

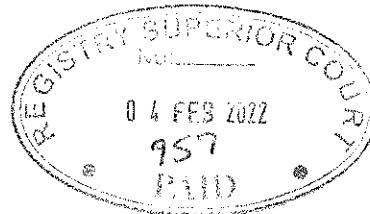


Our Ref: LC 01/21
Your Ref: SUBB 15/2021

Data: 22 ta' Jannar 2022

FIL-PRIM AWLA TAL-QORTI ĆIVILI
ONOR. IMHALLEF A. LOFARO

Fl-Atti tal-bgħejjh bl-irkant Nru. 15/2021
Fl-ismijiet:



Bank of Valletta Plc.

vs

Maria Carmela Cutajar

Hatra tal-Perit Damian Vella Lenicker bħala 'Esper' fl-atti tas-Subbasta Nru. 15/2021

Jesponi bir-rispett:

Illi permezz ta'digriet ta'din l-Onorabbi Qorti mingħajr data, (*hawnhekk anness bħala 'Doc 1'*), l-esponent ġie maħtut bħala 'Esper' tal-Qorti u nkariġat sabiex jagħmel deskriżzjoni tal-fond indikat fl-atti ta din is-subbasta u jgħati stima tal-valur.

Illi l-linkartament mgħotija mill-Qorti (*hawnhekk anness bħala 'Doc 2'*), jagħmel riferenza għall-fond b'l-indirizz 'Garaxx bla isem u bla numru ġewwa Triq l-Ajzar (ġia estensjoni ta Triq il-Hantun), Safi. Konfinanti mill-Lvant mal-imsemmija Triq l-Ajzar minn fejn huwa wkoll aċċessibbli, mit-Tramuntana ma Triq il-Hlantun u minn-Nofsinhar ma' propjeta tal-istess intimata, bid-drittijiet u l-pertinenzi kolla tiegħu, eżkluża l-arja'.

Illi l-esponent bgħat notifika tal-appuntament għall-aċċess permezz ta ittra 'rregistrata lill-intimata fl-indirizz indikat bħala r-residenza tagħha iżda din għiet irrotnata lura mis-servizzi postali, għaldaqstant, l-aċċess ma setgħax isir fid-data mgħotija.

Illi sossegwentiment, l-esponent bgħat żewġ notifikasi oħra tal-appuntament lill-intimata b'data ġidha għall-aċċess permezz ta ittri 'rregistrati, waħda fl-indirizz indikat bħala r-residenza tagħha u oħra fl-indirizz tar-residenza tat-tifel tagħha u dan għaliex l-esponent ġie infurmat illi l-intimata, li hija anżjana, qed toqghod mat-tifel fir-residenza tiegħu. Madankollu, dawn ukoll ġew irritornati mis-servizzi postali. Għaldaqstant, l-aċċess ma setgħax isir fid-data (ġidha) mgħotija.

Illi l-esponent kiseb in-numru tat-telefon cellulari tat-tifel tal-intimata, tkellem direttament miegħu u stabilixxa illi l-intimata kienet anzjana fi stat ta' saħħha prekarja u li t-tifel kien sikwiet ikun fuq xogħol barra minn Malta għal tul ta'żmien. Għaldaqstant sar rikors lill-Qorti, (*hawnhekk anness bhala 'Doc 5'*) datat 18 ta' Ĝunju u 'ntalab aktar żmien sabiex ikun jista jsir l-aċċess fil-fond imsemmi u jitħejja r-rapport relattiv.

Illi l-esponent ftiehem mat-tifel tal-intimata, għamel l-access fil-fond imsemmi u ħejja r-rapport iddettaljat tiegħu (*hawnhekk anness bhala Doc B*) li jagħmel deskrizzjoni tal-fond u jgħati stima tal-valur, liema rapport huwa imħejji skond id-dokumenti ufficjalji 'Valuation Standards' maħruġ mill-Kamra tal-Periti.

Illi l-esponent ġabar fil-qosor, l-elemti essenzjali tar-rapport għawn fuq imsemmi u dan huwa anness għawn bħala 'Doc A'.

Għaldaqstant, l-esponent jitlob bir-rispett lil din l-Onorabbi Qorti biex tilqa d-dokumenti ipprezentati u tiproċedi kif jidrilha skond il-fatti imesmmija.

Perit Damian Vella Lenicker A.&C.E.
Architect and Civil Engineer

04 FEB 2022

Perit Damian Vella Lenicker A.&C.E.
Architect & Civil Engineer
Warrant No: 384

Min...
Ippreżentata minn... *A.C.D. Vella Lenicker*
B'Dok... *B' dok wieħed (1)*
Dokumenti... *Warrant No: 384*

Annalise Spiteri
Deputat Registratur
Qorti tal-Gustizzja (Malta)

Dokumenti Annessi:

- 'Doc A' - Deskrizzjoni u stima fil-Qosor
- 'Doc B' - Rapport dwar l-access u Valutazzjoni
- 'Doc 1' - Ittra ta' hatra bhala 'Espert tal-Qorti'
- 'Doc 2' - Inkartament relatata mogħtija mill-Qorti
- 'Doc 3' - Ittra rregistrata b'Notifika tal-access lill-intimata (*ritornata*)
- 'Doc 4' - Tieni Ittra rregistrata b'Notifika tal-access lill-intimata (*ritornata*)
- 'Doc 5' - Rikors ta' 18 ta' Ĝunju b'talba ghall-estenzjoni taz-zmien
- 'Doc 6' - Pjanta tar-Registru tal-Artijiet
- 'Doc 7' - Pjanta generali tal-fond (*sketch plan*)
- 'Doc 8' - Estratti mill-Permess PA 2562/12
- 'Doc 9' - Estratti mill-Pjan Lokali tan-Nofsinhar ta' Malta
- 'Doc 10' - Formola tat-Tmien Skeda CFR

Illum <i>18/02/2022</i>
Deher il-Perit Legali / Tekniku: <i>Perit Damian Vella Lenicker K/ 313680</i>
Li wara li ddikjara li thallas l-ammont illu dovut, halfe/halfet li qedha/qdiet fedelement u onestament l-linkarigu mogħti illu/ha.
<i>Sig</i>
Deputat Registratur

DOC A

Deskrizzjoni u Stima fil-Qosor





RAPPORT FIL-QOSOR DWAR PROPJETA IMMOBBLI

DATA:	22 ta' Jannar 2022
INDIRIZZ:	Garaxx bla isem u bla numru ġewwa Triq l-Ajzar (<i>ċċiex eżtensiġi ta' Triq il-Hantun</i>), Safi. Konfinanti mill-Lvant mal-imsemmija Triq l-Ajzar minn fejn huwa wkoll aċċessibbli, mit-Tramuntana ma Triq il-Hantun u minn-Nofsinhar ma' propjeta tal-istess intimata, bid-drittijiet u l-pertinenzi kolla tiegħu, eżku luja l-arja.
DESKRIZZJONI:	Garaxx fuq kantuniera, fil-pjan terran (<i>street level</i>) b'aċċess dirett minn Triq l-Ajzar u tieqa li tgħati għal fuq Triq il-Hantun, li jinkludi spazju ta' 'store' fuq wara li tgħati għal biċċha interna inkluża mal-fond imsemmi.
RIFERENZA:	Subbasta 15/2021 (Prim Awla tal-Qorti Civili – Malta)
AZZJONISTI:	Bank of Valletta Plc.
INTIMATA:	Maria Carmela Cutajar
DATA TAL-ACCESS:	25 ta' Ĝunju 2021

Osservazzjonijiet

Kien innotat illi:

Is-servizzi tad-dawl u ilma fil-fond huma imqabbdin ma dawk tar-residenza sovrastanti li tappartjeni għall-istess sid (*l-intimata*). Jekk il-propjeta tintxara minn terzi, dawn iridu jiġu skonnetjati u ssir applikazzjoni ġiddi għas-servizzi tal-garaxx.

L-ispażju fuq in-naħha ta' wara tal-garaxx m'għandux pavimentar ma l-art, il-ħitan m'humiex miksijin u l-apertura li tgħati aċċess għall-bitħa hija mingħajr bieb.

L-ilma tax-xita li jingabar mill-bejt tar-residenza sovrastanti jinzel f'katusa li tgħaddi mal-ħajt tal-bitħa ta' wara u jghaddi internament mal-ħitan tal-fond sakemm joħroġ barra fit-triq mill-faċċata tal-garaxx, jekk il-propjeta tintxara minn terzi, dan jirriżulta f'servitu.

Id-drenaġġ tar-residenza sovrastanti jgħaddi minn trinka taħt l-art tal-fond, jekk il-propjeta tintxara minn terzi, dan jirriżulta f'servitu.

Il-garaxx li hemm biswit il-fond imsemmi għandu tieqa li tgħati għal fuq il-bitħa li tifforma parti mill-fond, jekk il-propjeta tintxara minn terzi, dan jirriżulta f'servitu jekk kemm il-darba ma jingħalaqx.

Għalkemm il-fond huwa kopert bil permess PA 02562/12, hemm diskrepanza minuri bejn il-pjanti approvati u l-bini attwali. Ma nstab ebda azzjoni ta' nfurzar b'konness mal-fond imsemmi u 'd-diverġenzi huma interni u ta natura minuri li jistgħu faċilment jiġi ssanzjonati.

Kwistjonijiet li kienu ikkonsidrati fl-Istima

Il-garaxx huwa ta' daqs akbar mis-soltu, u jista jakkomoda vettura ta' natura kummerċjali jew karozza kbira. Minkejja dan, il-forma tal-ispazju intern ma jippermettix li jakkomoda aktar minn vettura waħda. Huwa meqjus illi 'l-valur prinċipali tal-fond jirriżulta mill-prezenza tat-tieqa għal fuq it-triq, l-ispazju tal-'istore' fuq wara u l-bithha interna. Dawn, flimkien mal-fatt illi l-garaxx jinstab fil-livell tat-triq u fuq kantuniera, jirrizultaw f'potenžjal ta' użu kummerċjali illi għalihi huwa meqjus illi jista jinkseb il-permess.

Stima ta' Valur

Inkisbu prezziżiet ta' projeta simili fl-istess lokalita jew fil-vičin tal-fond sabiex tiġi stabbilita l-andament u'l-livell ġenerali tal-prezziżiet tipiċi. Saru l-kalkoli neċċesarji u l-fond imsemmi ġie stmat li għandu valur ta' madwar tlieta u disghin elf Ewro (€93,000).

Perit D. Vella Lenicker A&C.E.
Warrant No. 384

Perit Damian Vella Lenicker A.&C.E.
Architect & Civil Engineer
Warrant No: 384

DOC B

Rapport dwar I-access u Valutazzjoni



Damian Vella Lenicker B.E.&A. (Hons)
Architect and Civil Engineer

Warrant No. 384

'DOC' B

VALUTAZZJONI TA' PROJETA IMMOBILI

Rif: Subbasta 15/2021

Garaxx fil-livell tat-triq u mingħajr numru,
fi Triq l-Ajzar, kantuniera ma Triq Hlantun,
Safi, Malta

22 ta' Jannar 2022



Perit Damian Vella Lenicker
Warrant No. 384

No.22, Apt. 6, St. Gabriel Street,
Balzan BZN 1720

Mob: (+356) 99871115
Email: damian.vella.lenicker@gmail.com

22 ta' Jannar 2022

Rif: Subb. 15/2021

Fond: Garaxx mingħajr numru, fil-kantuniera bejn Triq l-Ajzar u Triq Ħlantun, Safi, Malta

Is-sottoskrift ġie mahtur bħala 'Espert tal-Qorti' f'l-atti tal-Mandat tal-Qbid ta' Hwejjeg Immobbl Nru.15/2021 sabiex iħejji deskrizzjoni tal-fond li jikkonsisti f'garaxx fil-livell tat-triq u li jinstab fi Triq l-Ajzar, kantuniera ma Triq il-Ħlantun, go Hal Safi u sabiex ifisser il-piżżej, kirjet u jeddiet oħra, sew reali kemm personali, jekk ikun hemm, li għalihom dan il-fond huwa soġgett, kif ukoll l-aħħar trasferiment tiegħu, skond l-informazzjoni u l-inkartament miġbura mill-Qorti, kif deskrirt fir-rapport anness. Huwa mifhum ukoll li-sottoskrift ġie mahtur sabiex jaġhti stima tal-valur fis-suq tal-fond imsemmi.

Is-sottoskrift wasal għall-valur hawn taħt imsemmi abbaži tal-fatti u l-kunsiderazzjonijiet kollha imsemmija fir-rapport anness.

Fuq il-baži ta dawn il-fatti u kunsiderazzjonijiet, kif ukoll tenut tas-sitwazzjoni kurrenti li tinastab fiha, 's-suq tal-propjeta, l-istima tal-valur tal-fond imsemmi huwa ta' €93,000 (*Tlieta u Disgħin elf Euro*).


Perit Damian Vella Lenicker
Warrant No. 384

Anness: Rapport ta' Valutazzjoni

Perit Damian Vella Lenicker A.&C.E.
Architect & Civil Engineer
Warrant No. 384

22 ta' Jannar 2022

Rif: Subb. 15/2021

Rapport ta' Valutazzjoni

- 1 Klijent** Prim Awla tal-Qorti Civili, Malta
- 2 Indirizz tal-Fond** Garaxx mingħajr numru, fi Triq l-Ajzar, kantuniera ma Triq il-Flantun, Hal-Safí, Malta
- 3 Sid** Skond l-informazzjoni u l-inkartament ippovduta mill-Qorti, l-aħħar trasferiment tal-fond sar fil-5 ta' Jannar 1977 f'l-atti tan-Nutar Dr. J. Agius fejn il-kumpratur hija indikata bahala Maria Carmela Cutajar, li għandha n-numru tal-karta tal-identità 573434 M.
- 4 Baži tal-Valutazzjoni** Dan ir-rapport iwassal għal stima tal-valur fis-suq (*Market Value*) tal-fond, kif defenit fid-Direttiva tal-Kunsill Ewropew 2006/48/EC u ciee':
- "the estimated amount for which the property should exchange on the date of valuation between a willing buyer and a willing seller in an arm's length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion."*
- Mingħajr preġudizzju għal fuq imsemmi, il-valur indikat f'dan ir-rapport huwa meqjus bħala l-aħjar prezz in fondi likwid li huwa raġonevolment mistenni li jinkiseb mill-bgħejh tal-propjeta' mingħajr kundizzjonijiet, fid-data ta' din il-valutazzjoni u a baži ta dawn il-premessa:
- a) Il-bgħejh tal-fond ma kienx sfurzat;
 - b) qabel id-data tal-Valutazzjoni kien hemm perjodu raġonevoli biex isir ir-reklamar dwar il-bgħejh tal-fond, għan-negozjar u qbil dwar il-prezz, it-termini tal-bgħejjh u l-konklużjoni tal-bgħejjh;
 - c) is-sitwazzjoni tas-suq, in-natura ta' valuri tal-propjeta u ċirkostanzi oħra relevanti kien fid-data li jsir il-kuntratt tal-bgħejjh, l-istess bħal dawk fid-data tal-Valutazzjoni;
 - d) ma hemmx offerta addjizzjonal min xi xerrej prospettiv illi għandu xi interess speċjali f'l-akkwist tal-fond;
 - e) it-titlu tal-fond jista jiġi stabbilit u l-fond m'huxi soġġett għal xi restrizzjonijiet inużwali jew oneruži, jew għal xi dejn;
 - f) il-fond m'huxi soġġett għal xi Notifikasi Statutorji u kemm il-fond kif ukoll l-użu tiegħu, eżistenti jew intenzjonat fil-futur, jikkonformaw mal-kundizzjonijiet statutorji u dawk fil-permessi rilevanti;

- g) il-fond m'għandux difetti moħbija u l-materjali li ntużaw fil-kostruzzjoni (*jekk applikabbi*), kienu ta' kwalita tajba;
- h) il-kundizzjoni tal-fond ġie stabbilit minn spezzjoni viżwali biss u sakemm mhux indikat mod iehor fir-rapport u f'tali kaz f'l-estent specifikat biss, dawk il-partijiet tal-fond li kienu mgħottija, inesposti jew mhux aċċessibbli ma ġewx spezzjonati, u l-ebda testijiet ma saru fuqhom biex jiġi stabbilit jekk għandhomx xi difett jew iehor, u għalhekk, il-valutazzjoni tassumi li *jekk* isir studju strutturali jew testijiet fuq il-fond ma jirriżultawx difetti serji li jistgħu iwasslu għal spejjeż sostanzjali u strordinarji.

5 Kundizzjonijiet Specjali

Dan ir-rapport huwa kunfidenzjal għall-klijent imsemmi hawn fuq u ġie 'ppreparat għall-iskop specifiku imsemmi ghħawn taħt. Jista jiġi 'rreferit lill-eserti li qed jgħinu lill-klient għall-istess skop, iżda ebda persuna jew entita oħra. Ir-rapport jew partijiet minnu, ma jistgħux jiġi 'ppublikati mingħajr il-kunsens bil-miktub tas-sottoskrift.

Is-sottoskrift huwa responsabbi biss lejn il-klijent, u kwalunkwe persuna oħra li tagħmel użu minn din il-valutazzjoni tagħmel hekk unikament a riskju tagħha.

It-titlu tal-fond ma ġiex investigat oltre l-informazzjoni f'l-inkartament mghotja mill-Qorti u tali investigazzjonijiet ma jiffurmawx parti mill-iskop ta dan ir-rapport.

6 Access

L-Aċċess fil fond sar nhar il-25 ta Ġunju 2021

7 Skop

L-iskop tal-ispezzjoni u 'r-rapport huwa biex tingħata deskrizzjoni tal-fond imsemmi u stima tal-valor fuq is-suq ta tali fond għall-finijiet ta'Mandat ta Qbid ta Hwejjeg Immobbbli.

8 Deskrizzjoni Generali

Tipologija Il-fond jikkonsisti f'garaxx mingħajr numru u mingħajr isem, fi Triq l-Ajzar, (*ġia estenżjoni ta Triq il-Hlantun*) fil-livell tat-triq, li jinstab fuq il-kantuniera bejn Triq l-Ajzar u Triq il-Hlantun. Il-propjeta hija konfinanti mill-Lvant mal-imsemmija Triq l-Ajzar fejn tinstab l-entratura, mit-Tramuntana ma Triq il-Hlantun u min-nofsinhar ma'propjeta tal-istess sid (*l-intimata*) bid-drittijiet u l-pertinenzi kolla tagħha, eskuża l-arja. Il-garaxx huwa sottopost minn residenza f-lewwel sular li għandha l-entratura fuq Triq il-Hlantun u li tappartjeni għall-istess sid hekk kif muri fir-ritratti u pjanta tas-sit hawnhekk annessi bħala 'Doc 6'.

Kostruzzjoni Il-propjeta tikkonsisti f'hitan interni u esterni tal-ġebla tal-franka u/jew tal-bricks tal-konkrit, li fuqhom iserrhu soqfa tal-konkrit irrinfurzati.



9	Titlu	Skond l-linkartament miġbur mill-uffiċċju tas-Subbasti fil-Qrati, (<i>ara Anness Nru X</i>), il-fond huwa mibni fuq bicca art soggetta ghall-cens annwu u perpetwu ta' tnejn u sebghin centezmu Ewro (€0.72 – <i>ekwivalenti għal Lm.0.31c3</i>).
10	Okkupazzjoni	Fid-data tal-aċċess, ġie 'nnutat illi l-fond kien qiegħed jintuża min iben l-intimata.
11	Awtorita' Lokali	Kunsill Lokali, Safi
12	L-Inħawi tal-madwar	Il-fond jinstab f'żona esklussivament residenzjali fit il-bogħod mill-limiti taż-żona għall-iż-żvilupp. Il-binjet tal-madwar, fil-maġġoranza tagħhom jidher li nbnew fi snin sebghin u fi snin tmenin ghalkemm kien hemm ukoll xi binjet individwali li kien aktar antiki u li jmorru lura għaż-żmien meta ż-żona kollha kienet tikkonsisti f'art agrikola. Permess ta riċerka fl-arkivji tal-Awtorita tal-Ippjanar, għalkemm ma nstabx il-permess l-originali ta meta nbena il-fond, mir-ritratti meħudin mill-ajru u mis-'Survey Sheets' tas-sena 1968 gie stabbilit illi l-fond inbena wara s-sena 1968 u qabel is-sena 1998.
13	Toroq	Peres illi l-fond jinstab fuq kantuniera, għandu faċċata fuq żewg toroq. It-toroq huma miksija b'l-asfalt u jinstabu f'kundizzjoni tajba, inkluż b'sistema ta dwal tat-triq (street lighting).
14	Is-Sit	<p><i>Konfini</i> Il-fond huwa konfinanti mill-Lvant ma Triq l-Ajzar fejn jistab ukoll l-aċċess tiegħu, mit-Tramuntana ma Triq il-Ħlantun u minn-Nofsinhar ma' propjeta tal-intimata. Il-fond jinstab fil-pjan terran, fil-livell tat-triq u huwa sottopost min bini residenzjali li jappartjieni għall-istess sid.</p> <p><i>Karatteristiċi Fiziċi</i> Is-sit fejn huwa mibni l-fond imsemmi jinstab fuq art relativiamenteċċa. Ma saret ebda investigazzjoni dwar in-natura tas-sottosuol jew il-livell tal-blat u ma giet ipprezentata ebda evidenza ta' karatteristiċi inużwali. Din l-istima tassumi li ma hemm ebda kundizzjonijiet fis-sottosuol, inkluż iżda mhux biss, il-prezenza ta' fissuri, il-prezenza ta' tafal, jew ta' kontaminazzjoni jew kondizzjonijiet simili illi jistgħu ikollhom impatt fuq il-valur tal-propjeta'. Il-fond għandu faċċata ta' circa 4.6m fuq Triq l-Ajzar u ta' circa 5.1m fuq Triq il-Ħlantun.</p> <p><i>Servitujiet</i> Il-fond huwa soġġett għal dawk is-servitujiet naxxenti b'mod naturali mill-pożizzjoni tal-fond sovrastanti (<i>ta'l-istess sid</i>) li jinkludu wkoll il-mogħdija ta katusi u servizzi li jservu l-propjeta sovrastanti mill-bitħha interna li tofforma parti mill-fond. Waqt l-access, kien innutat illi is-servizzi (<i>katusi</i>) tad-drenagg u tal-ilma tax-xita tal-fond sovrastanti jgħaddu minn that l-art tal-fond biex jaslu mat-triq u ġie 'nnutat ukoll illi kemm l-fond (<i>garaxx</i>) adjacenti u l-fond sovrastanti (<i>li t-tnejn jappartjieni għall-istess sid tal-fond imsemmi</i>) għandhom twieqi li jħarsu għal fuq il-bitħha ta' wara inkluża bħala parti mill-fond.</p>

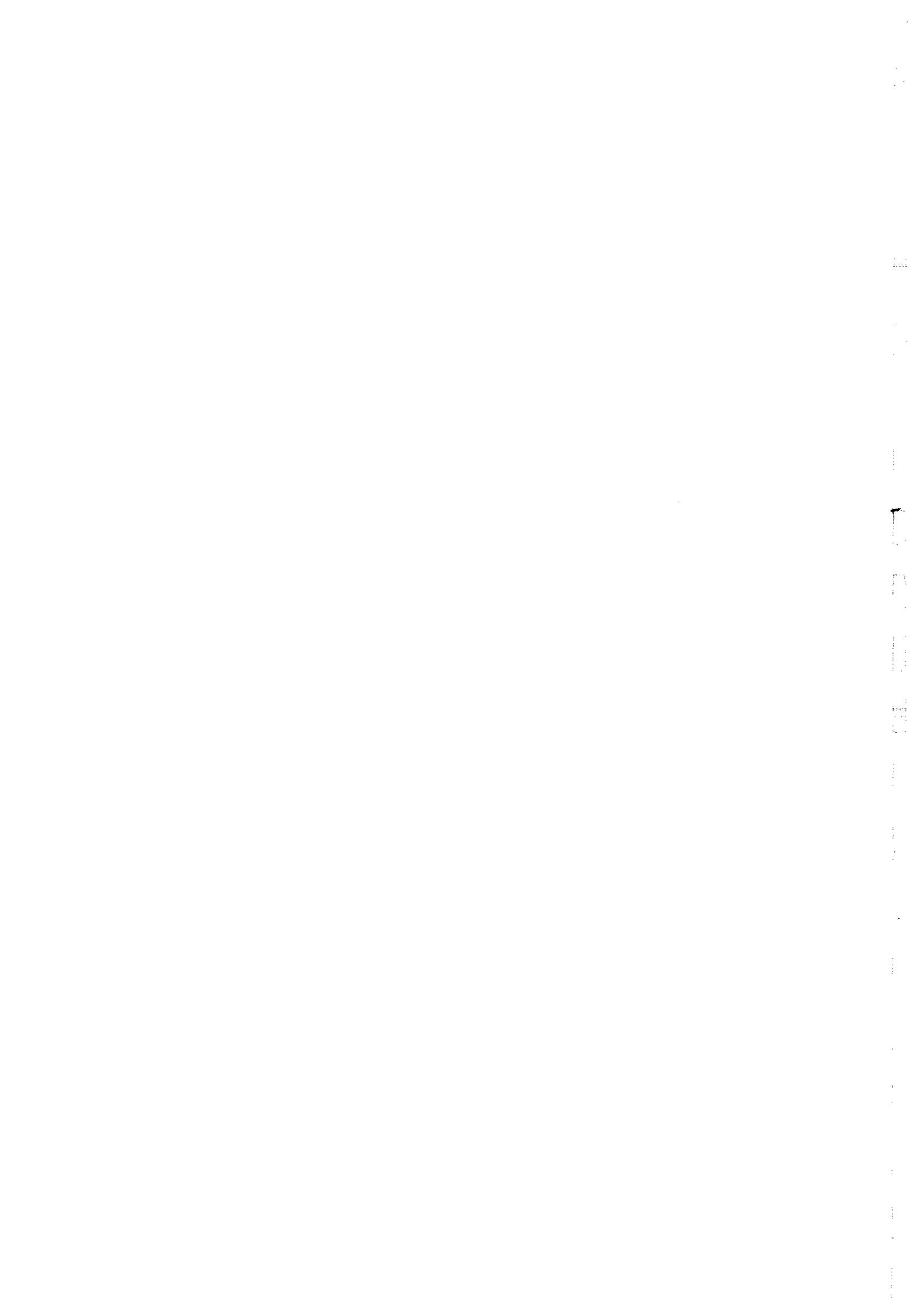
15 Partijiet Komuni	Qiegħed jiġi meqjus illi l-fond imsemmi jinkludi sehem indiżi tal-ħitan tal-appoġġ, flimkien mal-propjetajiet adjaċenti, kif ukoll sehem indiżi tas-saqaf tal-fond flimkien mal-propjeta sovrastanti.
16 Akkomodazzjoni	Ma sar ebda kejl preċiż (<i>survey</i>) tal-fond pereż illi dan ma kienx parti mill-iskop ta' dan ir-rapport u l-ħatra mill-Qorti. Sar biss kejl superficijal kif muri fil-pjanta tar-Registru tal-Artijiet hawnhekk annessa bhala Dok 6, il-fond għandhu kejl superficijal ta' 65 (<i>hamsa u sittin</i>) metri kwadri liema kejl jinkludi wkoll nofs is-wisgħa tal-appoġġi komuni. Il-fond jikkonsisti f'garaxx aċċessibl minn Triq l-Ajzar, flimkien ma passaġġ dejjaq li jgħati għal kamra zghira fuq in-naħha ta' wara u liema kamra għandha bieb li jifta għal fuq bitħha ta' wara.
17 Kunsiderazzjonijiet ta' Ippjanar	Il-Fond jistab f'lokalta li taqa taħt ir-rekwiżiți tal-Pjan Lokali tan-Nofsinhar ta Malta (<i>South Malta Local Plan</i>) ippublikata mill-Awtorita tal-Ippjanar. Il-fond jinstab fil-periferija taż-żona ghall-iżvilupp u f'żona residenzjali hekk kif deskrrett fil-Policy SMHO 02 u SMSE 04 u kif muri fil-pjanti u l-estratti mill-istess Pjan Lokali hawnhekk annessi bhala 'Doc 9'. Mir-riċerka li saret, ma jirriżulta ebda azzjoni ta'nfurzar fuq il-fond. Il-permess l-originali ta meta nbena il-fond, li huwa fil-pjan terran, ma setgħax jinstab iż-żda il-fond huwa kopert b'permess aktar riċenti - PA2562/12, li inkiseb meta nbniet ir-residenza sovrastanti u saru wkoll xi tibdiliet strutturali fil-fond imsemmi li kien diga eżistenti. Kopja tal-premess imsemmi u tal-pjanti approvati huma annessi bħala 'Dok 6'. Il-fond kif inhu mibni huwa meqjus konformi b'mod ġenerali ma' tali permess hlief għas-segwenti punti:
	<ul style="list-style-type: none"> - Il-passaġġ li jagħti mill-garaxx għall-kamra ta' wara huwa aktar dejjaq milli kif muri fil-pjanti approvati. <p><i>In oltre huwa nnotat illi:</i></p> <ol style="list-style-type: none"> a) L-osservazzjonijiet precedneti jirrelaw biss għall-fond <i>in-disamina</i> u ma sar ebda aċċess fil-livell sovrastanti. b) Huwa preżunt illi l-binja hija mibni skond il-linja uffiċjali tal-binġi mgħotija mill-awtoritajiet relevanti. c) Id-deviazzjoni mill-pjanti approvati hija waħda minuri li faċilment tista tiġi ssanzjonata.
18 Kunsiderazzjonijiet Statutorji	Huwa 'rrakkod dat illi jiġu ddokumentati s-servitujiet rilevanti indikati fit-tielet paragrafu f'artiklu 18 hawn fuq jiġu riflessi fil-kuntratt tal-bejgħ.
19 Kundizzjoni tal-Fond	Il-fond kien parzialment komplut (<i>partly finished</i>), il-parti tal-garaxx kellu l-art ippavimentat u'l-ħitan miksiż, miżbugħin u lesti, bis-servizzi ta dawl u ilma īinstallati. Il-kamra ta' wara kif ukoll il-bitħa ta' wara kienu t-tnejn fi stat ta' <i>ġebel u saqaf</i> , l-art mhux ippavimentat, ħitan mhux miksiż jew miżbugħin u mingħajr servizzi u mingħajr bieb f'l-apertura li tgħati għall-bitħa hekk kif muri fir-ritratti annessi ghawn bhala 'Doc 6'. Huwa stmat illi biex dawn jittlestew u jiġu nstallati s-

20 Servizzi

Il-parti tal-fond li jikkonsisti fi spazju ta'garaxx għandu nstallazzjoni ta' servizzi tad-dawl u ilma. Gie 'nnutat pero illi dawn s-servizzi huma ikkolegati mas-servizzi tal-fond sovrastanti perez illi dan jappartjieni lill-istess sid. Għaldaqstant, fil-kaz illi il-fond jinbiegħ l'il terzi, ikolla 'ssir applikazzjoni għas-servizzi separati.

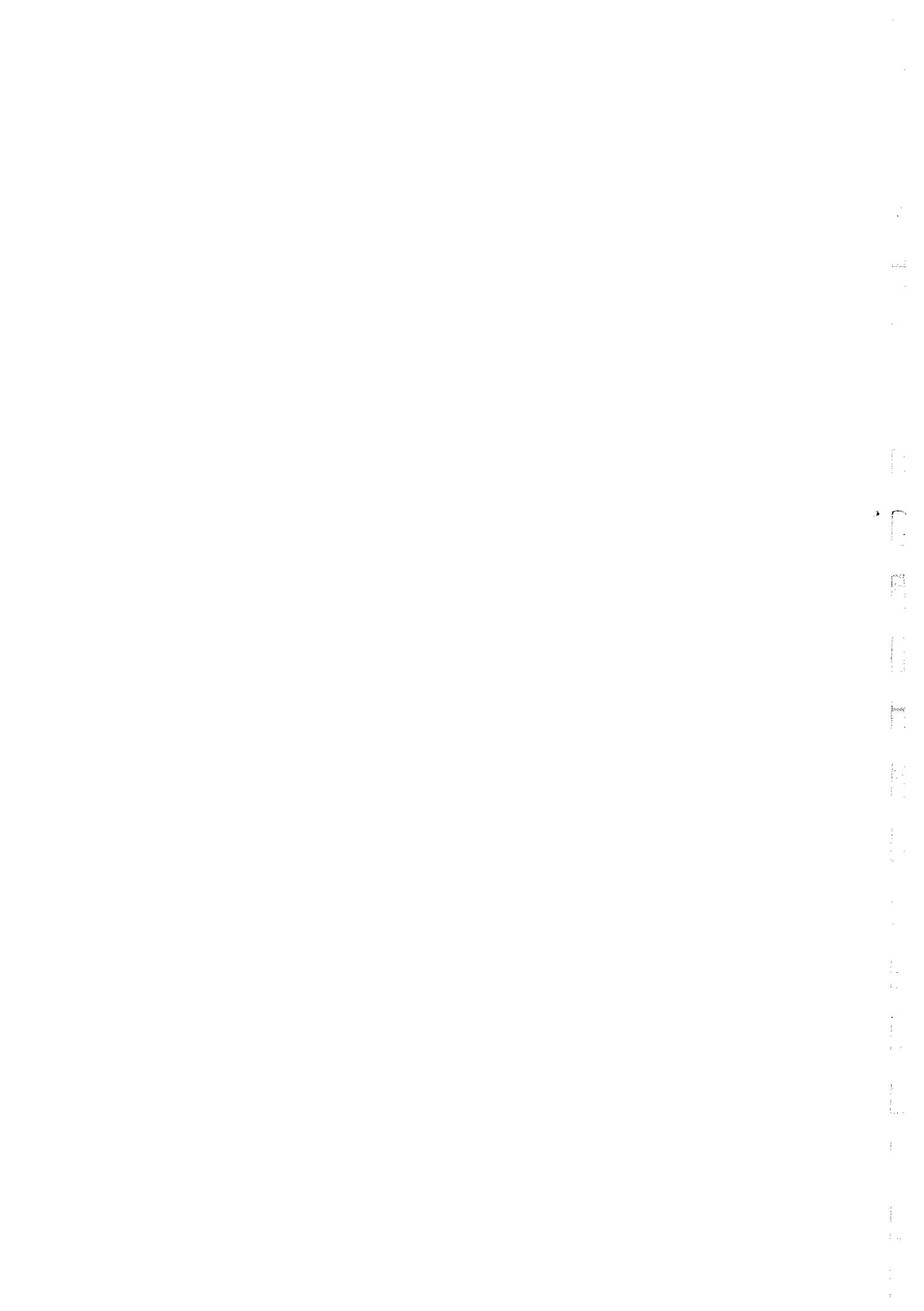

Perit Damian Vella Lenicker
Warrant No. 384

Perit Damian Vella Lenicker A.R.C.E.
Architect & Civil Engineer
Warrant No: 384



DOC 1

Ittra tal-hatra bhala 'Espert tal-Qorti'





Fil-Prim Awla' tal-Qorti Ċivili

Fl-Atti tas-Subbasta Nru.15/2021

Bank of Valletta p.l.c

vs

Maria Carmela Cutajar

Lill: Perit Damian Vella Lenicker

Inti mgharraf illi gejt mahtur bhala espert fl-atti tal-Mandat ta' Qbid ta' Hwejjeq Immobblī hawn fuq imsemmi sabiex tagħmel deskrizzjoni tal-fond jew fondi indikat fir-rikors promotur u sabiex tfisser il-pizijiet, kirjet u jeddiet ohra, sew reali kemm personali, jekk ikun hemm, li għalihom dan il-fond jew fondi ikun suggett kif ukoll l-aħħar trasferiment tiegħu, skond l-informazzjoni li jkun ha mill-kreditur jew mid-debitur.

Inti mitħub sabiex tigi tigħor l-inkartament relativ mit-22 ta' April 2021 'l quddiem filwaqt illi mgharraf illi għandek sal-24 ta' Ĝunju 2021 sabiex tipprezenta r-rapport dettaljat tiegħek.

A handwritten signature in black ink, appearing to read "Gaetana Aquilina".

Gaetana Aquilina
Deputat Registratur

Dok "A"



FIL-PRIM' AWLA TAL-QORTI CIVILI

IMHALLEF

Onor. Abigail Lofaro LL.D., Dip. Stud. Rel. Mag. Jur. (Eur. Law)

Illum 7 ta' Meju, 2009

Rikors Nru : 57/09 AL

Bank of Valletta p.l.c. (C 2833)

Vs

**1. Benjamin Bondin (I.D. 561565(M)) legalment
separate minn Marisa Bondin**

**2. Maria Carmela Cutajar (I.D. 573434(M)) armla ta'
Giuseppe Cutajar**

Il-Qorti,

Rat ir-rikors guramentat ppresentat mill-bank attur fit-22 ta' Jannar, 2009, li *in forza tieghu*, wara li ppremetta :

1. Illi bit-termini u kundizzjonijiet imsemmija fil-kuntratt fl-atti tan-Nutar Dottor Joseph Debono datat fl-10 ta' Meju 2001 (Dok. 'A'), is-socjeta' attrici ikkoncediet facilitajiet bankarji lill-Benjamin Bondin;
2. Illi s-socjeta' attrici tinsab kreditrici ta' Benjamin Bondin fis-somma ta' sebha u ghoxrin elf, disa' mijas u tnejn u ghoxrin Ewro u sitta u erbgħin centezmu (€27,922.46) bilanc għad-debitu fil-"Loan Account" ta' Benjamin Bondin mal-Bank of Valletta p.l.c. (Dok. "B1 sa B3")

flimkien ma' l-imghax ulterjuri mill-31 ta' Dicembru 2008 sad-data ta' l-effettiv pagament;

3. Illi permezz ta' kuntratt fl-atti tan-Nutar Dottor Joseph Debono datat fl-10 ta' Mejju 2001 (Dok. A), il-konvenuta Maria Carmela Cutajar iggarantiet flimkien u "in solidum" ma' Benjamin Bondin ghaf-favur tal-Bank of Valletta p.l.c. id-debiti ta' l-istess Benjamin Bondin mal-Bank of Valletta p.l.c.
4. Illi sehhew wahda jew aktar mill-grajjet imsemmija fil-kuntratt fuq imsemmi (u hawn esebit bhala Dokumenti "A") partikolarment imma mhux esklussivamente, billi Benjamin Bondin u Maria Carmela Cutajar; (a)naqsu milli jhallsu il-pagamenti dovuti lis-socjeta' mittenti kif stipulat fl-imsemmi kuntratt, (b) kienu inadempjenti f'obbligi ohra minnhom assunti fl-istess kuntratt sopraindikat, u/jew, (c) hemm bidliet materjali fic-cirkostanzi ta' l-istess Benjamin Bondin u Maria Carmela Cutajar li jipperikolaw jew jaffettwaw hazin il-possibilita' tal-hlas lura ta' l-imsemmi debitu dovut lis-socjeta' attrici.
5. Illi l-attur nomine jaf bil-fatti fuq imsemmija personalment
6. Illi l-konvenuti gew interpellati permezz ta' zewg ittri uffijali datati fl-10 ta' Dicembru 2008 li kopji tagħhom qed jigu hawn esebiti u mmarkati Dok. "C u D", sabiex jithallas d-dejn fuq imsemmi, izda dawn baqghu inadampjenti u għal din ir-raguni kellha ssir din il-kawza.

Talab, wara li jsiru d-dikjarazzjonijiet necessarji u li jinghataw il-provvedimenti opportuni, li l-konvenuti jghidu ghaliex il-Qorti m'ghandhiex:

1. Tiċċidikjara u Tiddeciedi illi sehhew wahda jew aktar mill-grajjet imsemmija fil-kuntratt fuq imsemmi (u hawn esebit bhala Dokument "A") partikolarment imma mhux esklussivamente, billi Benjamin Bondin u Maria Carmela Cutajar (a) naqsu milli jhallsu il-pagamenti dovuti lis-socjeta' mittenti kif stipulat fl-imsemmi kuntratt, (b) kienu inadempjenti f'obbligi ohra minnhom assunti fl-istess kuntratt sopraindikat, u/jew, (c) hemm bidliet materjali fic-cirkostanzi ta' l-istess Benjamin Bondin u Maria Carmela Cutajar li jipperikolaw jew jaffettwaw hazin il-possibilita' tal-hlas lura ta' l-imsemmi debitu dovut lis-socjeta' attrici.

2. Tikkundanna lil Benjamin Bondin u Maria Carmela Cutajar flimkien u "in solidum" jhallsu lis-socjeta' attrici s-somma ta' sebgha u ghoxrin elf, disa' mijas u tnejn u ghoxrin Ewro u sitta u erbghin centezmu (€27,922.46) bilanc għad-debitu fil-"Loan Account" ta' Benjamin Bondin mal-Bank of Valletta p.l.c. (Dok. "B1 sa B3") flimkien ma' l-imghax ulterjuri mill-31 ta' Dicembru 2008 sad-data ta' l-effettiv pagament;

Bl-ispejjez komprizi dawk ta' l-ittri ufficiali datati fl-10 ta' Dicembru 2008 li huma ngunti minn issa sabiex jidhru għas-subizzjoni.

Rat in-nota tax-xhieda ta' l-Bank attur;

Rat id-dokumenti illi gew esebiti;

Rat in-noti ta' ammissjoni tal-konvenut Benjamin Bondin tad-9 ta' Marzu 2009 u dik tal-4 ta' Mejju, 2009;

Rat in-nota tal-bank attur tas-7 ta' Mejju 2009 li permezz tagħha rriduca t-talba għas-somma ta' seba' u ghoxrin elf, mitejn u ghoxrin euro u tmintax il-centezmu (€27,220.18), stante depozitu fil-mori tal-kawza, flimkien ma l-imghax legali mill-21 ta' April, 2009 sal-jum tal-pagament effettiv;

Rat illi l-konvenuta Maria Carmela Cutajar, debitament notifikata naqset milli tipprezenta risposta guramentata u ma deheritx għas-seduta tas-7 ta' Mejju 2009 u b'hekk baqghet kontumaci;

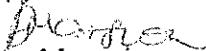
Billi mill-ammissjoni tal-konvenut Benjamin Bondin u fil-kontumacija tal-konvenuta Maria Carmela Cutajar, it-talbiet dedotti fir-rikors gurament, kif ridotti, jirrizultaw ippruvati;

Fuq ammissjoni tal-konvenut Benjamin Bondin u fil-kontumacija tal-konvenuta Maria Carmela Cutajar, tiddeċiedi billi tilqa' t-talbiet tal-bank attur kif dedotti fir-rikors guramentat u kif sussegwentement ridotti u għalhekk tikkundanna lill-konvenuti in solidum sabiex ihallsu lil Bank attur s-somma ta' seba' u ghoxrin elf, mitejn u ghoxrin euro u tmintax il-centezmu (€27,220.18), flimkien mal-imghax legali mill-21 ta' April, 2009 sal-jum tal-pagament effettiv;

Bl-ispejjez kif mitluba kontra l-konvenuti.

(ft) Rita Mangion
Deputat Registratur

Vera kopja,


Rita Mangion
Deputat Registratur

15/21

Fil-Prim' Awla tal-Qorti Civili

Pizz €200.00
JReg €12.00
Dnot € 24.00

€214.40

Bank of Valletta p.l.c. (C 2833)

vs

Maria Carmela Cutajar, armla ta' Joseph Cutajar, pensjonanta, bint Andrea Farrugia u Adelaide nee' Busuttil, imwielda u residenti Hal-Safi, detentriċi tal-karta tal-identità numru 573434 (M)

Rikors ta' Bank of Valletta p.l.c. (C2833) ghall-hrūg ta' Mandat ta' Qbid ta' Hwejjeg Immobblji.

Tesponi bir-rispett:-

Illi in forza ta' sentenza moghtija minn Din l-Onorabbi Qorti fis-7 ta' Mejju 2009 fl-ismijiet: "Bank of Valletta p.l.c. vs 1. Benjamin Bondin legalment separat minn Marisa Bondin, u 2. Maria Carmela Cutajar armla ta' Giuseppe Cutajar" - Rikors Guramentat numru 57/2009 AL - Onorevoli Mhallef Abigail Lofaro LL.D. Dip. Stud. Rel. Mag. Jur. (Eur. Law) (Dok. "A") l-imsemmija Onorabbi Qorti Ikkundannat lill-intimati sabiex iħallsu flimkien u *in solidum* bejniethom is-somma ta' sebħha u għoxrin elf, mitejn u għoxrin Ewro u tmintax-il centezmu (€27,220.18) sorte, flimkien mal-ispejjez tal-kawza u mal-imghaxijiet ulterjuri mil-21 ta' April 2009 sal-jum tal-pagament effettiv;

Illi, debitu tal-intimati illum jammonta għas-somma ta' tnejn u erbghin elf u zewgt Ewro u sitta u disghin centezmu (€42,002.96), kwantu għas-somma ta' wieħed u għoxrin elf, disa' mijha u tħalli centezmu (€21,912.26) sorte, kwantu għas-somma ta' sbatax-il elf, mitejn u sitta u sittin Ewro u hmistax-il centezmu (€17,266.15) imghaxijiet legali sal-15 ta' Jannar 2021 (Dok. "B1 sa B2") u kwantu għas-somma ta' elfejn, tħalli mijha u erbgha u għoxrin Ewro u hamsa u hamsin centezmu (€2,824.55) spejjeż legali kif ahjar jirrizulta mit-taxxi hawn amnessi u mmarkati Dok. "C", "D", "E", "F", "G", "H" u "I". flimkien mal-imghaxijiet ulterjuri mis-16 ta' Jannar 2021 sal-jum tal-pagament effettiv u spejjeż legali ohra.

Din il-procedura qed issir mingħajr pregudizzju għal bilanci ohra dovuti mill-intimata Maria Carmela Cutajar lis-socjeta esponenti li għalihom, is-socjeta esponenti qed tipprocedi bi procedura separata.

Illi l-imsemmija intimata Maria Carmela Cutajar tipposjedi s-segwenti proprieta' immobiljari u cieo':

- (i) Il-garaxx bla numru u bla isem li jinsab gewwa Triq l-Ajzar, (gia estensioni ta' Triq il-Hlantun,) Safi. Konfinanti mill-Lvant mal-imsemmija Triq l-Ajzar minn fejn huwa wkoll accessibbli, mit-trmuntana ma Triq il-Hlantun u min-nofsinhar ma' proprieta tal-istess intimata, bid-drittijiet u l-pertinenzi kollha tiegħu, eskuza l-arja.

Illi l-art li fuqha giet erett l-imsemmi garaxx kienet giet akkwistata mill-intimata Maria Carmela Cutajar permezz ta' kuntratt datat 5 ta' Jannar 1977 in atti n-Nutar Dottor Joseph Agius. L-imsemmi kuntratt jinsab hawn anness u mmarkat Dok. "J".

Illi l-imsemmi garaxx jinsab delinejata bl-ahmar fuq *is-site plans* hawn annessa u markata Dok. "K" u skont ir-ritratti hawn annessi u mmarkati Dok. "L1 sa L3".

Illi fuq l-imsemmi fond, gew iskritti s-segwenti ipoteki u cieo' dawk bin-numri I 6811/2001 u I 6812/2001. Kopja tar-ricerki tal-attiv u l-passiv tal-intimata Maria Carmela Cutajar jinsabu hawn ezibiti u markati bhala Dok. "RIC 1 sa RIC27".

Għaldaqstant is-socjeta' esponenti titlob bir-rispett illi, in eżekuzzjoni ta' l-imsemmija sentenza, Din l-Onorabbli Qorti Joghgobha Tordna l-hrug ta' Mandat ta' Qbid ta' Hwejjeg Immobblī tal-fond fuq imsemmi, kif ukoll Tagħti dawk l-ordnijiet u provvedimenti li Jidħrilha opportuni, u partikolarmen imma mhux esklusivament dawk imsemmija fl-Artikolu 306 *et seq.* tal-Kap. 12 tal-Ligħiġiet, sabiex l-esponenti tottjenti l-hlas tad-debitu lilha dovut, kif fuq spjegat, wara li Tagħti l-opportuni provvedimenti.

Avv. Dott. Dominic A. Cassar
162, Omega House, Naxxar Road, San Gwann SGN 9030

Vanessa Magro
Legal Precursor
Bank of Valletta p.l.c.

Socjeta' Esponenti: Bank of Valletta p.l.c. (C 2833)
1/5, Misrah San Gorg, Valletta VLT 1190

Intimata: Maria Carmela Cutajar
47, "Magnus", Triq iz-Zurrieqllum.....
Safi

24 MAR 2021

Ippreżentata mill-PL. V. Magro
B/bla dokumenti dokumenti

Analise Soiteri
Document Administrator

Index (D)

bov12831r

Ministri ta' Għażiex (Malta)

140

22

Deltah

10/11/84 I made the purchase of old
man's estate - a single
house and some land off of Main Street
and also intended to offer him \$10,000.
and 10/11/84 I sent him a check for \$10,000.
I have to get hold of his wife & his son
so I can get the money back.

From bands which I had
scrubbed previously seen a single
brother in Los Angeles who was given
over to the care of his pop.

I will board John's house
and sleep there until you
have filled a post office and get
you a law library and some
books and then we will go to
see a doctor because I have
had rags in my head for two

Suposta fhar rate avorah so cun perfalon
ta wachad u lha cunsum a tres juntas en
mum poyut obra pharom ne apoloche haber
e tambo u verde dantos qms perfalon
e alluvion ligadas sotetha bolvalen to
tunier enq u e n q u i n t a

3) A incorporar la Royal Gull en el sistema
vitral de programación y establecer
nuevas zonas tanto en la costa como en las
islas para garantizar que haya un sistema
punta dorsal que proteja la actividad
de los pescadores en el horario de pesca
y no permita que se acerque a la costa
a buenas horas de noche. Los sistemas
de control y monitoreo que ya existen
pueden ser adaptados para que
se apliquen a este tipo de actividad.
Además es necesario establecer
zonas de pesca que no interfieran con
los sistemas de pesca que ya existen
y que no interfieran con la actividad
de los pescadores y sus sistemas de
operación. Es necesario establecer
zonas de pesca que no interfieran con
los sistemas de pesca que ya existen
y que no interfieran con la actividad
de los pescadores y sus sistemas de

3) I hope you will forward your
Wish list to the Foreign Service
to effect delivery of the latest labor
parts down as well as some go along
a heavy part down grad to big
bore gun tube by my opinion to a
bore gun with your present down case
bore gun a bore gun will bore will be
sent along truly and sincerely yours

fronte houve que arregrate todo mundo
Também se numas ocasiões oce deve le-
var uma facom de palha e umas bala-
nço para cada armazém de cunharia
que se costuma utilizar comumente nessa
forma pratica sobre prados e espaldas
também se fazem os bed Nardau em pur-
to e aí é aí que se fazem todos os balan-
ços em massa e que se levam

and from the both hopeful season
beginning to end to begin to end.
Upon Presidents Ford, Carter, and Nixon
the I have heard Mr. Nixon I am sorry
that you were before him as a project
also I hope largely to add your voice
as never to our people.

that portal it now occupies
within his den it seems well
and from your letter messages etc
I understand the parties have
already so done now as hurriedly as
possible should have all their
books packed and the star a German
wife perhaps in fear to be involved
apprehended many water possess-
ions and wealth to form
of course basis a hammer

I am so honored at your message and
so appreciate what you say about our
trust. I hope all our parents will be
already off to Alaska. As long as
you need that man step into your
team and help us I believe you
will do well. I hope you will consider
our offer of help for you and your
son in Emanuel, Barley and Yellow.

25

lakceder leu el-sugħha uċċabha peggħed
Hal-hekk.

Colloquial English

Mrs Lamara Cutajar

Angle alli

Giovanna Agius

~~Wardha~~

Dilled p-jugur u tħalli Nidheru Hallo

Fotokopja ta' l-Originali

Quod Attestor

ARKIVIST

30/10/2020

26

Halls (1/3)

DIPARTIMENT TAT-TAXI INTERNI
DEPARTMENT OF INLAND REVENUE

No. 03646

11/- 19 97

ringħand
from

liri Maltin

Malta Pound

cents milleżmi
mils

I kif dik jarat minnu bħala devut fuq strument esegwit fl-atti dwar

p duty as declared by him to be due on a deed executed in his records regarding

mark in possession of Rep. for payment

c m

45	0
----	---

għall-kummissar tat-Taxxi Interni
for Commissioner of Inland Revenue

C. L. AZZOPARDI

Malta



Qorti Ċivil - Prim' Awla

Fl-atti tal-bejgħ bl-irkant numru: 15/2021

Fl-ismijiet:
Bank of Valletta p.l.c
Vs
Maria Carmela Cutajar

Il-Qorti rat ir-rikors ippreżentat fl-24 ta' Marzu 2021 u d-dokumenti hemm eżebiti;

Tilqa' t-talba ghall-hruġ ta' mandat ta' qbid ta' hwejjeg immobbl fuq il-proprija' msemmija fir-rikors u tippordvi kif ġej:

1. Tordna lir-Registratur jaħtar Arkitett u Ingénier Ċivil - li lilu jmiss it-turn skont il-lista pubblikata skont id-dispożizzjoni tal-ärtikolu 89 tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivil (Kap. 12) - bħala espert sabiex jagħmel l-istima tal-proprija' immobbl, liema stima għandha tinkludi r-ritratti tal-fond jew sit inkwistjoni, pjanta tar-Reġistrū tal-Artijiet, l-iskema tal-MEPA u r-ragunijiet tal-valutazzjoni;
2. Tordna lill-expert hekk mañtur sabiex jippreżenta l-istima tiegħu kif trid il-liġi fi żmien xahar wara li jagħlaq iż-żmien imsemmi fl-ärtikolu 307 tal-Kap. 12;
3. Tordna lir-Registratur jaħtar īrkantatur pubbliku - li lilu jmiss it-turn skont il-lista pubblikata skont id-dispożizzjoni tal-ärtikolu 89 tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivil (Kap. 12) - sabiex imexxi l-irkant;
4. Tordna li l-bejgħ sub hasta tal-immobbl jsir fid-data, hin u lok imsemmija hawn taħt:
 - a. It-Tliet 12 ta' Ottubru, 2021 fil-ħdax ta' filghodu (11:00 a.m.) .
 - b. F' Kamra numru 78 biswit I-Arkivju, livell -1, Qrati tal-Ġustizzja, Triq ir-Repubblika, il-Belt Valletta

Tordna lir-Registratur sabiex igħarraf lid-Direttur tar-Reġistrū Pubbliku u lir-Registratur tal-Artijiet b'dan id-digriet tallum;

Tordna lid-Direttur tar-Reġistrū Pubbliku sabiex jirregista dan id-digriet minnufih;

Tordna n-notifika ta' dan id-digriet lid-debitur li għandu, kif iġħid u jrid l-ärtikolu 307 tal-Kap. 12, żmien għoxrin ġurnata min-notifika sabiex jitlob li ma ssirx stima ġidida u, minnflokk, jippreżenta stima mahluu b'nota li għandha tigi notifikata lir-rikorrent kif trid il-liġi.

Onor Imħallef Robert G Mangion LLD

5/4/21
Data

SUBBASTA NRU. 15/2021

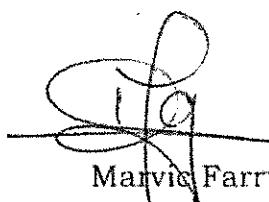
56

B'Digriet mogħti fil-Prim Awla tal-Qorti Civili fil-ħamsa (5) ta' April elfejn u wieħed u ghoxrin (2021), fuq rikors ta' Bank of Valletta p.l.c, bin-numru tar-reġistrazzjoni C 2833, ġie ordnat il-bejgħ bl-irkant;

Il-garaxx bla numru u bla isem li jinsab ġewwa Triq l-Ajzar,(gia estensjoni ta' Triq il-Hlantun) Safi. Konfinanti mill-Lvant mal-imsemmija Triq l-Ajzar minn fejn huwa ukoll accessibbli, mit-Tramuntana ma' Triq il-Hlantun u min-Nofsinhar ma' propjeta tal-istess intimata, bid-drittijiet u l-pertinenzi kolha tiegħu, eskuża l-arja. L-art li fuqha ġie erett l-imsemmi garaxx kienet ġiet akkwistata mill-intimata Maria Carmela Cutajar permezz ta' kuntratt datat ħamsa ta' Jannar elf disgħha mijha sebghha u sebghin (05/01/1977) in atti tan-Nutar Dottor Joseph Agius.

Din il-propjeta' tappartjeni lil Maria Carmela Cutajar, armia ta' Joseph Cutajar, penzjonanta, bint Andrea Farrugia u Adelaide nee' Busutil, imwiedea u residenti Hal-Safi, detentriċi tal-karta tal-identita numru 573434(M).

- 9 APR 2021


Marvie Farrugia
Deputat Registratur



R102

Disa (9) ta Jannar tas-sena elsejn u erba (2004).

1077

Fl-ewwel lok bejgh magħmul minn Carmela Cutajar, armia ta' Joseph, Catherine Farrugia, xebba Jane Agius, mart Alfred, u Angela Ellul, armia ta' Joseph Ellul, a ahwa Farrugia uled Andrew u Adelaide Busuttil ikoll imwieldin u residenti Safi a favur ta' Jason Sciberras, impiegat bin Joseph u Carmen nee Tabone imwieledd Attard u residenti fuq tal-garage biex numru seba u hamsin (57) u disa u hamsin (59) bil-giardina illi qieghda warajh, u t-tnejn accessibbli minn Wilga Street, Luqa, liema giardina twassal sal-hajt divizorju illi jifrida mill-fond numru mijja u seba u tletin (137) f' New Street, Luqa, bl-arja libera tagħhom kollha, liberi u franki, tale quale.

Dan il-bejgh sar u gie acettat taht il-kundizzjonijiet seguenti:

1. versu l-prezz ta tletin elf lira maltin (LM30000).
2. il-propjeta inbiegħet bhala nofs (1/2) diviz tal-fond illi originarjament kien jikkonsisti f' numru mijja u seba u tletin (137) già numru wieħed u hamsin (51) fi Triq Gdida Luqa bil-garage jinfed mieghu illi jizbokka fuq Wilga Street Luqa, bil-patt ili hemm hajt eżistenti divizorju illi ma jvarjax, u taht il-kundizzjonijiet kollha l-oħra stipuklati fl-att.

Fit-tieni lok, bejgh magħmul minn Carmela Cutajar, armia ta' Joseph, Catherine Farrugia, xebba Jane Agius, mart Alfred, u Angela Ellul, armia ta' Joseph Ellul, a ahwa Farrugia uled Andrew u Adelaide Busuttil ikoll imwieldin u residenti Safi a favur ta' Anthony Camilleri, ufficjal il-habs, bin Joseph u Maria nee Vella imwieledd Pieta flimkien ma Josephine Anna Rita, sive Joanne Camilleri, mart, l-istess Anthony, bint Paul Tanti u Maria nee Grima imwielda Attard u t-tnejn residenti Siggiewi, kif ukoll Michelangelo Cutajar, bla okkupazzjoni, bin Peter u Felicia nee Buttigieg imwieledd u residenti Siggiewi flimkien ma Marianne Cutajar, mart l-istess Michelangelo, bint Grazio Mifsud u Gemma nee Grech imwielda Londra Ingilterra u residenti Siggiewi tal-fond ossia dar immarkata ufficjalment bin-numru mijja u seba u tletin (137) già numru wieħed u hamsin (51) fi triq il-għida (New Street) liema dar kienet tinfed għażi Wilga street, Luqa, libera u franka, bl-arja libera tagħha, tale quale.

Dan il-bejgh sar u gie acettat that il-kundizzjonijiet seguenti:

1. versu l-prezz ta hamsa u tletin elf lira maltin (LM35000).
2. il-propjeta inbiegħet bhala nofs (1/2) diviz tal-fond illi originarjament kien jikkonsisti f' numru mijja u seba u tletin (137) già numru wieħed u hamsin (51) fi Triq Gdida Luqa bil-garage jinfed mieghu illi jizbokka fuq Wilga Street Luqa, bil-patt ili hemm hajt eżistenti divizorju illi ma jvarjax, u taht il-kundizzjonijiet kollha l-oħra stipuklati fl-att.

Not. Patricia Hall.

RECEIVED

23 JAN 2004

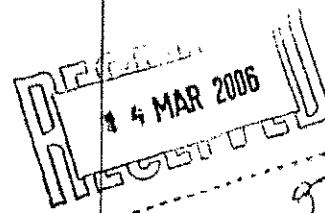
TODAY

R/C

4562

Wiehed u ghoxrin (21)
ta' Frar, tas-sena elfejn
u sitta (2006).

Donazzjoni rrevokabbli maghmula minn Paul, fil-kummerc,
karta ta' identita numru 173261 (M), u Joan Zammit mart
Vincent, karta ta' identita numru 521256 (M), ahwa Cutajar,
uled il-mejjet Joseph u Maria Carmena nee Farrugia,
imwielda ikoll Hal Luqa u residenti Paul - Hal Safi u Joan -
Hal Safi; Maria Carmena Cutajar, armla ta' Joseph, bint
Andria Farrugia u Adelieda nee Busuttil, imwielda Hal Safi u
residenti Hal Safi - karta ta' identita numru 573434 (M) a favur
ta' Mary Cutajar, xebba, bint il-mejjet Joseph u Maria Carmena
nee Farrugia, imwielda Hal Luqa u residenti Hal Safi - karta
ta' identita numru 492762 (M), (fil-porzjon ta' parti wahda
minn tmienja (1/8) indiviz kull wiehed mill-ahwa Cutajar u
nofs (1/2) indiviz Maria Carmen Cutajar u kull sehem iehor
aktar verjuri peress li l-partijiet assenjaw sehemhom kollu
mill-istess fond), ta' sitt partijiet minn tmienja (6/8) indiviz
peress li parti wahda minn tmienja (1/8) indiviz diga
jappartjeni lill-akkwirenti, tal-fond numru sebgha u erbgħin
(47), bl-isem ta' 'Magnus', Zurrieq Road, Hal Safi, kif soggett
ghad-dritt ta' abitazzjoni vita durante a favur omm l-
akkwirenti Maria Carmena Cutajar, fi stat li hu llum, bis-sockfa
tal-fond fi stat hazin u jridu jinbidlu, mill-bqija liberu u frank,
bl-arja u sottosol, inkluz l-ghamara kollha ezistenti fih, u dan
tal-valur ta' tletin elf lira maltin (Lm30,000). Għal kull bon fini
qed jigi dikjarat li din l-ghamara l-parti kbira minnha rxtrat
mill-istess akkwirenti.



14 MAR 2006
M. Bugeja

Notary Dr. Mario Bugeja LL.D.

Order 865667

I / 4562 / 2006

23030

Tlieta (3) ta' Dicembre tas-sena elfeijn u tlettax (2013)

Att Korrettorju magħmul minn Jane Agius, mara tad-dar u mar Alfred u imwielda Safi nhar id-disa' (9) ta' Marzu tas-sena elf disa' mijja u erbgħa u erbghin (1944) u residenti Safi u karta tal-identità numru 220044(M), u flimkien ma Angela Ellul, armla minn Joseph u mara tad-dar u imwielda Safi nhar l-erba' (4) ta' Awissu tas-sena elf disa' mijja u disgha u erbghin (1949) u residenti Safi u karta tal-identità numru 0633249(M), u flimkien ma Maria Carmela sive Carmen Cutajar, armla minn Joseph u mara tad-dar u imwielda Safi nhar id-disa' (9) ta' Awwissu tas-sena elf disa' mijja u erbgħa u tletin (1934) u residenti Safi (47, Magnus, Triq iz-Zurrieq) u karta tal-identità numru 0573434(M) u ahwa u ulied il-mejjtin Andrew u Adelaide nee Busuttil, ilkoll flimkien magħrufa bhala 1-Konecedenti u Catherine Farrugia, xebba u mara tad-dar u bint il-mejjtin Andrew u Adelaide nee Busuttil, imwielda Safi nhar it-tlieta u għoxrin (23) ta' Mejju tas-sena elf disa' mijja u tmienja u tletin (1938) u residenti Safi u karta tal-identità numru 0395038(M) magħrufa bhala s-subenfitewta, li ddikjaraw u pprenmetew li:

- In forza ta' Att tan-Nutar Giovanni Caruana tal-erbghatax (14) ta' Jannar elf disa' mijja u hamsa u hamsin (14/1/1955) Paolo Mangion biegh u trasferixa a favur ta' Gerald Busuttil il-ghalqa imsejjha 'Ta Skejjen' ossia 'Ta Psaika' kontrada magħrufa bhala 'Tal-Wieċċi' fi Triq Hlantun gio Hal-Safi u liema raba kienet soggetta ghac-cens annwu u perpetwu ta' zewg euro u wieħed u disghin centezmi (€2.91) u liema għalqa kien fiha kejl ta' circa elf mitejn u erbgħa u sebghin metri kwadri (1,274mk) u konfinanti mil-Lvant mat-Triq, punent ma raba' ta' Grazia Bugeja u nofsinhar ma raba' ta' Paolo Zammit jew irjieh verjuri. Originalment din il-propjeta kienet giet koncessa iill-imsemmi Paolo Mangion b'titolu ta' ensifteksi perpetwa fl-Att tan-Nutar Salvatore Borg Olivier tal-ghoxrin ta' April elf disa' mijja u sbatax (20/4/1917) mingħand certa Maria Antonia Abela.
- Illi in forza ta' Att ta' subkoncessjoni enfitewtika fl-Att tan-Nutar Joseph Agius tas-sittax ta' Dicembre elf disa' mijja u sebghin (16/12/1970) Geraldo Busuttil kien ikkonceda b'titolu ta' subenfitewsi perpetwa a favur tal-komparenti Catherine Farrugia porzjoni ta' art gio Triq Hlantun tal-kejl superficjali ta' circa hamsa u disghin metri kwadri (95sqm) u li ghanda facċata ta' tlieta u tletin pied (10m) fuq l-imsemmiha Triq Hlantun, gio Safi, sabiex b'hekk fond (*depth*) kull ma kien hemm kien ta' disgha punt hamsa metri. Permezz ta' Att tan-Nutar Dottor Alexander Grech, l-istess Catherine Farrugia kienet bieghat lil Gvern ta' Malta hamsin metru kwadru (50mk) minn tali art lilha originalment koncessa in ensifteksi, u din intiza għal twessiegh ta' Triq Hlantun. Illi għalhekk l-istess Catherine Farrugia fadilha biss hamsa u erbgħin metri kwadri (45mk) minn tali subkoncessjoni originali li minn tali kejl ghaxar metri linear huma facċata u konsengwentament jifdal biss fond ta' erbgħa punt hamsa metri.
- Illi permezz ta' Atti ta' donazzjonijiet tan-Nutar Dottor Joseph Agius tal-hamsa ta' Jannar elf disa' mijja u sebgha u sebghin (5/1/1977) Geraldu Busuttil assenja b'titolu ta' donazzjoni irrevokabbli a favur ta':

 - Carmela Cutajar porzjoni diviza mil-ghalqa 'ta Skejjen' u fiha kejl superficjali ta' circa mitejn u wieħed u erbgħin metri kwadri (241 mk), u tikkonfina mit-Tramuntana u Lvant mal-imsemmiha Triq u Nofsinhar ma propjeta assenjata lil Angela Ellul u din soggetta ghac-

P.A.O.

cens annwu u perpetwu ta' EUR 0.73c.

ii. Angela Ellul porzjoni diviza mil-ghalqa 'ta Skejjen' u fiha kejl superficjali ta circa miija u sitta u disghin metri kwadri (196mk), u tikkonfuna Lvant mal-imsemmija Triq, mit-Tramuntana mal-art assenjata lil Carmela Cutajar u Nofsinhar ma propjeta assenjata lil komparenti Giovanna Agius u din soggetta ghac-cens annwu u perpetwu ta' EUR 0.73c.

iii. Giovanna Agius porzjoni diviza mil-ghalqa 'ta Skejjen' u fiha kejl superficjali ta circa miija u sitta u disghin metri kwadri (196mk), u tikkonfuna Lvant mal-imsemmija Triq, mit-Tramuntana mal-art assenjata lil Angela Ellul u Nofsinhar ma propjeta assenjata lil komparenti Antonia Zammit u din soggetta ghac-cens annwu u perpetwu ta' EUR 0.73c.

d) Permezz ta Att ichor tan-Nutar Alexander Grech tas-sitta u ghoxrin ta' Ottubru elf disa' miija u sebgha u sebghin (26/10/1977) Gerald Busuttil kien biegh lil Gvern ta Malta tmenin punti tlieta metri kwadri (80.3mk) porzjoni diviza ta' art u konfinanti mil-majistral ma Trejqa ta Sansun, Trmauntana ma Triq Hlantun u Lbie ma beni ta Gerald Busuttil u din soggetta ghac-cens annwu u perpetwu ta' sbatax il centezmu ta euro (€0.17c).

e) Illi permezz ta' Att ta' sub-koncessjoni enfitewtika fl-Att tan-Nutar Carmel Mangion tat-tmintax ta' Ottubru elf disa miija u erbgha u tmenin (18/10/1984) Geraldu Busuttil kien ta u ikkonceda a favur tal-komparenti Catherine Farrugia porzjoni ta art li qiegħda Triq Hlantu gio Hal-Safi tal-kejl ta circa miteju u ghoxrin metri kwadri (220mk) u konfinanti mit-Tramuntana ma Triq Hlantun, u nofsinar u Lvant ma beni tal-avventi causa ta Gerladu Busuttil u soggetta ghac-cens originali ta' tlettax il centezmu (€0.13c) u awment ta' erbgha u tletin euro u tlieta u tmenin centezmi (€34.83)

f) Illi sussegwentament Geraldu Busuttil miet nhar il sebgha u ghoxrin ta' April elf disa' miija u tmienja u tmenin (27/4/1988) u l-assi tiegħu gew denunzjati permezz ta' denunzja numru elfejn sitt miija u dsatax (2619) tal-istess sena. L-imsemmi Geraldu Busuttil permezz tat-testment tiegħu fl-Att tan-Nutar Joseph Darmanin tas-sebgha u ghoxrin ta' April elf disa' miija u sebgha u tmenin (29/4/1987) halla b'legat a favur ta Catherine Farrugia is-subdirett dominium perpetwu ta' erbgha u tletin euro u erbgha u disghin centezmi (€34.94c), pero din hi impossibilita legali għaliex permezz tal-Att tan-Nutar Alexander Grech suriferit kie diga biegh bi proporzjoni sittax il euro u hamsa u hamisin centezmi (€16.55) sabiex b'hekk il-porzjoni disponibbli tiegħu kienet biss ta' tmintax il euro u disgha u tletin centezmi (€18.39). Dan l-izball gie ukoll denunzjat hekk eronjozament. Bhala warrija universali tiegħi l-imsemmi decuius Gerladu Busuttil halla lil oħtu Adelaide Farrugia, li tigi orum il-komparenti.

g) Adelaide Farrugia mietet armia minn Andrea Farrugia li kien miet nhar il hdax ta' Gunju tas-sena elf disa' miija u disgha u tmenin (11/6/1989) nhar it-tnejx ta' Frar elf disa' miija u wieħed u disghin (12/2/1991) u l-wirt tagħha hu regolat skond testament fl-Att tan-Nutar Joseph Raphael Darmanin tal-għoxrin ta' Ottubru elf disa' miija u tmenin (20/10/1980) fejn hi halliet bhala eredi universali lil-erba' uliedha hawn komparenti fuq dan il-Att.

h) Illi permezz ta' Att ta' donazzjoni fl-Att tan-Nutara Dottor Angela Bezzina ta' sitta u

23030

ghoxrin ta' Mejju eisejn u ghaxra (26/5/2010) l-imsemmija Catherine Farrugia kienet tat u assenjat b'titlu ta' donazzjoni irrevokabbi a favur tal-ahwa Adrian u Brian Ellul porzjoni divisa ta' art surriferita u din tal-kejl superficjali ta' circa miha u tmienja u hamsin metri kwadri (158mk), mil-artijiet surriferiti ta' 'Psaika' u konfianati mil-Grigal ma Triq Hlantun, mil-Majistral ma Triq San Tumas u nofsinhar ma propjeta ta' illum Vincent u Diane Cutajar u ma Michelle u Emanuel Polidano u terzi ohra mhux maghrufa u mix-xlokk ma beni ta'l-istess Catherine Farrugia.

Illi sussegwentament wara ricerki fil-propjeta rrizulta li hemm diskrepanzi fil-kejl u anki fil-pjanta annessa ma' Att tan-Nutar Carmel Mangion surriferit u anki zball iehor li jirrigwarda direttament propjeta ta' Catherine Farrugia.

Illi l-imsemmija Catherine Farrugia hi residenti fil-fond maghruf bhala 'Kathy House' u minghajr numru fi Triq Hlantun, Safi, u din bl-idea li tali fond hu pienament propjeta tagħha. Illi fuq ezaminazzjoni tar-riassunt ta dak li hu hawn fuq mistqarr qed jirrizulta li attwalment l-isemmija Catherine Farrugia għandha biss hamsa u erbghin metri kwadri (45mk) mil-faccata (b'faccata ta' ghaxar metri) u r-rimanenit kejl hu indefinit. Illi l-imsemmija dat magħrufa bhala 'Kathy House' tidher immarkata fuq il-MEPA site plan hawnhekk unita bhala Pjanta 'B' u konsengwabilment l-baixsa u erbghin metri kwadri rimanenti certament definiti li l-istess Catherine Farrugia kienet akwistat mingħand l-imsemmi Gerladu Busuttil huma frontal u jinstabu murija fuq il-Pjanta 'C' dejjem bir-riserva stabbilita mil-Ligi tac-circa. Ir-rimanenti kejl ta mitejn u għoxrin metri kwadri huma minnhabba pjanti errorji indefiniti fejn jinstabu.

Permezz ta' Att tan-Nutar Carmel Mangion surriferit, l-imsemmija Catherine Farrugia akwistat mitejn u għoxrin metri kwadri (220mk), pero l-pjanta unita kienet pjanta hazina kemm fil-kejl, u anki fid-denominazzjoni għaliex plot numru tnejn (2) kif murija fuq il-pjanta filfat hi sitwata fi Triq Hlantun. Illi tali kejl suppost kellu jkopri kemm ir-rimanenti kejl mid-dar 'Kathy House' u cieo kejl residwali ta' miha u wieħed u hamsin metri kwadri (151mk) u r-rimanenti kejl ta' disgha u sittin metri kwadri (69mk) suppost kellu jkopri l-plot intiera tal-kannċċiera bejn Triq Hlantun u Triq San Tumas u b'mod gross dan ma huwiex il-kaz, pero dik kienet l-intenzjoni minn dejjem tad-defunt Geraldu Busuttil, u dan jikkonfermawh l-eredi tiegħu ossia l-ahwa Farrugia kollha komparenti.

Illi għalhekk bis-sahha tal-att soggett ta' din in-nota, il-partijieti bhala l-avventi causa ta' Geraldu Busuttil ikkoregu s-subkoncessjoni originali magħmula fl-Att tan-Nutar Carmel Mangion fis-sens li l-kejl li suppost kellu jigi subkoncess hu ta' tlett miha u tmien metri kwadri (308mk) u mhux kif erronzjozament indikat u liema kejl jestendi kemm għal fuq l-art koncessa b'donazzjoni lil-ahwa Ellul u anki għal fuq id-dar residenzjali tal-istess Catherine Farrugia. Illi tinsab unita pjanta mal-att bhala dokument 'A' fejn il-propjeta kollha koncessa in subenfitewsi hi immarkata bil-kulur ahmar u fuq site plan bhala dokument 'D' hemm biss dik il-parti li gie mogħtija in donazzjoni lill-imsemmija Ahwa Ellul. Għal fini ta' kjarezza s-subdirett dominium relativ kien permezz tat-testment ta' Geraldu Busuttil gie integrat b'titlu ta' confusio fl-Assi tal-istess Catherine Farrugia, sabiex b'hekk tali propjeta intiera (308mk) hi soggetta biss ghac-cens originali pagabbli lill-avventi causa ta' certa Maria Antonia Abela fl-ammont ta' sebghin centezmi (€0.70c).

R 1 - 6

Illi permezz ta' zewg cedoli depositata fil-Prim 'Awla tal-Qorti Civili ta Malta numru mitejn u tlieta u erbgħin tas-sena elf disa' mi ja u sitta u tmenin (CE 243/1986) u elf mitejn u sitta u hamsin tas-sena elfejn u ghaxra (CE 1,256/2010) ic-cens originali kien gie interament mifdi.

Salv għal tali korrezzjoni fil-kejl u anki fil-pjanti prezentati l-partijiet ahwa Farrugia kollha jikkonfermaw in toto l-koncessjoni magħmulu fl-Att tan-Nutar Dottor Carmel Mangion tat-trimta ta' Ottubru elf disa mi ja u erbgħa u tmenin (18/10/1984).

L-insemmija Catherine Farrugia u flimkien ma Adrian Ellul, impiegat Civili u iben guvni tal-premort Joseph u Angela nee Farrugia, imwied Pietà nhar it-tmienja u ghoxrin (28) ta' Lulju tas-sena elf disa' mi ja u wieħed u tmenia (1981) u residenti Safi (Shoveler, Triq Ta' L-Ajzar), u karta tal-identità numru 413081(M) U Brian Ellul, support worker u iben tal-premort Joseph u Angela nee Farrugia, imwied San Giljan nhar il-hdax (11) ta' Marzu tas-sena elf disa' mi ja u hamsa u sebghin (1975) u residenti Siggiewi u karta tal-identità numru 119675(M) (imsejjiha l-ahwiha Ellul minn hawn il-quddiem bhala d-'Donatarji') qeqħdin hawn jagħmlu riferenza ghall-Att tan-Nutar Dottor Angela Bezzina surriferit u qeqħdin hawn għal kull fini u effett jikjarifikaw l-Att ta' Donazzjoni fis-sens li ta' propjeta l-lilhom donata hi dik immarkata bil-kulur ahmar fuq is-site plan hawn unita bhala dokument 'D' u fl-istess hin l-insemmija Catherine Farrugia tiddikjara li i-propjjeta tagħha li hi zammet hi dik murija fuq il-pjanta dokument 'B', u qeqħdin ukoll jirratifikaw l-insemmi Att ta' donazzjoni *in toto* in vista tal-korrezzjoni magħmulu fl-ewwel parti tal-Att hawn fuq insemmi.

Nutar Dottor Malcolm Mangion
Nutar Pubbliku - Malta

RIC26

004014

Sebgha u ghoxrin (27) ta' Frar tas-sena elfejn u erbatax (2014)

Testament magħimul minn MARIA CARMELA CUTAJAR, pensionanta, annla ta' Giuseppe, bint Andrea Farrugia u Adelaide nee' Busuttil, imwielda fid-9/08/1934 f'Hal-Safū u residenti Hal-Safū, detentri tal-karta tal-identità numru 057343M.

Dott. Mark Zaffaresse LL.D.
Nutar Pubbliku ta' Malta

(582)
M)

RIC 27

U - 550 -

Disgha (9) ta' Marzu tas-sena elfejn u hmistax (2015)

Testment magħimul minn MARIA CARMELA CUTAJAR, pensjonanta, armla ta' Giuseppe, bint Andrea Farrugia u Adelaide nee' Busuttil, imwielda fid-9/08/1934 f'Hal-Safí u residenti Hal-Safí, detentriċi tal-karta tal-identità numru 057343M.

Dott. Mark Zaffarese LL.D.
Nutar Pubbliku ta' Malta

13 MAR 2015

Land Public Registry

136

4386

Hmistax ta' April
tas-sena elf disa
mija tnejn u tmenin.

*Bejgh maghmul minn Carmelo, pensjonant
u Maria Concetta mart Grezzju Dalli, shwa Ghigo,
uled il-mejtin Joseph u Guseppa nee Faccioli, muieldin
it-tnejn i-Imsida u joqghodu Maria Concetta, Massacale
u Carmolo il-Qrendi l'il-Gregory Cales, fitter, bin
John u Michellina nee Zammit, tieled u joqghod i-
Imqabba ta' kull sehem u dritt li għandhom jew jistgħas
jkollhom mil-ghalqa magħruża Tal-Gilju fil-kontrada
ta' Kandia fil-limiti tal-Imqabba, tal-kejl ta'
cirka tlett elef sebħha mijja u sebħha u erbgħin metri
kuadri ($3747 m^2$) tmisx mil-lvant ma sqaq Ginju,
mit-tramuntana ma beni ta' Joseph Ghigo u mil-punent
ma beni ta' Mikiel Grech, libera u franka u bid-
drittijiet u pertenenzi tagħha kollha u kif deskritta
fuq il-pjanha annessa mal-att fejn tinsab delineata
bil-ahmar, bil-prezz ta' tmien mitt Liri Maltin
(£M800).*

4386

Hmistax ta' April tas-
sena elf disa mijja
tnejn u tmenin.

*Bejgh maghmul minn Carmela Cutajar,
mart Guseppi, bint Andrea Farrugia u Adelaide nee
Busuttil, muielda u tqoqqod Hal-Safi u Guseppi Cutajar,
bir-raba, bin John u Caicedonia nee Dalli, muield
u joqghod Hal-Safi ghall kualunku interess li għandu
jew jista jkollu l'il-Paul Cutajar, fil-kummerc, bin
Joseph u Carmela nee Farrugia, muield Hal-Luqa u
joqghod Hal-Safi tal-porzjoni diviza t'art fabbrikabbli
f'Hal-Safi, fi Triq il-Hlantun tal-kejl ta' cirka
mija erbgħe u sittin punt erbgħha metri kuadri li
minnhom cirka tnejn utletin metri kuadri huma qħat-*

177

triq, tmiss mil-grigal mat-triq Hiantun, mil-majjes-
tral ma beni ta' Giovanna Agius, mix-xlokk ma beni
ta' Carmelo Cutajar, markata bl-ittra "A" fuq il-pjan-
tra annessa mal-att, kif soggetta ghac-cens annau u
perpetuu ndikat fl-att, bid-drittijiet u pertenenzi
tagħha kollha, bil-prezz ta' elf u sitt mitt Liri
Maltin (£M1600).

4388

Hmistax ta' April
tas-sena elf dia
mija tnajn u tmenin.

Bonj magħmul minn Fortunato Dalli,
mal-gvern, bin il-mejjet Angelo u Agostina née
Cutajar, twieled Hal-Safi u joqghod Hal-Safi lil-
Maria Teresa sive Marthesa Dalli, xebba, bint Fortun-
ato u Antonia née Polidoro, mwielda u tqogħod Hal-
Safi tal-porzjoni diviza t'art f'Hal-Safi parti mil-
ghalqa Ta' Formika sive Ta' Qassam Manduca, markata
bhala plot numru erbgha u ghoxrin (24) fuq il-pjanta
annessa mal-att u fuq il-pjanta ndikata fl-att, tal-
kejli ta' cirka mija sitta u tmenin punt zero tlieta
metri kwadri li minnhom cirka tnajn u tletin punt
hamsa metri kwadri (32.5 m^2) huma area stradali, tmiss
mil-majjestral ma beni ta' Carmelo Dalli, mil-libic
ma triq gdida ghada bla isem, mil-grigal ma beni
ta' Pawlu Dalli, libera u franka bid-drittijiet u
pertenenzi tagħha kollha, bil-prezz ta' elf u mitejn
Liri Maltin (£M1200).

RICEVUTA LIJUM

1a' APRIL 1982

Fil-Prim' Awla tal-Qorti Civili

Prezz €20.00c
2 Reg €12.00c
2 not € 2.40c

€214.40c

Bank of Valletta p.l.c. (C 2833)

vs

Maria Carmela Cutajar, armla ta' Joseph Cutajar, pensionanta, bint Andrea Farrugia u Adelaide nee' Busutil, imwielda u residenti Hal-Safi, detentri tal-karta tal-identita' numru 573434 (M)

Rikors ta' Bank of Valletta p.l.c. (C2833) għall-hrūg ta' Mandat ta' Qbid ta', Hwejjeg Immobblī:-

Tesponi bir-rispett:-

Illi in forza ta' sentenza mogħtija minn Din l-Onorabbi Qorti fis-7 ta' Mejju 2009 fl-ismijiet: "Bank of Valletta p.l.c. vs 1. Benjamin Bondin legalment separat minn Marisa Bondin, u 2. Maria Carmela Cutajar armla ta' Giuseppe Cutajar" – Rikors Guramentat numru 57/2009 AL - Onorevoli Mhallef Abigail Lofaro LL.D. Dip. Stud. Rel. Mag. Jur. (Eur. Law)) (Dok. "A") l-imsemmija Onorabbi Qorti Ikkundannat lill-intimati sabiex ihallsu flimkien u *in solidum* bejniethom is-somma ta' sebħha u għoxrin elf, mitejn u għoxrin Ewro u tmintax-il centezmu (€27,220.18) sorte, flimkien mal-ispejjez tal-kawza u mal-imghaxijiet ulterjuri mil-21 ta' April 2009 sal-jum tal-pagament effettiv;

Illi, debitu tal-intimati illum jammonta għas-somma ta' tnejn u erbghin elf u zewgt Ewro u sitta u disghin centezmu (€42,002.96), kwantu għas-somma ta' wieħed u għoxrin elf, disa' mijha u tħalli centezmu (€21,912.26) sorte, kwantu għas-somma ta' sbatax-il elf, mitejn u sitta u sittin Ewro u hmistax-il centezmu (€17,266.15) imghaxijiet legali sal-15 ta' Jannar 2021 (Dok. "B1 sa B2") u kwantu għas-somma ta' elfejn, tmin mijha u erbgha u għoxrin Ewro u hamsa u hamsin centezmu (€2,824.55) spejjez legali kif ahjar jirrizulta mit-taxxi hawn annessi u mmarkati Dok. "C", "D", "E", "F", "G", "H" u "I", flimkien mal-imghaxijiet ulterjuri mis-16 ta' Jannar 2021 sal-jum tal-pagament effettiv u spejjez legali ohra.

Din il-procedura qed issir mingħajr pregudizzju għal bilanci ohra dovuti mill-intimata Maria Carmela Cutajar lis-socjeta esponenti li ghalihom, is-socjeta esponenti qed tipprocedi bi procedura separata.

Illi l-imsemmija intimata Maria Carmela Cutajar tipposjedi s-segwenti proprieta' immobiljari u cieoe':

- (i) Il-garaxx bla numru u bla isem li jinsab gewwa Triq l-Ajzar, (gia estensjoni ta' Triq il-Hlantun,) Safi. Konfinanti mill-Lvant mal-imsemmija Triq l-Ajzar minn fejn huwa wkoll accessibbli, mit-trumtana ma Triq il-Hlantun u min-nofsinhar ma' proprieta tal-istess intimata, bid-drittijiet u l-pertinenzi kollha tieghu, eskuza l-arja.

tu u mibni fuq porzon ta' art, heima art hiya b'dgħi u klija m'art li fuqha giet erett l-imsemmi garaxx kienet giet akkwistata mill-intimata Maria Carmela Cutajar permezz ta' kuntratt datat 5 ta' Jannar 1977 in atti n-Nutar Dottor Joseph Agius. L-imsemmi kuntratt jinsab hawn anness u mmarkat Dok. "J".

Euro centezmu (0.72) ekwivalenti għal LM 0.31,3 . ~~14/9/21~~ 14/9/21

Illi l-imsemmi garaxx jinsab delinejata bl-ahmar fuq *is-site plans* hawn annessa u markata Dok. "K" u skont ir-ritratti hawn annessi u mmarkati Dok. "L1 sa L3".

Illi fuq l-imsemmi fond, gew iskritti s-segwenti ipoteki u cieoe' dawk bin-numri I 6811/2001 u I 6812/2001. Kopja tar-ricerki tal-attiv u l-passiv tal-intimata Maria Carmela Cutajar jinsabu hawn ezibiti u markati bhala Dok. "RIC 1 sa RIC27".

Għaldaqstant is-socjeta' esponenti titlob bir-rispett illi, in eżekuzzjoni ta' l-imsemmija sentenza, Din l-Onorabbli Qorti Joghgobha Tordna l-hrug ta' Mandat ta' Qbid ta' Hwejjeg Immobбли tal-fond fuq imsemmi, kif ukoll Tagħti dawk l-ordnijiet u provvedimenti, li Jidħrilha opportuni, u partikolarmen imma mhux esklusivament dawk imsemmija fl-Artikolu 306 et seq. tal-Kap. 12 tal-Ligijiet, sabiex l-esponenti tottjenti l-hlas tad-debitu lilha dovut, kif fuq spjegat, wara li Tagħti l-opportuni provvedimenti.

Avv. Dott. Dominic A. Cassar
162, Omega House, Naxxar Road, San Gwann SGN 9030


Vanessa Magro
Legal Procurator
Bank of Valletta p.l.c.

Socjeta' Esponenti: Bank of Valletta p.l.c. (C 2833)
1/5, Misrah San Gorg, Valletta VLT 1190

Intimata: Maria Carmela Cutajar
47, "Magnus", Triq iz-Zurrieq il-lum.....
Safi
bov12831r

24 MAR 2021

Ippreżżentata mill-PL. V. Magro
B/bla dokumenti dokumenti
Annal-Aspiċċi
Dokumenti Pagħżejt
Fax (12) (12)

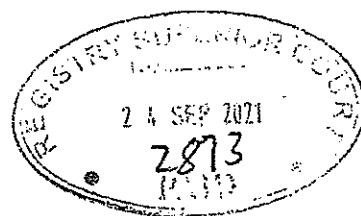
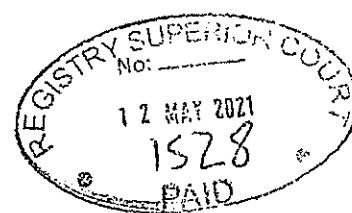
Minn ta' Għustu (Malta)

12 MAY 2021

Reg: € 6.00c
Not: € 1.20c
Kopji: €
Hlas: € 7.20

24 SEP 2021

Reg: € 6.00c
Not: € 1.20c
Kopji: €
Hlas: € 7.20



Fil-Prim Awla tal-Qorti Civili
Onor Imhallef Robert G. Mangion

Fl-atti tas-Subbasta Immobili 15/21
Fl-ismijiet
Bank of Valletta plc
vs
Maria Carmela Cutajar

Il-Qorti,

Rat ir-rikors.
Tilqa' t-talba u tordna l-korrezzjoni kif mitlub.

Il-lum, 14 ta' Settembru, 2021

Marvic Farrugia
Deputat Registratur

Fil-Prim' Awla tal-Qorti Civili

Fl-atti tas-Subbasta numru 15/2021 fl-ismijiet:-

Bank of Valletta p.l.c. (C 2833)

vs

Maria Carmela Cutajar, armla ta' Joseph Cutajar, pensjonanta, bint Andrea Farrugia u Adelaide nee' Busutil, imwieda u residenti Hal-Safi, detentrici tal-karta tal-identita' numru 573434 (M)

Rikors tas-socjeta Bank of Valletta p.l.c. (C 2833)

Tesponi reverentement:-

Illi l-propjjeta mertu ta' din is-subbasta u cioe' il-garaxx bla numru u bla isem li jinsab gewwa Triq l-Azjar, ext. ta' Triq il-Hlantun, Safi. Konfinanti mill-Lvant mal-imsemmija Triq minn fejn huwa wkoll accessibbli u mill-irrijehat l-ohra kollha ma' propjjeta tal-istess intimata. bid-drittijiet u l-pertinenzi kollha tieghu, eskuza l-arja, huwa mibni fuq porzjoni ta' art ta' circa sitta u hamsin metru kwadru (56mk) u liema art hija suggetta ghac-cens annwu u perpetwu ta' tnejn u sebghin Ewro centezmu (€0.72) (ekwivalenti ghal LM0.31,3) - liema cens bi zvista ma giex indikat fir-rikors promotur ta' din is-subbasta.

Għaldaqstant, l-esponenti titlob umilment li Din l-Onorabbi Qorti Joghgobha. fl-att promotur ta' din is-subbasta, fil-paragrafu fejn jigi deskritt il-garaxx mertu ta' din is-subbasta, bejn il-kliem "tal-istess intimata." u l-kliem "bid-drittijiet u l-pertinenzi" jizdiedu l-kliem, "u mibni fuq porzjoni ta art, liema art hija suggetta ghac-cens annwu u perpetwu ta' tnejn u sebghin Ewro centezmu (€0.72) (ekwivalenti għal LM0.31,3)," kolloks taht dawk il-provvvedimenti xierqa u opportuni li Din l-Onorabbi Qorti Joghgobha Tordna u Timponi.

Avv. Dott. Dominic A. Cassar
162 Omega House, Naxxar Road.
San Gwann SGN 9030

Rikorrenti: Bank of Valletta p.l.c.
1/5, Misrah San Gorg,
Valletta

bav13276r

DOC 3

I-Ewwel notifika dwar I-access



Damian Vella Lenicker B.E.&A. (Hons)
Architect and Civil Engineer

Warrant No. 384

Our Ref: LC 01/21/1
Your Ref: Subb 15/2021

10 ta' Mejju 2021

Ms. Maria Carmela Cutajar
Hal-Safi

Spezzjoni ta' Propjeta għall-Qorti b'konness mal-Atti tas-Subbasta Nru. 15/2021
(Bank of Valletta vs: Maria Carmela Cutajar)

Sra Maria Carmela Cutajar,

Għandi ngħarrfek illi jiena ġejt maħtur bħala *Espert tal-Qorti fil-kas hawn fuq imsemmi. Jiena awtorizzat mill-istess Qorti, permezz tal-istess ħatra, biex nagħmel aċċess fuq il-post tal-propjeta indikat hawn taħt sabiex nagħmel spezzjoni, nipprepara rapport u nagħti stima tal-valur.*

Il-Propjeta imsemmi huwa:

- Il-garaxx bla numru li jisab fi Triq l-Ajzar, (*gia estenżjoni ta' Triq il-Ħalntun*) f'Hal-Safi, konfinanti mill-Lvant mal-imsemmija Triq l-Ajzar minn fejn huwa ukoll aċċessibbli, mit-Tramuntana ma Triq il-Ħalntun u ma propjeta ta l-istess sid.

Għaldaqstant, inti ġentilment mitluba tkun preżenti sabiex tiprovd i-l-aċċess, nhar il-ħamis, 13 ta'Meju, fil-ħadxa ta' filgħodu, quddiem il-propjeta imsemmi.

Jekk kemm il-darba il-ħin indikat mhux konvenjienti, inti mitluba 'ċċempel li's-sottoscritt fuq in-numru 99871115 mill-aktar fis sabiex isiru arranġamenti għal-ħin ieħor.

Għand i-nwissik illi jekk kemm il-darba tonqos milli tkun preżenti u tiprovd i-l-aċċess, isir rikors lill-qorti sabiex l-aċċess jiġi 'pprovdut b'mezzi oħra.


D. Vella Lenicker – Perit

c.c. Avv. Dott. D. A. Cassar – Bank of Valletta
P.L. V. Magro – Bank of Valletta

Encl. Copja tal-ittra tal-ħatra

Perit D. Vella Lenicker A.&C.E.

26
5911

11/05/2021

Malta Post

MaltaPost p.l.c.
10-May-2021

Stamps Affixed Letter - Reg.

€ 0.00

Total Postage Value

€ 2.30

LOCAL

Weight 0.030 Kg

48017443972b53a873d899f603167de

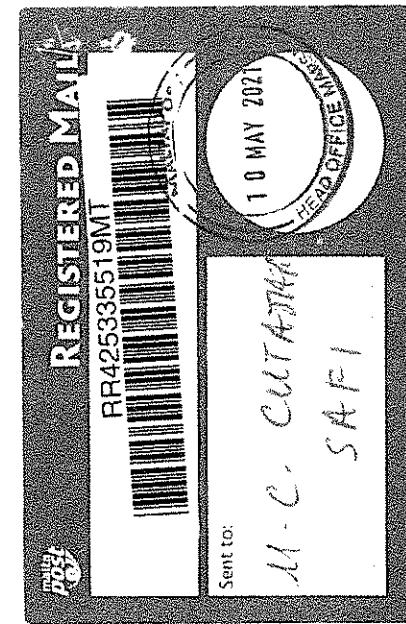
CH 16

Ms. Maria Annella Cutajar
'Daisi Mae'
Triq F'Plantun
Traf Safi

We REGRET THIS ITEM WAS UNDELIVERED
FOR REASONS STATED BELOW

Incorrect Address
 Non-deliverable
 Insufficient address
 Insufficient postage
 Address insufficient

REASON
Signature
DATE
30/5/2021



DOC 4

It-tieni notifika dwar l-access



Damian Vella Lenicker B.E.&A. (Hons)
Architect and Civil Engineer

Warrant No. 384

Our Ref: MC 02/21 SF
Your Ref: Subb 15/2021

18 ta' Mejju 2021

Ms. Maria Carmela Cutajar
Hal-Safi

**Spezzjoni ta' Propjeta għall-Qorti b'konness mal-Atti tas-Subbasta Nru. 15/2021
(Bank of Valletta vs: Maria Carmela Cutajar)**

Sra Maria Carmela Cutajar,

Għandi ngħarrfek illi jiena ġejt maħtur bħala Espert tal-Qorti fil-kas (Subbasta 15/2021) hawn fuq imsemmi. Jiena awtorizzat mill-istess Qorti, permezz tal-istess ħatra, biex nagħmel aċċess fuq il-post tal-propjeta indikata hawn taħt sabiex nagħmel spezzjoni, nipprepara rapport u nagħti stima tal-valur.

Il-Propjeta imsemmija hija:

- Il-garaxx bla numru li jisab fi Triq l-Ajzar, (*ġia estenżjoni ta' Triq il-Ħlantun*) f'Hal-Safi, konfinanti mill-Lvant mal-imsemmija Triq l-Ajzar minn fejn huwa ukoll aċċessibbli, mit-Tramuntana ma Triq il-Ħlantun u ma propjeta ta l-istess sid.

Inti ġentilment mitluba tkun preżenti sabiex tiprovd i-l-access, nhar it-Tnejn, 31 ta' Mejju, fil-ħadxa ta' fil-ġħodu, (11.00 am) quddiem il-propjeta imsemmija.

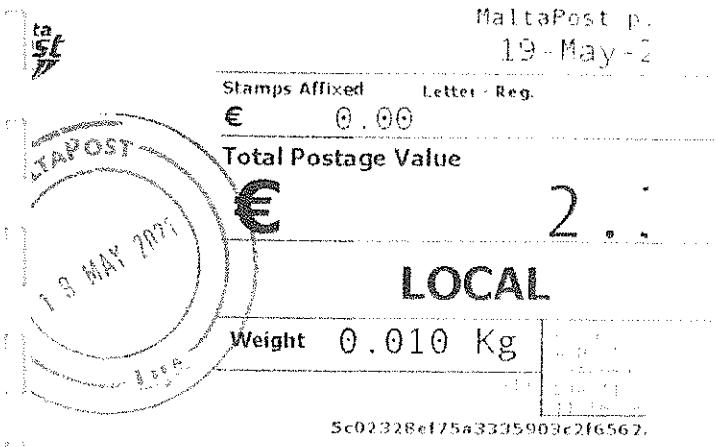
Jekk il-ħin indikat mhux konvenjienti, inti mitluba 'ċċempel li's-sottoscritt fuq in-numru 99871115 sabiex isir arrangamenti għal-ħin ieħor.

Għandi nwissik illi jekk kemm il-darba tonqos milli tkun preżenti u/jew tiprovd i-l-access, isir rikors lill-qorti sabiex l-aċċess jiġi pprovdut b'meżzi oħra.


D. Vella Lenicker - Perit

c.c. Avv. Dott. D. A. Cassar – Bank of Valletta
P.L. V. Magro – Bank of Valletta

Encl. Copja tal-ittra tal-ħatra



MaltaPost p.
19-May-2

Stamps Affixed **Letter - Reg.**

€ 0,00

Total Postage Value

Weight 0.010 kg

Weight 0.010 Kg

Sc02328ef75a3335909c2f6562

5263 36

~~Ms. Maria Catharina Cittajar
Wiegmanus'~~
~~No. 7, Ms. iż-żurrieq~~
~~Sa SFI 1412~~

Architect 3rd Civil Engg
15 9 2 11



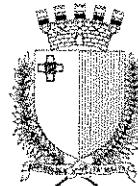
Sect. 10.



DOC 5

Rikors għal estenzjoni taż-żmien

MINISTERU GHAL-ĠUSTIZZA,
UGWALJANZA U GOVERNANZA



MINISTRY FOR JUSTICE, EQUALITY
AND GOVERNANCE

MALTA

*Prim Awla tal-Qorti Civili
Onor. Imhallef A. Lofaro L.L.D.*

*First Hall, Civil Courts
Hon. Judge A. Lofaro LLD*

18 ta' Ġunju 2021

F'I-Atti tal-bejgħ b'l-Irkant Nru. 15/2021

F'I-ismijiet:
Bank of Valletta Plc.
vs
Maria Carmela Cutajar

Rikors tal-Perit Damian Vella Lenicker

Jesponi bir-rispett:

Illi permezz ta' digriet ta' din l-Onorabbi Qorti, datata April 2021, l-esponent ġie maħtur bħala *Esperf tal-Qorti u 'nkarigat sabiex jagħmel spezzjoni, jagħti deskrizzjoni u jagħmel stima tal-valur tal-fond indikat fl-atti ta' din is-subbasta (Garaxx bla numru u bla isem li jinstab fi Triq l-Ajzar, già estensjoni ta' Triq Hlantun, Safi).*

Illi l-esponent bagħħat notifikata bil-posta 'rreġistrata b'l-appuntament għall-ispezzjoni f'żewġ okkażjonijiet differenti iżda dawn ma kiwnux miġbura mill-ufficċju postali mill-intimata wara li l-attentati biex titwassal f'lindirizz indikat mill-ufficjalji tal-posta ma 'rnexxewx.

Illi fiz-żewġ okkażjonijiet indikati għall-appuntamenti għall-ispezzjoni, ma tfaċċa ħadd biex jipprovi l-aċċess għal-fond imsemmi.

Illi sossegwentement, sabiex jiġi evitat il-bżonn ta' aċċess bi żgass, inkiseb in-numru tat-telefon cellular tat-tifel tal-intimata u sar kuntatt mieghu b'dan il-meżżeż. Irrizulta illi l-intimata hija anzjana fi stat ta saħħa prekarja u t-tifel tagħha jahdem xogħol barra minn Malta. Minħabba dan, sar ftehim mat-tifel tal-intimata sabiex l-ispezzjoni issir meta jasal lura mis-safar u b'rезультат ta dan, id-data tal-ispezzjoni għet-miftehma għal-nhar il-Erbgħa 23 ta' Ġunju.

Għaldaqstant, fiċ-ċirkostanzi l-esponent qiegħed jitlob bir-rispett, lil din l-Onorabbi Qorti sabiex tagħti estenżjoni taż-żmien mgħotxi biex jiġi sottomess ir-rapport relattiv.

Perit D. Vella Lenicker
Warrant No. 384

DOC 6

Pjanta tar-Registru tal-Artijiet

(mill-inkartament tal-Qorti)



Our Ref: LC 02/22
Your Ref: SUBB 15/2021

28th January 2022

Prim Awla tal-Qorti Civili
Hon. Imħallef A. Lofaro

Re: Services rendered i.c.w. appointment as 'Court Expert' for Subbasta 15/2021

Inspection of property and preparation of Valuation Report for unmarked and unnumbered Garage located on the corner between *Triq I-Ajzar* and *Triq il-Hlantun*, in *Hal-Safli*, Malta

Professional Fees as per Tariff K – Chapter 12 of the Laws of Malta

1)	<i>Travel to and from Site for (3 in No.) Appointments made for access and Inspection – as per Article 15 (e)</i>	€20.97
2)	<i>Typing and printing of Documents - Inspection Report (incl, attachments), Summary and covering letter – 58 pages @ €0.70 each as per Article 15 e (ii)</i>	€40.60
3)	<i>Notices issued for Access and Site Inspection – 3 in No. @€1.16 each as per Article 15 e), (iii)</i>	€3.48
4)	<i>Site Inspection of property at €32 - as per Article 16 b), (i)</i>	€32.00
5)	<i>Measurement of premises as per Article 2 a) i) and Article 2 b)</i>	€8.73
6)	<i>Valuation of property as per Article 6 b)</i> - <i>on the first €2329.37</i> - <i>on the residual €90,670.63</i>	€15.84 €272.01
		Subtotal Fees €393.63
		VAT@18% €70.85

Total Fees (inc. VAT) €464.48

Additional Expenses (receipts attached)

6)	<i>3 (three in No.) Registered Mail dispatches @ €2.30 each</i>	€6.90
7)	<i>Binding of final document</i>	€2.75
8)	<i>Purchase of Land Registry Plan</i>	€6.00

Total Expenses €15.65

GRAND TOTAL (fees and expenses) €480.13


Perit D. Vella Lenicker A.&C.E.

A Fiscal Receipt (for fees charged) will be provided upon settlement



2, Triq Mikielang Borg, Hal Lija
Lija
Tel: (+356) 21224421
EXO No: EX0947
VAT No: MT15114134
TII No: ---

LJA001486S 19 May 2021 11:53:20
USER: ACH235 - ALISTAIR GALEA
Contact Name: CASH SALE CLIENT
Vat Number: NA

Sale Number: LJA0118641B

Local Post

Weight:	0.010 kg
Quantity:	1
Service:	Letter
Price:	2.30
Stamps Affixed:	N/A
Paid:	E €2.30
Weight:	0.010 kg
Quantity:	1
Service:	Letter
Price:	2.30
Stamps Affixed:	N/A
Paid:	E €2.30

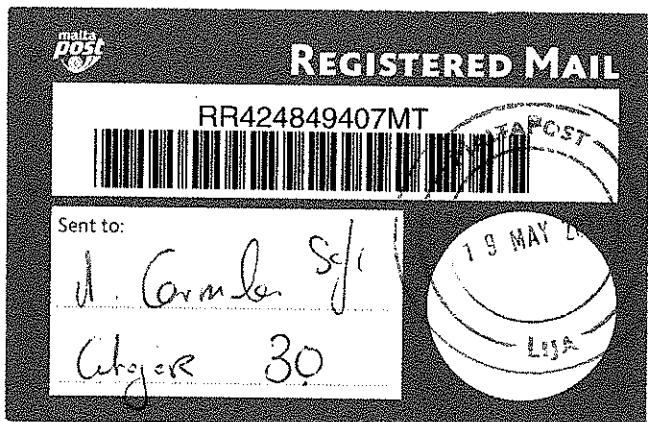
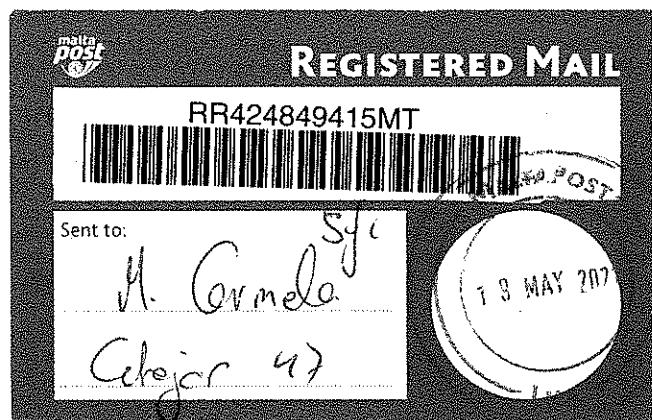
Track & Trace Barcodes:
RR424849407MT
RR424849415MT

Grand Total:	€4.60
Total Tendered:	4.60
Cash Tendered	4.60
Change:	€0.00
VAT Analysis	€
Full F 16%:	0.00
Reduced R 5%:	0.00
Exempt E 0%:	4.60
Non-Vatable NV 0%:	0.00
VAT Paid:	€0.00

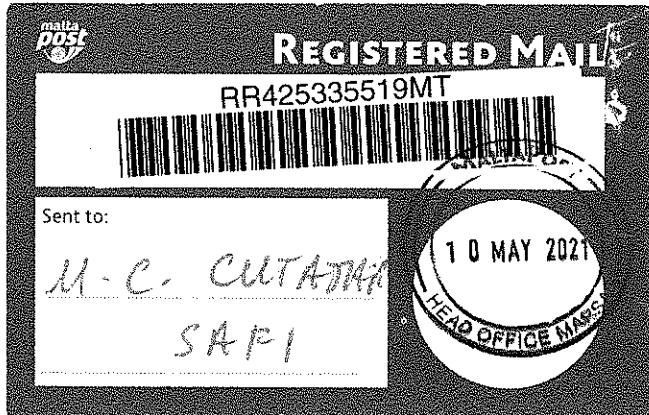
*LJA0118641E

LJA0118641B

This receipt is invalid
if cheque is dishonoured
or payment against Local Purchase Order



Perit Damian Vella Laplakka A.C.E.
Architect & Civil Engineer
Warrant No: 384



Trio Hal Qormi, Marsa
Marsa CHQ
Tel: (+356) 21224421
DZO No: EX0947
Vat No: MT15174154
TIN No: --

CMR0366013 10 May 2021 14:50:43
USER: ACH337 - RUDOLPH DESIRÉ^A
Contact Name: CASH SALE CLIENT
Vat Number: NA

Sale Number: CMR0881707B

Local Post

Weight:	0.030 kg
Quantity:	1
Service:	Letter
Price:	2.30
Stamps Affixed:	N/A
Paid:	E €2.30

Track & Trace Barcodes:
RR425335519MT

Grand Total: €2.30

Total Tendered: 2.30
Cash Tendered: 2.30

Change: €0.00

VAT Analysis €

Full	E 0%	0.00
Reduced	E 5%	0.00
Exempt	E 0%	2.30
Non-Vatable	NV 0%	0.00

VAT Paid: €0.00



CMR0881707B

This receipt is invalid
if cheque is dishonoured
or payment against Local Purchase Order

EDUILINE LTD

GANU STREET,
B'KARA
TEL: 21 482 957
REG: 1537-5601

NOODLES/NOODLES/DOOKS	€ 0.99
STATIONERY	2.75
EGGROLLS	9.60
<u>SUBTOTAL</u>	<u>12.34</u>

TOTAL €12.34

CASH	
SUBTOTAL E	6.40
SUBTOTAL R	6.99

#203440 ECR 001 OP 1
01-02-2022 13:56 FR. 156

2021 BJ 00100389

THANK YOU

Perit Damian Vella Benjicker A.C.E.
Architect & Civil Engineer
Warrant No: 254

Damian Vella Lenicker
22/6
St. Gabriel Street
Balzan
BZN 1720
Malta

Cash Sale

09/06/2021

217539E

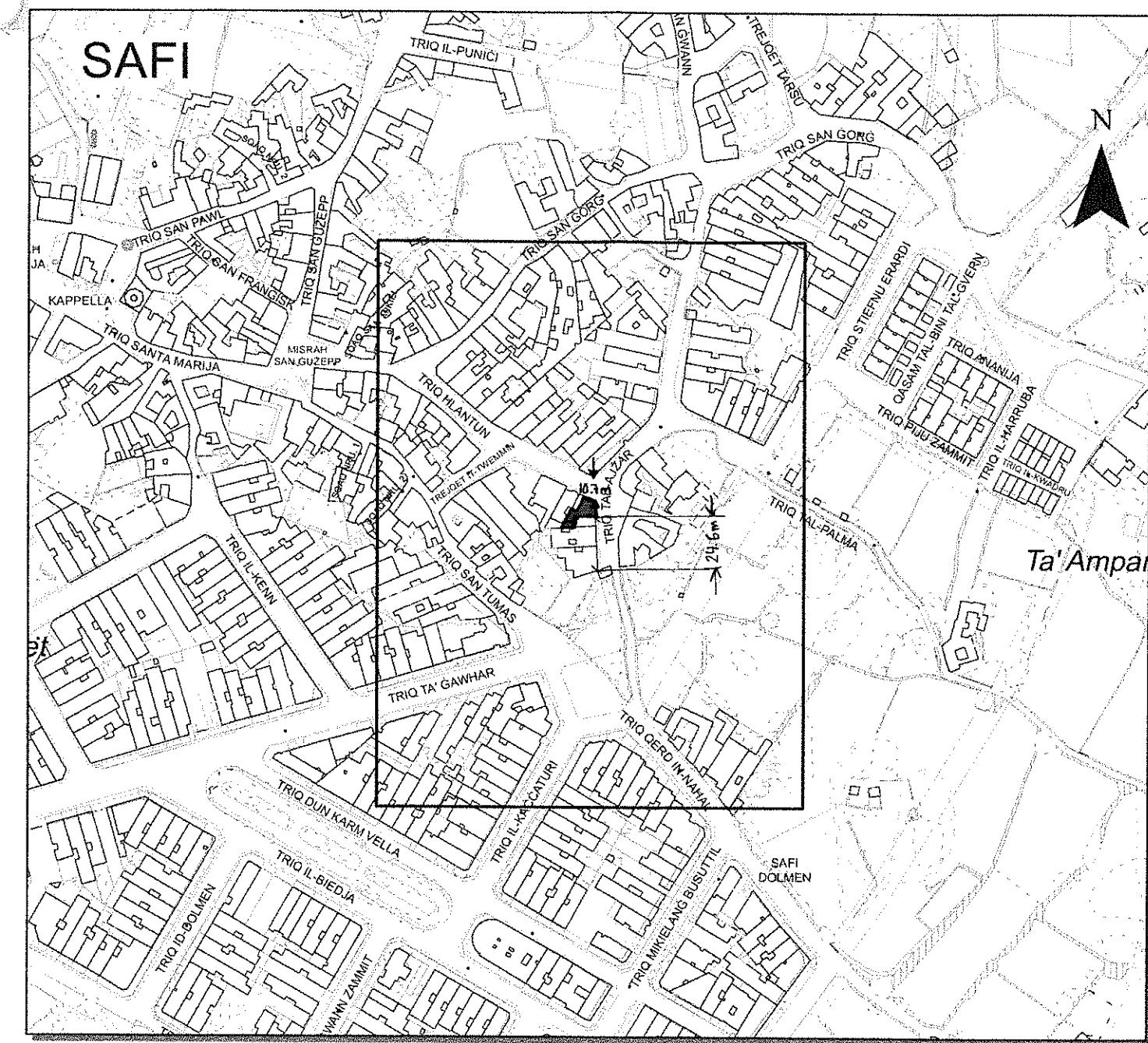
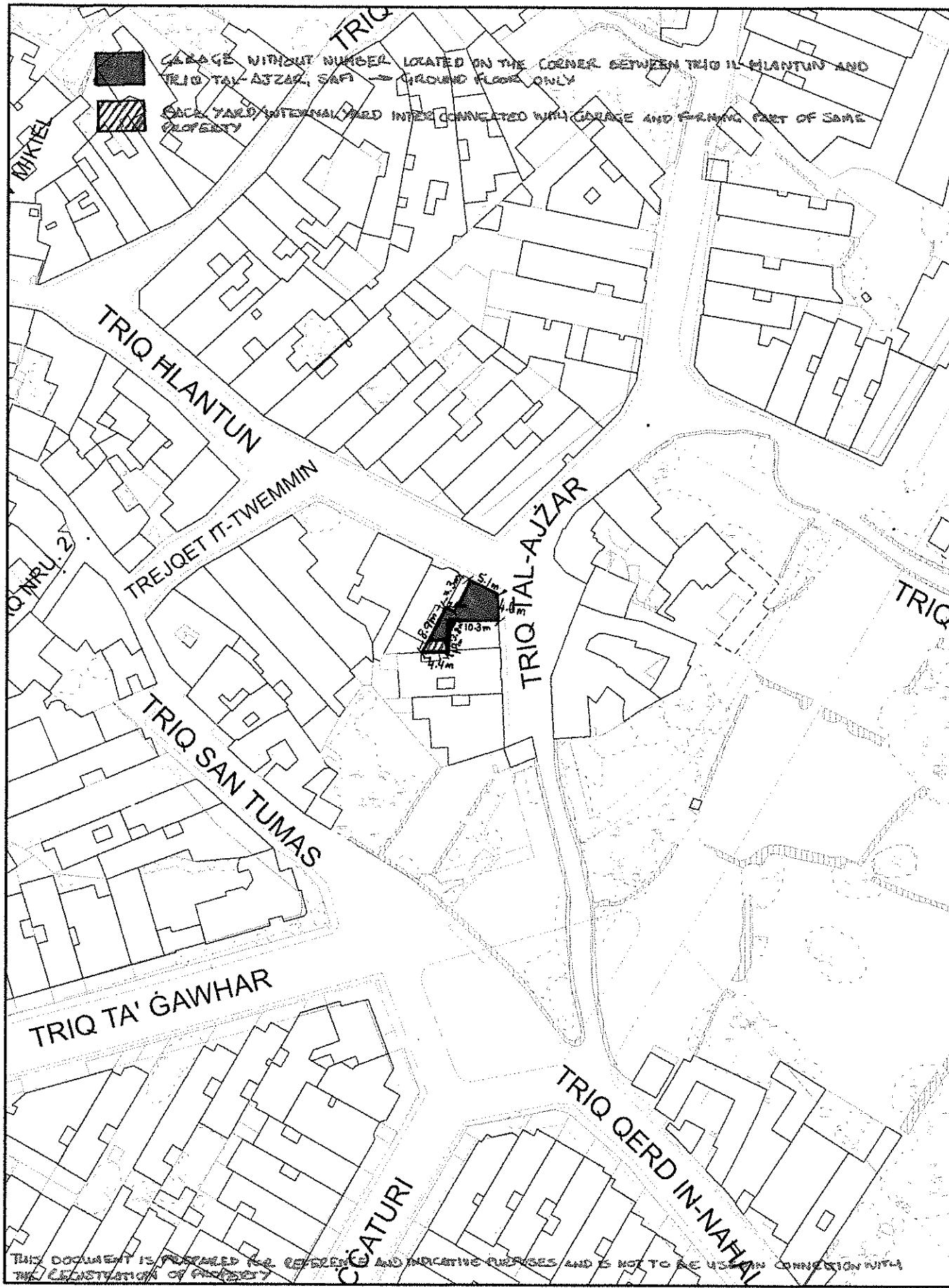
No of Copies	1
Fee Per Site Plan	€6.00
Total	€6.00

Land Registration Agency
116, Casa Bolino
Trik il-Punent
Il-Belt Valletta
VLT 1535

Tel: +356 21239777, 25904700

Email: enquirieslandregistry@gov.mt

www.landregistryplans.gov.mt



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:

217539 E
Centre Coordinates: y = 65691

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

Data:
Date:

09/06/2021

Perit:
Architect:

Timbru tal-Perit:

Architect's Stamp:

Perit Damjan Vella Lenicker A.C.E.
Architect & Civil Engineer - Warrant No: 384
Warrant No: 384

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

Firma ta' l-Applicant:

Applicant's Signature:

0 20 40 60 80 100m

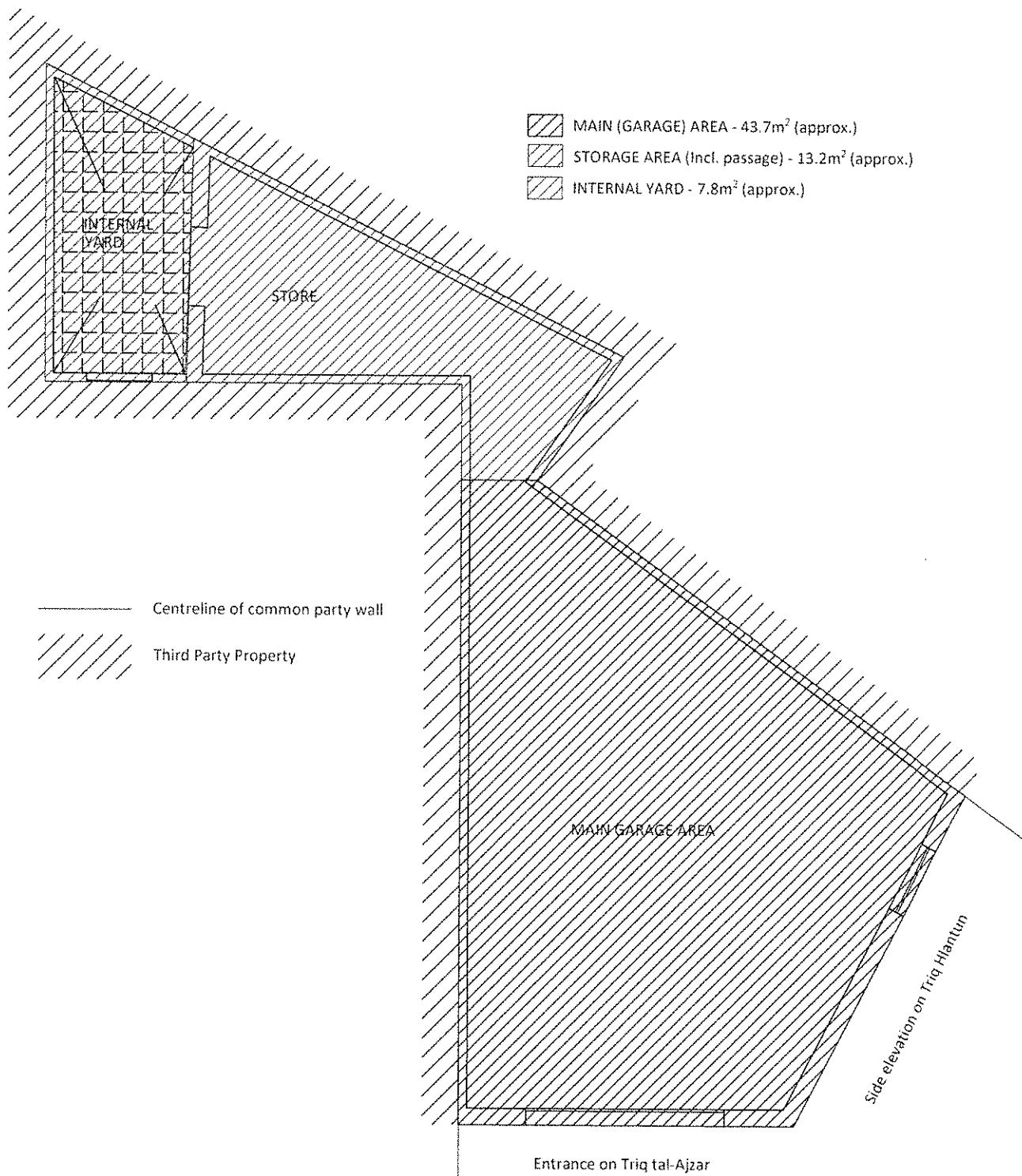
LR 214421

Dritt imħallas
Fee Paid

DOC 7

Pjanta generali tal-fond

Dok 7° - Pjanta Generali tal-Fond



Sketch Plan for indicative purposes only
NOT TO SCALE

Perit Damian Vella Benicker A.C.E.
Architect & Civil Engineer
Warrant No: 384

DOC 8

Kopja ta' l-aħħar permess maħruġ fuq il-fond

Section: Granted - Scheduled for EPCB
Board No.: dfr

APPLICATION No. PA/02562/12

1. Application Details:

Applicable Policy: DC 2007
Press Date: 27 October 2012
Application Type: Full development permission

Applicant: Paul Cutajar
Architect: Anthony C Bezzina

Drawing Numbers: PA2562/12/1A/42A/42B

Proposal: Internal alterations and change of roof at ground floor level and erection of first floor maisonette and washroom at second floor
Location: Site at, Triq Hlantun c/w, Triq Ta' L-Ajzar, Safi, Malta

2. Representations:

None.

3. Notes To Committee:

3.1 None.

3.2 **EPC B held on 08 January 2013**
Architect to provide within 10 days (without prejudice to final decision) fresh plans since the balcony at corner to be reduced in size and not to occupy the building corner.

Deferred for the 05 February 2013

Planning Directorate's Comments

A reply (doc 42) together with fresh drawings were submitted by the architect limiting the size of the balcony as requested. The design of the elevation is now more visually acceptable.

The latest drawings were approved by the SEO and drawing Nos. updated accordingly.

4. Case Officer's Report:

4.1 SUMMARY OF ISSUES

The proposed maisonette is in line with the height limitation, zoning and design considerations, and relative DC2007 policies.

4.2 PROPOSAL

This full development application proposes the construction of a first floor maisonette overlying two existing garages - see drawings doc. 32A and 32B.

4.3 SITE DESCRIPTION

The site currently consists of two corner garages located within a predominantly residential area - see photos on doc. 1C.

4.4 SITE HISTORY

No previous permits were traced.

4.5 POLICY CONTEXT

The relevant policy documents are:

- Structure Plan, 1990.
- South Malta Local Plan, 2006.
- DC 2007

-- Structure Plan Policies

Policy BEN 1: Seeks to ensure that development is compatible with adjacent uses.

Policy BEN 2: Good Urban Design.

-- South Malta Local Plan

Map SA1 - designates site as part of Safi residential area.

Map SA2 - designates site with three floors plus semi-basement.

Policy SMH02 – Residential Areas

-- DC 2007

Policy 2.1: Building heights

Policy 7.2: Balconies

Policy 10.4: Residential rooms on the roof of terraced houses and maisonette development.

4.6 CONSULTATIONS

SEO approved (min. 33).

4.7 DISCUSSION

Page 2 of 7 - Height limitation

The proposal involves minor alterations to two existing ground floor garages as well as the

construction of an additional floor at the first floor level and an overlying washroom. The overall height of the building will now be two floors, in line with the allowable 2 floors height limitation and within the 8.50 metres when measured from the highest street level as per policy 2.1 of DC2007.

The proposed alterations to the garages involve a slight reduction in the size of one of the garages and modifications to the stairwell. The proposed alterations are considered acceptable as the proposed garages are still in line with the requirements of policy 6.1C of DC2007.

-- *Washroom*

The proposed washroom is in line with policy 10.4 of DC2007 in terms of setback, size and height above roof level. It is located at the second floor level which is within the height limitation for the area and therefore this level can be built to the full.

-- *Design*

The façade will have a fuq il-fil franka stone finish and partly with rendered bricks. Apertures and railings are proposed in aluminium, with a timber main door.

The proposed balconies and projecting rooms comply with policy 7.2 and 11.5 of DC2007, in terms of total length of projection, projection from the façade of the building, height above street level and distance from party wall.

-- *Parking Provision*

The proposed dwelling requires one parking space which can be accommodated in the ground floor garages.

4.8 CONCLUSION

Since the alterations, additional floor and washroom are in line with the relative DC2007 policies, the proposal is being recommended for approval.

5. Recommendation: **GRANT - subject to the following conditions:**

1

- a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
- b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
- c) Copies of all approved drawings and documents shall be available for inspection on site by MEPA staff at all reasonable times. All works shall be carried out strictly in accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Policy and Design Guidance shall take precedence and shall modify the drawings and documents accordingly.
- d) Where applicable, all building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on

site by MEPA's Land Surveyor. The Setting Out Request Notice must be submitted to the Land Survey Unit of MEPA when the setting out of the alignment and levels is required.

e) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.

f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are complete.

g) The enclosed Commencement Notice shall be returned to MEPA so that it is received at least five days prior to the commencement of any works hereby permitted.

h) Where applicable, the development hereby permitted shall be carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.

i) All new development shall be provided with a water cistern to store rainwater run-off from the built-up area of the development as required by the Code of Police Laws.

j) Where applicable, the ramp leading down to the underlying basement/garages for private car parking shall at no point be steeper than 1:5 from the back edge of the pavement. If there are more than 5 public car parking spaces or garages, the ramp shall not be steeper than 1:8 (or 1:10 if helical). The ramp shall always be so formed that it does not encroach onto the pavement.

k) Where applicable, an area of a depth of 4 metres from the pavement, with a gradient not steeper than 1:10, shall be provided within the site for vehicles to wait at pavement level before entering the street.

l) Where applicable, any garages/parking spaces shall only be used for the parking of private cars and they shall be kept available at all times for this purpose.

m) Where applicable, any approved stores shall be used for domestic storage only and shall be physically and internally linked to the overlying dwellings.

n) The height of the development shall not exceed the permitted number of floors and the height in metres as indicated on the approved drawings.

o) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.

p) Any doors and windows, the lower edge of which is less than 2m above

road level, and any gates shall not open outwards onto a public pavement or road.

q) Where applicable, the garage door opening(s) at ground floor level, overlooking the public street, shall be fitted with a solid aperture within the thickness of the external wall along the building alignment. This aperture shall be of the same colour of the other apertures on the elevation, unless otherwise indicated on the approved drawings. This aperture shall be fitted prior to the issue of any Compliance Certificate (partial or full) on the whole or any part of the development hereby approved. No gates are permitted on this opening.

r) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.

s) Air conditioning units shall not be located on the facades of the building which are visible from a public space/street.

t) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.

2

a) The facades of the building shall be constructed in local unrendered and unpainted stone, except where other materials, finishes and colours are indicated on the approved drawings.

b) Any balconies shall be located so that their side outer face is at least 0.75 metres away from the outer face of the party wall nearest to the balconies. The balconies shall not project more than 1.5 metres from the facade of the building where a front garden is present or not more than 1 metre from the façade of the building where no front garden is present. Any closed balconies shall not project more than 0.6 metres from the façade of the building.

c) Any projecting rooms shall not project more than 0.75 metres from the facade of the building (where no front garden is present) or not more than 1 metre from the facade of the building (where a front garden is present).

d) All external apertures and balconies shall not be in gold, silver or bronze aluminium.

e) All services located on the roof of the building shall be clustered together and surrounded by a 1.5 metres high non-solid screen. The services shall not exceed the height of this screen, which shall be set back 2 metres from the front and back edges of the roof of the underlying structures.

An eventual development permission would also be issued subject to the following standard text:

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

A third party may have the right of appeal against this permission. Any action taken on this permission when such an appeal has been made, or until the time limit for the submission of such an appeal has expired, is undertaken at the risk that this permission may be revoked by the Environment and Planning Review Tribunal or quashed by the Court of Appeal.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. 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.

This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority (including MEPA), as required by any law or regulation.

This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment Protection Directorate (within MEPA) to obtain any necessary operational permit or registration. This requirement does not apply to Class 4, 5, 7 and 8 uses as listed in the Development Planning (Use Classes) Order (1994), or its subsequent amendments.

This report to the Environment & Planning Commission has been prepared and endorsed by:

Case Officer: Endorsed By:

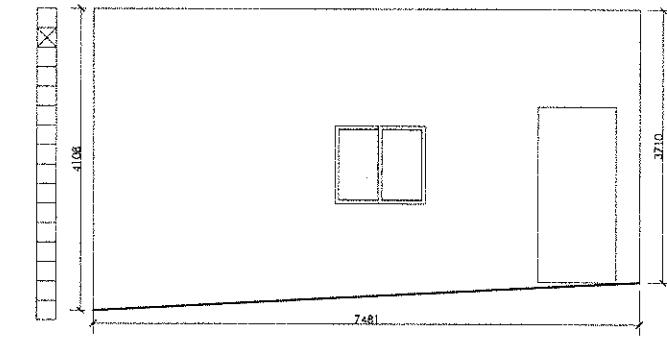
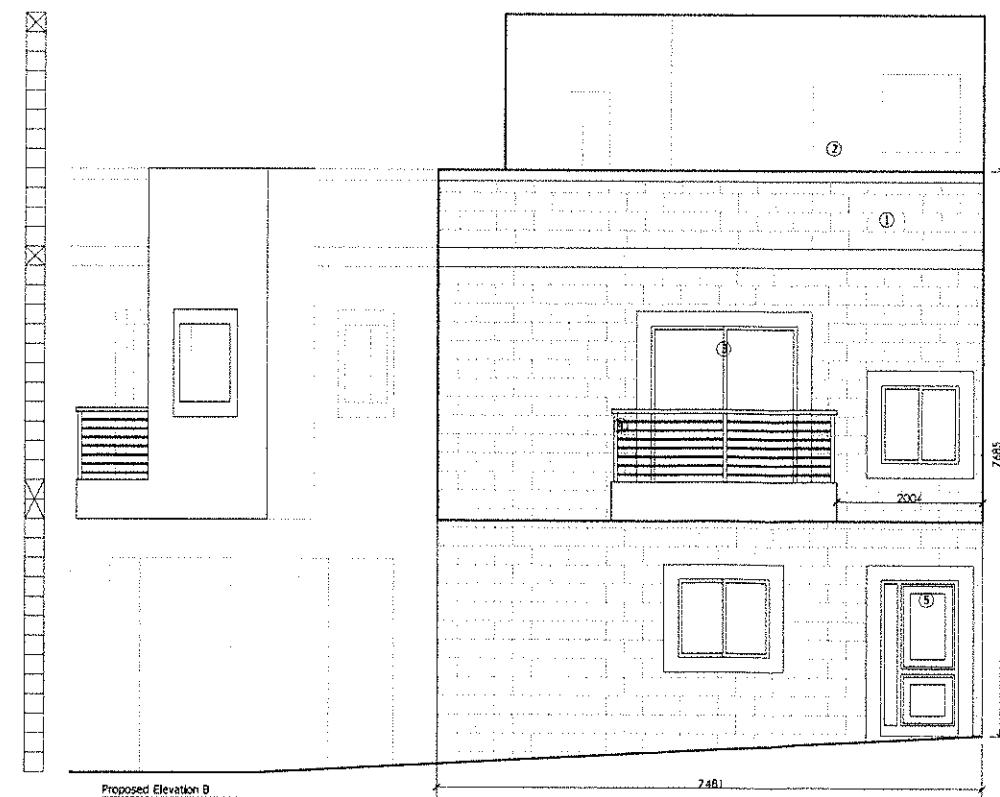
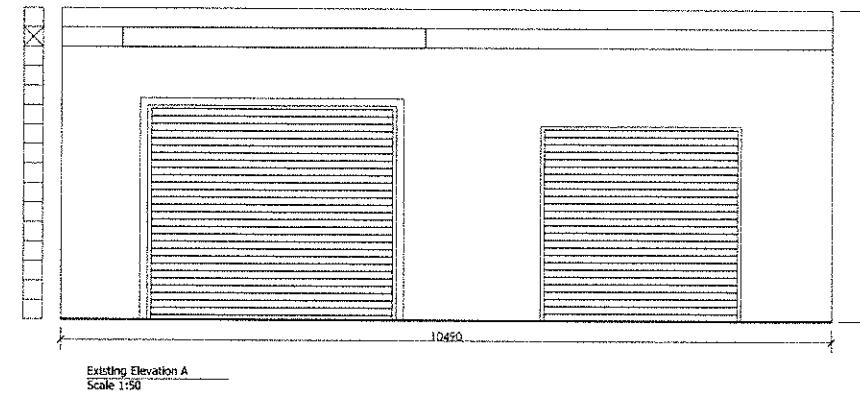
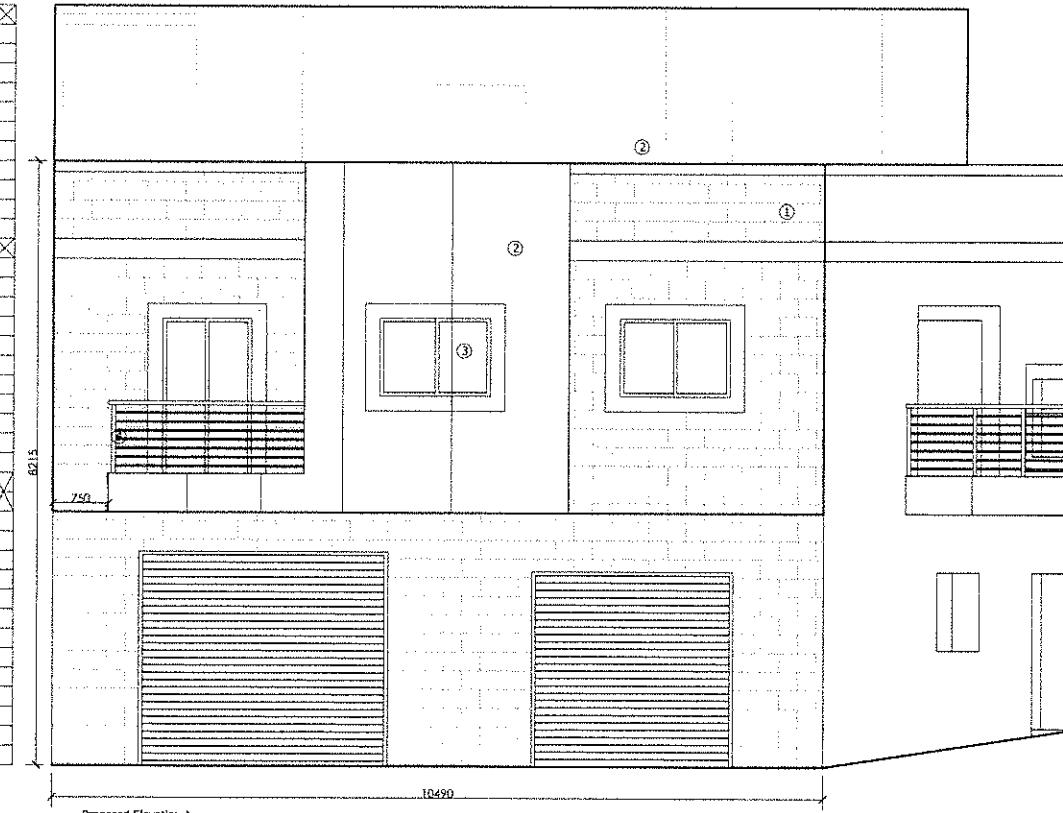
Signature: Signature:

Date: Date:

Environment & Planning Commission Decision:

45a

Notes to Committee last updated by: Martin Camilleri
[PAPRepDeferralEndorsed]



1	1.00m	2.00m	3.00m	4.00m
2	0.20m	0.40m	0.60m	0.80m
3	0.50m	1.00m	1.50m	2.00m
4	0.50m	1.00m	1.50m	2.00m
5	0.50m	1.00m	1.50m	2.00m

LEGEND:

- 1 - Fuq II-FI Franka Stone
- 2 - Rendered Bricks
- 3 - Aluminium Apertures
- 4 - Aluminium Railing
- 5 - Timber Door

Acb
Architects

Paul Cutajar
Construction of First Floor Maisonette

Existing and Proposed Elevations

cc	csn	acb	2013-01-11
1:50	2955/12	02	02

DOC 9

Estratti mil-Pjan Lokali tan-Nofsinhar ta' Malta

The MEPA will accept proposals for the redevelopment of properties, which have no architectural or historic value, within the RAIAAs provided that:-

- a) a better standard of residential accommodation is provided;
- b) the proposed development does not impact negatively on the residential amenity of the area and respects in terms of design, building heights and massing the character of adjacent buildings and streetscape;
- c) the proposal will NOT increase the stock of residential accommodation;
- d) evidence is produced by the developer that efforts were made to save the original structure; and
- e) innovative forms of housing design and layout are adopted as a means of creating more acceptable residential layouts.

Permitted uses within such areas should be guided by policy SMHO 02 for residential areas.

MEPA may encourage Government or the appropriate agency to introduce incentives and other schemes that encourage residents and owners to upgrade their properties within the RAIAAs.

MEPA will also encourage initiatives by the Local Councils with regard to the improvement of the environmental quality of these areas in terms of pedestrianisation measures, embellishment and any other similar improvements.

4.4.1 Specific housing areas within settlements are in need of upgrading to improve the quality of the environment within these residential areas and provide a pleasant setting to live in. The designation of Residential Amenity Improvement Action Areas identifies such areas where opportunities exist for public sector intervention, investment and assistance (e.g. special grants, soft loans schemes, tax rebates) with the aim of introducing improvements with regard to traffic management, embellishment schemes, recreational areas as well as rehabilitation schemes. Some of these areas include the traditional parts of certain towns and villages as well as housing estates. This policy is designed to draw attention to these areas and, subject to acceptance by Government, seek a range of fiscal as well as planning measures to ensure that their improvement is put in hand. Measures could include: tax rebates or exemption on specified repair works; direct grants for certain repairs; 'soft loans' for adaptation or improvement works. In addition to such measures Local Councils are encouraged to develop initiatives towards the improvement of such areas.

SMHO 02

Residential Areas and Residential Priority Areas

The Local Plan designates Residential Areas (RAs) and/or Residential Priority Areas (RPAs) as shown on the relevant Policy Maps.

The following is a list of acceptable land-uses (new uses, extensions to existing uses, and change of uses) within all frontages located within the RAs.

- i. A mix of Class 1 (Use Classes Order, 1994) terraced residential development as detailed in the DC 2005, Part 3, and in accordance with the specific zoning conditions indicated in the same guidance, unless otherwise stated by a policy in this Local Plan;
- ii. Class 2 (Use Classes Order, 1994) residential institutions, provided that:
 - they are of a small scale and do not create adverse impacts on the residential amenity of the area;

- Class 2 (a) institutions are located in close proximity to a town or local centre; and,
 - Class 2 (b) nursing homes and clinics are easily accessible from the arterial and distributor road network.
- iii. Class 3 (Use Classes Order, 1994) hostels provided that these uses are in accordance with all other relevant Local Plan policies.
- iv. Class 4 (Use Classes Order, 1994) small shops provided that:
 - the small shops (of any nature) are not to exceed a total floor area of 50 m² each, and convenience shops are not to exceed a total floor area of 75 m² each;
 - they comply with all the provisions of paras. 1.4.16 to 1.4.18 of the Interim Retail Planning Guidelines (2003); and
 - they comply with any relevant section of the DC2005 (design, access, amenity, etc.).
- v. Supermarkets provided that they comply with all the provisions of Policy SMCM 07.
- vi. Class 5 (Use Classes Order, 1994) offices provided that:
 - the floorspace does not exceed 75 m²;
 - they do not unacceptably exacerbate parking problems in a residential street that already has an acute under provision of parking spaces for residents; and,
 - they comply with any relevant section of the DC 2005(design, access, amenity, etc.).
- vii. Classes 7 and 9 (Use Classes Order, 1994) non-residential institutions, swimming bath or pool, skating rink, health club, sauna, sports hall, other indoor or outdoor land based sports or recreation uses not involving motorised vehicles or firearms, and interpretation centres, provided the facility:
 - is of a small scale and does not create adverse impacts on the residential amenity of the area;
 - is located on land already occupied by buildings and will replace these buildings provided they are not worthy of retention due to their historic/architectural merit and/or their contribution to the character of the area, unless land is specifically allocated for the facility by this Local Plan; and,
 - the immediate surroundings of the site are already of a mixed use character.
- viii. Class 8 (Use Classes Order, 1994) educational facilities, provided that access and the character of the area are taken into account and are deemed adequate by MEPA to allow the safe and neighbour compatible use of such facilities.
- ix. Class 11 (Use Classes Order, 1994) business and light industry provided that:
 - The gross floor area of the premises does not exceed 50 m² (including storage of materials and/or finished products);
 - The activity conducted within the premises does not use heavy duty and/or noisy electrical/mechanical (including pneumatic) equipment, and equipment which requires a 3 phase electricity supply;
 - The activity conducted within the premises does not entail extensive and/or prolonged use of percussion hand tools (eg. Hammers, mallets etc);
 - The activity employs less than 5 people; and
 - The activity conducted within the premises does not inherently entail the generation of combustion, chemical or particulate by products.

Examples of acceptable uses considered by MEPA include tailor, cobbler, lace making and computer and electronic repair. Moreover, examples of unacceptable uses include carpentry, panel beating, mechanic, mechanical plant servicing, spray painting and bakery.

Proposals to convert from existing Class 12 (Use Classes Order, 1994) general industry to Class 11 (Use Classes Order, 1994) business and light industry within designated Residential Areas shall only be considered acceptable by MEPA if all the



SOUTH MALTA LOCAL PLAN



Autorita` ta` Malta dwar Is-Suġġieni u Id-Deppi
Malta Environment & Planning Authority

Key

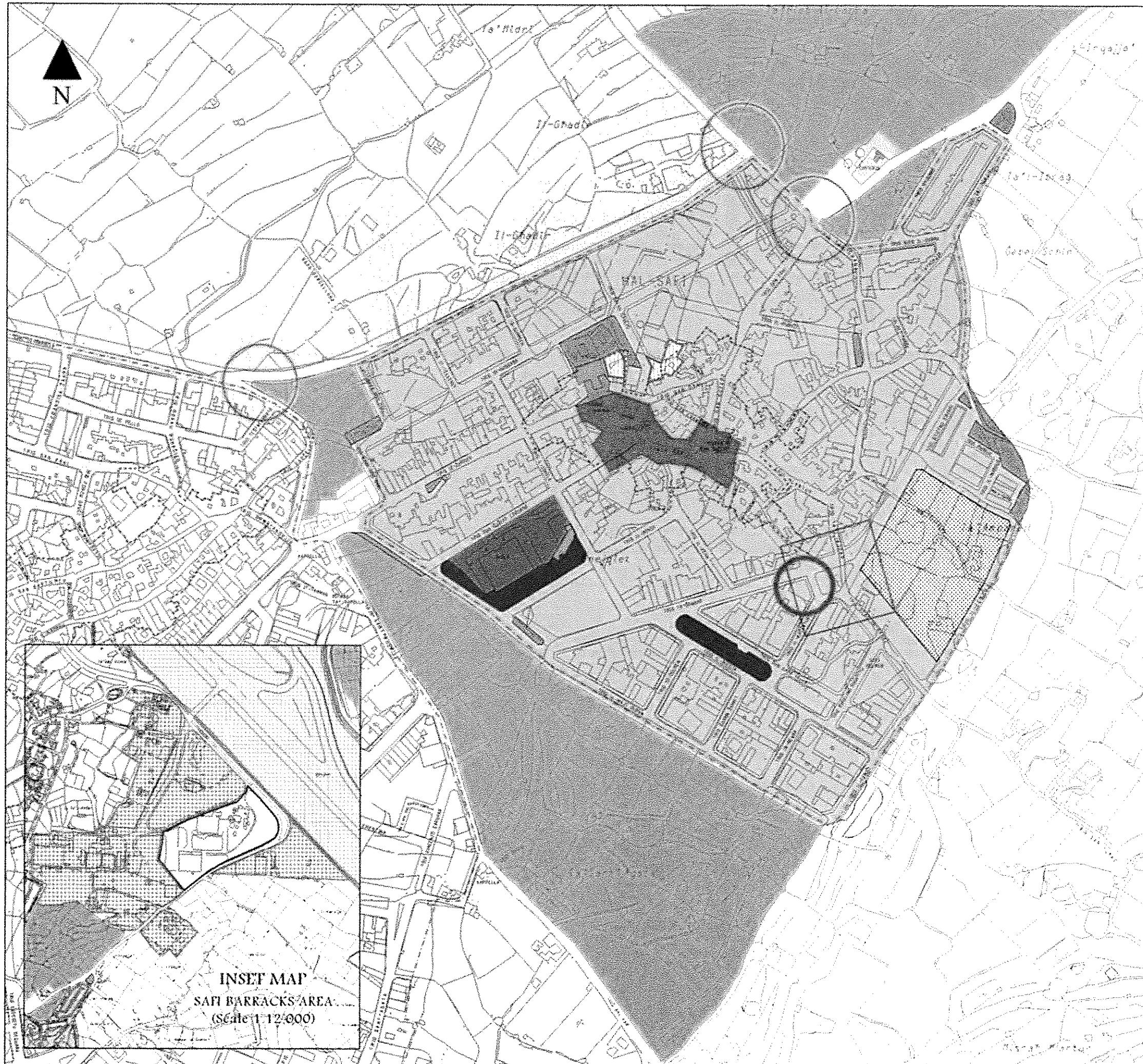
- Local Council Boundary
- Scheme Alignment
- - Limits to Development
- Agricultural Areas - SMAG 01
(Awaiting Classification of Agricultural Value)
- Archaeologically Sensitive Areas - SMCA 04
- Scheduled Sites
- Retain Important Views - SMCA 10
- Birds & Wild Rabbits Protection Zone
- Borehole - SMCA 08

Safi

Environmental Constraints Map

Scale	Date	Map
1:8000	July 2006	SA 3
INDICATIVE ONLY		
Not to be used for measurement or direct interpretation		

Base Maps - 1988 Survey Sheets
Copyright Mapping Unit - Malta Environment & Planning Authority



SOUTH MALTA LOCAL PLAN



Autorita ta' Malta dwar l-Ambjent u l-Ippopoli
Malta Environment & Planning Authority

Key

- - - Limits to Development
- Urban Conservation Area - SMCC 01
- Scheme Alignment
- White Box: Retaining - SMSA 04, SMSA 05
- Light Grey Box: Residential Areas - SMHO 02, SMSE 04
- Dark Grey Box: Green Areas - SMSE 04
- Black Box: Public Urban Open Spaces - SMSE 04
- Dotted Box: Strategic Open Gaps - SMCC 10
- Hatched Box: Open Space Includes Private Gardens - SMIA 10
- Diagonal Line Box: Mixed Development - SMSA 02
- Dark Box: Social & Community Facilities - SMSC 01, SMSA 04
- Circle: Junction Improvement - SMTE 05, SMRA 01
- White Box: Traffic Management Scheme - SMSA 03
- Black Box: Local Centre - SMCM 02
- Grid Pattern Box: Land administered by Armed forces (AFM)
- Dotted Box: Existing Airport's landing clearance zone (runways)
- White Box: Aviation (Aircraft Maintenance Centre)
- Dark Box: Educational Facility - SMSC 03
- Dark Box: Churches and Chapels
- White Box: Cemetery - SMSC 02

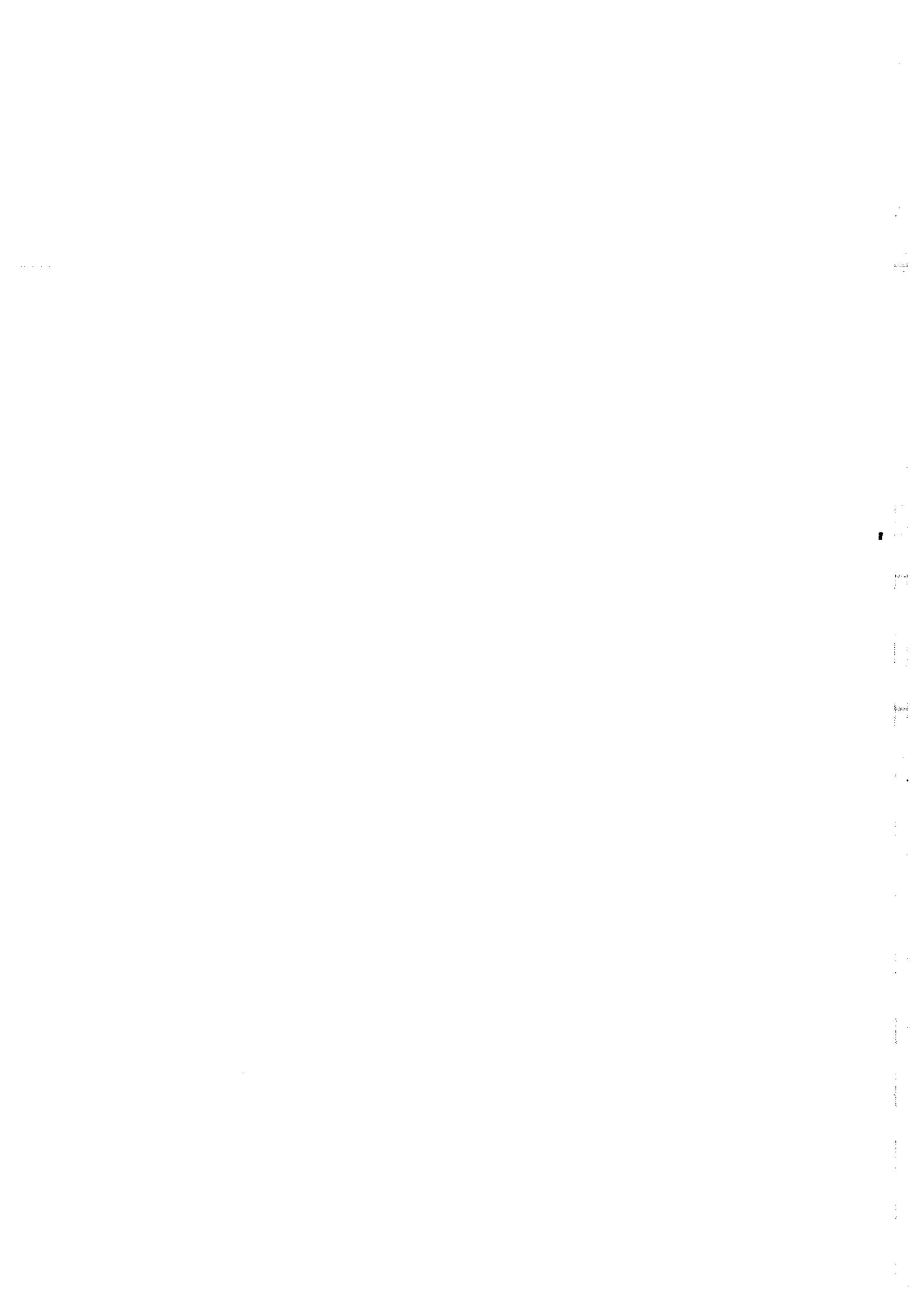
Safi

Policy Map

Scale	Date	Map:
1:4000	July 2006	SA 1
INDICATIVE ONLY		
Not to be used for measurement or direct interpretation Maps to be used in conjunction with Policy Documents		
Base Maps - 1988 Survey Sheets Copyright Mapping Unit - Malta Environment & Planning Authority		

DOC 10

Formola ta't-tmien skeda





EIGHTH SCHEDULE

PHYSICAL ATTRIBUTES OF IMMOVABLE PROPERTY	
Locality	Hal-Safi, Malta
Address	Garage w/out number, at Triq l-Ajzar, corner with Triq il-Hlantun, Hal-Safi, Malta
Total Footprint of Area Transferred *	65m ² (sixty-five square meters - approx.)

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 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	corner Garage at street level		
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 checked="" type="checkbox"/> Quiet	<input type="checkbox"/> Traffic	<input type="checkbox"/> Entertainment	<input type="checkbox"/> Industrial	
State of Construction	<input type="checkbox"/> Shell	<input checked="" type="checkbox"/> Semi-Finished**	<input type="checkbox"/> Finished***		
Level of Finishes	<input type="checkbox"/> Good	<input checked="" 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 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: <u>22nd January 2022</u>	Perit's Signature: 
Warrant Number: <u>384</u>	Rubber Stamp: 

