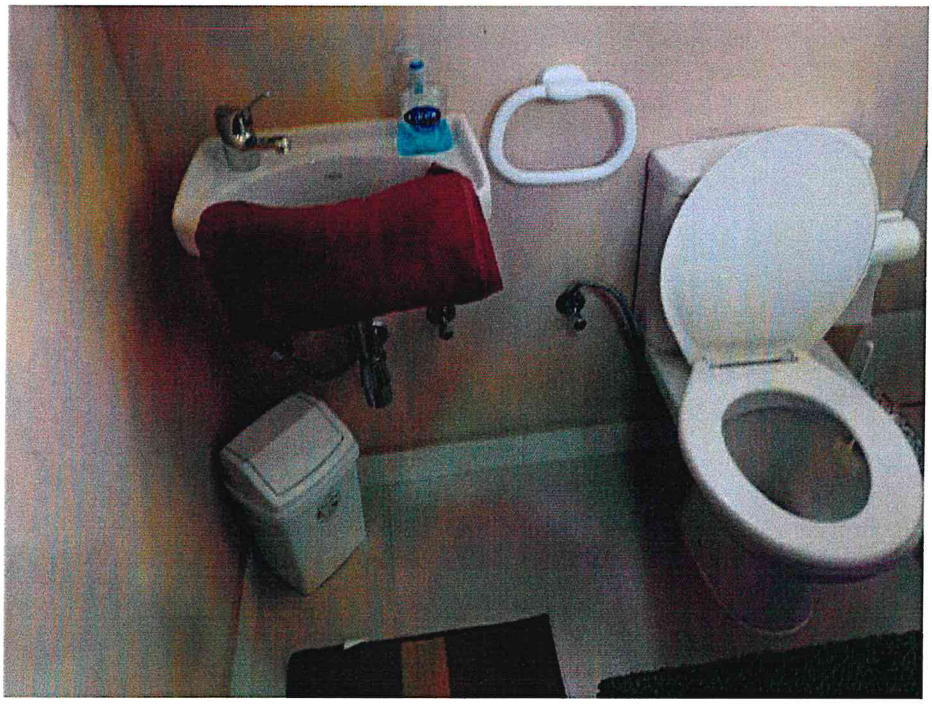

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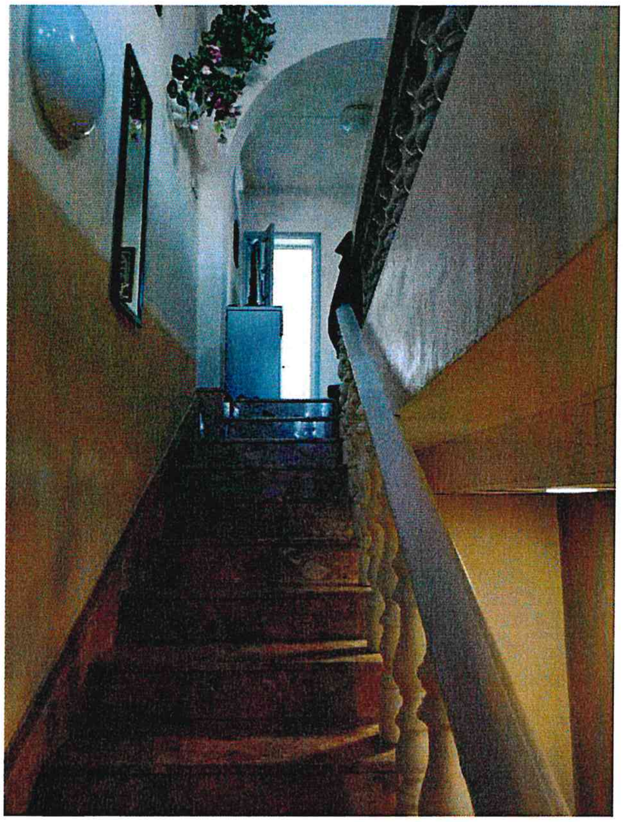

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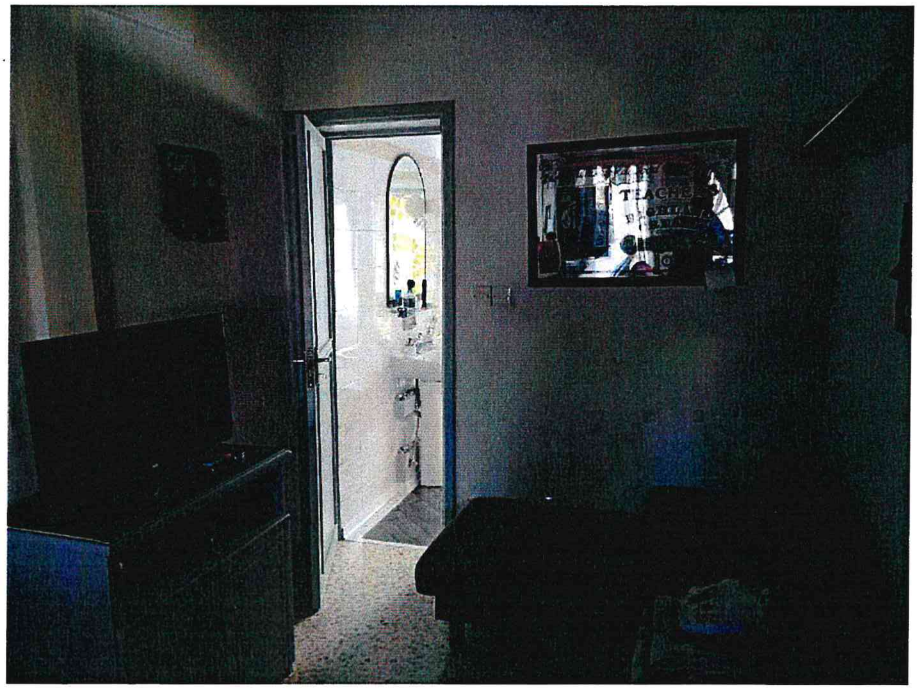
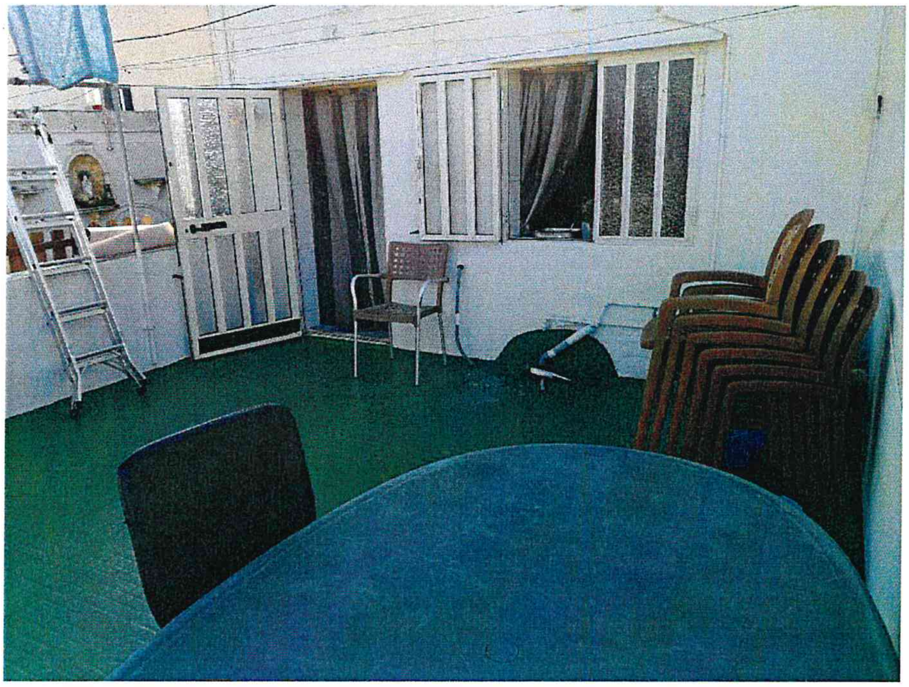


M20

**M21**

**M22**

**M23**



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**M25**

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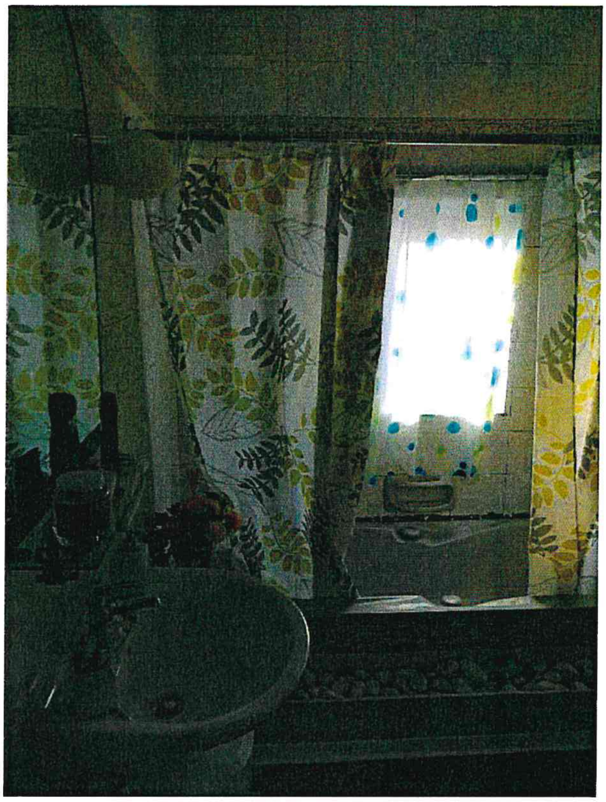

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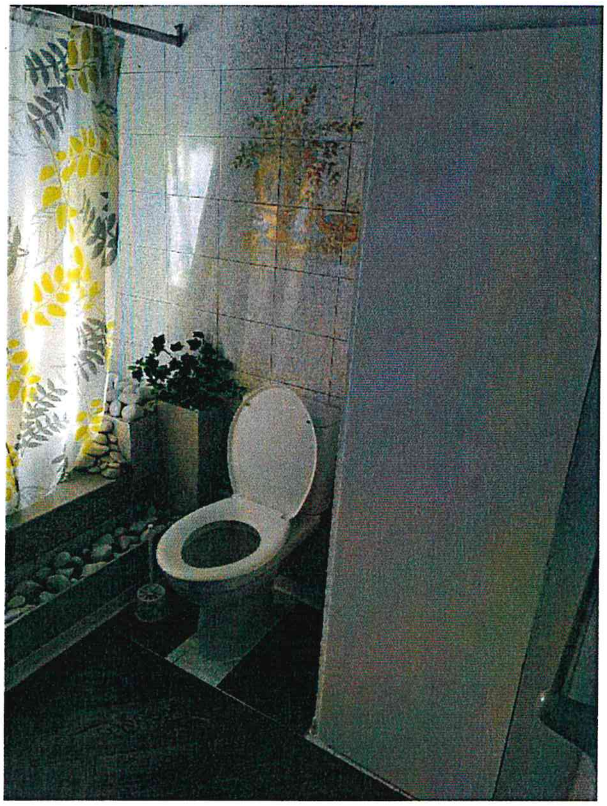

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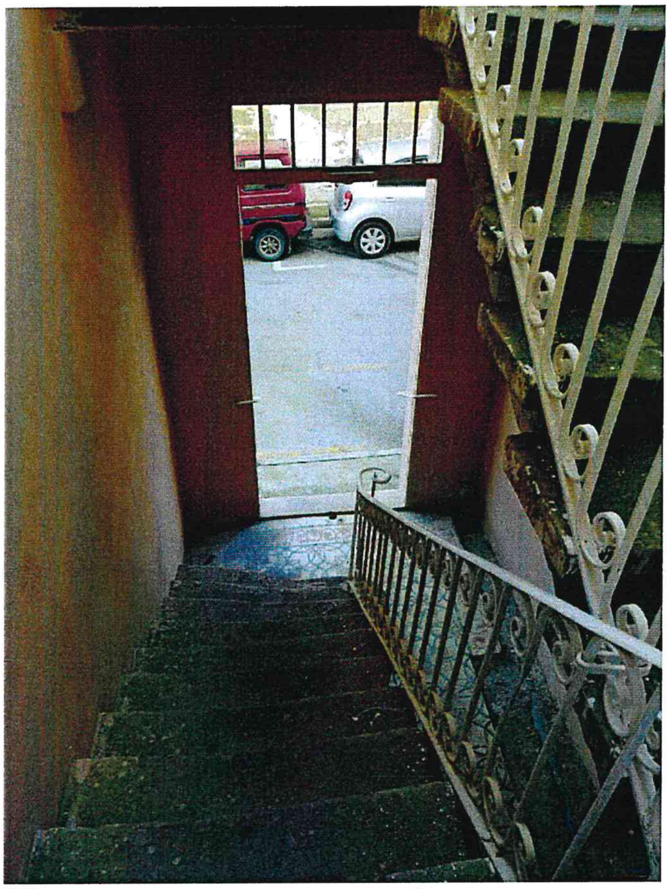

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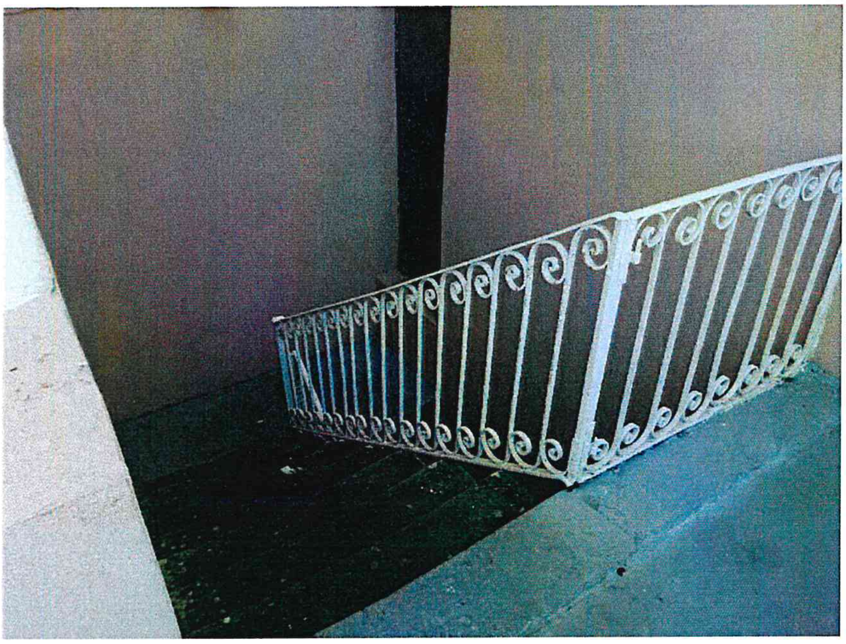

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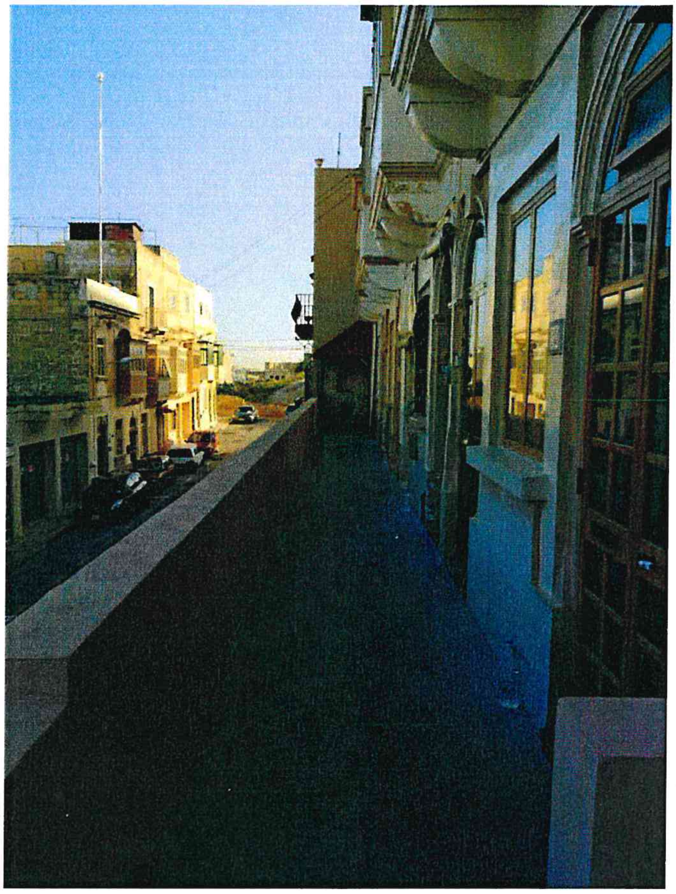

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