

Fil-Prim' Awla tal-Qorti Civili

SUBBASTA 24/2020

APS Bank Plc

Vs

Stephan Fenech

Relazzjoni tal AIC
Andrew Ellul

Fil-Prim' Awla tal-Qorti Civili

SUBBASTA 24/2020

APS Bank Plc

Vs

Stephan Fenech

Relazzjonital- AIC Andrew Ellul

Jesponi bir-rispett kollu.

Illi huwa kien gie nominat minn din l-Onorabbli Qorti permezz ta' dikrieti Perit Tekniku biex jaghmel deskrezzjoni u valutazzjoni tal-propjeta' msemmija fir-rikors u cioe':

The Penthouse, Alucare Buildings, Triq Il-Kappar, Mosta

Illi biex jaqdi l-inkarigu li nghatalu huwa zamm access fil-23 ta' Ottubru 2020 fl-11.00am. Prezenti kien hemm Mr S Fenech.

Din il penthouse hi accessta minn tromba tat-tarag (4.6m x 2m). Kift idhol issib intrata (4m x 5m), u warajha "grooming room" (2.6m x 4.1m) it-tnejn fuq il-faccata tal-propjeta. Fuq ix-xellug tal-intrata hemm kuratur li jghati ghal kamra tas-sodda (2.5m x 4.0m), kamra tas-sodda (4.5m x 4.7m) b' "walk in" (3m x 3.3m), zewg btiehi interni, kamra tas-sodda ohra(2.5m x 4.5m), kamra li tintuza bhala "walk in robe" 4.1m x 4.6m), kamra tal-banju (2.5m x 2.1m), xaft zghir, kamra tal-hasil (2.5m x 5.7m) u kcina/kamrata-ikel/"living" (5.6m x 9.1m). Fuq wara tal-propjeta hemm terazzin (7.8m x 4.5m).

Ritratti tal-Propjeta





F'din il-valutazzjoni gew ikkunsidrati dawn il-punti:

1. id-daqs tal-propjeta
2. il-kundizzjoni tal-bini u l-istat tajjeb generali,
3. il-post ta' fejn qiegħda (zona industriali),
4. Il-varjazzjonijiet mill pjanti approvati inkluz il faccata
5. Il-fatt li l-bini gie mibni qabel 2016

Fl-opinjoni tiegħi il-valur ta' din il-propjeta inkluz l-arja hi ta' Euro 400,000 (erba' mitt elf Euro).


Tant għandu l-unur jissottometti l-esponent għas-savju gudizzju ta' din l-Onorabbli Qorti.

Perit Andrew Ellul
42, Etno-Parlimentar Congress Road,
Mosta MST 9033, Malta
Tel. 7949 9442




AIC Andrew Ellul

24 ta' Awissu 2023

Ilum <u>14-09-23</u>
Dehor il-Perit Legali / Tekniku: <u>Andrew Ellul</u>
Li wara li ddikjara li thallas l-ammont illu dovut, halef/halfet li qeda/qdiet fedelment u onestament l-inkarigu magħti lilu/ha.
 Deputat Registratur

Ilum 25 AUG 2023
Ippreżentata mill- Perit A. Ellul
B/bta dok diversi dokumenti

5


G. A. M. Cassar
Dep. Rg



AWTORITÀ TA' L-IPPJANAR
PLANNING AUTHORITY

To: Mr Stephen Fenech
obo Awcare Mosta
168, Constitution Street
Mosta

Date: 2 October, 2000
Our Ref: PA 02409/00

Application Number: PA 02409/00
Application Type: Full Development Permission / 07
Date Received: 5 May, 2000
Approved
Documents : PA 2409/00/1A/1B/1C/1D/1E/1F AS AMENDED.

Location: Site at N/S off, Triq In-Naggar, Mosta
Proposal: To amend floor plans and elevation of industrial building (basement: car valeting service and parking; ground floor and first floor: for storage space, parking, aluminium/metal workshop and dwelling; second floor; and a washroom at roof level)

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

The Planning Authority hereby amends development permission granted in application number 05644/98, 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.
2. The ramp leading down to the underlying basement/garage shall at no point be steeper than 1:6. The ramp shall be so formed that it does not encroach onto the pavement.
3. Height of the building should not exceed three floors, plus the underlying basement.
4. Apertures and balconies should not be in gold, silver or bronze aluminium.
5. The facade of the building should be constructed in local stone except where other materials, finishes and colour are indicated on the approved drawings.
6. 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.
7. 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.

8. 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.
9. 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, Maltacom, Drainage Department and Melita Cable.



Frances Galea
A/Secretary
Development Control Commission




EIGHTH SCHEDULE

PHYSICAL ATTRIBUTES OF IMMOVABLE PROPERTY	
Locality	Mosta, Malta
Address	The Penthouse, Alucare Buildings, Triq il-Kappar
Total Footprint of Area Transferred*	290 m2

TICK WHERE APPLICABLE <i>(Tick one box in each case except where indicated otherwise)</i>	
Type of Property	<input type="checkbox"/> Villa <input type="checkbox"/> Semi-Detached <input type="checkbox"/> Bungalow <input type="checkbox"/> Flat/Apartment <input checked="" 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 type="checkbox"/> 0-20 years <input checked="" 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 type="checkbox"/> Traffic <input type="checkbox"/> Entertainment <input checked="" type="checkbox"/> Industrial
State of Construction	<input type="checkbox"/> Shell <input type="checkbox"/> Semi-Finished** <input checked="" type="checkbox"/> Finished***
Level of Finishes	<input checked="" type="checkbox"/> Good <input type="checkbox"/> Adequate <input type="checkbox"/> Poor
Amenities <small>Tick as many as appropriate</small>	<input type="checkbox"/> With Garden <input type="checkbox"/> With Pool <input checked="" 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 checked="" type="checkbox"/> Ownership of Roof <input 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: <u>24 August 2023</u>	Perit's Signature: <u></u>
Warrant Number: <u>197</u>	Rubber Stamp: <u>Perit Andrew Ellul 42, Eucharistic Congress Road, Mosta MST 9033, Malta Tel. 7949 9442</u>

Nota rigward il-pjanti annessi.



Ownership



Common Parts

Il-pjanti juru il-penthouse u l-arja immarkati bl-ahmar, u l-“common parts” indikati bl-isfar.



PLANNING AUTHORITY

St Francis Ravelin, Floriana, FRN 1230, Malta
www.pa.org.mt

Tel: (+356) 2290 0000
VAT No: MT 1281-6708

customercare@pa.org.mt
Exemption No: EXO 1188

Cash Sale

Name: Perit Andrew Ellul

Address:

Cash Sale Number: 455322-9739-8

Date: 24 August 2023

VAT No.:

Item Description	Qty	Unit Price (excl VAT)	Net Amount (excl VAT)	VAT Amount	VAT Rate %
Copy of permit (digital) PA2409/00	1	€4.66	€4.66	€0.00	0
Copy of plans (digital) PA2409/00	5	€11.65	€58.25	€0.00	0

Payment Details:

BOV

Debit / Credit Card

Cash Sale Status:

Settled

Total NET: €62.91
Total VAT: €0.00
Total: €62.91

Drawn up by

Michelle Aquilina

Receipt is not valid if payment is dishonoured.

Or



AUTORITÀ TA' L-IPPJANAR
PLANNING AUTHORITY

To: Mr Stephen Fenech
obo Awwcare Mosta
168, Constitution Street
Mosta

Date: 2 October, 2000
Our Ref: PA 02409/00

Application Number: PA 02409/00
Application Type: Full Development Permission / 07
Date Received: 5 May, 2000
Approved
Documents : PA 2409/00/1A/1B/1C/1D/1E/1F AS AMENDED.

Location: Site at N/S off, Triq In-Naggjar, Mosta
Proposal: To amend floor plans and elevation of industrial building (basement: car valeting service and parking; ground floor and first floor: for storage space, parking, aluminium/metal workshop and dwelling; second floor; and a washroom at roof level)

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

The Planning Authority hereby amends development permission granted in application number 05644/98, 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.
2. The ramp leading down to the underlying basement/garage shall at no point be steeper than 1:6. The ramp shall be so formed that it does not encroach onto the pavement.
3. Height of the building should not exceed three floors, plus the underlying basement.
4. Apertures and balconies should not be in gold, silver or bronze aluminium.
5. The facade of the building should be constructed in local stone except where other materials, finishes and colour are indicated on the approved drawings.
6. 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.
7. 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

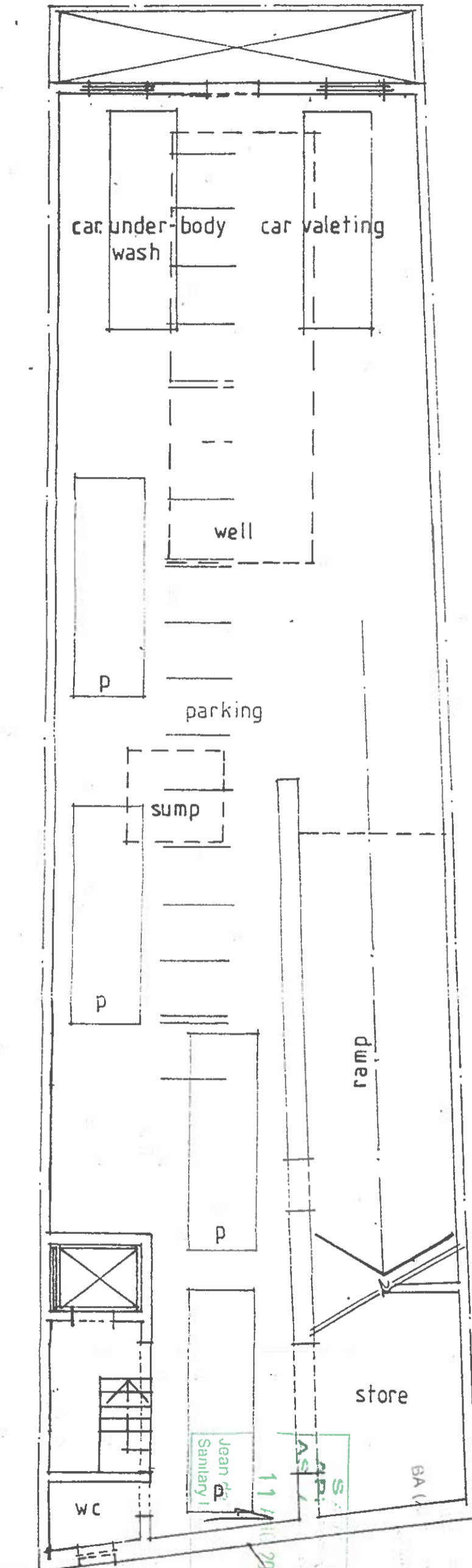
development from the Land and/or Estate Management Departments.

8. 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.
9. 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.

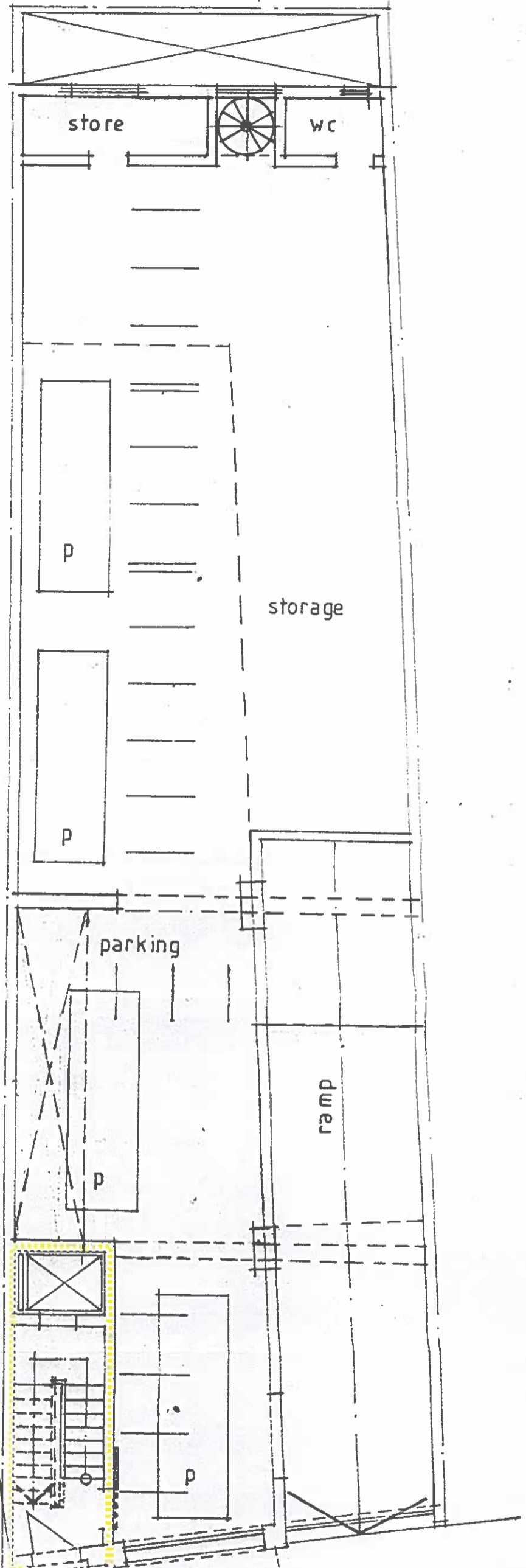
This permit is granted saving third party rights. The applicant is not excused from obtaining any other permission required by law. The applicant should contact the following regarding the location and provision of services prior to commencing development :- Enemalta, Water Services Corporation, Maltacom,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



Frances Galea
A/Secretary
Development Control Commission



BASEMENT 1:100



GROUND FLOOR 1:100

Common parts

PLAN: No. P.A. 109/2011
D.C.C. Board No.

SUBMITTED DRAWING
11 MAY 2000
RAYMOND S. O'NEILL
Planning Technician

JOSEPH J. O'NEILL S.A. (Incl. A & C.C.)
ARCHITECT AND CIVIL ENGINEER
MAP, POMEROY STREET,
TEL. 438009

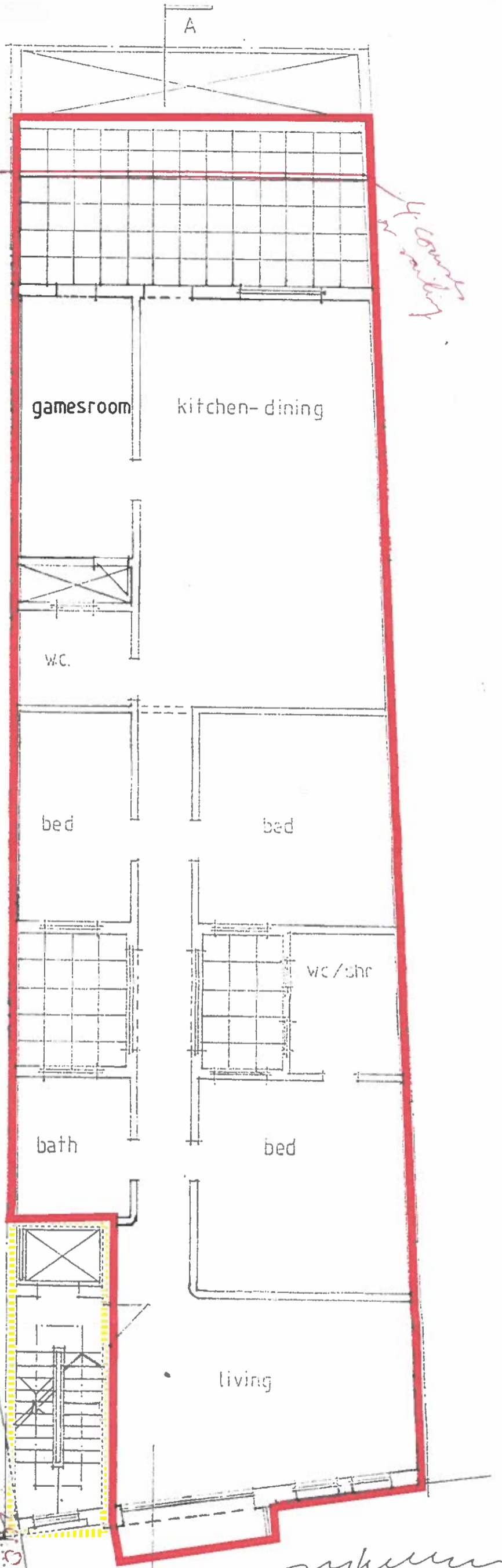


Ownership

Common parts

FIRST FLOOR

1:100



Common parts

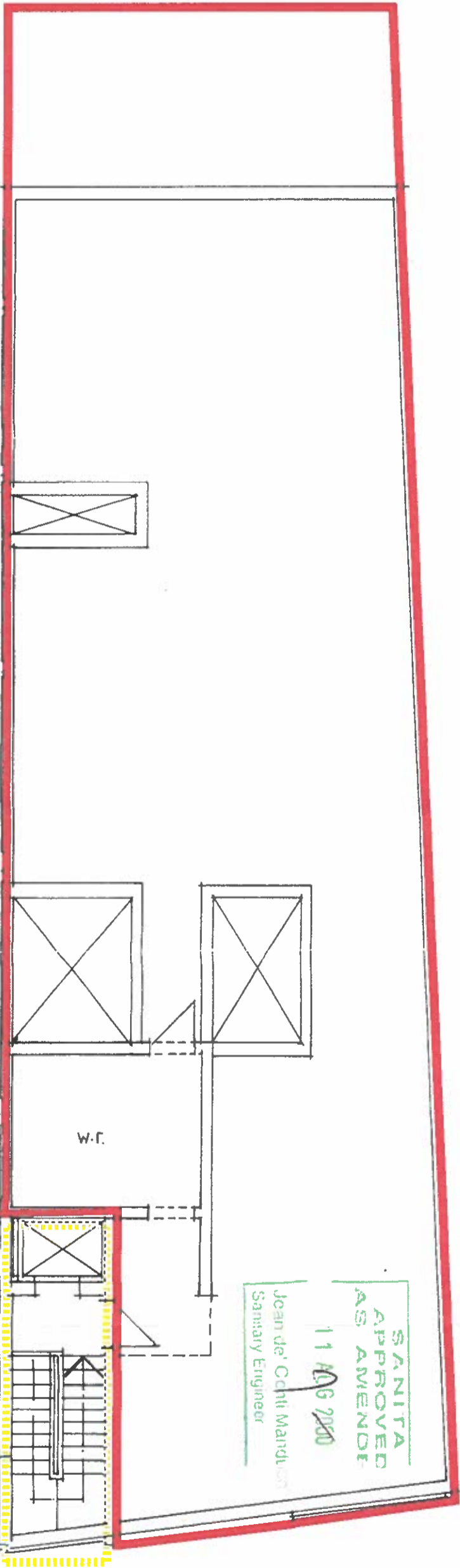
SECOND FLOOR

1:100

SANI
 APPRO
 AS AME
 1 MAUS 2011
 Jean de Conti
 Sanitary Engine.

PLAN: NO. 1
 D.C.C. Board No. ...
 SUBMITTED DRAWING
 8 MAY 2008

JOSEPH ...
 AR ...
 43007



1.8 m protrusion on flat roof.

ROOF

1:100


Ownership


Common parts

SANITA
APPROVED
AS AMENDED
11 NOV 2000
Joan de' Cidre Mandu
Sanitary Engineer

PLAN: No. P.A. 2409/00
D.C.C. Board No.

SUBMITTED DRAWING

Signature: 
HAYWOOD SCULLIJA
Registered Technician


VIC
BA (Arch)
DCC


ANANO
Architects A & CE
DCC

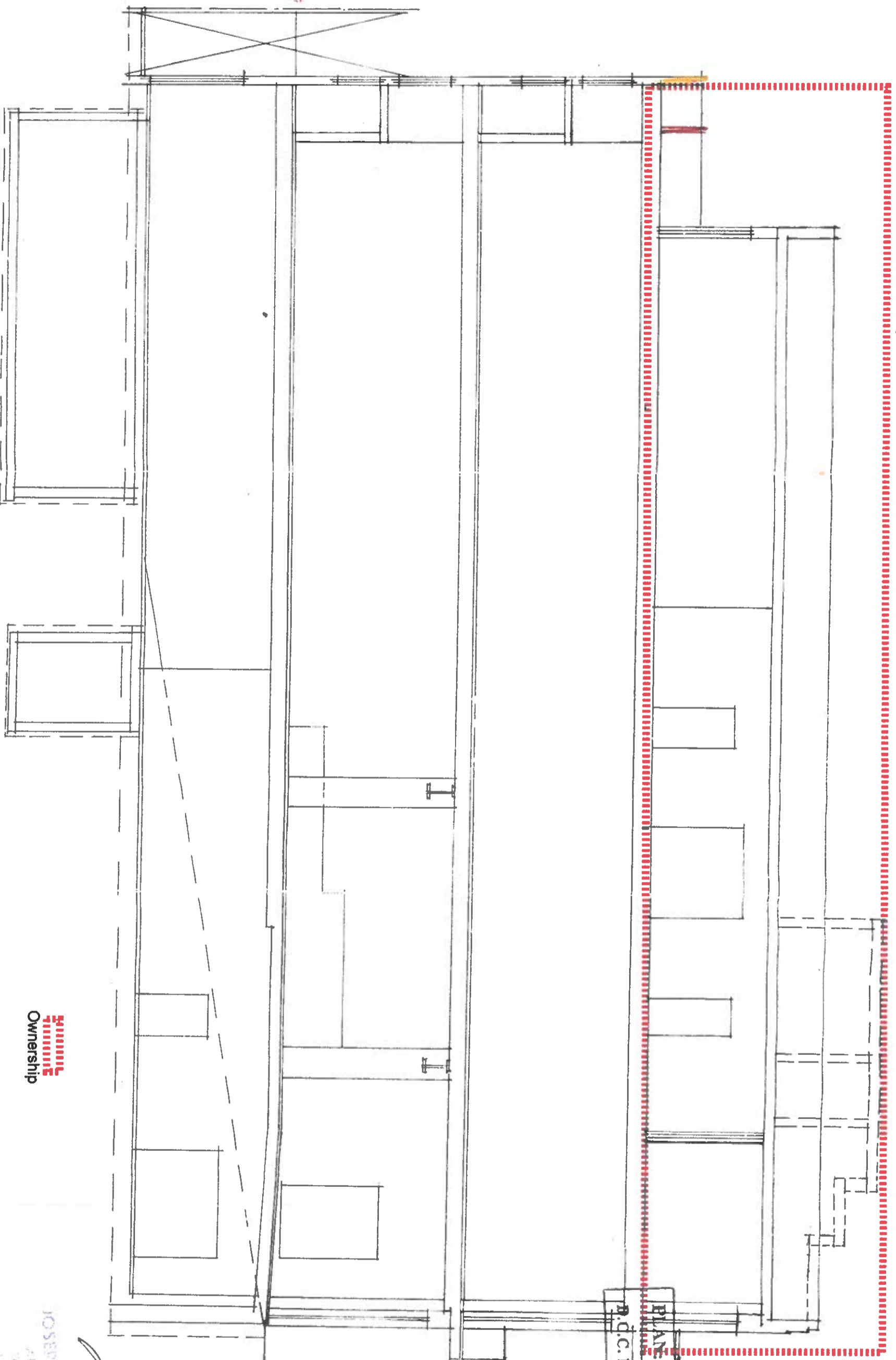

ANANO ARCHITECTS A & CE
14011 ST. JOHN'S CIVIL ENGINEER
ST. JOHN'S ROAD, MOSTA
MOSTA
TEL. 438007

[Signature]
VICTOR TORPIANO
BA (Arch) BArch (Hons) A & CE
Chairman DCC

SANITA APPROVED & AMENDED
11 JUN 2000
John Deere Const. Manufact
Structural Engineer

PLANE No. P.A. **2409/BO/1**
P.C.C. Board No.

SUBMITTED DRAWING
8 MAY 2000
[Signature]
RAYMOND
Planning Technician

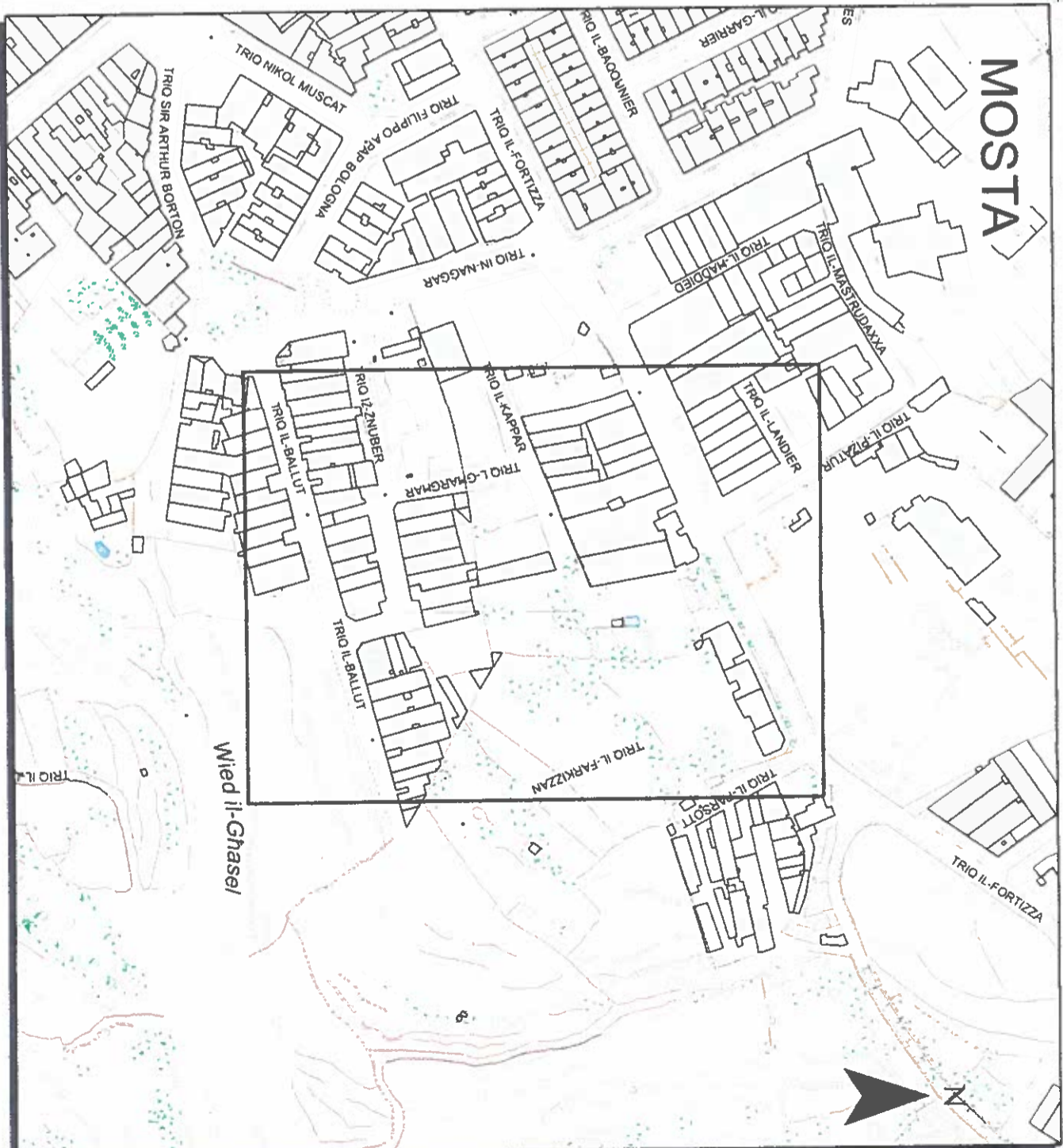
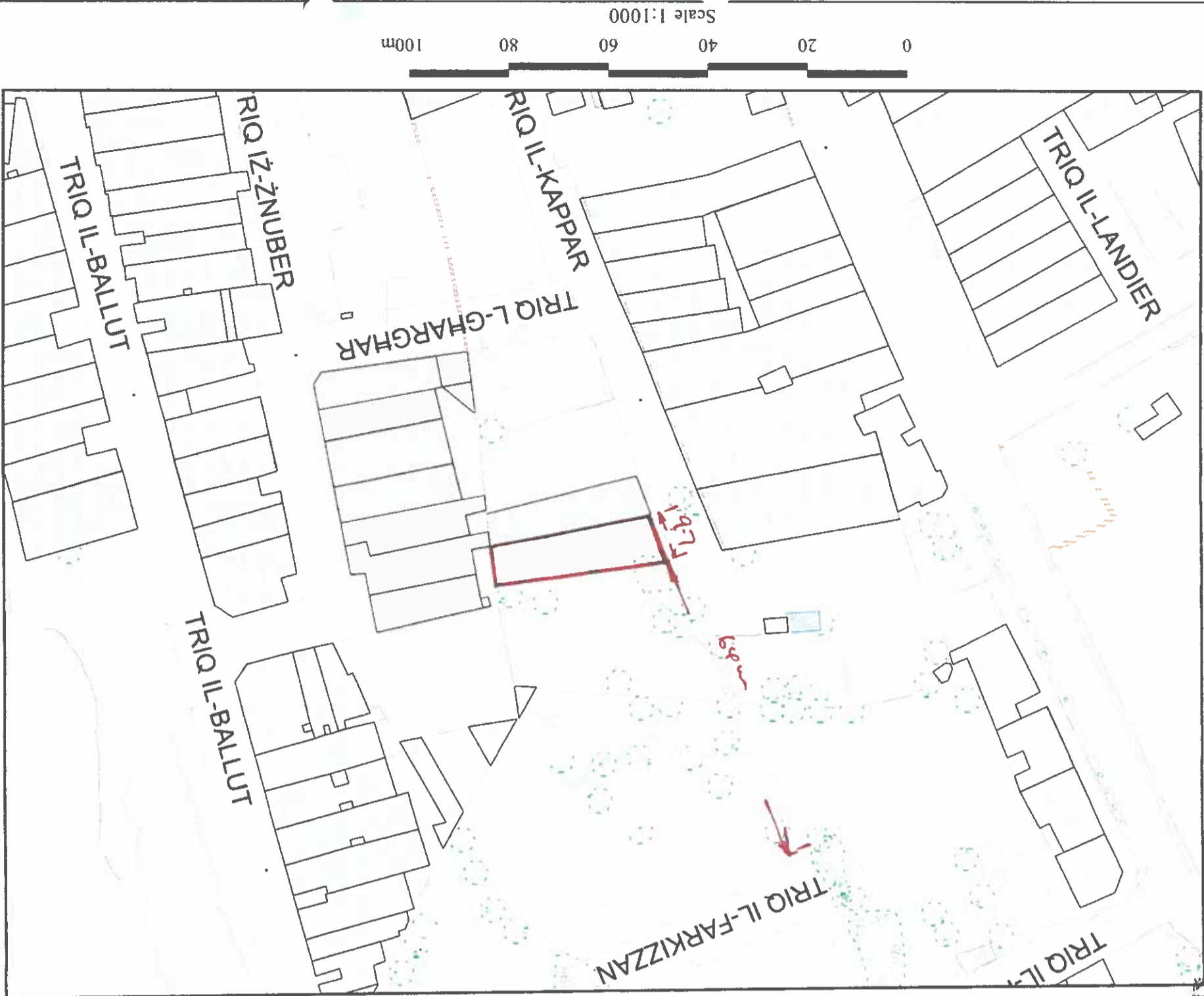


SECTION A-A
1:100

Public Ownership

[Signature]

JOSEPH
43NOCT



Pjanta tas-Sit 1:2500 Site Plan

Nru tal-Mappa: **188874 E**
 Map Number:

Posizzjoni Ċentrali: **x = 48026**
 Centre Coordinates: **y = 74950**

Perit: *[Signature]*
 Architect:

Timbru tal-Perit:
 Architect's Stamp:

Agenzija għar-Registrazzjoni tal-Artijiet
 116, Casa Bolina, Triq il-Piment, Il-Belt Valletta



Land Registration Agency
 116, Casa Bolina, Triq il-Piment, Il-Belt Valletta

Parti min S.S.: **4874**
 Extracted from S.S.:

Date: **01/12/2020**

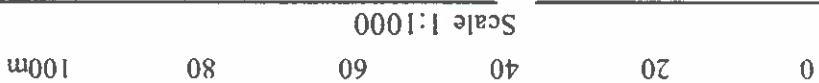
Qies (metri kwadri): **604.06**
 Area (square metres): *[Handwritten]*

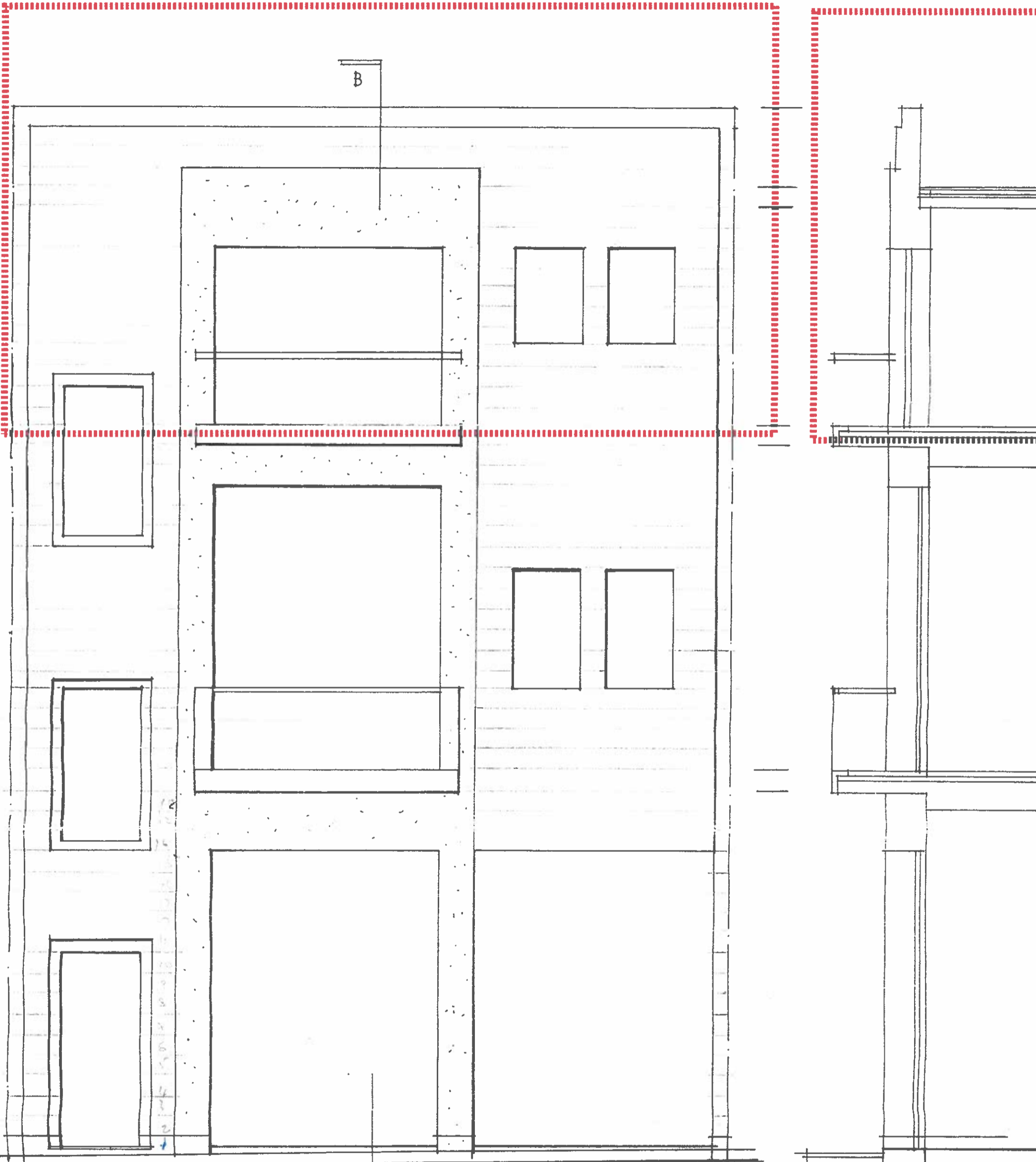
Firma ta' l-Applikant:
 Applicant's Signature:

LR 182200

Dritt imballas
 Fee Paid

Case file details plan





MAIN ELEVATION

1:50

PART SECTION B-B

1:50

13.8 m

TORPIANO
 BA (Architect) (Hons) A & CE
 Chairman DCC

MC

P.C.T. No. 2409/00/15
 PLAN: 2409/00/15

SUBMITTED DRAWING
 8 MAY 2000
 HAYMAINS SCICLUNA
 Planning Technicians

[Handwritten Signature]

431001

