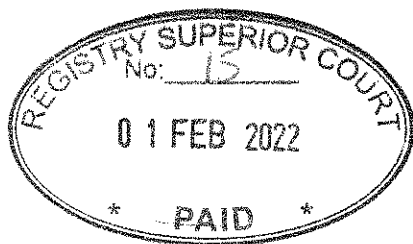


Fil-Prim' Awla tal- Qorti Ċivili



Fl-atti tas-subbasta
Nru. 44/2016 fl-ismijiet

Bank of Valletta plc C 2833

– vs –

Globino Limited C 10052

Relazzjoni ta' l-espert ġudizzjarju l-Perit Kylie Ann Borg Marks (183783M)

Tesponi bir-rispett illi:

1. Gie stabbilit illi s-socjeta' intimata hija proprjetarja tal-propjeta' immobiljari li hija *showroom* li tikkonsisti f'zewg sulari, internament enumerati bin-numru wiehed (1) u tnejn (2) b'entrata minn bieb komuni li jgib numru **mitejn u sitta u tletin (236), High Street, Hamrun**, formanti parti minn blokka ta' bini konsistenti fi tlett sulari, enumerati internament wiehed (1), tnejn (2) u tlieta (3), inkluz il-parti relattiva tal-partijiet komuni pero' **eskluz** il-bejt u l-arja sovrastanti it-tielet (3) sular, ta' liema bejt u arja, il-kumpanija Globino Limited ghandha biss l-uzu in komuni mall-proprjetarji tas-*showroom* li tinsab fit-tielet (3) sular. Gie wkoll stabbilit li l-fond jinsab liberu u frank bid-drittijiet u l-pertinenzi kollha tieghu.
2. Fir-rikors ta' Bank of Valletta plc (C 2833) irregistrat fis-07 ta' Lulju 2016 bhala dokument 610, intalab bir-rispett illi l-Onorabbli Qorti tordna l-ħruġ tal-mandat ta' qbid hwejjeg immobbli, cioe tal-propjeta' hawn fuq deskritta (**Dok A**). Din it-talba giet milqugha mill-Onorabbli Qorti fid-19 ta' Lulju 2016 (**Dok B**).
3. Fl-2018 permezz tad-dokument 1825, intalab li it-tieni (2) sular (cioe il-first floor), jigi lliberat mill-effetti tas-subbasta u jinzamm biss marbut mas-subbasta il-pjan terran (cioe l-ewwel (1) sular; il-ground floor) u ghalhekk intalab li terga ssir valutazzjoni tal-fond.
4. Ghaldaqstant, it-tieni (2) u t-tielet (3) sular, il-bejt u l-arja sovrastanti, qed jigu eskluzi, u ma jiffirmawx parti mill-immobbli li fuqha qed tintalab is-subbasta.
5. Il-kopja tal-kuntratt tal-akkwist tal-fond minn Globino Limited gie pprezentat lill-Qorti mir-rikorrenti u kopja hija annessa bhala **Dok C**.
6. Fl-2016 kien sar digriet ddatat 20 ta' Settembru – anness **Dok D** – u permezz tieghu sar l-aċċess fil-fond bl-assistenza ta' Marixxall u Pulizija, u sar zgass.

7. In adempiment tal-inkarigu moghti lilha, l-esponenta talbet ic-cwieviet mill-qorti marbutin ma l-istess cedola (1800/16) u rega nfetah il-fond in kwistjoni, fejn sar zbarazzar ta' partijiet mill-fond biex isir kejl mill-gdid u iktar dettaljat tal-fond (ta' l-ewwel (1) sular cioe ground floor biss). Dan il-kejl sar fil-prezenza ta' rapprezentanti mill-Bank of Valletta kif ukoll membri tal-Pulizija. Dan sar fil-11 ta' Settembru 2020. Malli gie kkompletat l-access, il-fond thalla msakkar u c-cwieviet inghataw lura l-qorti dak inhar stess.

Is-sit u l-madwar

8. Il-propjeta tinsab fic-centru ta' zona kummercjali u urbana, fil-Hamrun. Is-sit jinstab fit-triq principali tal-Hamrun maghrufa bhala High Street, jew Triq il-Kbira San Guzepp, mdawwar b'diversi hwienet ohra li jbieghu diversi artikli u hwejjeg varji. Fuq wara tas-sit, fit-toroq paralleli u perpendikolari ma High Street hemm diversi djar residenzjali. Site plan tal-Awtorita' tal-Ippjanar bil-fond immarkat, hija annessa **(Dok E)**.
9. Qed tigi wkoll pprezentata pjanta tar-Registru tal-Artijiet **(Dok F)**, kif ukoll il-formola **(Dok G)** mgharufa bhala t-tmien skeda (schedule VIII) fejn hemm msemminjin numru ta' karatteristici tal-fond spezzjonat.
10. Skont il-pjan lokali taz-zona, il-propjeta tinsab f'zona residenzjali u f'zona ta' parkegg ikkontrollat.
11. Il-propjeta tinsab bejn zewg propjetajiet ohrajn, u ghandha l-faccata principali fuq High Street, Hamrun. High Street hija ufficjalment maghrufa bhala Triq il-Kbira San Guzepp, u dan skont kif inhi mnizzla fil-MapServer ufficjali tal-Awtorita' tal-Ippjana. Il-faccata tal-fond ghandha wisgha ta' circa 10.19 metri (meta wiehed jassumi u jikkonsidra wkoll hxuna tipika ta' hitan bejn terzi, wiehed kull naha tal-faccata. Id-distanza mit-tarf tal-faccata ghall-eqreb kantuniera (High Street kantuniera ma Triq Santa Marija) hija ta' circa 6.1 metri.

Deskrizzjoni tal-fond

12. Il-fond li qed jigi deskritt, jikkonsisti fi spazju ta' *showroom* li jidher li kien jintuza bhala hanut u *store* fuq wara tal-fond. Il-binja ghandha bitha fuq wara.
13. L-ispazju 'l gewwa mill-bieb ta' barra tal-propjeta', huwa wiesgha circa 2.3 metri, u faccata tal-bieb, 8 metri 'l gewwa, wiehed isib il-bokka tat-tarag li jibqa' tiela fis-sulari ta' fuq. Dan it-tarag huwa komuni mas-sulari kollha tal-propjeta'. Huwa mifhum li hemm ukoll access ghall-bejt, pero' l-ispezzjoni ma saritx fuq is-sulari kollha minhabba li l-*ground floor* biss (l-ewwel (1) sular) huwa ta' nteress ghas-subbasta.

14. Il-komun li jwassal ghas-sulari jikkonsisti f'taraġ biss u minn l-ispezzjoni preċedenti li kienet saret, is-sulari ma nstabux mifrudin minn xulxin permezz ta' bibien imsakkra. Il-*ground floor showroom* ghandha bieb tal-aluminium bil-hgieg, mill-komun, li jista' jinghalaq u jissakkar.
15. Fuq ix-xellug, wara li wiehed jidhol mill-bieb mit-triq, wiehed jghaddi mill-bieb imsemmi tal-*aluminium* u jsib kamra kbira *open plan* li hija s-*showroom* jew kif jidher li kienet uzata, bhala hanut. Il-parti ta' quddiem ta' l-ispazju hija wiesgha circa 7.3 metri. Dan l-ispazju ghandu tieqa kbira tal-hgieg mal-faccata principali tas-sit li hija *display window* shiha, ghal fuq High Street.
16. L-ispazju jidher li fih linja ta' kolonni li fuqhom iserrah travu, minn kolonna ghall-ohra, li joffri support ghas-saqaf. Is-saqaf jinsab mghotti b'suffett, li allura jghatti s-saqaf strutturali. Il-kolonni strutturali wkoll jidhru mghottija b'*partition walling / gypsum boards*.
17. Il-hitan jidhru li huma mibnijin bil-gebla tal-franka imma partijiet sostanzjali minnhom huma mghottija b'*gypsum walls*.
18. Mid-daqs ta' l-ispazju intern, wiehed jista' jassumi li l-membri strutturali tas-saqaf huma tal-konkos rinfurzat (*pre-cast* jew *in-situ*). L-istess jista' jinghad ghall-kolonni li fuqhom qed iserrah is-saqaf. Pero' minhabba li dawn il-membri strutturali huma kollha mghottija dawn is-suppozizzjonijiet huma bbazati fuq il-qisien li gew imkejla tal-fond u ta' dawn l-elementi, kif ukoll fuq it-tip ta' materjali ta' kostruzzjoni li kienu jintuzaw fis-snin passati f'Malta.
19. Fuq wara tal-ispazju hemm spazju iehor maghluq u separat mill-bqija permezz ta' hitan li jidhru li mhumiex ta' support strutturali imma huma *partition walls*. Hemm zewg spazji separati minn xulxin li jidher li kienu uzati bhala *store* u wahda minnhom ghandha tieqa ghall-bitha li tinstab fuq wara tas-sit. Il-wisgha ta' dawn il-kmamar ivarja bejn 1.8m circa u 3.6m circa, minhabba li l-fond huwa mxattar.
20. Fuq il-lemin hemm bieb li jaghti ghal *toilet* zghir, li jigi wara t-taraġ tal-komun msemmi hawn fuq, u b'tieqa li taghti ghall-bitha. It-toilet nstab fi stat ta' nuqqas kbira ta' igene, b'hafna mbarazz u hmieg, pero' jidher li kien hemm installati toilet fuq gewwa tal-kamra u sink iktar vicin il-bieb. Madum tac-ceramika jghatti parti mill-gholi tal-hitan u l-bqija, fuq naha minnhom jidher hajt sewdieni u minn partijiet tidher il-gebla tal-franka. Hemm suffitt installat mas-saqaf.
21. Magemb il-bieb tat-*toilet*, minn go l-*area* li tidher *store*, wiehed isib bieb iehor li jaghti ghall-bitha fuq wara tas-sit. Dan il-bieb huwa tal-*aluminium* bil-hgieg. Fuq barra hemm bieb iehor tal-hadid, solidu, jinghalaq bil-firrolli.
22. Il-bitha sservi bhala *shaft* ghall-ventilazzjoni tas-sulari kollha u mhux intenzjonata bhala bitha ghal rikreazzjoni ghax mhix wiesgha. Jaghtu ghal fuq din il-bitha hemm twieqi minn kull sular, inkluz l-ewwel (1) sular (*ground floor*), kif diga msemmi. It-

twieqi kollha ghandhom gradilja tal-hadid minn barra ghal aktar sigurta'.

23. Il-bitha hija twila daqs il-wisgha kollu tas-sit u l-inqas wisgha taghha huwa ta' 1.6m circa. Fuq gewwa tal-bitha jidher li hemm il-bokka ta' bir. Fil-kantunieri tal-bitha hemm katusi nizlin mis-sulari ta' fuq, tad-drenagg jew tal-ilma tax-xita mill-bjut, u jista' jkun li hemm xi katusa minn ta' binjiet ta' terzi. Il-bitha fiha nstallat vit ta' l-ilma.
24. Il-hajt ta' wara tal-bitha huwa mibni bil-gebla tal-franka, u ghandu nuqqas kbir ta' manutenzjoni. Fil-gholi, fuq gewwa tal-bitha, jidher li hemm tieqa mill-binja wara dan il-hajt, ta' terzi. Hemm ukoll forma ta' bieb (pero' m'hemmx bieb li jinfetah) f'nofs it-tul tal-bitha, fuq il-hajt ta' wara. Dan jaghti hjiet li xi darba ilu hafna forsi kien hemm bieb li jghaqqad il-fond in kwistjoni ma xi fond iehor. Mhux maghruf ezatt meta dan il-bieb gie mbarrat bil-gebel, kif instab meta saret l-ispezzjoni, fejn m'hemm l-ebda access possibli, minn, jew ghand, terzi. Pero' mit-tikhil u mil-istat ta dan il-hajt, jidher li l-gebel li jimbarra dan il-bieb ilu hafna snin li tpogga hemm. Il-bitha kollha tidher fi stat ta' abbandun u fiha hafna hmieg u mbarazz.
25. Il-qies intern tal-gholi tas-sular (*internal clear height*), mill-livell tal-madum ezistenti (*finished floor level*) sas-suffett (*underside*) huwa ta' 2.64m fil-parti ta' quddiem, u ta' 2.89m fuq gewwa tal-fond.
26. In generali, l-istat ta' manutenzjoni tal-*ground floor* huwa hazin hafna. Il-binja tidher li hija abbandunata u li ilha hekk ghal numru ta' snin. Mill-ispezzjoni dehr li l-binja mhix uzata minn hadd bl-ebda mod, u filfatt il-bieb ta' barra nstab msakkar bil-katnazz kif kien issakkar wara l-ewwel spezzjoni li kienet saret originarjament bi zgass. Il-bieb li jaghti ghall-bitha wkoll kien imsakkar sew u kellu jigi sgassat biex setghet tkompli l-ispezzjoni u l-kejl dettaljat tal-fond.
27. Il-kundizzjoni (l-istat ta' manutenzjoni u *watertightness*), u l-volum tal-bir mhux maghruf.
28. Is-sulari l-ohra tal-blokka mhux qed jigu spezzjonati u lanqas imdahhla f'din ir-relazzjoni.
29. Il-pedamenti tal-bini mhux vizibbli u mhux possibbli li wiehed jispezzjonahom. L-ghamla u l-kundizzjoni taghhom mhux maghrufa.
30. Huwa stabbilit fid-dokumenti relatati mal-kaz, li jinstabu diga' l-Qorti (inkluz kif inhu ddikjarat fil-kuntratt tal-akkwist tas-showroom minn Globino Limited fl-1990), li l-propjeta hija hielsa minn pizijiet, kirjiet u jeddijiet ohra.
31. Annessi ma dan ir-rapport qed jigu pprezentati pjanti li juru l-fond kif gie spezzjonat, skont il-kejl li ttiehed matul l-access (**Dok H**). Qed jigu annessi wkoll numru ta'

ritratti tal-fond minn gewwa, u tal-bitha (**Dok J**).

32. Mill-kejl li sar, qed jigi kkalkulat li l-fond ghandu dawn il-qisien ta' *Gross Floor Area*:

- (A) L-intrata komuni ma sulari ohra, inkluz qies approssimattiv ta' hitan mat-terzi = madwar 21.1 metru kwadru.
- (B) L-ispazji interni tas-*showroom* u *stores* tal-fond, fil-*ground floor*, inkluz il-kamra tal-WC, ezkluz il-bitha ta' wara, u inkluz qies approssimattiv ta' hitan mat-terzi = madwar 115.2 metru kwadru.
- (C) Il-bitha ta' wara biss, inkluz qies approssimattiv ta' hitan mat-terzi = madwar 20.4 metru kwadru.

TOTAL (B) u (C) = madwar 135.6 metru kwadru.

Nota: Il-Gross Floor Area hija definita skont dan li gej:

"Gross Floor Area (GFA) of a development is the total area of the whole unit measured from the external face of the development's walls (or in the case of party walls measured up to half the width of such walls), including all internal and usable external spaces, such as balconies and terraces, which go beyond the statutory sanitary requirements and excluding the net area of any service shafts contained within such development. In the case of usable external spaces, the floor space which shall be considered as part of the minimum dwelling size shall not exceed 10% of the established threshold for the relevant dwelling size." Development Control Design Policy Guidance and Standards 2015 (DC15) – Planning Authority.

Deskrizzjoni tal-estern tal-fond

- 33. L-ewwel (1) sular (*ground floor*) minn barra jidher bhala tieqa kbira tal-hgieg, u fuq il-lemin hemm il-bieb ta' access ghall-komun tal-fond (it-tromba tat-tarag li minnha wiehed jista' jidhol gol-*ground floor* u sulari ohra), b'*shutter* tal-hadid.
- 34. Id-*display window* tidher bhala hgiega wahda mgħottija b'*shutter doors*, u ghandha faxxa fuq fejn jidher l-isem < GLOBINO >. L-apertura ghandha *frame* tal-hadid u/jew *aluminium*.
- 35. Il-faccata miksija b'madum tac-ceramika, b'kulura kannella car / beige.
- 36. Ritratti tal-faccata huma annessi (**Dok K**).

Eta' tal-propjeta u permessi tal-ippjanar

37. Inizjalment, fir-rekords antiki tal-Awtorita' tal-Ippjanar instab indikat li fuq dan l-istess sit inhareg permess bir-referenza P.A.P.B.493/69, liema permess intalab minn Mr George Debattista minn No.16/18, Msida Sea Front, Msida. Il-permess talab ghal dan li gej: *"To erect a showroom and flats, three (3) canes minimum building frontage per dwelling, total height of building should not exceed three (3) floors from street level and as per attached proviso re clearance of material"*. Pero', ma dan il-permess (**Dok L**) ma nstabu l-ebda pjanti tal-izvilupp propost u s-site plan ma turix informazzjoni ghax hija antika u l-informazzjoni ma baqghetx tingara biz-zmien (ara anness). L-indirizz tal-permess huwa ndikat bhala No. 216/217, High Street Hamrun. Jista' jkun li dak iz-zmien in-numri tal-bibien tal-fond kien differenti minn dak tal-lum (dan ma giex ivverifikat) u allura, dan probabbli kien permess ta' zvilupp iktar antik fuq dan il-fond, zvilupp li allura ma ghadux jezisti.
38. Skont dokumentazzjoni li iktar tard nstabet fir-rekords tal-Awtorita' tal-Ippjanar, il-propjeta' jidher li nbriet fl-1979, taht il-*Building Notice* 932/79 (**Dok M**).
39. **Il-permess originali tal-binja bhala showroom/ hanut, nstab li ghandu referenza P.A.P.B. 4882/78.** Dan il-file innifsu ma nstabx fir-records tal-Awtorita' tal-Ippjanar imma minfloku nstabu rekords tal-*building notice* msemmi hawn (BN 932/79) fuq, fejn instab l-avviz lis-Superintendent tas-Sahha Pubblika li kien ser isir ix-xoghol fuq il-fond 235/236, High Street, Hamrun, mis-sid tal-bini Mrs Maria Mifsud, li kellha residenza f'805, High Street, Hamrun. Id-deskrizzjoni tax-xoghol kienet tindika: *"To demolish a 4 storey building and re-erect 3 floors as shown on the attached plans, P.A.P.B. Permit No. P916/79/4882/78 dated 30th March 1979"*. Dan l-avviz u l-pjanti annessi mieghu gew iffirmati mill-Perit Jos.L.Genovese fit-3 ta' April 1979.
40. Il-pjanta li nstabet mal-*building notice* imsemmi turi proposta ta' bini ta' erbgha sulari, pero', ir-raba' sular (cioe it-*third (3) floor*) huwa mmarkat bhala **"DISALLOWED"** u filfatt jidher li qatt ma nbena, ghax id-deskrizzjoni tax-xoghol semmiet tlett sulari, u l-binja llum fiha tlett sulari.
41. L-ewwel sular huwa mmarkat bhala **"SHOP"** u **"GENERAL STORE"**, kif filfatt kien qed jintuza u kif jidher li kien armat l-fond li fuqu sar l-access. Fuq wara hemm immarkat **"STORE"** u **"OFFICE"**. Fuq il-lemin, fil-gemb, hemm immarkat WC. Fil-komun, hemm immarkat tarag ghal fuq u *passenger lift* fuq wara tat-tarag.
42. Il-faccata turi l-bieb ta' barra fuq il-lemin, u fuq ix-xellug turi zewg *display windows* hdejn xulxin, li huma sseparati b'kolonna. Iz-zewg *display windows* huma mmarkati

bhala "fixed glazing" fuq il-pjanta, b'access mit-triq pprovdut f'parti mid-*display window* tal-lemin.

43. Ma nstabilitx sezzjoni vertikali mill-binja proposta sabiex wiehed ikun jaf kemm gie approvat bhala l-gholi tas-sulari meta mkejjel internament.

44. Pjanti tal-fond kif inkluz fil-Building notice 932/79 u kif deskritti hawn fuq,, huma annessi ma **Dok M**.

Differenzi bejn il-pjanti li nstabu u dak li hemm mibni

45. Ta' min jinnota li waqt li sar l-access fil-fond ghall-fini ta' dan ir-rapport, il-binja ezistenti giet imkejla b'mod manwali u mhux bl-ghajnuna ta' *surveyor*. Waqt il-kejl, il-hitana u l-wicc ta' kolonni strutturali ma gewx mikxufa. Is-soffitt ma tnehhix.

46. Fil-binja ezistenti, il-*passenger lift* mhux pprovdut. Fil-fatt il-qies tal-kamra tal-WC jidher li jidhol fuq l-arja ta' fejn fuq il-pjanta tal-*Building Notice* hemm immarkat il-*lift shaft*, allura il-WC kif mibni huwa ikbar minn dak approvat.

47. Il-kmamar fuq wara tal-fond, fil-verita' huma fformati b'partition Walls fil-fond, imma fil-pjanti kienu jidhru li huma sseparati mill-hanut permezz ta' hitan tas-seba' pulzieri.

48. Tieqa li hija mmarkata fuq il-pjanta li taghti mill-istore ghall-bitha ta' wara l-fond, mhux miftuha fil-post ezistenti.

49. Il-qisien tal-bitha fil-verita', huma ftit differenti minn dawk approvati.

50. Il-pozizzjoni tal-kolonni kif imkejla fuq is-sit huma ftit differenti minn dawk approvati. Fil-post, m'hemmx kolonna fuq il-faccata ghalkemm din tidher fil-pjanti.

51. L-access ghas-*showroom*, illum, huwa pprovdut mill-komun, minn fejn it-tarag tal-komun, imma fil-pjanti jidher li kien hemm il-hsieb li l-access ghall-*ground floor* ikun separat mill-access ghas-sulari l-ohra, u allura, fil-pjanta l-access huwa pprovdut bhala parti mid-*display window*, dirett minn High Street.

52. Il-pjanta annessa (**Dok N**) turi dawn id-differenzi bejn dak li huwa nkluz fil-*building notice* 932/79 u allura inkluz fil-permess P.A.P.B. 4882/78 (b'kulur ahdar) u dak li huwa mibni (b'kulur blu). [Nota: Ta' min jinnota li l-pjanta ta' dak kollu fil-*ground floor* inkluz fil-permess / *building notice*, huwa interpretazzjoni mehuda minn kopji tal-pjanti originali. Il-qies interpretat ma jista' qatt ikun preciz imma jaghti idea cara tad-differenzi.]

53. Wara evalwazzjoni ta' dan kollu, huwa rakkomandabbli li wiehed jitlob approvazzjoni tal-Awtorita' tal-Ippjanar ta' dawn id-differenzi, permezz ta'

sanctioning application. Dawn id-differenzi, ma ghandhomx jitqiesu bhala differenzi ta' natura magguri ghaikemm dejjem huma soggetti ghal-evalwazzjoni u approvazzjoni mill-Awtorita' tal-Ippjanar u mill-bord tal-agguidikazzjoni tal-permess li jigi mahtur.

Evalwazzjoni mil-lat ta' dawl u ventilazzjoni

54. Wara verifika verbali minn *Mechanical Engineer*, dwar rekwiziti ta' binja kummercjali bhal din mil-lat ta' dawl u ventilazzjoni, jidher li ma ghandux ikun hemm diffikultajiet biex jintlahqu l-*standards* f'dan l-aspett, sakemm jinzamm dejjem access ghal-bitha fuq wara tal-propjeta'.

Rekwiziti ta' Sanita'

55. Wara konsultazzjoni mas-*Sanitary Engineering Office* tal-Awtorita' tal-Ippjanar, u evalwazzjoni tal-ewwel (1) sular (*ground floor*), kif mibni, huwa konkluz li l-ewwel sular jikkonforma mal-ligijiet tas-sanita' skond L.N. 227 tal-2016. Dan meta wiehed jikkonsidra l-ewwel sular bhala *commercial property*.

Trading Licence

56. Fuq gwida ta' raprezentant tal-Awtorita' tal-Ippjanar, saret komunikazzjoni verbali mat-*Trading Department* biex jigi vverifikat jekk dan il-fond giex irregistrat ghal *trading licence*. Pero', rekords f'dan l-ufficcju jwasslu biss sa l-2002, fejn kont infurmata li ma nstabx rekord. Ghaldaqstant, intalbet l-assistenza tal-ghassa tal-Pulizija Hamrun imma ma nstabix registrazzjoni qabel l-2002 anqas.

L-Impatt tal-COVID-19

57. It-tifqiegħa tan-*Novel Coronavirus* (COVID-19) giet iddikjarata mill-*World Health Organisation* bhala "*Global Pandemic*" fil-11 ta' Marzu 2020 u kellha impatt fuq is-swieq finanzjarji globali. Bis-sahha tal-Avviz Legali 115 tal-2020 u skont l-Artikolu 14 tal-Att dwar is-Sahha Pubblika, is-Supretendent tas-Sahha Pubblika ddikjarat li, b'effett mis-7 ta' Marzu 2020, f'Malta tezisti emergenza tas-sahha pubblika f'termini ta' COVID-19. Restrizzjonijiet fuq l-ivvjaggar gew implimentati minn bosta pajjizi nkluz Malta u bosta operatori tas-suq kellhom jagħlu jew jirrestringu l-operazzjonijiet tagħhom.

58. L-attivita' tas-suq giet affettwata f'hafna setturi. L-Ufficcju Nazzjonali tal-Istatistika hareg stharrig li jindika tnaqqis fil-fatturat fit-T2 2020 meta mqabbel mat-T2 2019 f'diversi setturi tas-suq. Malta bhalissa qed tesperjenza suq tal-propjeta' incert u mprevedibbli f'diversi tipologiji ta' propjeta'. Dan wassal ghal incertezza li ma tistax titkejjel, minhabba li l-unici metriki disponibbli għall-valutazzjoni li ghandhom

x'jaqsmu mas-suq qabel ma sehh l-avveniment u l-impatt ta' l-avveniment fuq il-prezzijiet mhux se jkun maghruf sakemm is-suq jistabilizza.

59. Din il-valutazzjoni hija ghalhekk irraportata fuq il-bazi ta' "*valuation uncertainty*" kif hi definita fil-*European Valuation Standards 2015* u f'konformita' mal-Kamra tal-Periti *Valuation Standards COVID-19 Guidance Note* (Mejju 2020). Filwaqt li l-valur stmat huwa kkunsidrat bhala l-ahjar u l-iktar stima xierqa bbazata fuq l-informazzjoni disponibbli, hija l-opinjoni tas-sottoskritta li inqas certezza – u grad oghla ta' kawtela – ghandhom ikunu mehmuza ma' din il-valutazzjoni milli normalment tkun il-kaz. Minhabba l-impatt fuq is-suq tal-propjeta' immobbli li jista' jkollu l-COVID-19 fuq il-futur, huwa rakkomandabbli li l-klient izomm il-valutazzjoni ta' din il-propjeta' taht revizjoni regolari.

Valur tal-propjeta'

60. Il-valur fuq is-suq liberu huwa definit hawn skond l-artikolu 19 (2) tad-Direttiva tal-Kunsill Ewropew. Il-valur tas-suq ghandu jfisser il-prezz li bih l-art u l-bini jistghu jinbieghu that kuntratt privat bejn bejjiegħ lest u xerrej indipendenti fid-data tal-valutazzjoni, billi wiehed jassumi li l-propjeta' hija esposta pubblikament ghas-suq liberu (*Free and Open Market*).

61. Fiċ-ċirkostanzi u wara li kkunsidrat dan kollu, ai termini tal-artikolu 310 tal-KAP 12 tal-Ligi ta' Malta, l-esponenta tistma' l-propjeta' fl-istat u l-kundizzjoni kif deskritti hawn fuq, u kif kien evidenti fid-data tal-ispezzjoni, bhala fond kummerċjali (*commercial property*), liberu u frank, fuq is-suq hieles. L-esponenta kkunsidrat ukoll il-konfigurazzjoni spezzjonata tal-fond, kif ukoll il-kobor u l-lok.

62. Ma saret l-ebda inkjesta rigward l-uzu potenzjali attwali ta' propjeta' ohra fiz-zona li jista' jkollha effett fuq il-valur tal-propjeta' spezzjonata.

63. Ghaldaqstant il-valur gust tal-propjeta', meta wiehed jikkonsidra l-ewwel (1) sular biss tal-blokka (*ground floor*), huwa stmat fis-somma ta' **mitejn u disgha u ghoxrin elf euro (€229,000)**.

64. Dan minghajr ma ttiefed in-konsiderazzjoni il-valur tal-propjeta' mobbli li nstabet fil-fond i.e. ghamara, oggetti varji, *appliances*, kaxxi, *fittings* tad-dwal etc., u kull oggett iehor li mhux parti mill-propjeta. Kif indikat iktar 'l fuq, it-tieni (2) u t-tielet (3) sular (*first u second floor*), il-bejt u l-arja sovrastanti, mhux ikkunsidrati f'din ir-relazzjoni ghax fuqhom mhix tintalab is-subbasta.

65. Sabiex waslet ghall-valur supra l-esponenta bbazat ruha fuq is-segweni:

- (A) Din il-valutazzjoni hija bbazata fuq metodologija skont ir-rakkomandazzjonijiet tal-Kamra tal-Periti *Valuation Standards for Accredited Valuers 2012*.
- (B) din il-valutazzjoni saret bejn l-ahhar ta' l-2021 u Jannar 2022;
- (C) il-valutazzjoni hija bbazata fuq l-ispezzjoni (l-access) li sar fl-2020, u fuq ricerka dwar il-fond li saret qabel u wara l-access;

- (D) fid-data li fiha sar l-access il-fond kien fi stat ta' abbandun;
- (E) qed jintuza l-comparison method sabiex issir din il-valutazzjoni;
- (F) fid-data tal-valutazzjoni u matul it-thejjija ta' dan ir-rapport, l-esponenta ma kellix kunflitt ta' nteress.

66. Dan ir-rapport huwa ntiz ghall-uzu ndikat hawn fuq biss. L-esponenta ma tistax taccetta ebda responsabbilta' jekk dan ir-rapport jigi uzat ghal skop oltre dak indikat.

67. L-istruttura giet spezzjonata b'mod viziv biss. Dawk il-partijiet tal-propjeta' li huma mgħottijin jew li m'hemmx access għalihom ma gewx spezzjonati u dawn il-partijiet huwa meqjusin li jinsabu f'kundizzjoni tajba.

68. Dan ir-rapport ma jistax jigi interpretat li jikkonferma l-istabbilta' u l-integrita' tal-istruttura u l-bini.

Daqstant għandha x'tirrelata l-esponenta għas-savju konsiderazzjoni ta' dina l-Onorabbli Qorti.



Perit Kylie Ann Borg Marks

01 FEB 2022

illum.....
 l-prezentata mill-Perit K. A. Borg Marks
 B/bla dok..... Għal dokumenti

Annalise Spiteri
 Deputat Registratur
 Qorti tal-Gustizzja (Malta)

ILLUM 13.05.22

DEHER IL-PERIT LEGALI/TEKNIKU... Kyle Ann
 Borg Marks.....LI HALEF LI QEDA FEDELMENT
 U ONESTAMENT L-INKARIGU MOGHTI LILU

DEPUTAT REGISTRATUR
 QORTI TAL-GUSTIZZJA (MALTA)

Annessi ma din ir-relazzjoni:

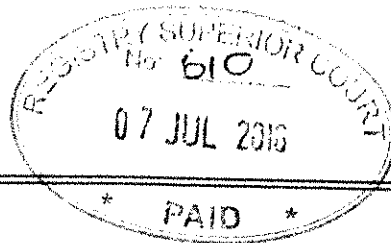
DOK A	Ir-rikors tal-Bank of Valletta plc (C 2833); 07 ta' Lulju 2016 dok.610	x2 pg
DOK B	Digriet tal-Qorti; 19 ta' Lulju 2016	x1 pg
DOK C	Kopja tal-kuntratt tal-akkwist tal-fond minn Globino Limited; 05 Dicembru 1990	x8 pg
DOK D	Kopja tad-digriet tal-Qorti; 20 ta' Settembru 2016	x1 pg
DOK E	Site plan (Awtorita' tal-Ippjanar)	x1 pg
DOK F	Pjanta tar-Registru tal-Artijiet u Block Plan EX002	x2 pg (A3+A4)
DOK G	Formola – It-Tmien Skeda (Schedule VIII)	x1 pg
DOK H	Pjanti tal-fond kif spezzjonat EX001	x1 pg
DOK J	Ritratti minn gewwa u tal-bitha	x23 pg
DOK K	Ritratti tal-faccata	x2 pg
DOK L	Dokumenti relatati mal-permess tal-izvilupp P.A.P.B.493/69	x2 pg
DOK M	Dokumenti relatati mal-Building Notice 932/79	x6 pg (4xA4+2xA1)
DOK N	Pjanta li tqabbel il-fond kif approvat għall-bini ma dak kif inhu mibni EX003	x1 pg
DOK P	In-notifika tal-Qorti li fuqha hu pprezentat dan ir-rapport	x4 pg

NOTA: L-ittri I u O mhux uzati fil-lista

Rikorrenti: Bank of Valletta plc C 2833

Intimat: Globino Limited C 10052

DOK A Ir-rikors tal-Bank of Valletta plc (C 2833); 07 ta' Lulju
2016 dok.610 (dokumenti annessi mar-rikors originali
mhux imdahhlin hawn)



Fil-Prim' Awla tal-Qorti Civili

Reg: €200.00
3 Reg: €18.00
3 Acc: €3.60

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

vs

Globino Limited (C 10052)

(DOK)

€221.60

Rikors ta' Bank of Valletta p.l.c. (C2833) ghall-hrug ta' Mandat ta' Qbid ta' Hwejjeg Immobbli:

Tesponi bir-rispett:-

Illi, in forza ta' sentenza moghtija minn Din l-Onorabbli Qorti fis-17 ta' Jannar 2014, fl-ismijiet "Bank of Valletta p.l.c (C 2833) vs Globino Limited (C10052) u Joseph Mifsud" - (Citaz. Numru 767/2013 - Onorevoli Imhalled Anthony Ellul LL.D. - (Dok. "A"), is-socjeta' intimata *Globino Limited* u Joseph Mifsud gew ikkundannata flimkien u *in solidium* bejtniethom sabiex ihallsu lis-socjeta' attrici is-somma ta' sitta u tletin elf, sitt mija u sitta u tmenin Ewro u sitta u sebghin centezmu (€36,686.76) flimkien ma' l-ispejjez u ma' l-imghax ulterjuri mis-17 ta' Jannar 2014 sal-jum tal-pagament effettiv.

Illi, d-debitu tas-socjeta' intimata *Globino Limited* (C 10052), llum jammonta ghas-somma ta' sitta u erbghin elf, disa' mija u tmienja u sittin Ewro u disgha u ghoxrin centezmu (€46,968.29) kwantu ghal sitta u tletin elf, sitt mija u sitta u tmenin Ewro u sitta u sebghin centezmu (€36,686.76) sorte, kwantu ghal sitt elef u erbgha u hamsin Ewro u tnejn u tmenin centezmu (€6,054.82) imghaxijiet ulterjuri sad-9 ta' Frar 2016 kif ahjar jirrizulta mid-dokument hawn anness u mmarkat Dok "B", u kwantu ghall-erbat elef, mitejn u sitta u ghoxrin Ewro u wiehed u sebghin centezmu (€4,226.71) spejjez tal-kawza kif ahjar jirrizulta mid-dokument hawn anness u mmarkat Dok. "C", flimkien mal-imghaxijiet ulterjuri mill-10 ta' Frar 2016 sal-jum tal-pagament effettiv oltre spejjez legali ohra.

Illi l-imsemmija *Globino Limited* tipposjedi *inter alia* s-segweni proprjeta' immobiljari u cioe':

- Is-showroom, li tikkonsisti f'zewg sulari, internament enumerati bin-numru wiehed (i) u tnejn (ii) b'entratura minn bieb komuni li jgib in-numru mitejn u sitta u tletin (236), High Street, Hamrun, formanti parti minn blokk ta' bini konsistenti fi tlett sulari, enumerati internament wiehed (1), tnejn (2) u tlieta (3), inkluz il-parti relattiva tal-partijiet komuni, pero eskluż il-bejt u l-arja sovrastanti it-tielet sular, ta' liema bejt u arja, il-kumpanija *Globino Limited* ghandha biss l-uzu in komuni mall-proprjetarji tas-showroom li tinsab fit-tielet (3) sular u ma tifformax parti mill-immobbli li fuqha qed tintalab din is-subasta, libera u franka bid-drittijiet u l-pertinenzi kollha taghha

Illi, l-imsemmija *showroom* kienet giet akkwistata minn Globino Limited permezz ta' kuntratt datat 5 ta' Dicembru 1990, in atti n-Nutar Dottor Mario Bugeja. L-imsemmi kuntratt jinsab hawn anness u mmarkat Dok. "D".

L-imsemmija proprjetajiet jinsabu delinejata fuq *is-site plan* hawn annessa u markata Dok. "E" u skont ir-ritratti hawn annessi u mmarkati Dok. "F1 sa F3".

Illi fuq il-proprjeta' imsemmija giet iskritti s-segweni ipoteki u cioe' dik bin-numru I 2192/1991.

Ghaldaqstant is-socjeta' esponenti titlob bir-rispett illi, in ezekuzzjoni ta' l-imsemmija sentenza, Din l-Onorabbli Qorti Joghobha Tordna l-hrug ta' Mandat ta' Qbid ta' Hwejjeg Immobbli tal-fondi fuq imsemmija, kif ukoll Taghti dawk l-ordnijiet u provvedimenti li Jidrilha opportuni, u partikolarment imma mhux esklussivament 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 l-Taghti l-opportuni provvedimenti.

16
Illum 07 JUL 2016

16
Ippreżentata minn PL J.P. Busuttil

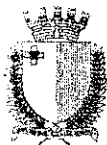
Avv. Dott. Dominic A. Cassar
162, Omega House, Naxxar Road,
San Gwann SGN 9030

PL J.P. Busuttil
Pia dok. PL J.P. Busuttil Dokumenti

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

Socjeta' Intimata: *Globino Limited*
235/236,
St. Joseph High Road,
Hamrun

DOK B Digriet tal-Qorti; 19 ta' Lulju 2016



Qorti Ċivili – Prim' Awla

Fl-atti tal-bejgh bl-irkant numru 44/16

Fl-ismijiet: Bank of Valletta Plc

Globino Limited Vs

Il-Qorti rat ir-rikors ipprezentat 7 ta' Lulju 2016 u d-dokumenti hemm eżebiti;

Tilqa' t-talba għall-hruġ ta' mandat ta' qbid ta' hwejjeġ immobbli fuq il-proprjeta' msemmija fir-rikors u tipprovdi kif gej:

1. Tordna lir-Registratur jahtar Arkitett u Inġinier Ċivili – li lilu jmiss it-turn skont il-lista pubblikata skont id-dispożizzjoni tal-artikolu 89 tal-Kodiċi ta' Organizazzjoni u Proċedura Ċivili (Kap 12) – bhala espert sabiex jagħmel l-istima tal-proprjeta' immobbli, liema stima għandha tinkludi r-ritratti tal-fond jew sit inkwistjoni, pjanta tar-Registru tal-Artijiet, l-iskema tal-MEPA u r-raġunijiet tal-valutazzjoni;
2. Tordna lill-espert hekk mahtur sabiex jipprezenta l-istima tiegħu kif trid il-ligi fi żmien xahar wara li jagħlaq iz-żmien imsemmi fl-artikolu 307 tal-Kap. 12;
3. Tordna lir-Registratur jahtar irkantatur pubbliku – li lilu jmiss it-turn skont il-lista pubblikata skont id-dispożizzjoni tal-artikolu 89 tal-Kodiċi ta' Organizazzjoni u Proċedura Ċivili (Kap. 12) – sabiex imexxi l-irkant;
4. Tordna li l-bejgh *sub hasta* tal-immobbli jsir fid-data, hin u lok imsemmija hawn taht:
 - a. il-11 ta' Ottubru 2016
 - b. fil-kaxxa ta' fuqgħodu (11.00 am)
 - c. Fil-kuritur tal-Qrati tal-Gustizzja, Triq ir-Repubblika, Valletta
5. Tordna lir-Registratur sabiex iġharraf lid-Direttur tar-Registru Pubbliku u lir-Registratur tal-Artijiet b'dan id-digriet tallum;
6. Tordna lid-Direttur tar-Registru Pubbliku sabiex jirregistra dan id-digriet minnufih;
7. Tordna n-notifika ta' dan id-digriet lid-debitur li għandu, kif iġhid u jrid l-artikolu 307 tal-Kap. 12, żmien għoxrin gurnata min-notifika sabiex jitlob li ma ssirx stima għda u, minflok, jipprezenta stima mahlufa b'nota li għandha tiġi notifikata lir-rikorrent kif trid il-ligi.
8. Prevja li jigu eżebiti: (1) kopja formali tas-sentenza vantata; (2) pjanti tal-perit, survey map u ritratti li jindikaw b'mod ċar fejn tinstab l-art; u (3) provenjenza tal-istess u kull piz fuq l-istess art indikata fir-rikors ai termini tal-Art.305(2) tal-Kap.12 tal-ligijiet ta' Malta

M.H.L.L.
Imhallet

Data: 19-7-2016

DOK C Kopja tal-kuntratt tal-akkwist tal-fond minn Globino
Limited; 05 Dicembru 1990

NOV 81

Att Nru: 623

Illum, De...
B...
...

Self ...

Quddiemi, Nutar Dottor Mario

Bugeja, dehru personalment, wara li verifikajt
l-identita tal-partijiet minn dokumenti ufficjali,
hawn taht indikati:

Ins, 17525/1990
(28/12/90)

Minn naha l-wahda, Terezia
Brog, Bert Danager, bin il-nyfti
Paul - Enomde uce f'heil, immed
u residenti Nassau.

I. 22511/1990
(Gairanzija)

I. 22732/1990
(Kolumbus)

karta ta' identita numru 9610444/ li qed jidher
ghan-nom u fl-interess tal-Lohombus Corporation
Limited, kif debitament awtorizzat fil-kwalita
tieghu ta' Manager fl-istess Corporation, akter
l-isfel imsejha l-Corporation.

Minn naha l-ohra, Vincenz Brog
Company director, bin Joseph u Gineola
nee Abdulla, immed Valletta u resident
la f'Ghana, karta ta' identita numru 533644

li qed jidher f'ip dene l-ora f'ghen-nom u
fl-interess tal-rocete Globina Limited
debitament awtorizzat, permezz tal-Nemoreid
u Whites del-ocete rocete
akter l-isfel imsejjah il-klijent u/jew Globina Limited

Joseph u Marie nee Camiller,
immed f'Ghana - resident f'Ghana,
Passaport numru Malta/200284 u Marie
u Marie, anke ta' Joseph bin f'Ghana

NO
RETURN TO GOVERNMENT
MALTA

Amministrati - Giorgio na Pauli, jindalo
Bor - Wladet Thomas, karta ta'
idestle numru 153525 (11)

Li qed jidher fuq dana l-istess għali - non-
għali - interess ta' s-somma ta' għali u għali
limitat, dmentri awtorizzat

aktar l-isfel magħrufa l-...-għali.

U bis-sanna ta' dana l-att, il-Corporation qegħda tagħti b'titolu ta' self lill-klijent, li qed jaccetta s-somma ta' għali u għali
għali ta' karta (1524000)

aktar l-isfel imsejha 's-somma mislufa', u dana biex l-istess klijent jkun jista' jidher l-propjeta aktar l-isfel ahjar deskritta, u liema somma mislufa l-istess klijent jiddelega lill-Corporation, li taccetta li thallas lill-kompanja aktar l-isfel fuq dana l-kuntrattu (li) bi - karta ta' karta
għali ta' karta - sekondarja ta' karta 2

Bhala garanzija tal-osservanza tal-kondizzjonijiet ta' dana l-kuntratt, u partikolarment tal-pagament lura tas-somma mislufa lill-klijent, u ta' l-interessi li jkunu jiddekorru fuqha kif ukoll ta' spejjez ohra li jkunu magħmula mill-Corporation, il-klijent qiegħed jagħti lill-istess Corporation, li taccetta Ipoteka Generali fuq hwejgu kollha, prezenti u futuri, kif ukoll Privilegg Speċjali mogħti lill-Corporation bil-ligi fuq il-propjeta hawn taht imsemmija, u dana minn barra xi garanzija ohra li jistghu jiftehmu l-partijiet minn zmien għal zmien.

Il-Corporation u l-klijent qegħdin jiftehmu illi dana s-self u l-garanzija fuq miftehma, għandhom jigu regolati b'dawk il-kondizzjonijiet, inkluż tal-hlas lura kif ġa notifikati, jew jigu notifikati bil-miktub minn zmien għal zmien mill-Corporation u accettati mill-klijent, b'dana illi l-kondizzjonijiet hawn taht imsemmija għandhom jiftehmu illi l-kondizzjonijiet prevalenti, u cioe:

SECRETARY TO GOVERNMENT
MALTA

(a) Ir-rata ta' l-interessi m' ghandiex taccedi l-oghla rata li tippermetti l-ligi; l-interessi ghandhom ikunu dovuti mill-klijent fuq il-bilanc ta' kulljum tad-debitu skond il-prattika bankarja. Liema rata ta' l-interessi ghandha tigi ffixsata mill-Corporation fid-diskrezzjoni assoluta ta' l-istess Corporation minn zmien ghal zmien;

(b) Fil-kaz li xi kondizzjonijiet, kemm prezenti u kemm futuri ta' dan il-kuntratt ma' jigux osservati mill-klijent, il-Corporation ikollha l-jedd li titlob is-somma kollha li tkun ghada ma' gietx imhalsa, b'dan pero, illi l-Corporation ghandha taghti hmistax (15) il-gurnata zmien mid-data li l-istess klijent jircievi ittra gudizzjarja, li twittbu minn nuqqas u titolbu biex jirregularizza n-nuqqas tieghu. Wara li jghaddu l-imsemmija hmistax (15) il-jum, is-somma kollha li tkun ghada ma' thalsitx issir restitwibbli minnufih, ukoll fuq domanda semplici bil-miktub mill-Corporation.

Qed jigi wkoll miftiehem illi kwalunkwe spejjez u drittijiet, in konnessjoni ma' dana l-kuntratt, gandhom jigu mhallsa mill-klijent, li jobbliga ruhu wkoll li jhallas lura lill-Corporation l-ispejjez kollha, inkluzi l-ispejjez legali u spejjez ohra amministrattivi, maghmula biex jigu aggornati minn zmien ghal zmien 'ir-ricerki dwar il-passivita u t-trasferimenti ta' l-istess klijent, kif ukoll biex jinzammu regolari u tajba d-drittijiet u garanzija inkluzi wkoll policies ta' Insurance/Assurance tal-Corporation, ghas-sodisfazzjon ta' l-istess Corporation, u dana dejjem fid-diskrezzjoni assoluta taghha.

Qed jigi wkoll miftiehem illi l-Corporation ikollha l-jedd li ssegwi u/jew taghmel kull applikazzjoni ghar-registrazzjoni tal-fond fil-kaz li jaqa f'arjata' registrazzjoni, a spejjez tal-klijent. Il-Corporation ikollha l-jedd li zomm fil-pussess ta' kull certifikat.



TO GOVERNMENT
MALTA

Il-kompanija għadha leghat li -

Robins Limited li - rone de' kono

u għadha li ma għadha (192500)

għadha de' li - rone de'

għadha li - rone de' kono

u għadha li ma għadha (192500)

għadha de' li - rone de' kono

għadha de' għadha de' kono

għadha de' għadha de' kono

għadha de' għadha de' kono

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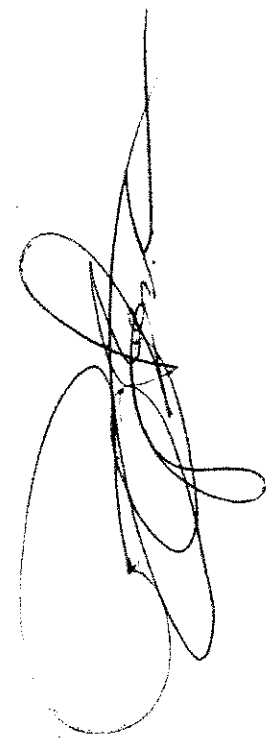
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għadha de' għadha de' kono



Ghall-finii tal-att dwar il-hlas

taxa tas-Successjoni u Donazzjoni, tas-sena
elf disa mija u tlieta u sebghin (1973), qed jigi
ddikjarat

to

nie

pre

to

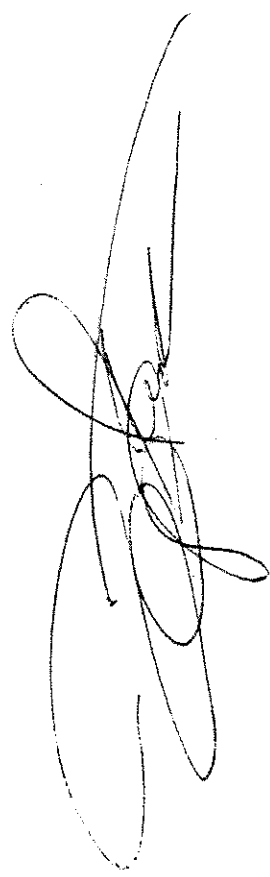
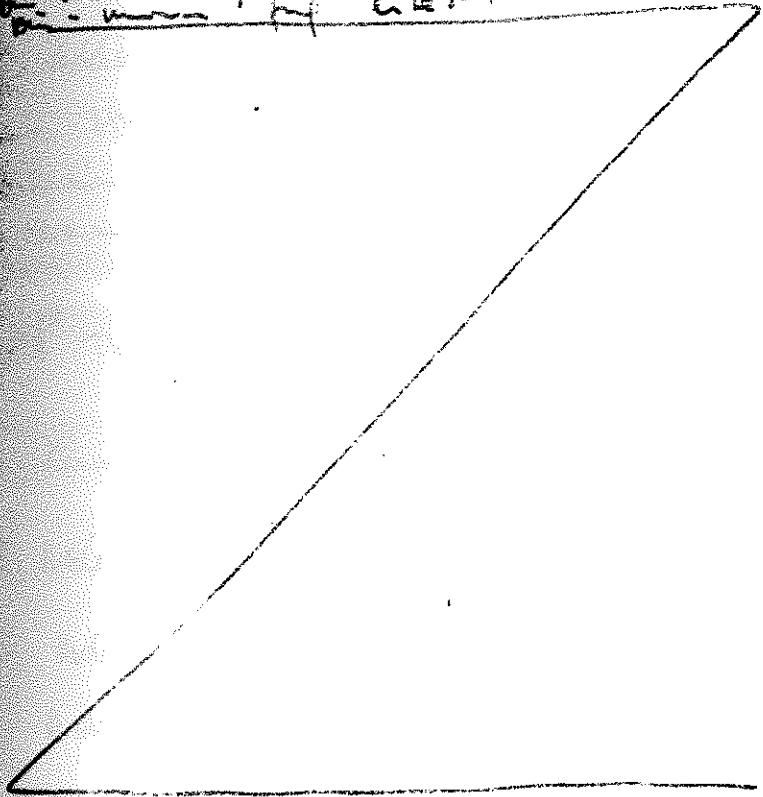
to

duplo - sebkun (1979) k' tlekk

oelus. il-fond Ewropi hieq pie ngoty

bi- lura nista u tekpa - 4872 (237) u

in - mura f' g' et



Ghaldaqstant, it-trasferiment

modern mhux imponibbli.

il-klijent ~~għall~~ u f' t- h^x

partonjo u lil korpnetio li tal l-

postu hollu necessarji soluzio

għi ulu-servet l - puzilegħi d'arqet

hollu puzilegħi u - x' għall-klijent u għall-

necessarji

Chall-fini tal-boll 'ad valorem',
għaliq iddikjarat li l-boll relativament jammonta għal

1. Add: ... 48.50, 11.

principlament u għad li qed jipprova jgħid li
l-ideja ta' Malta Development House, Saint Anne Street,
il-Furjana, minghajr numru.

1. Add: bi-rokk tal-klubb ta' ...
Hottel ... (L78130)

2. Add: (L715,870) li kienet għall-komunikazzjoni
ta' ... internament ...
... (L102)
... (L236)
... idur f'idej l-
... ta' ...

3. Kienet l-istess kanzellati.

4. Add: l-petizzjoni ...

5. Add: jed għall- ...

6. Add: l-istess jed għall- ...

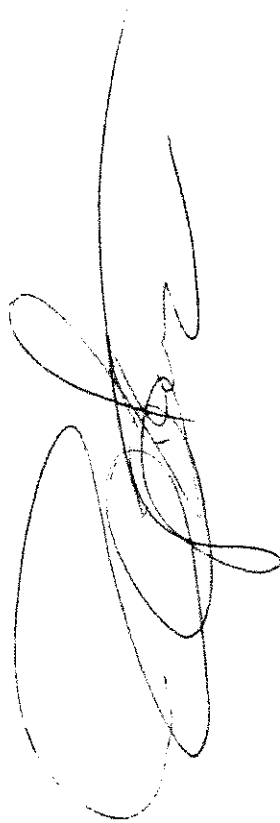
L-impjanti li qed jipprova jgħid li
... għad li qed jipprova jgħid li ...
... għad li qed jipprova jgħid li ...

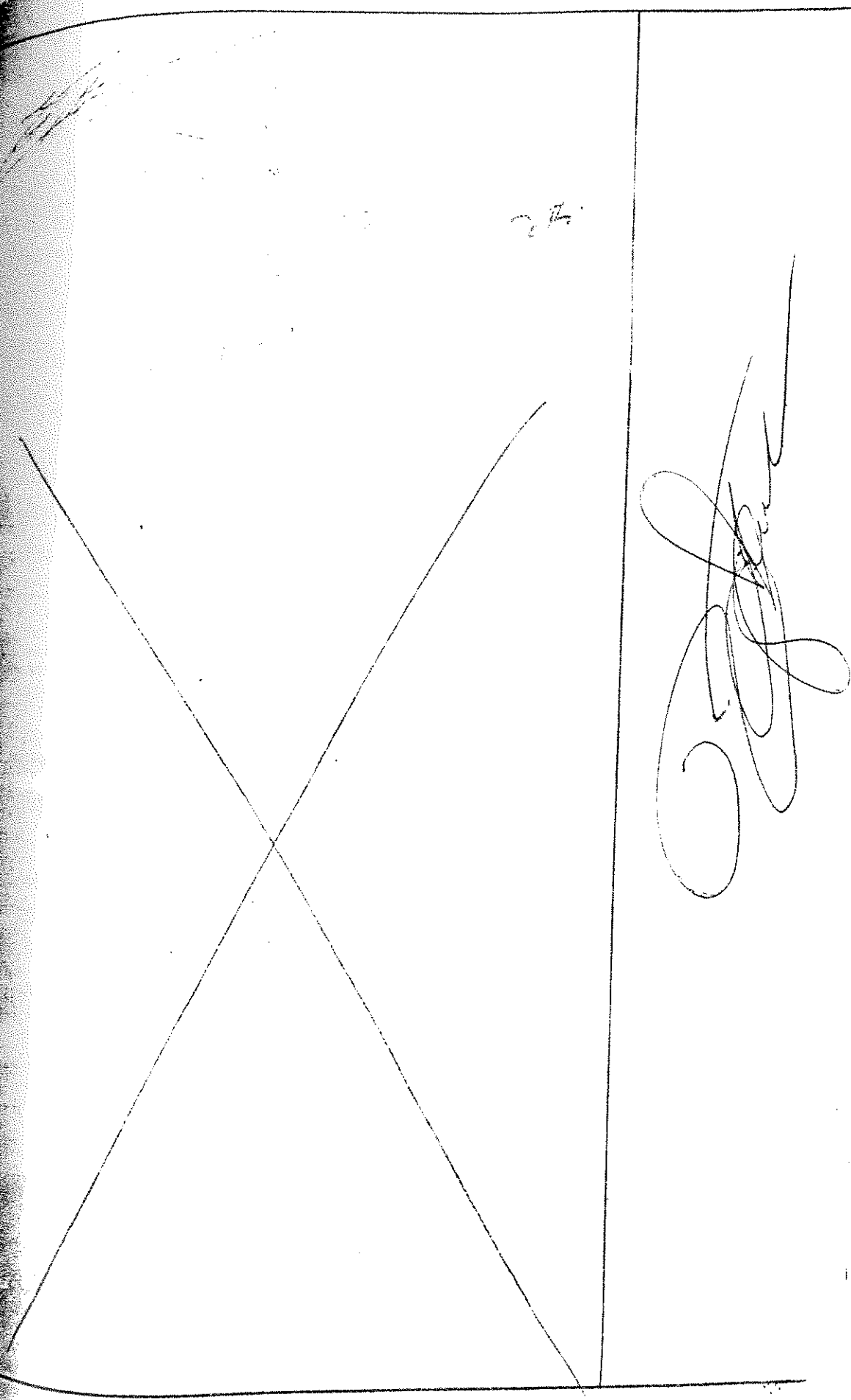
7. Add: l-istess kanzellati

8. Add: ordni tal- ...
...
...
...
...

Corporation

Board





GOVERNMENT
MALTA

DOK D Kopja tad-digriet tal-Qorti; 20 ta' Settembru 2016

FIL-PRIM' AWLA TAL-QORTI CIVILI

Imhallee Onor. M. Chetcuti

Fl-atti tas-Subbasta Immobbli

Nru: 44/16

Fl-ismijiet:

Bank of Valletta plc

Vs

Globino Limited

Il-Qorti;

Rat ir-rikors;

Tliqa' t-tieni talba u testendi t-terminu tar-rapport b'xahrejn mid-data meta kellu jigi prezentat. Rigward l-ewwel talba tordna lill-Perit li tiffissa data u hin tal-access u tibghat ittra bil-posta normali lill-persuni interessati.

Tordna li l-access isir bl-assistenza ta' Marixxall u Pulizija biex jekk ma jiftah had isir zgass tal-fond blex isir l-access. Wara l-access il-fond jerga jissakkar u c-cavetta tigi depozitata fil-Qorti mill-Marixxall. Tordna li kopja tar-rikors u d-digriet jintbaghtu mal-ittra tal-access.

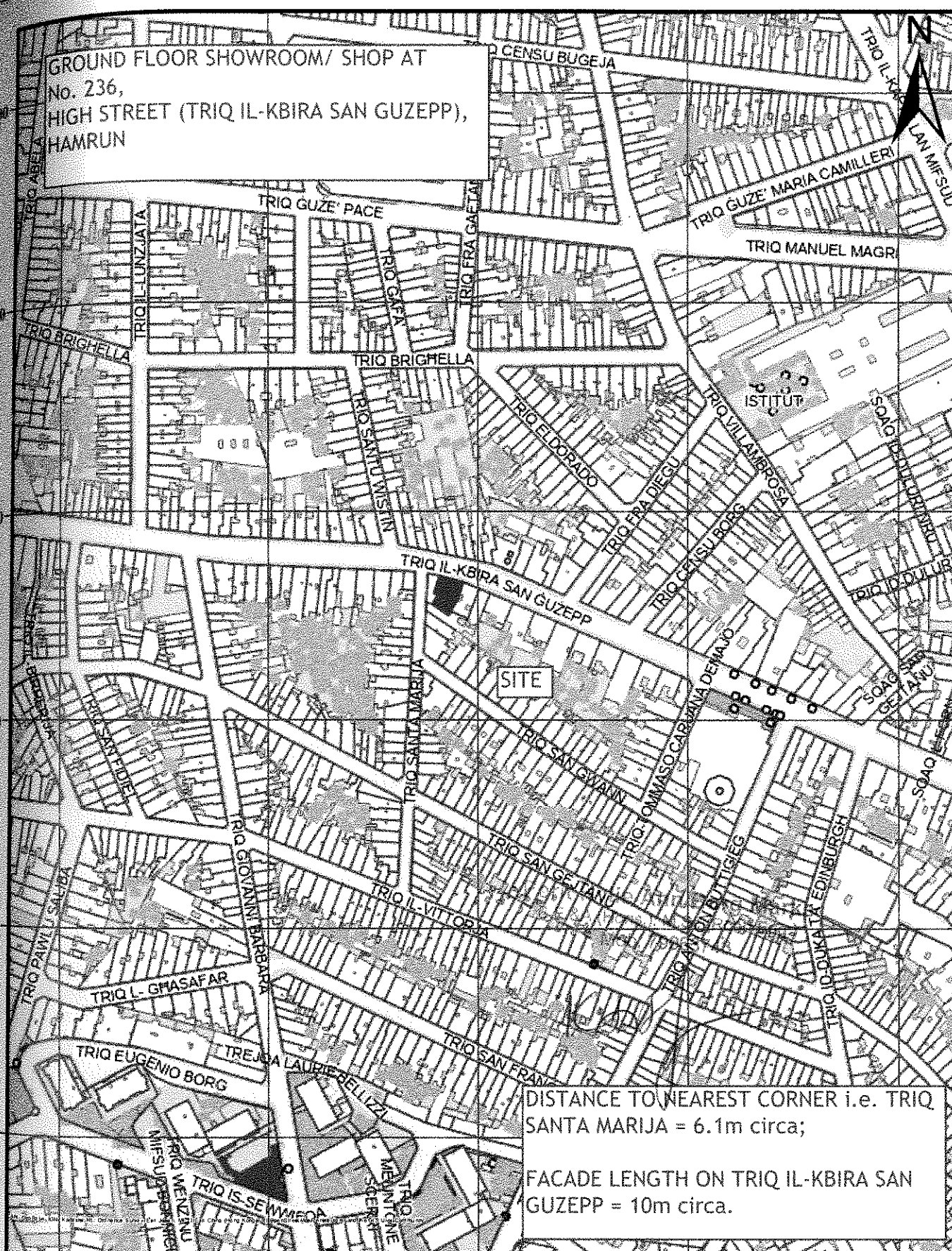
Ilum 20 ta' Settembru 2016.


Rudolph Marmara

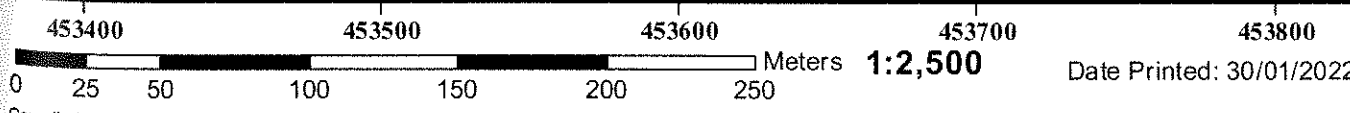
Deputat Registratur

DOK E Site plan (Awtorita' tal-Ippjanar)

GROUND FLOOR SHOWROOM/ SHOP AT
No. 236,
HIGH STREET (TRIQ IL-KBIRA SAN GUZEPP),
HAMRUN



DISTANCE TO NEAREST CORNER i.e. TRIQ
SANTA MARIJA = 6.1m circa;
FACADE LENGTH ON TRIQ IL-KBIRA SAN
GUZEPP = 10m circa.



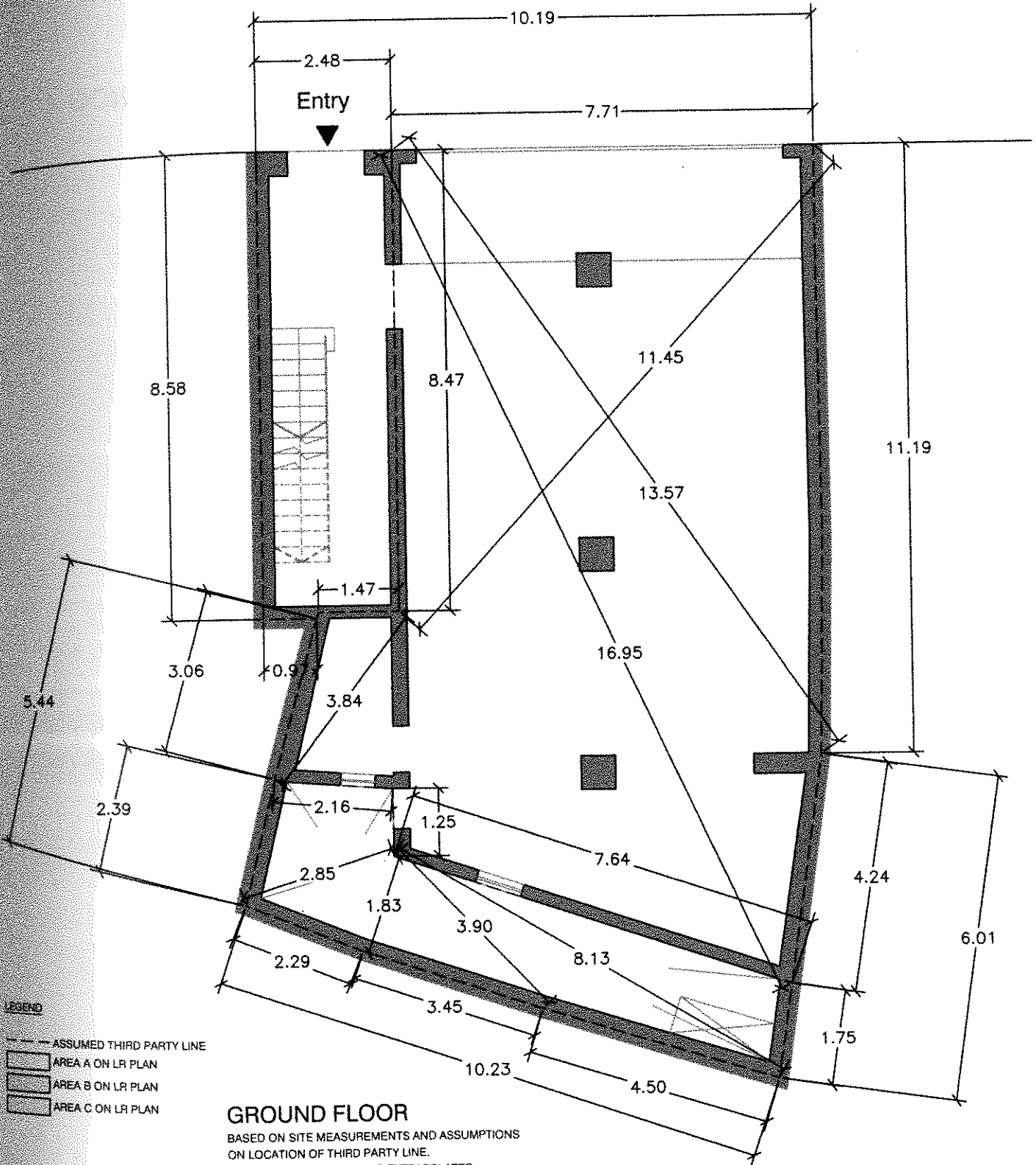
Compiled and published by the Mapping Unit, Planning Authority.
ERDF.02.030 - SIntegraM data, (2018), Developing Spatial Data Integration for the Maltese Islands, Planning Authority.
Reproduction in whole or in part by any means is prohibited without the prior permission of the SIntegraM Project
Leader. Data captured from: 2018 aerial photography, 2020 unmanned aerial vehicles(UAVs).
WGS 1984 UTM Zone 33N EPSG: 32633 M.S.L. (Mean sea level). Scale factor at the central meridian 0.9996.
Central meridian has a false origin of 500,000m at 150 East of Greenwich.
Northern coordinates have an origin of 0m at the Equator.
Not to be used for interpretation or scaling of scheme alignments. Copyright © PA Planning Authority.

PLANNING AUTHORITY

St.Francis Ravelin, Floriana.
Tel: + 356 2290 0000, Fax: +356 2290 2295
www.pa.org.mt, mappingshop@pa.org.mt

DOK F Pjanta tar-Registru tal-Artijiet u Block Plan EX002

HIGH STREET (TRIQ IL-KBIRA SAN GUZEPP), HAMRUN



GROUND FLOOR

BASED ON SITE MEASUREMENTS AND ASSUMPTIONS
ON LOCATION OF THIRD PARTY LINE.
SOME MEASUREMENTS ARE EXTRAPOLATED.

DIMENSIONS ARE IN METRES.
TO BE READ IN CONJUNCTION WITH
LAND REGISTRY PLAN ref. LR239801

LEGEND

- ASSUMED THIRD PARTY LINE
- ▭ AREA A ON LR PLAN
- ▭ AREA B ON LR PLAN
- ▭ AREA C ON LR PLAN

dwg. title: <h3 style="text-align: center;">Block Plan</h3>	rev. details of revision A drawn for Valuation B C	file ref.: 1812	drg no.: EX002	revision: A
	site address: No. 236, St. Joseph High Street, HAMRUN	date: Jan.22	drawn by: KBM	sheet size: A4
Dimensions are to be verified on site. Figured dimensions are to be taken in preference to those scaled. Any discrepancies must be reported immediately. This drawing is the copyright of the author and cannot be copied reproduced, retained or disclosed to any unauthorised persons.		path: 1812_drawings		

Perit Kylie Ann Borg Marks
 BE&A(Hons), MSc
KAM
 Architect & Civil Engineer

No. 41, Triq San Anard,
 Tarxien TXN 9019
 MALTA
 t: +356 79063743
 e: kylie.borgmarks@gmail.com

DOK G Formola – It-Tmien Skeda (Schedule VIII)



EIGHTH SCHEDULE

PHYSICAL ATTRIBUTES OF IMMOVABLE PROPERTY

Locality	HAMRUN
Address	GROUND FLOOR AT. No. 236, HIGH STREET, HAMRUN
Total Footprint of Area Transferred*	

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	<input checked="" type="checkbox"/> SHOWROOM / SHOP	
Age of Premises	<input type="checkbox"/> 0-20 years	<input checked="" type="checkbox"/> Over 20 years	<input type="checkbox"/> Pre WWII	
Surroundings	<input type="checkbox"/> Sea View	<input type="checkbox"/> Country View	<input checked="" type="checkbox"/> Urban	
Environment	<input type="checkbox"/> Quiet	<input checked="" type="checkbox"/> Traffic	<input type="checkbox"/> Entertainment	<input type="checkbox"/> Industrial
State of Construction	<input type="checkbox"/> Shell	<input type="checkbox"/> Semi-Finished**	<input checked="" type="checkbox"/> Finished***	
Level of Finishes	<input type="checkbox"/> Good	<input type="checkbox"/> Adequate	<input checked="" 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 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	ONLY USE OF ROOF (COMMON)

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

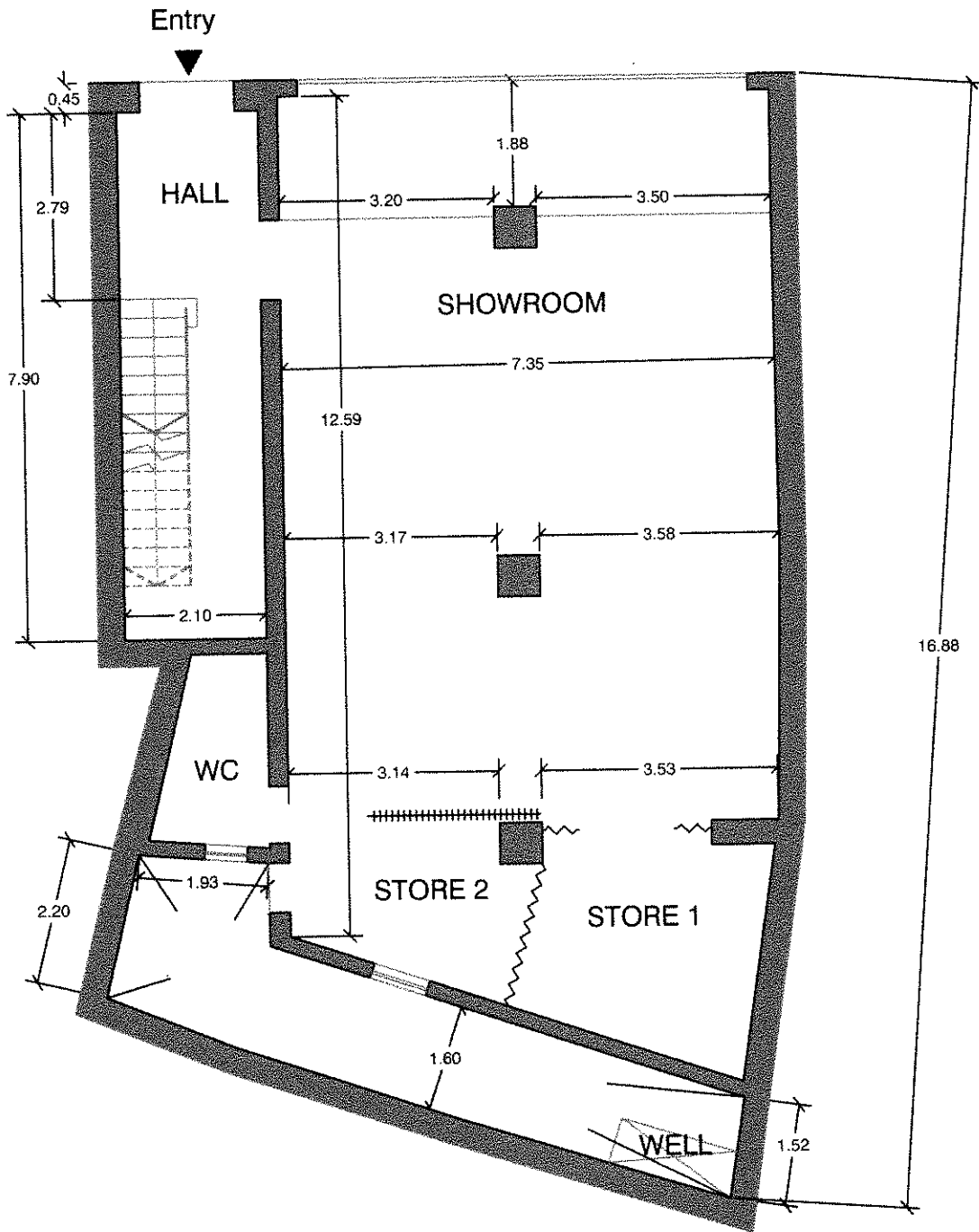
*** Includes ** plus bathrooms and apertures

** Includes plastering, electricity, plumbing and floor tiles

Date: <u>29.01.2022</u>	Perit's Signature: <u></u>
Warrant Number: <u>594</u>	Rubber Stamp: <u>Perit Kylie Ann Borg Marks</u> <u>B.E. & A. (Hons.), M.Sc (Road Eng.)</u> <u>Mob: 79063743</u>

DOK H Pjanti tal-fond kif spezzjonat

HIGH STREET (TRIQ IL-KBIRA SAN GUZEPP), HAMRUN



GROUND FLOOR
AS MEASURED ON SITE

DIMENSIONS ARE IN METRES.

- LEGEND**
- ||||| PARTITIONING WITH SHELVING UNIT
 - ~ PARTITION WALLS

Perit Kylie Ann Borg Marks BERA(Hons), MSc Architect & Civil Engineer	dwg. title: Existing Plan	rev. details of revision A drawn for Valuation B C	file ref.: 1812	drg no.: EX001	revision: A
	site address: No. 236, St. Joseph High Street, HAMRUN	Dimensions are to be verified on site. Figured dimensions are to be taken in preference to those scaled. Any discrepancies must be reported immediately. This drawing is the copyright of the author and cannot be copied, reproduced, retained or disclosed to any unauthorised persons.	date: Jul.21	drawn by: KBM	sheet size: A4
C/o: 41, Triq San Anand, Ta'xien TXN 9015 MALTA t: +356 79063743 e: kylie.borgmarks@gmail.com			path: 1812_drawings		

DOK J Ritratti minn gewwa u tal-bitha

IL-KOMUN

L-intrata u t-tarag li jaghti ghas-sulari ta' fuq (x6)



**Fig. 1; Il-bieb ghall-hanut (ground floor, fuq ix-xellug), it-tarag ghal fuq (lemin),
hsarat fis-suffitt**

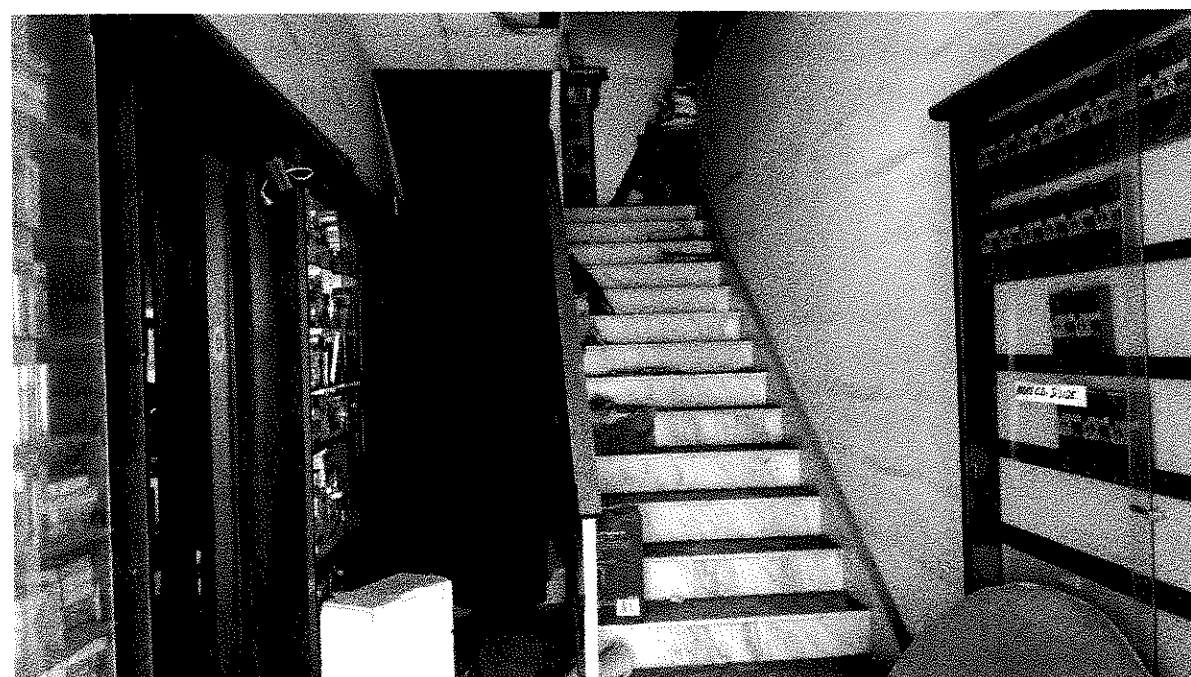


Fig. 2; Il-bieb ghall-hanut (ground floor, fuq ix-xellug), it-tarag ghal fuq (lemin)

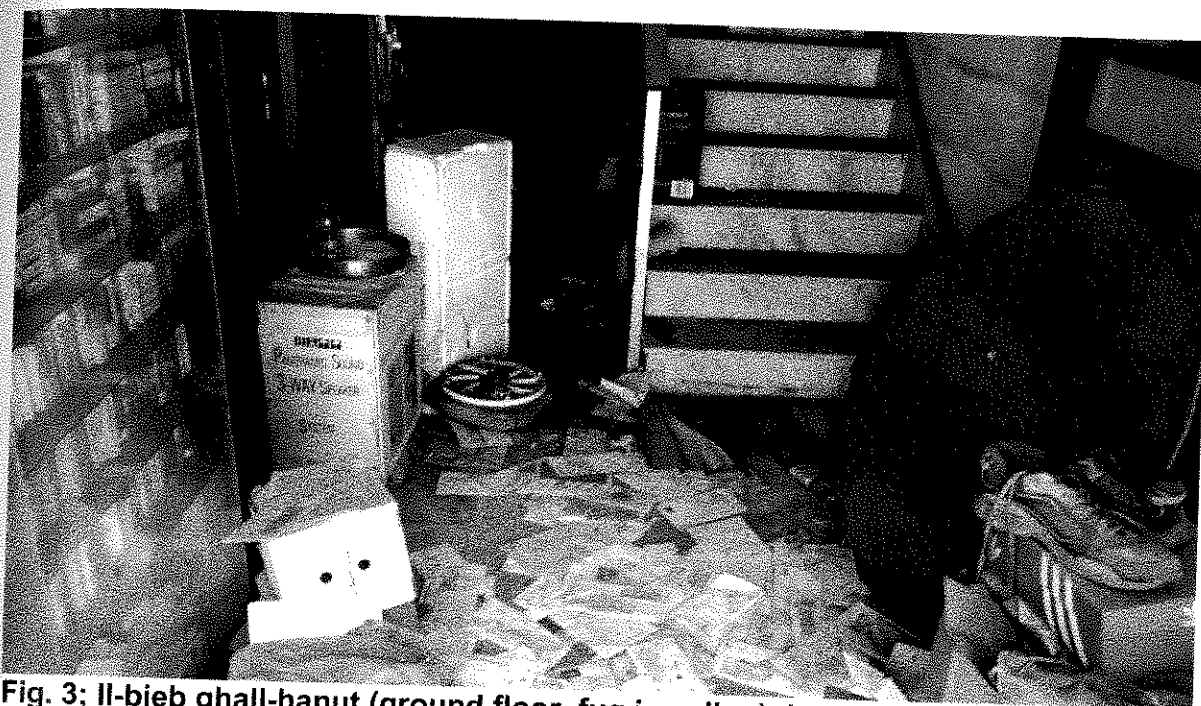


Fig. 3; Il-bieb għall-hanut (ground floor, fuq ix-xellug), it-tarag għal fuq (lemin)



Fig. 4; Ittri magħluqa fl-art wara l-bieb



Fig. 5; Il-bieb ta' barra



Fig. 6; It-tarag

IS-SHOWROOM

Il-parti fejn id-display window ta' quddiem (x4)



Fig. 7



Fig. 8

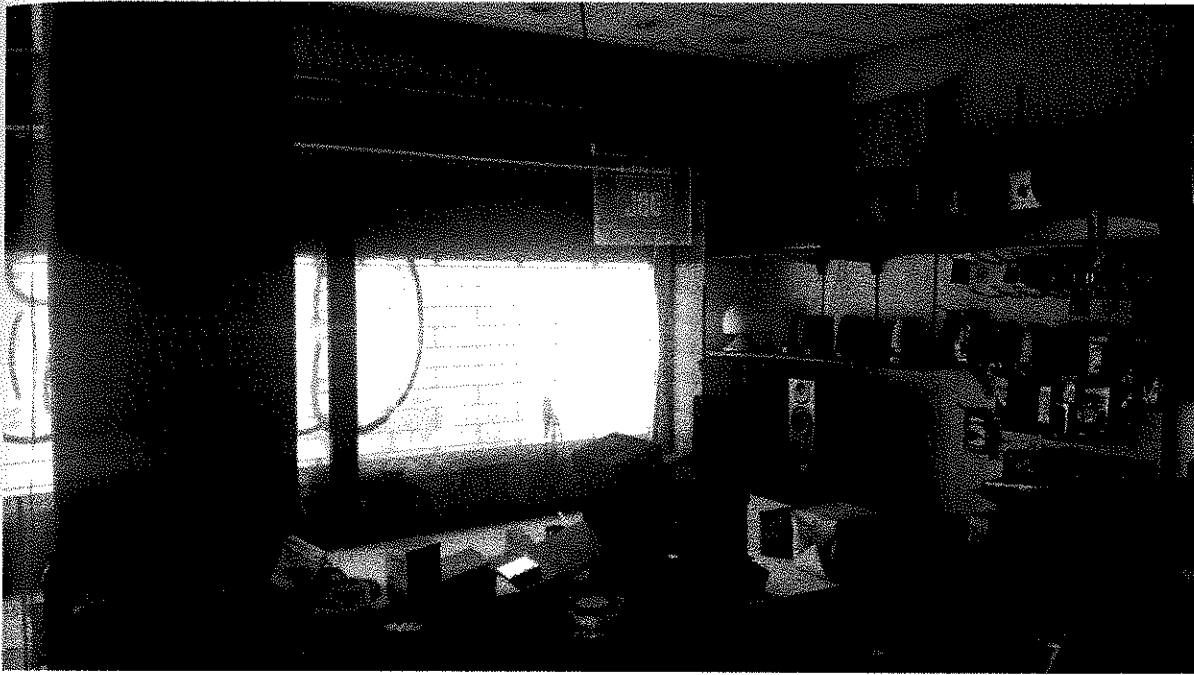


Fig. 9



Fig. 10

IS-SHOWROOM
Ritratti generali (x18)



Fig. 11

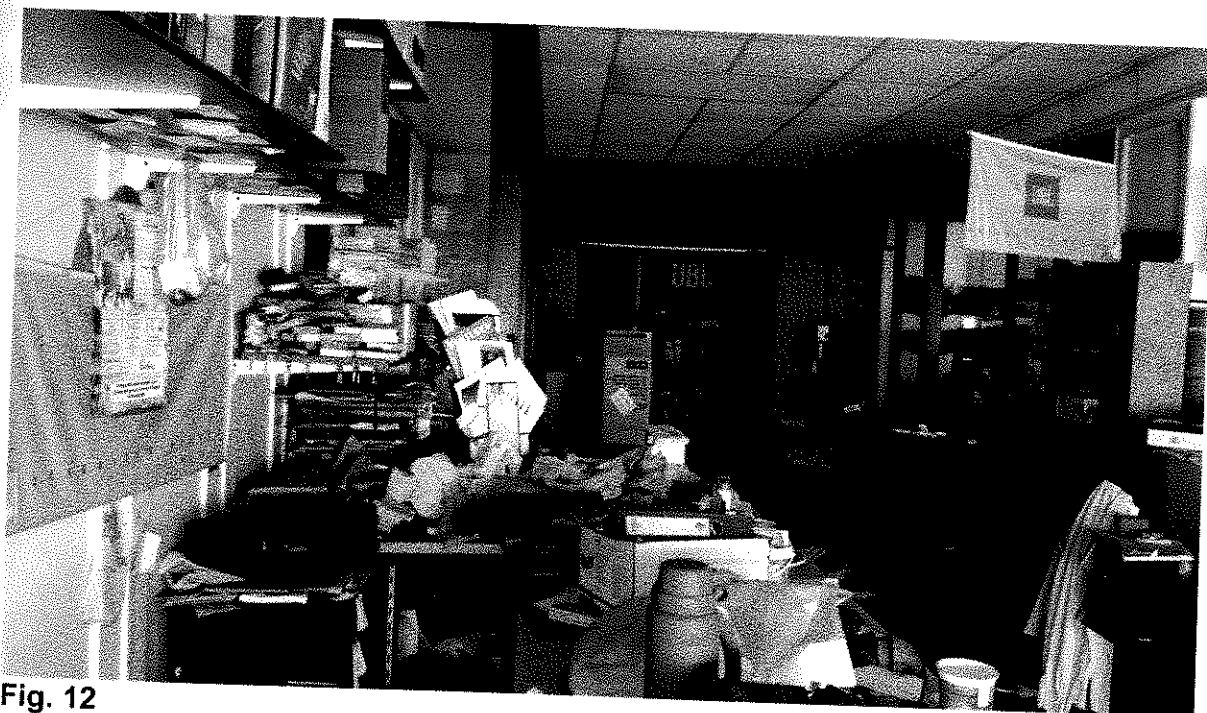


Fig. 12



Fig. 13



Fig. 14

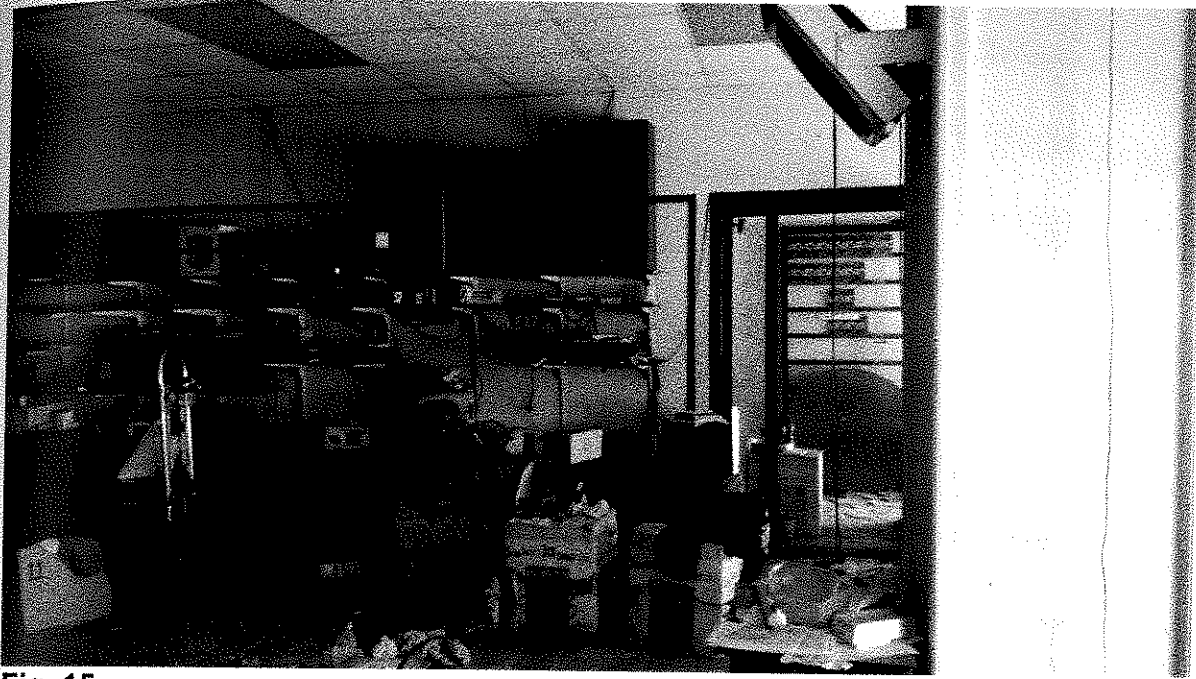


Fig. 15



Fig. 16



Fig. 17



Fig. 18

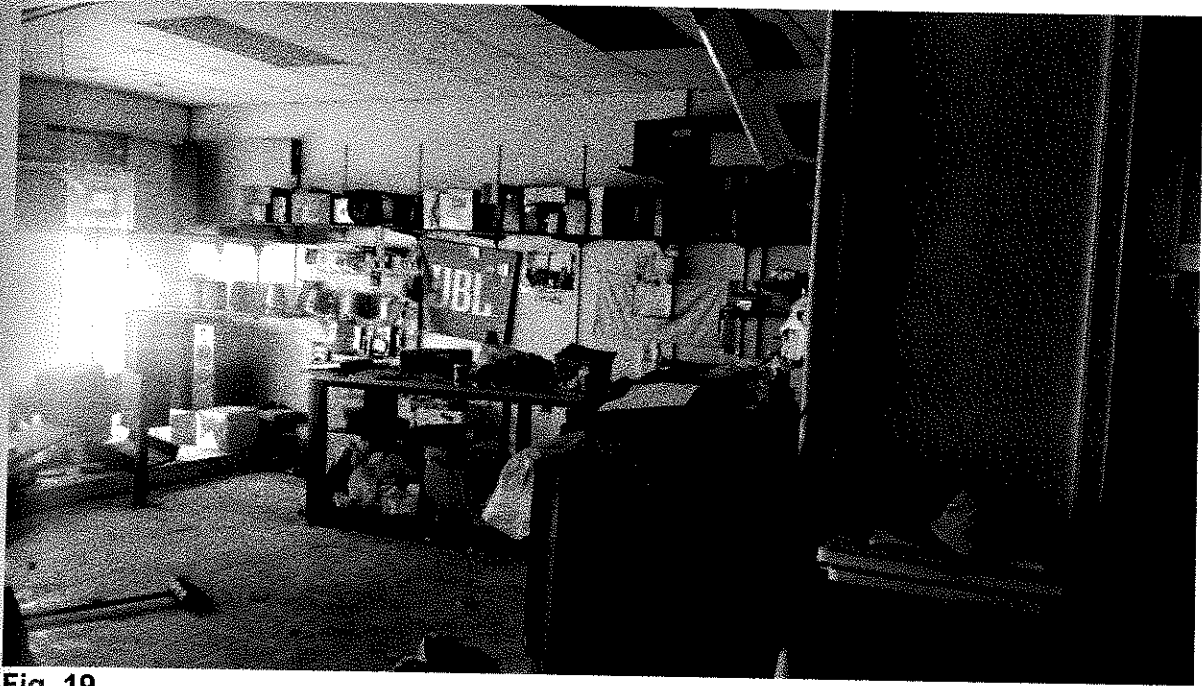


Fig. 19

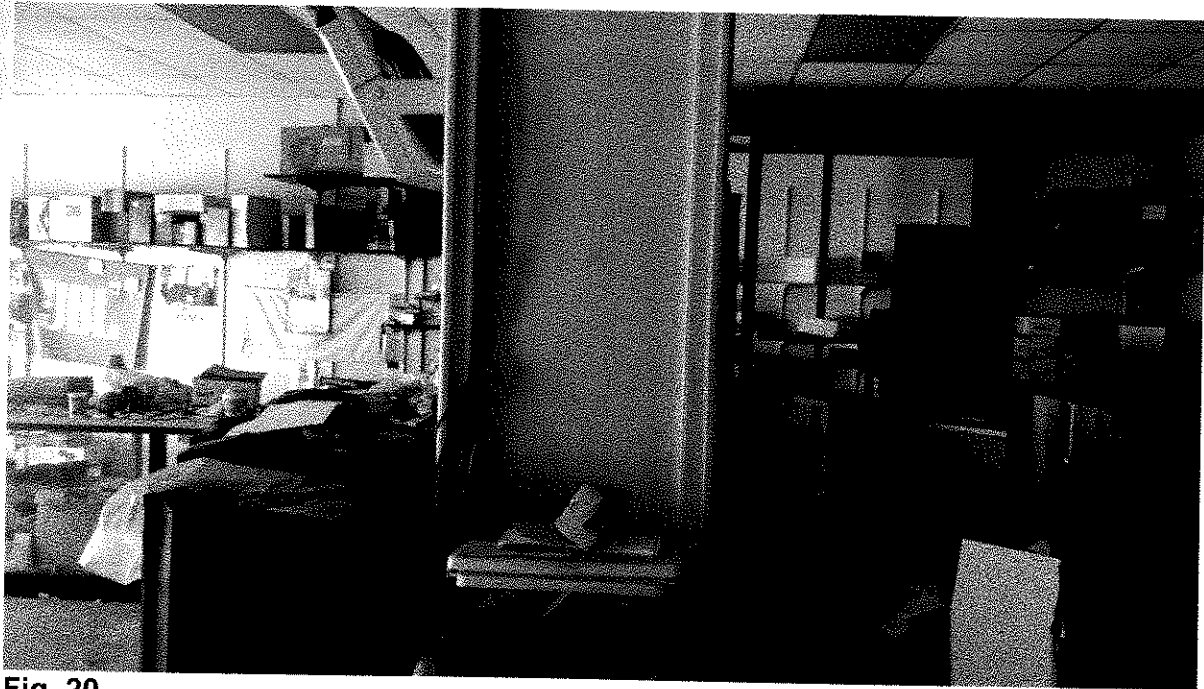


Fig. 20



Fig. 23



Fig. 24



Fig. 25

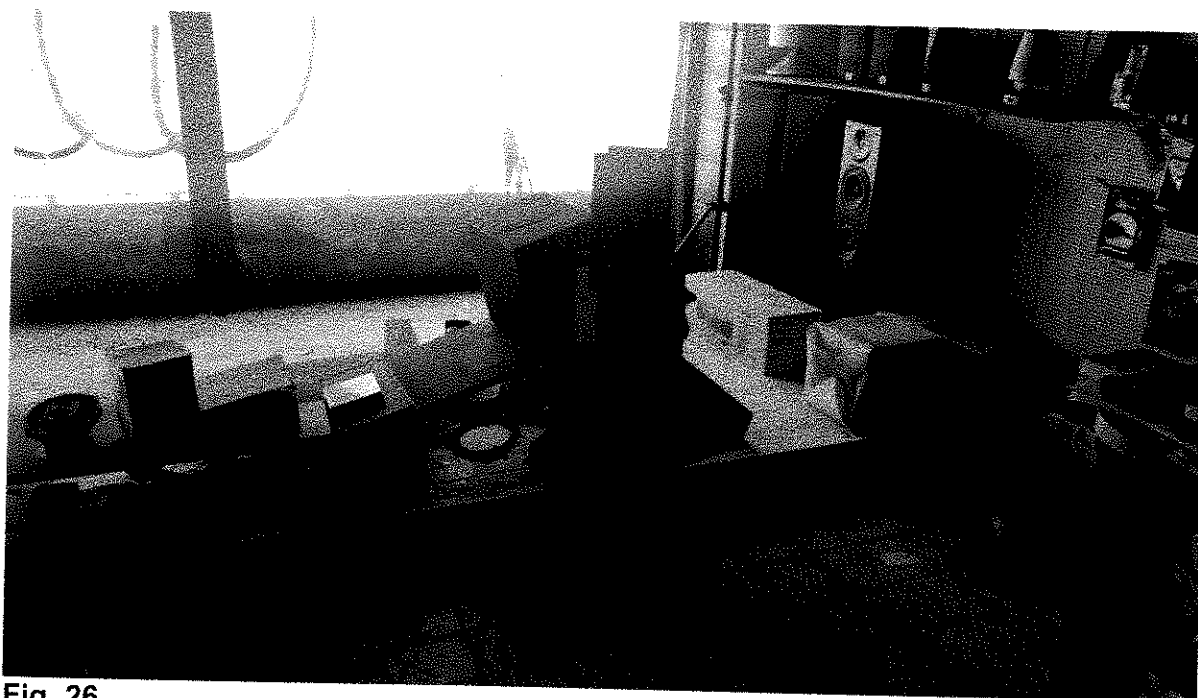


Fig. 26



Fig. 27



Fig. 28

S-SHOWROOM
Suffetti (x6)



Fig. 29



Fig. 30

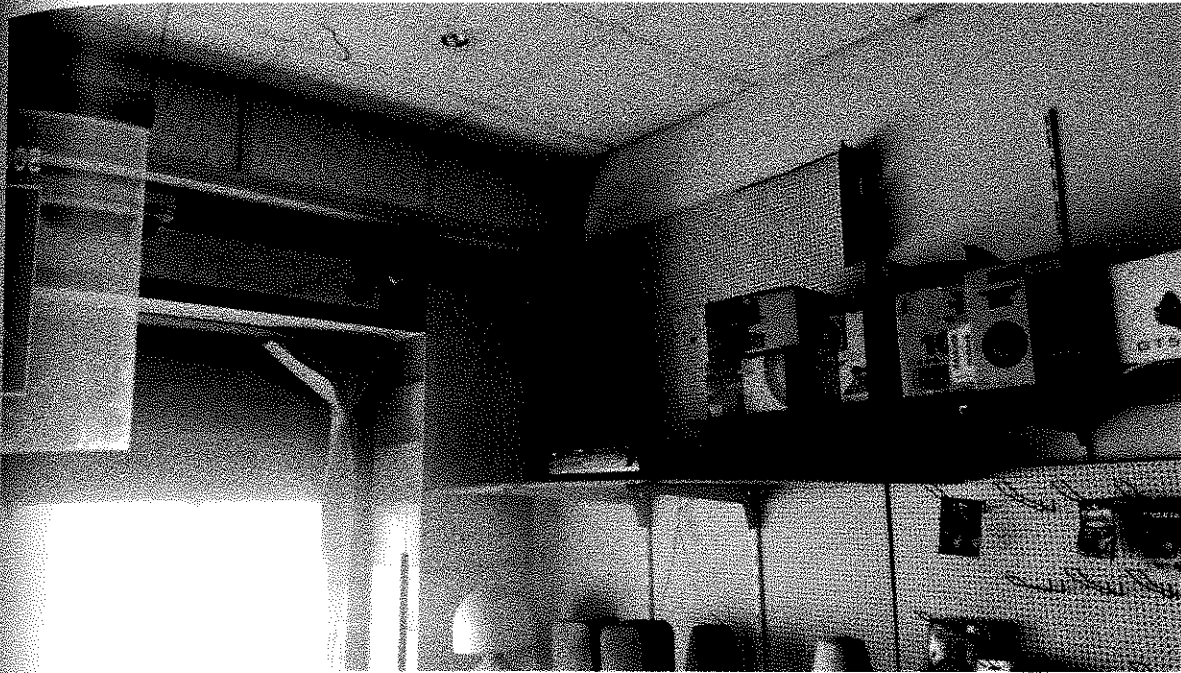


Fig. 31



Fig. 32



Fig. 33



Fig. 34

IS-SHOWROOM
Idamra tal-WC (x3)



Fig. 35; Is-suffett u l-hitan minn naha ta' fuq



Fig. 36; WC



Fig. 37; Il-madum tal-hajt (ceramika)

BITHA (SULARI TA' FUQ GHANDHOM TWIEQI GHAL-VENTILAZZJONI GHAL FUQ

BITHA)
tratti tal-bitha (x8)

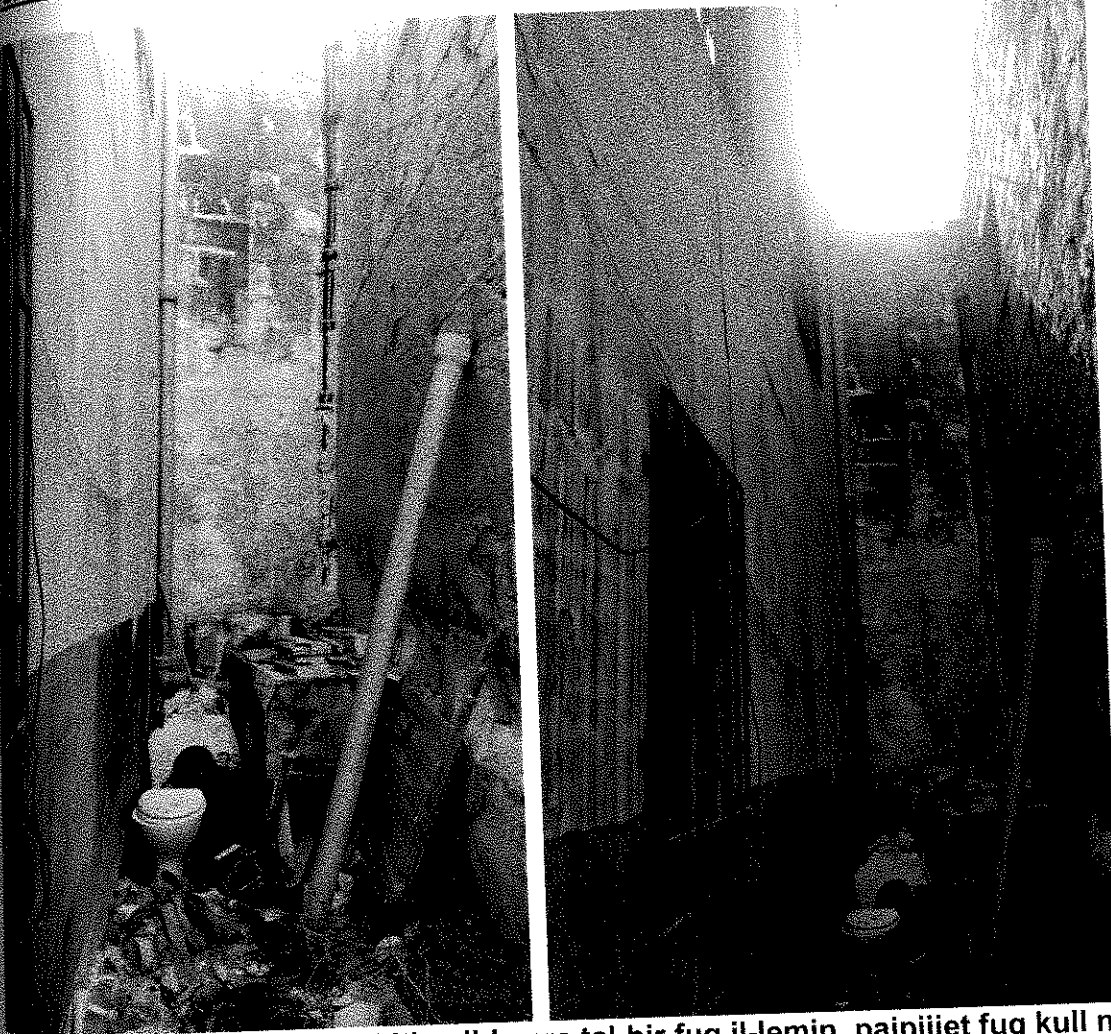


Fig. 38 u 39; Gewwa nett tal-bitha, il-horza tal-bir fuq il-lemin, pajpijiet fuq kull naha, twieqi fuq ix-xellug mill-fond (is-sulari kollha), fuq il-lemin minn terzi.



ig. 40 u 41; Il-forma ta' bieb li jidher fuq il-lemin, u ritratt tieghu imbarat (m'hemmx ccess)

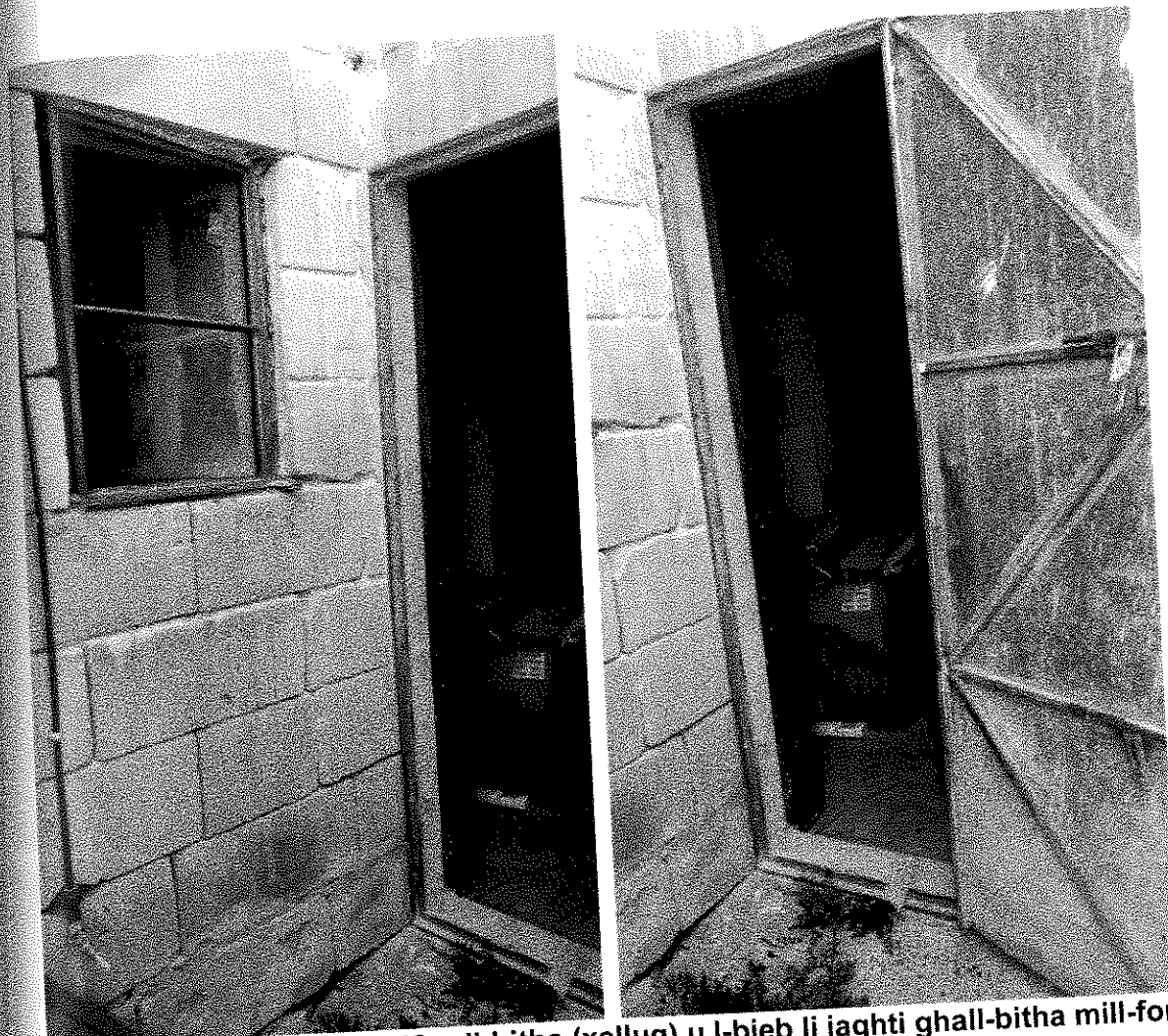


Fig. 42 u 43; It-tieqa tal-WC mil-bitha (xellug) u l-bieb li jaghti għall-bitha mill-fond (lemin)

Streetscapes (x2)



Fig. 46; Streetscape 1



Fig. 47; Streetscape 2

faccata biss (x2)

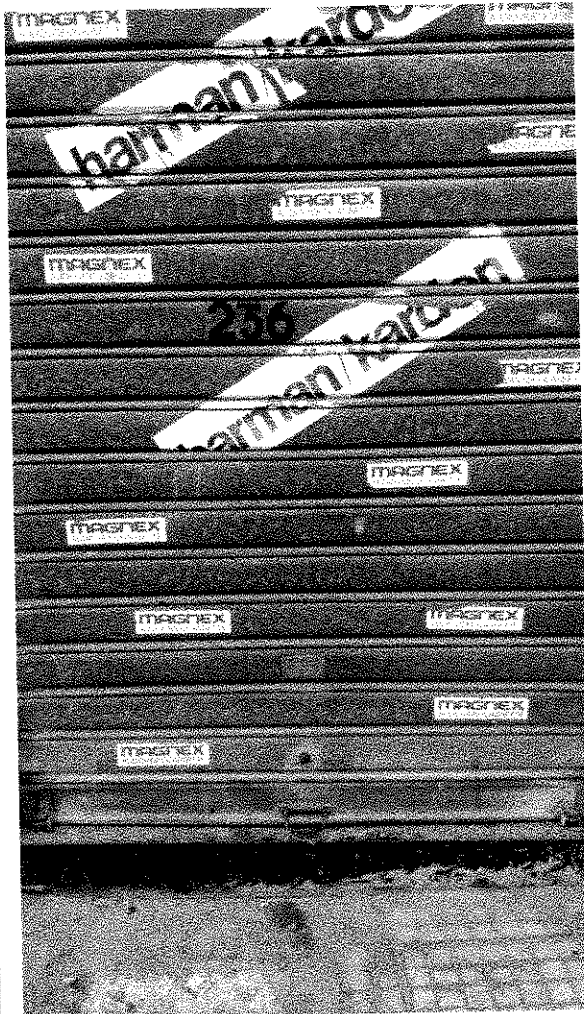


Fig. 48; Il-faccata tal-fond bis-sulari kollha
Fig. 49; Il-bieb innumerat Nru.236

KL

**Dokumenti relatati mal-permess tal-izvilupp
P.A.P.B.493/69**

PUBLIC WORKS DEPARTMENT

11/8, Vincenti Buildings,
11/8, Bini ta' Vincenti,
Strait Street, Valletta.
Triq id-Dejqa, il-Belt, Valletta.
14th April 1969

PLANNING AREA PERMITS BOARD

BORD GHAL PERMESSI DWAR AREA TA' PJAN REGULATUR

Permit in terms of the Planning Area Regulations, 1962, is hereby granted
B'dan qiegħed jingħata permess mill-Bord għal Permessi dwar Area ta' Pjan Regulatur skond
Mr George Debattista

by the Planning Area Permits Board to
ir-Regolamenti ta' l-1962 dwar Area ta' Pjan Regulatur

16,18, Msida Sea front Msida

to carry out the works described in

3rd February 1969

bick isiru x-xoghlijiet imfissrin
216, 217, High Street

his application of the at
fi-applikazzjoni tiegħu tal- fi
Haarun

under the conditions specified hereunder:—
skond il-kondizzjonijiet specifkati hawn taht:—

(1) This Permit is valid for one calendar year from date of issue.

(1) Dan il-permess huwa validu għal sena kalendarja mid-data tal-brug tiegħu

To erect a showroom and flats, three (3) cars minimum
building frontage per dwelling, total height of building should
not exceed three (3) floors from street level and as per attached
proviso re clearance of material

Provided that on completion of works, discarded building
materials and other debris deposited in a public place or
a place abutting on a place of public passage will have to be
removed to an authorized or approved dump at the expense
of the applicant.

Dipartiment jew Awtorità permess, licenza jew kull permess ieħor meħtieġ minn

required by any law or regulation in force from time to time in respect of the
xi liġi jew regolament fis-seħħ minn żmien għal żmien dwar il-kostruzzjoni, rikos-

construction, reconstruction, repair or alteration of a building or of acquiring
truzzjoni, tiwwija jew tibdil f'binj jew għall-ksib ta' materjal -għal dawn ix

materials for such works.
voghlijiet.

Chairman,
Chairman.

Planning Area Permits Board.
Bord għal Permessi dwar

12/12/12

12/12/12

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12/12/12

12/12/12

12/12/12

OK M Dokumenti relatati mal-Building Notice 932/79

932/79

AVVIZ li għandu jinghata lis-Superintendent tas-Saħħa Pubblika skond l-Artikolu 85 (p) tal-Kodiċi tal-Liġijiet tal-Pulizija. (Kapitolu 13).

NOTICE to be given to the Superintendent of Public Health in terms of Section 85 (p) of the Code of Police Laws. (Chapter 13).

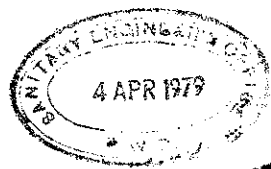
Isem u indirizz tas-SID tal-bini li għandu jsir <i>Name and address of OWNER of proposed building</i>	Mrs Maria Mifsud. 805, High Street, Hamrun.
Lok fejn għandu jsir ix-xogħol <i>Place where the work is to be effected</i>	235, 236, High Street, Hamrun.

TIFSIR TAX-XOGHOL LI GHANDU JSIR
DESCRIPTION OF WORK PROPOSED

It is proposed to demolish a 4 storey building and re-erect 3 floors as shown on the attached plans.

P.A.P.B. Permit No. P916/79/4882/78
dated 30th March, 1979.

NOT TO BE WRITTEN ON



NEW BUILDING STONE
ORDER 1976.
APPLICABLE

All expenses now
are to be credited
according to law.

Firma u indirizz tal-persuna li tagħti l-avviz
Signature and address of party giving notice

Jos. L. Genovese

Approved, provided the
application complies
with the P.A.P.B. license

JOS. L. GENOVESE B.E. & A.
Architect & Civil Engineer
9c, SCOTS STR., VALLETTA.

Data 3rd April, 1979.
Date

Answered on 10 APR 1979
as amended

M Health 23.

Aqleb il-faċċata.
P.T.O.

N.B. — Dawk li bi hsiebhom jibnu, barra milli jaghtu l-avviż imsemmi hawn qabel, sabiex jimxu skond il-ligi ghandhom:—

(a) jitolbu lill-Kummissarju tal-Pulizija ghal kull permess mehtieg mill-artikoli 18 u 19 tal-Kodiċi tal-Ligijiet tal-Pulizija (Kapitolu 13);

(b) jaghtu avviż lid-Direttur tax-Xoghlijiet Pubbliċi skond l-artikolu 20 tal-Kodiċi tal-Ligijiet tal-Pulizija (Kapitolu 13);

(c) jitolbu lill-Planning Area Permits Board ghal kull permess mehtieg skond il-Parti I tal-Kodiċi tal-Ligijiet tal-Pulizija (Kapitolu 13);

(d) jagħmlu dak kollu li hu mehtieg skond l-Att dwar il-Protezzjoni ta' l-Antikitajiet (Kapitolu 90);

(e) jitolbu lid-Direttur tax-Xoghlijiet Pubbliċi ghal kull permess mehtieg skond l-Ordinanza dwar l-Estetika tal-Bini (Kapitolu 135);

(f) jitolbu lill-Kummissarju ta' l-Agrikoltura ghal kull permess mehtieg skond l-Ordinanza dwar il-Konservazzjoni ta' trab għammiel, (Kapitolu 130);

(g) jitolbu lill-Kummissarju ta' l-Artijiet ghal kull permess mehtieg mill-Ordinanza dwar "Akkwist ta' Artijiet għaf Skopijiet Pubbliċi (Kapitolu 136).

N.B. — Intending builders to fulfill the requirements of the law should besides giving the foregoing notice:—

(a) apply to the Commissioner of Police for any permits necessary under Sections 18 and 19 of the Code of Police Laws (Chapter 13);

(b) give notice to the Director of Public Works in terms of section 20 of the Code of Police Laws (Chapter 13);

(c) apply to the Planning Area Permits Board for any permit necessary under Part I of the Code of Police Laws (Chapter 13);

(d) do whatever is necessary under The Antiquities (Protection) Act, (Chapter 90);

(e) apply to the Director of Public Works for any permit necessary under the Aesthetic Buildings Ordinance (Chapter 135);

(f) apply to the Director of Agriculture for any permit necessary under the Fertile Soil (Preservation), Ordinance (Chapter 130);

(g) apply to the Commissioner of Land for any permit required under the Land Acquisition (Public Purposes) Ordinance (Chapter 136).

NOT TO BE WRITTEN ON

Jiena, hawn taht iffirmat, Arkitett u Inġinier Civili, iġharraf hawnhekk
I, the undersigned, Architect and Civil Engineer, do hereby declare that

li bi hsiebni niehu t-tmexxija u r-responsabbiltà tax-xoghlijiet imsemmijin f'dan
I assume the direction and responsibility of the works referred to in this Building

l-avviż skond l-artikolu 85 (p) tal-Ligijiet tal-Pulizija, (Kapitolu 13).
Notice in terms of Section 85 (p) of the Code of Police Laws, (Chapter 13).

Data 3. 4. 79
Date

Firma
Signature



TOWN AND COUNTRY PLANNING - PUBLIC WORKS DEPARTMENT

P.L.P.B. 4882/78 Locality HAM RUN 20/12/78CONDITIONS FOR TERRACE HOUSE DEVELOPMENT
IN AREA COVERED BY A SCHEME

1. Subject to scheme alignment, ~~corner site with splay~~
2. Subject to scheme alignment, with a 3 metres front garden whose solid parts of boundary walls are not to exceed 1.2 metres in height, ~~corner site with splay~~
3. 6.3 metres minimum building frontage per dwelling.
4. Height of buildings should not exceed 4 FLOORS floors from street level, as shown on plans approved by the Planning Area Permits Board.
5. Garage doors are not to be opened on ~~splays~~ and major traffic roads ST. JOSEPH HIGH ROAD.
6. Walls and structures cantilevered from the main facade are not allowed. Balconies may project on the facade subject to the usual permit from the Police if the balcony projects over the footpath or subject to a maximum projection of 1.2 metres if there is a 3 metres front garden.
7. Stairways and washrooms may be erected at roof level provided their height shall not exceed eight courses above roof level and are setback at least 4.25 metres from the facade. The area of a washroom shall be approximately 14 sq. metres having one of its longer sides completely open. In the case of a block of flats a applicant should submit plan of washrooms for the Board's approval.
8. Water storage tanks on roofs have to be properly screened from view. Such tanks and their screen shall not rise more than 1.5 metres above roof line and setback at least 4.25 metres from the facade.
9. Lifts in blocks of flats are only allowed to go up to the last habitable floor and NOT up to roof level. Height of lift walls shall not exceed 6.5 metres from the floor level of the last habitable floor and are to be setback at least 4.25 metres from the facade.
10. Lifts in hotels are allowed to go up to roof level provided the lift is properly designed and duly approved by the Department.
11. The front elevation should be constructed in local stone and in traditional style and no colours will be permitted on same.
12. All soil is to be dumped to any place where indicated by the Director of Agriculture or the Director of Public Works,

(2)

The applicant shall, before starting building operations, open up the street and bring it to its proper and approved formation levels. If this condition is not adhered to, then this permit is to be considered withdrawn.

Rockspoil, boulders and other building materials resulting from excavation or demolition must be deposited by applicant at his expense to one of the quarries cross-hatched on attached plan.

The privy shall be communicated to the public sewer.

The public sewer is to be extended up to applicant's site at his own expense before any building works are taken in hand.

The Building Inspectors have instructions not to inspect and approve the Damp Proof Course unless the above is adhered to.

The Building Stone Order 1976 concerning the use and size of franka stone which is reproduced hereunder is to be strictly complied with:

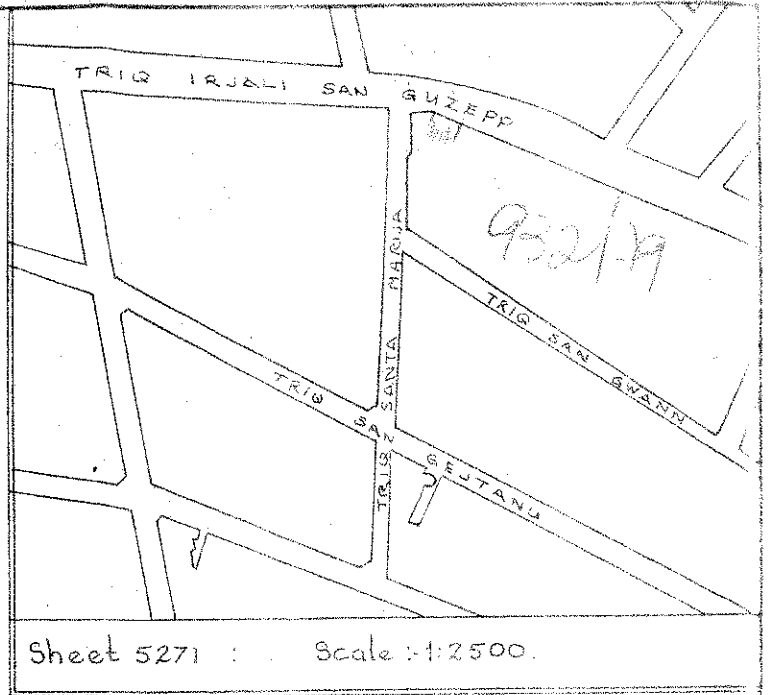
No person may use in the building of any wall any franka stone the dimensions of which or any of the dimensions of which, exceed the following:

a) 50.80 cm. (20 inches) in length, 26.03 cm. (10 1/4 ins.) in height and 15.24 cm. (6 inches) in thickness in the case of stone used in Malta and

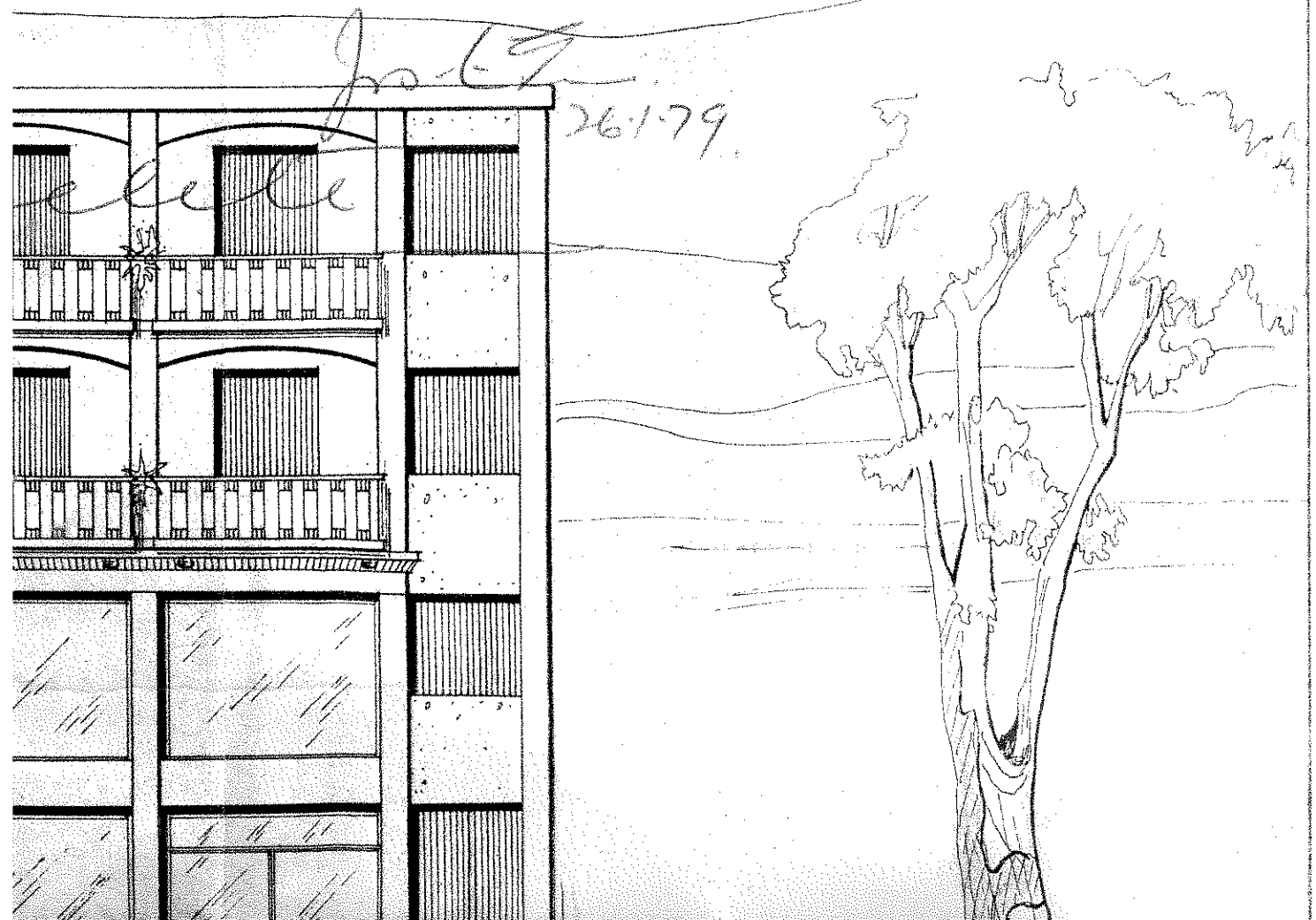
b) 50.80 cm. (20 inches) in length, 27.94 cm. (11 inches) in height and 15.24 cm. (6 inches) in thickness in the case of stone used in Gozo and Comino.

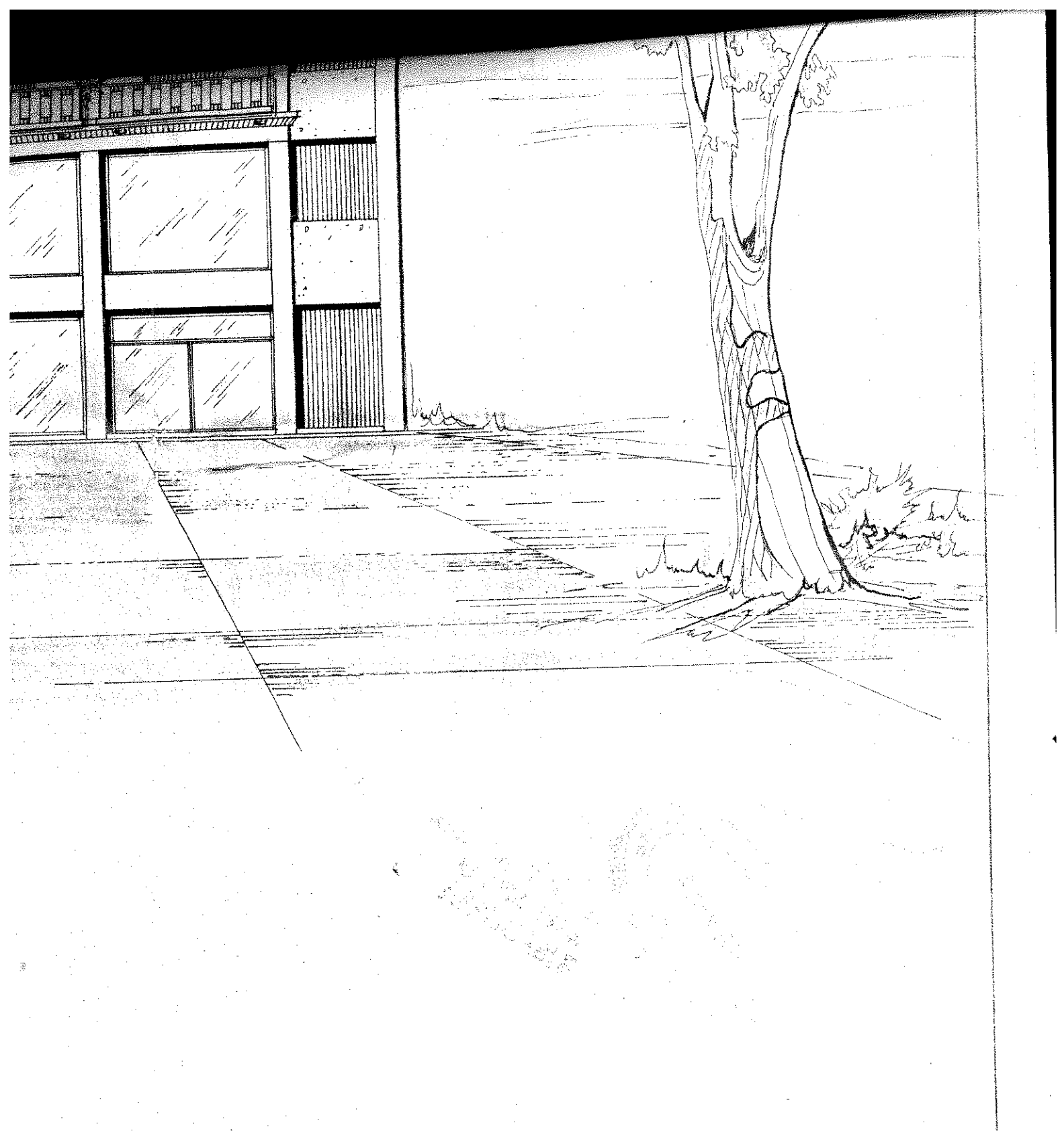
The thickness of any wall of any room, exposed to the rain, shall be of 38 cm. (1ft. 3ins.) consisting of two faces of equal thickness of franka stone, separated by a cavity as prescribed by law.

This permit may be withdrawn at any time during the course of the year for which it is valid without any compensation from Government being granted.

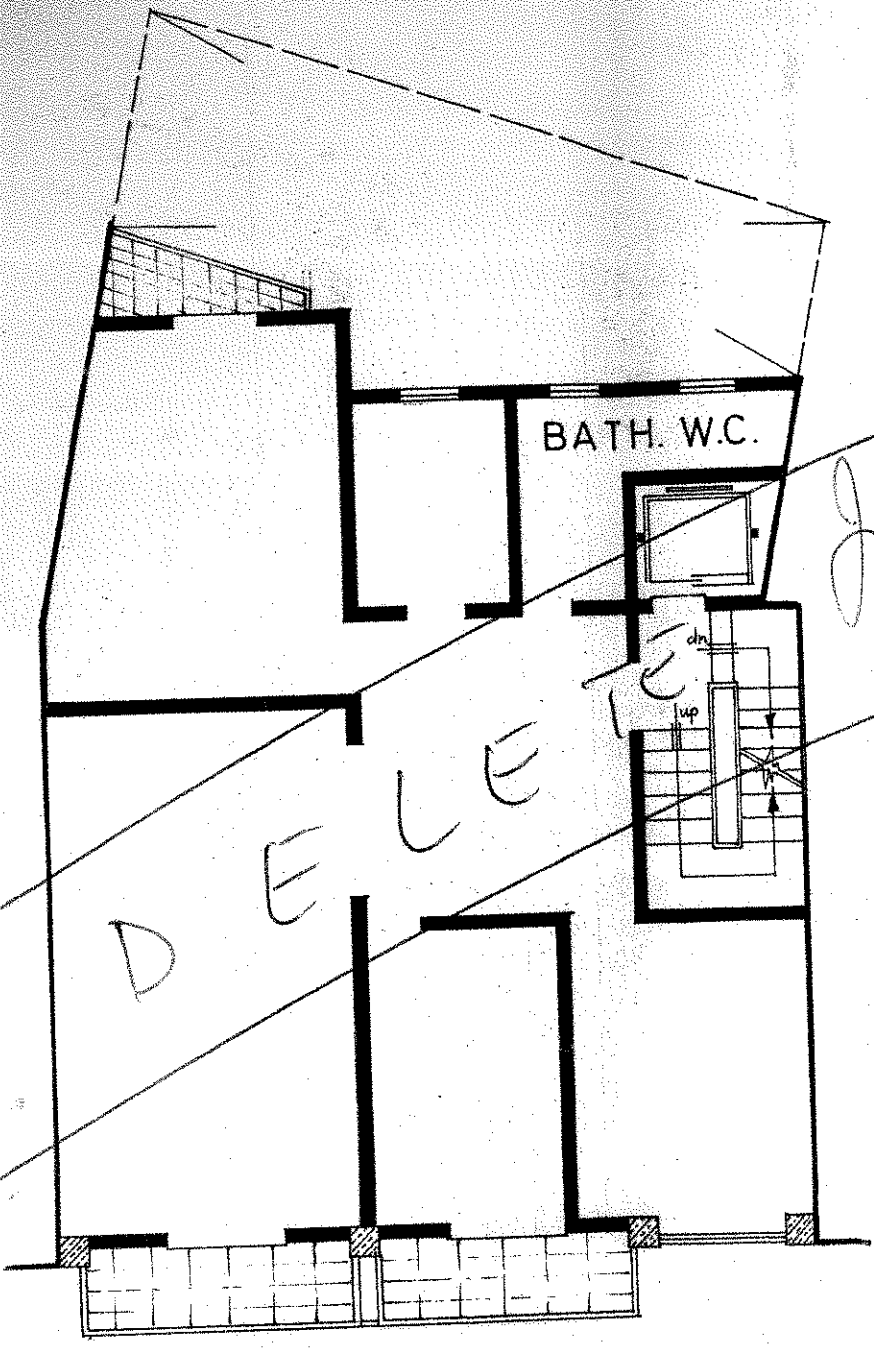


Sheet 5271 : Scale : 1:2500.



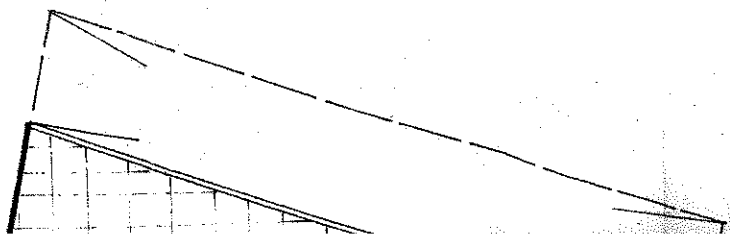


SHOPS AND DWELLINGS 235, 236, HIGH STREET HAMRUN		
REF N ^o 2298/78	<i>Jos. L. Genovese</i> 29-11-78	SCALE :- 1:100
DRG N ^o 2298-01	JOS. L. GENOVESE BE & A architect and civil engineer	DRAWN BY V. ROSSI
29. 11. 78	9c, Scots Str, Valletta.	

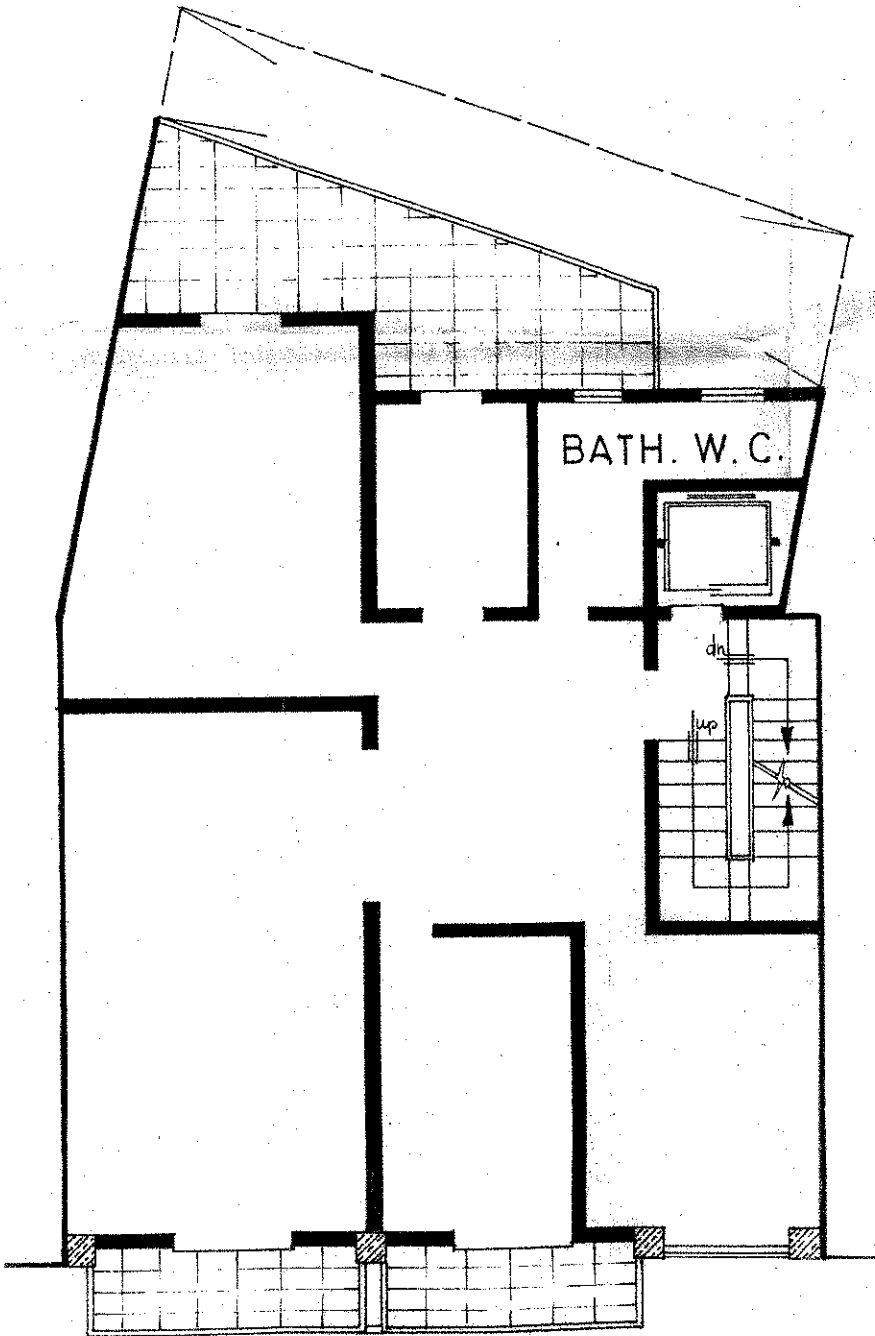


J. G.
26.1-79

THIRD FLOOR

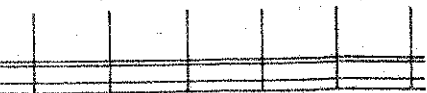


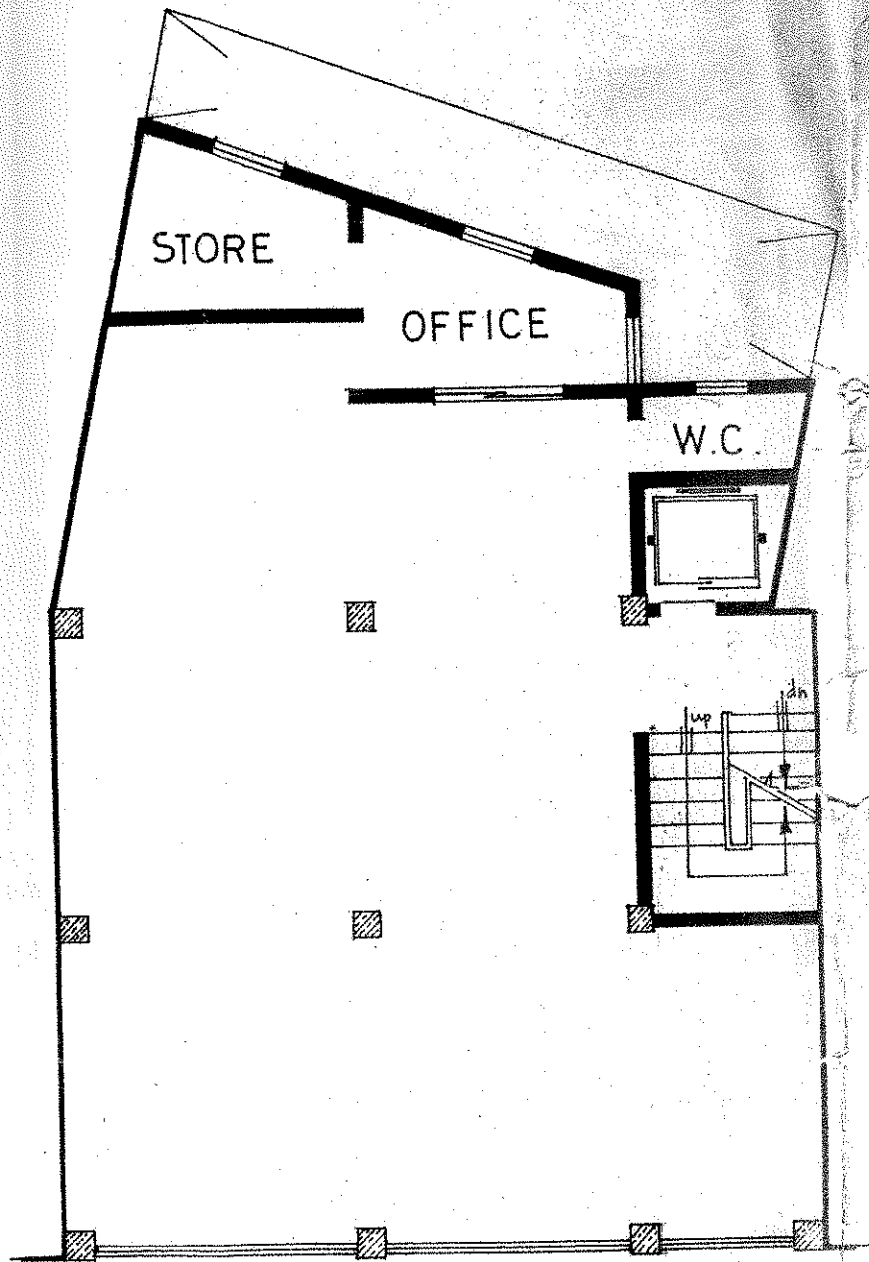
THIRD FLOOR



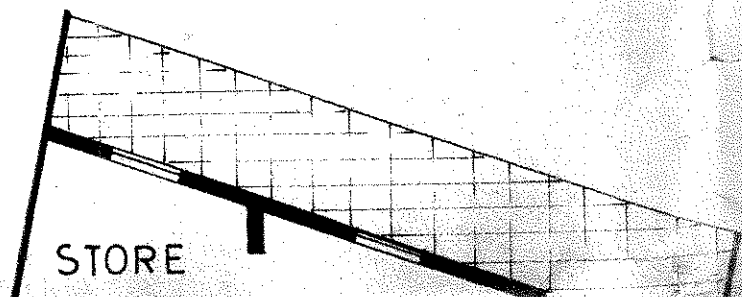
SECOND FLOOR

14 16 18 metres

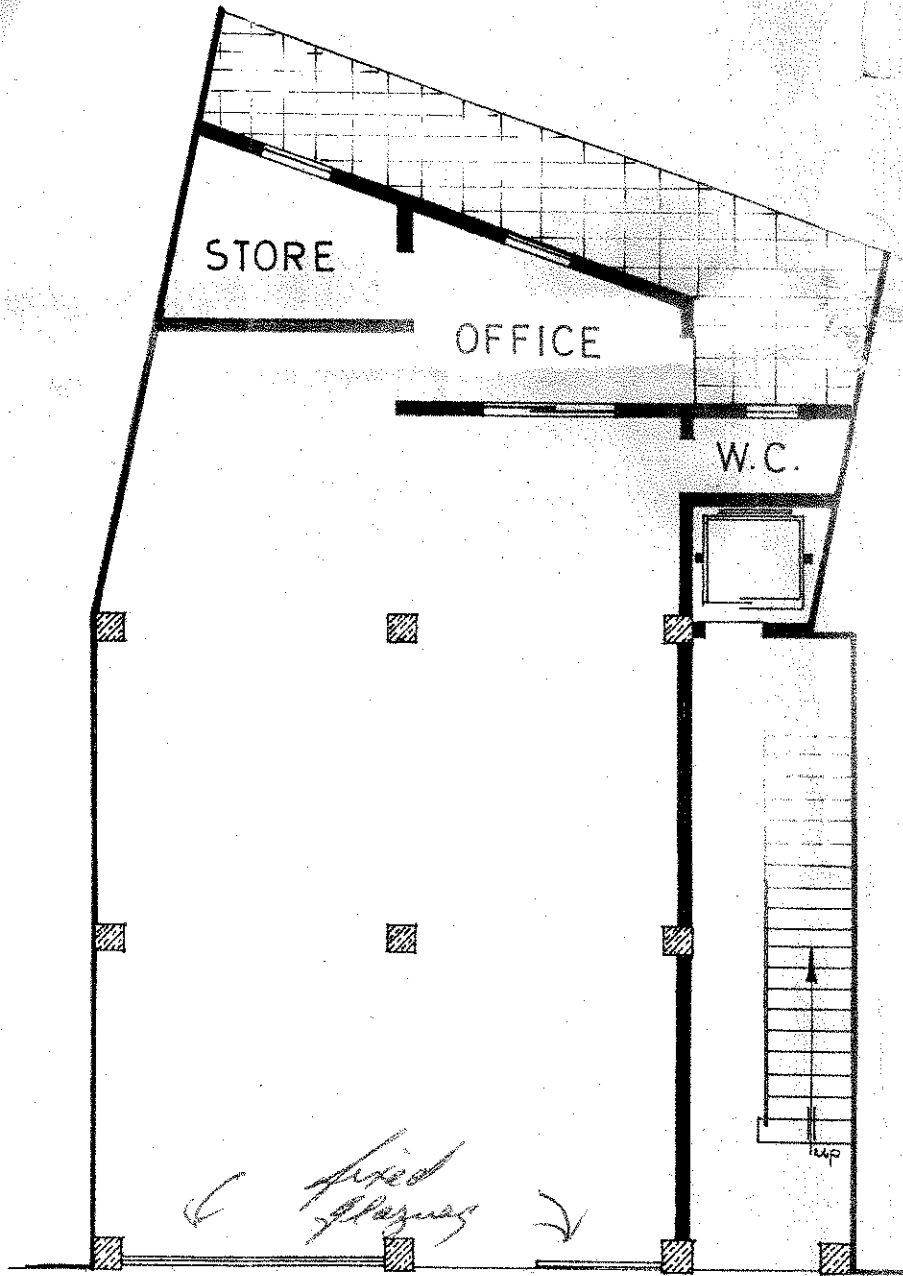




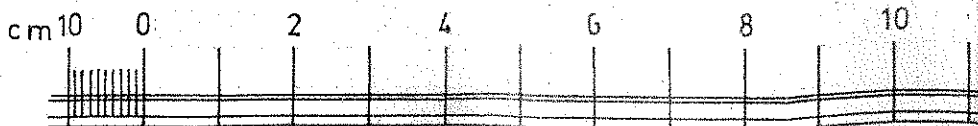
FIRST FLOOR

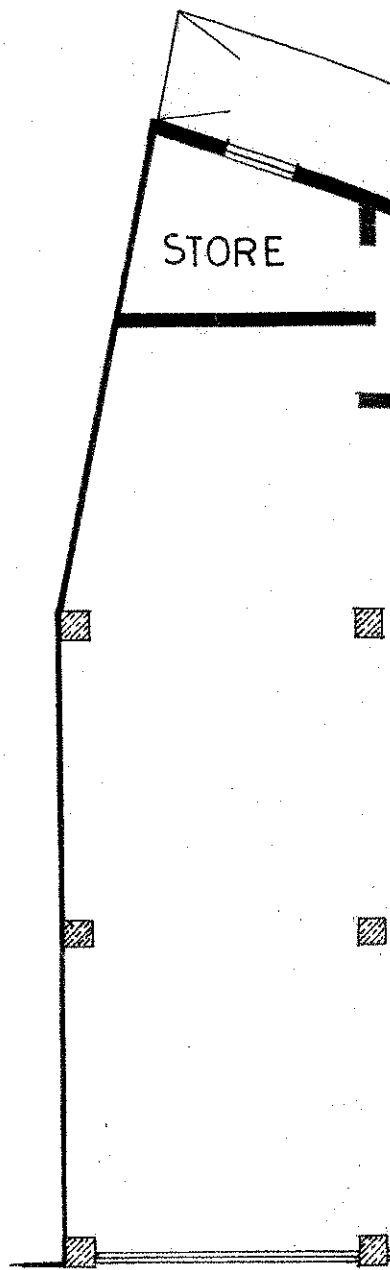


FIRST FLOOR

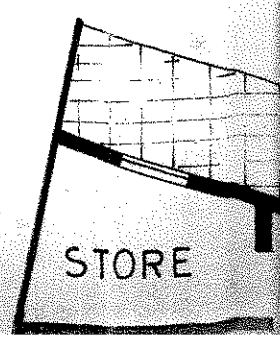


GROUND FLOOR

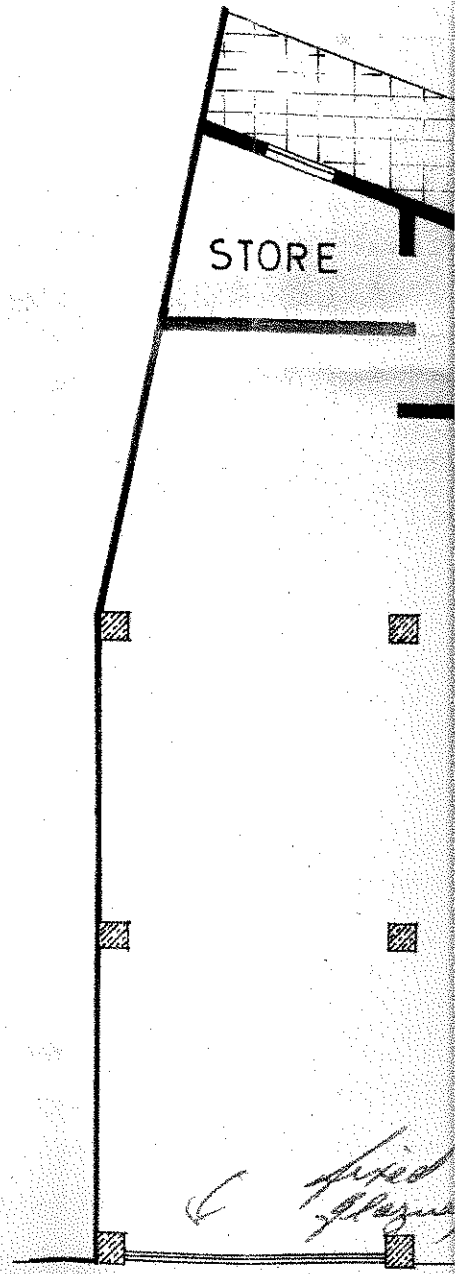




FIRST FLOOR

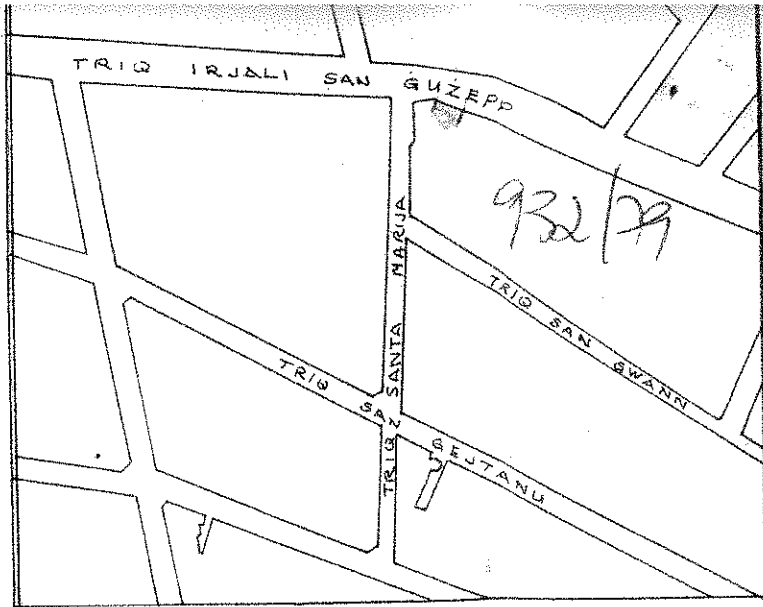


FIRST FLOOR



GROUND FLOOR

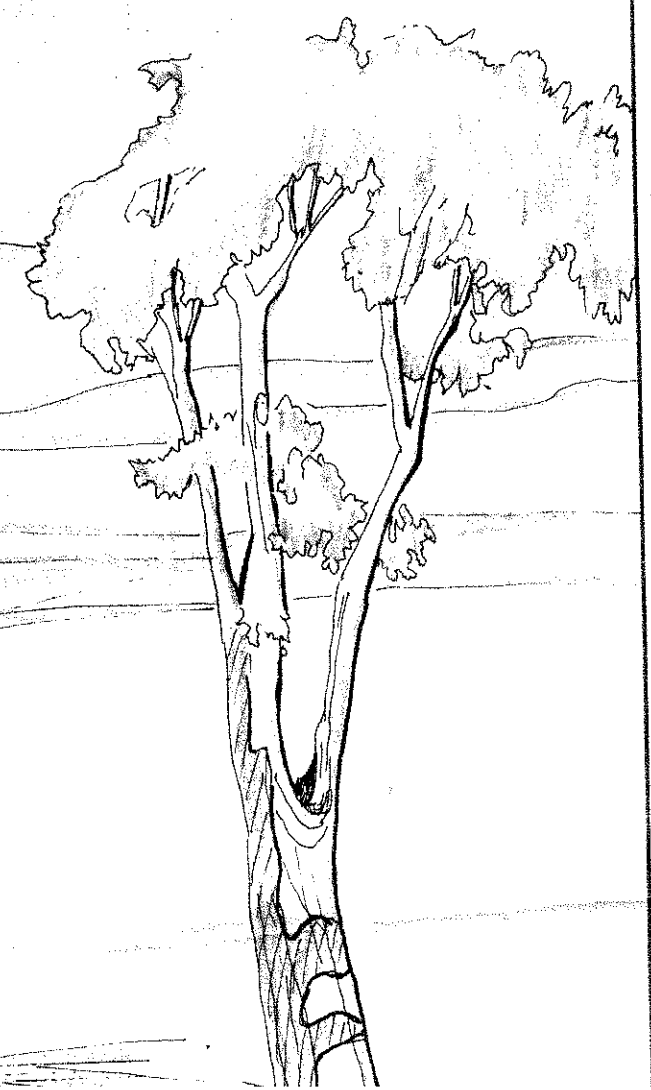
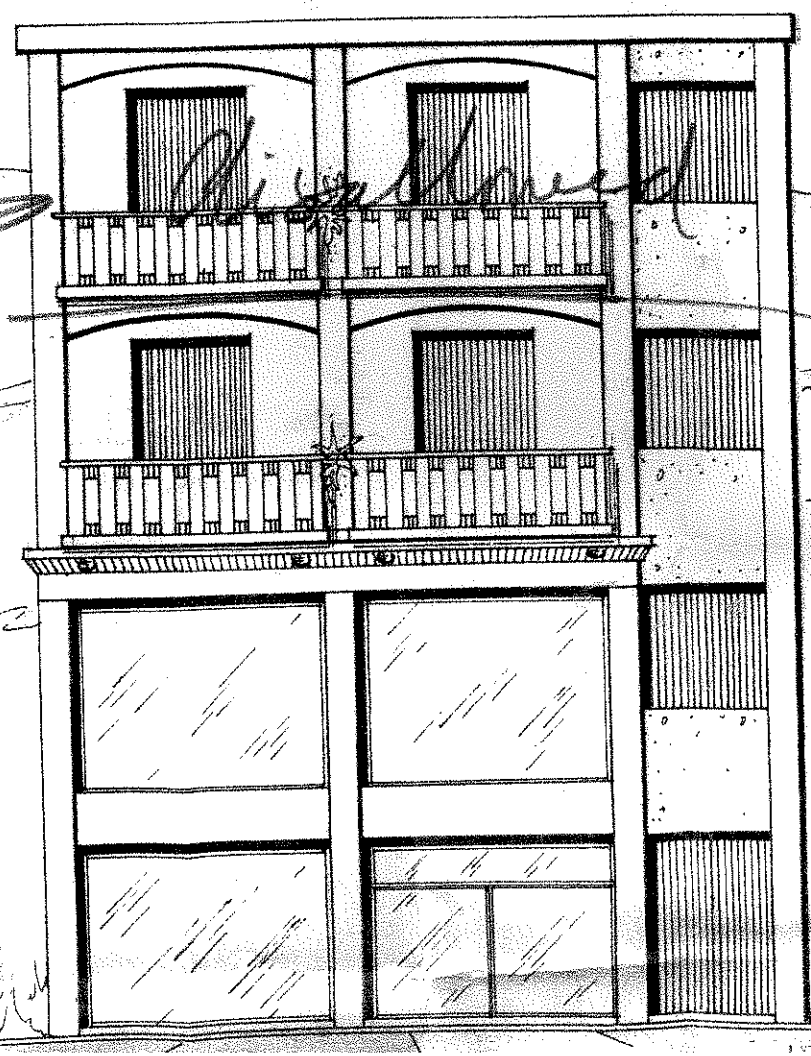
cm



Sheet 5271 : Scale : 1:2500.

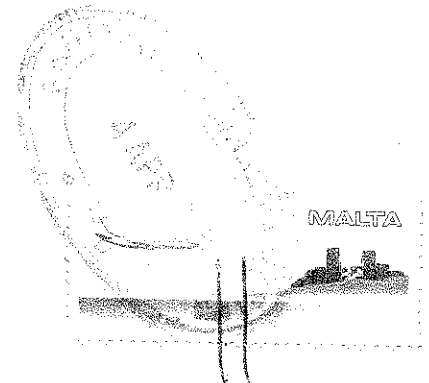
disallowed

disallowed

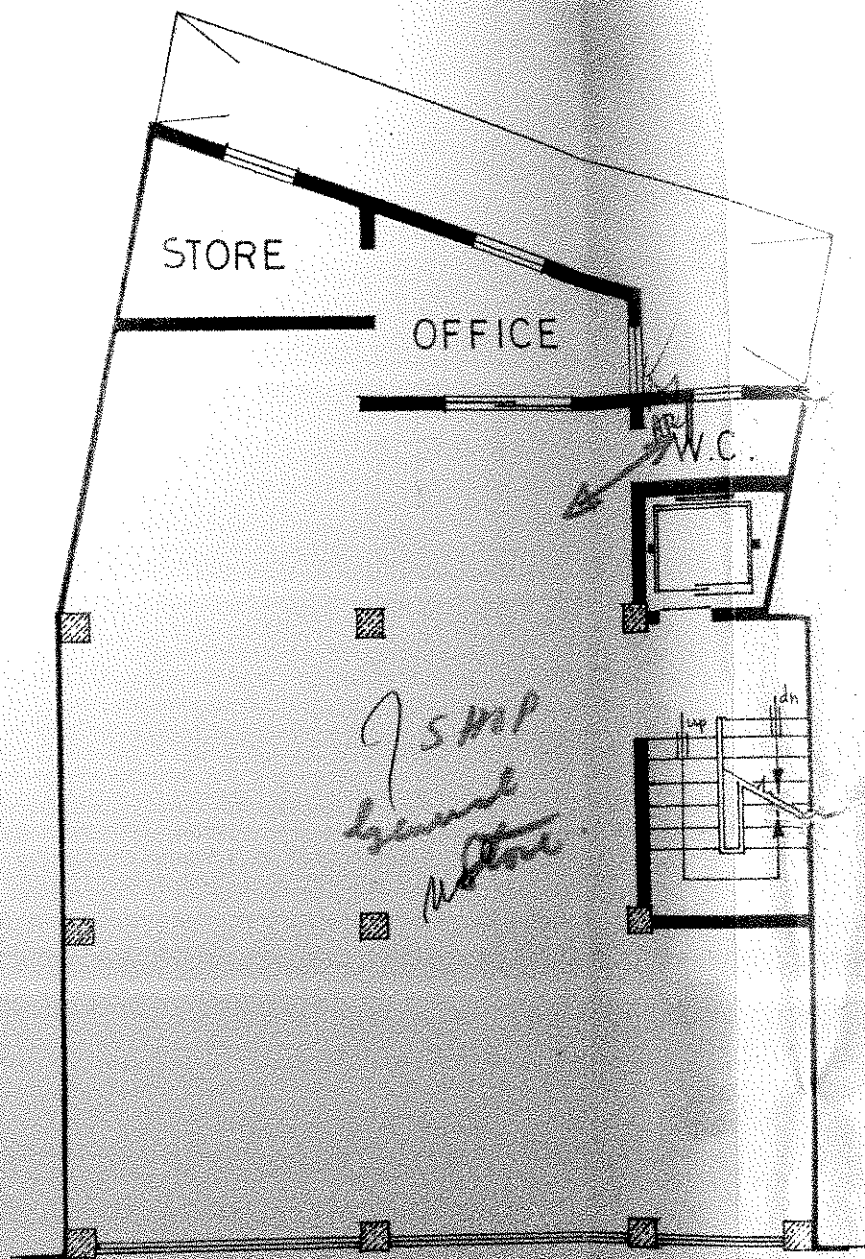




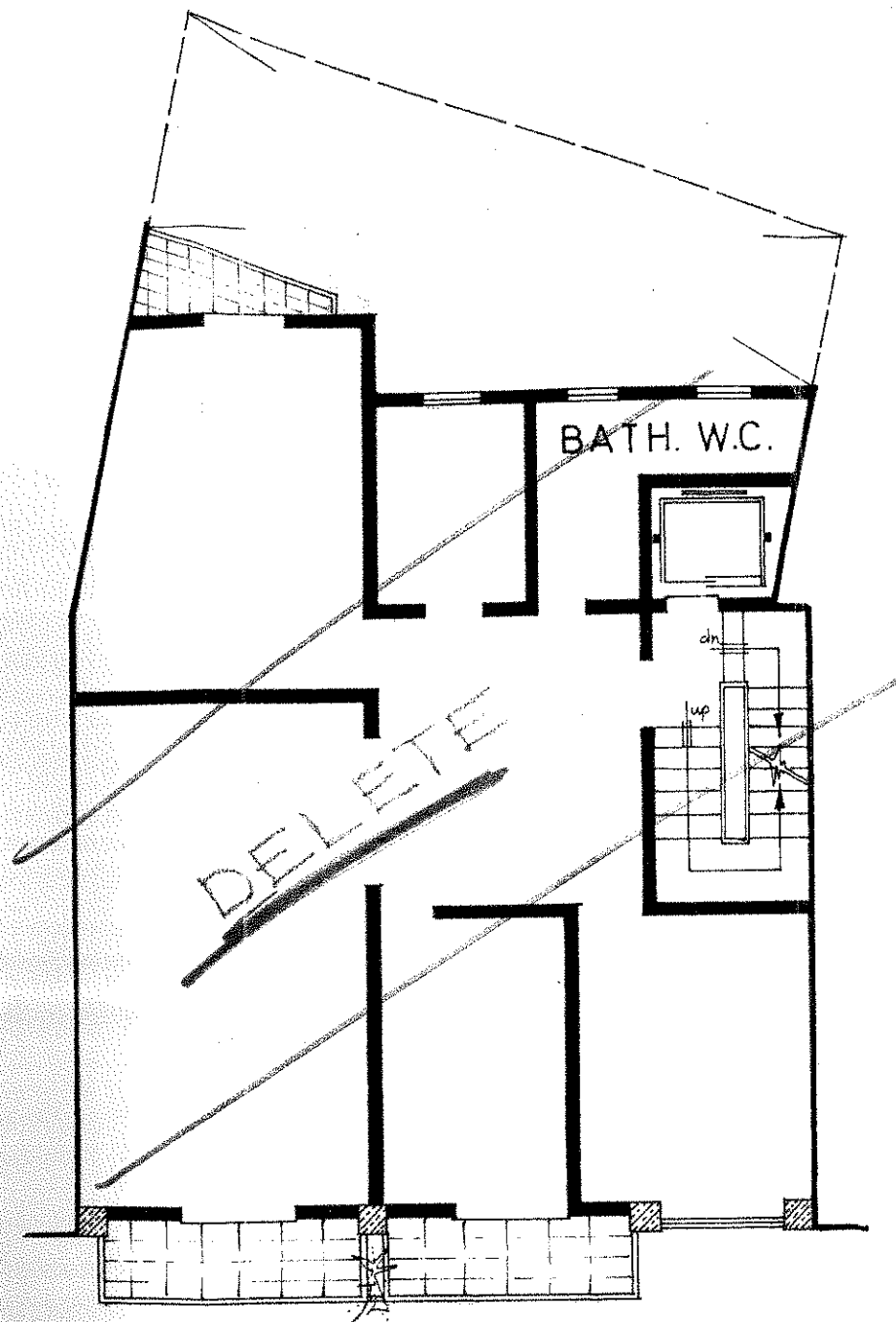
NEW BUILDING STR...



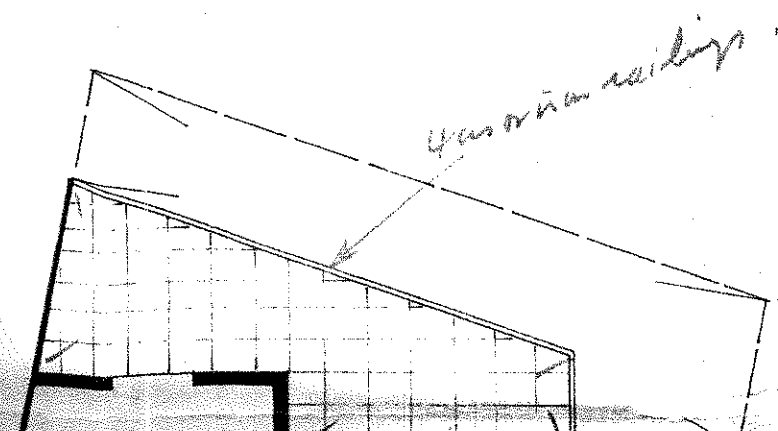
SHOPS AND DWELLINGS 235, 236, HIGH STREET HAMRUN		
REF No 2298/78	<i>Jos. L. Genovese</i> 3. 4. 79	SCALE - 1:100
DRG No 2298.01	JOS. L. GENOVESE BE&A architect and civil engineer	DRAWN BY V. ROSSI
29. 11. 78	9c, Scots Str, Valletta.	

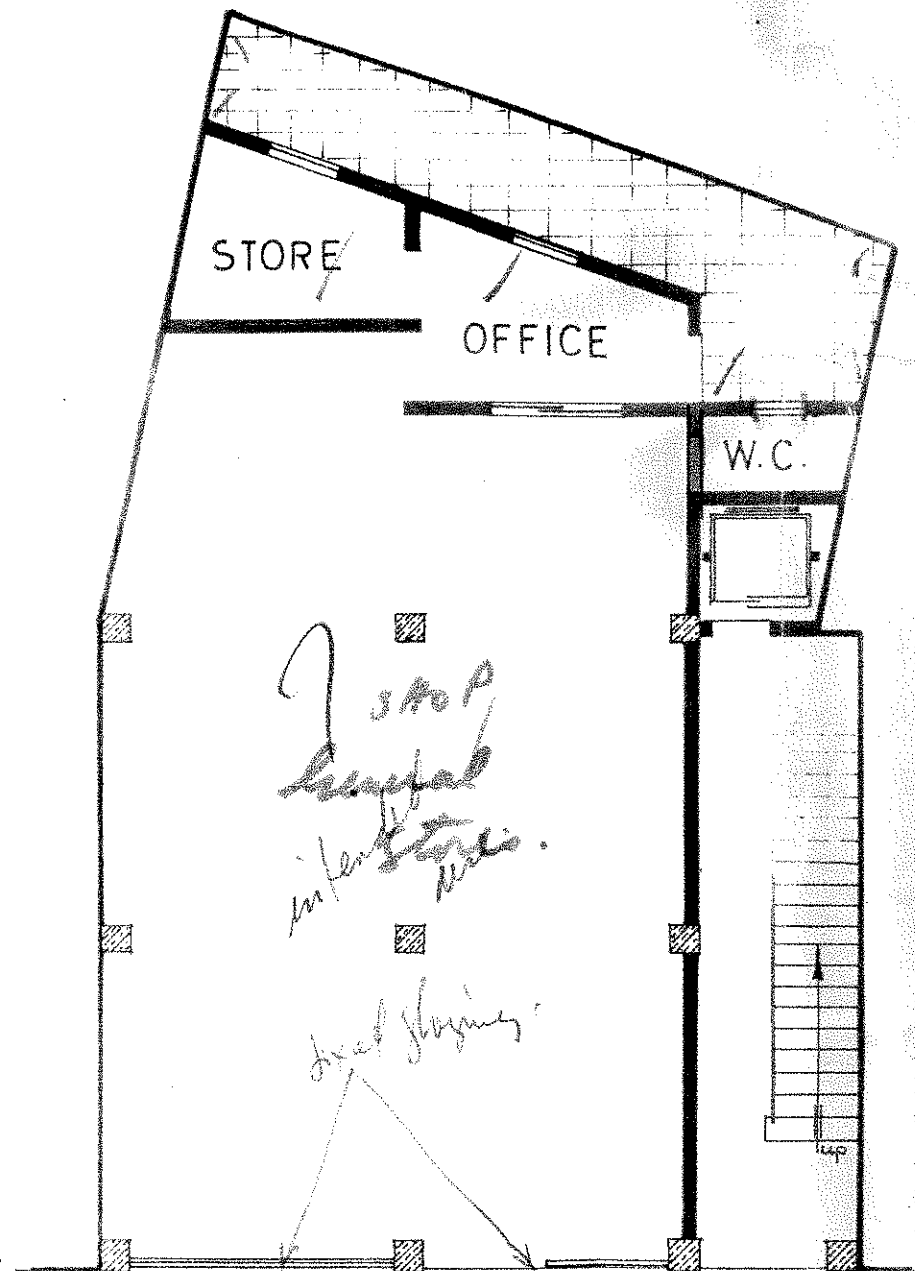


FIRST FLOOR

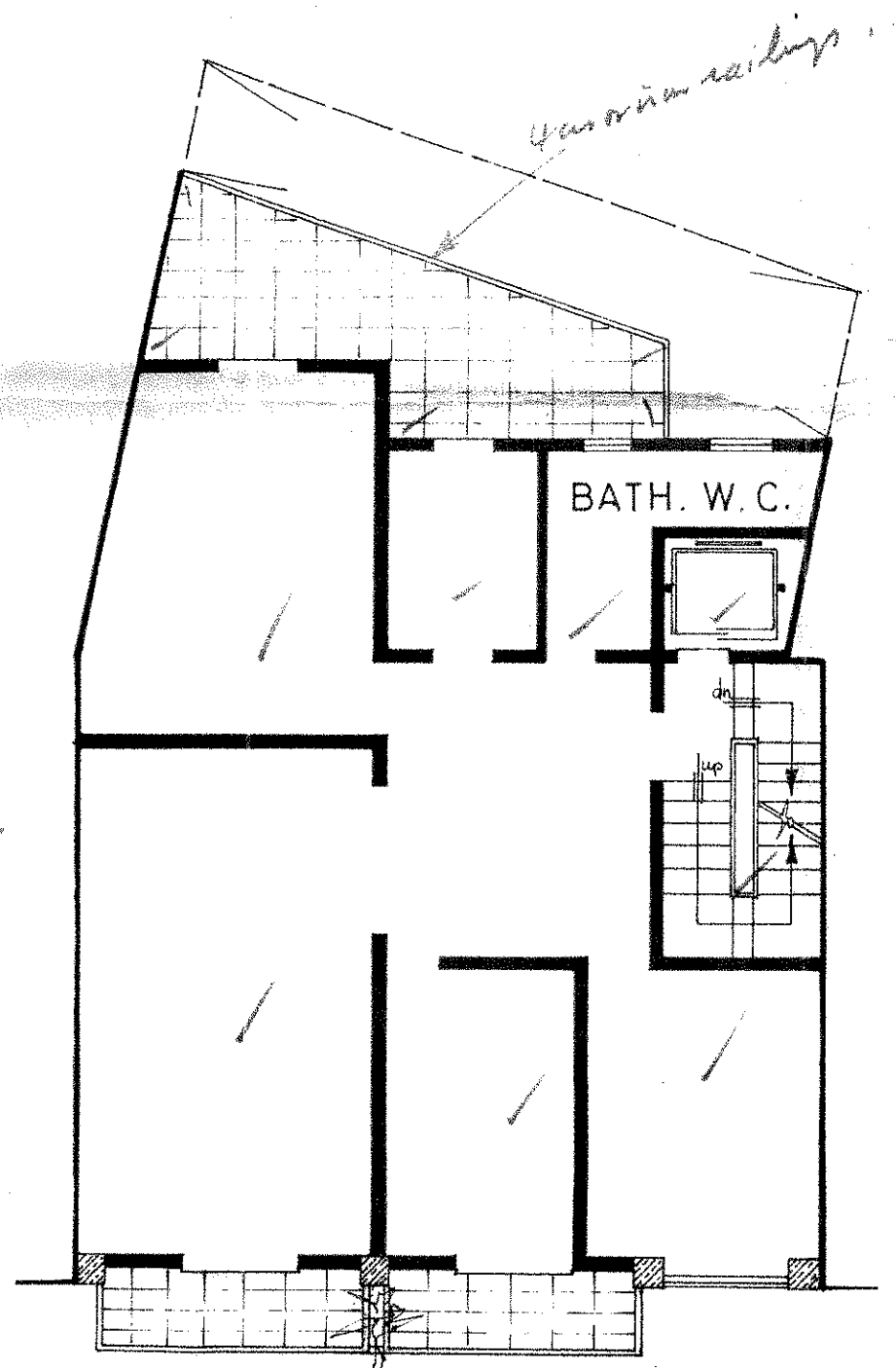


~~THIRD FLOOR~~



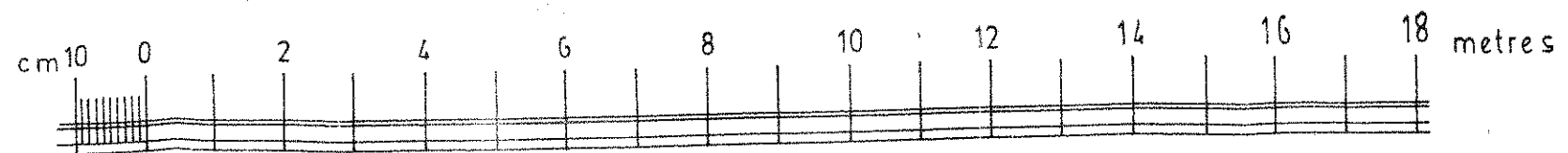


GROUND FLOOR



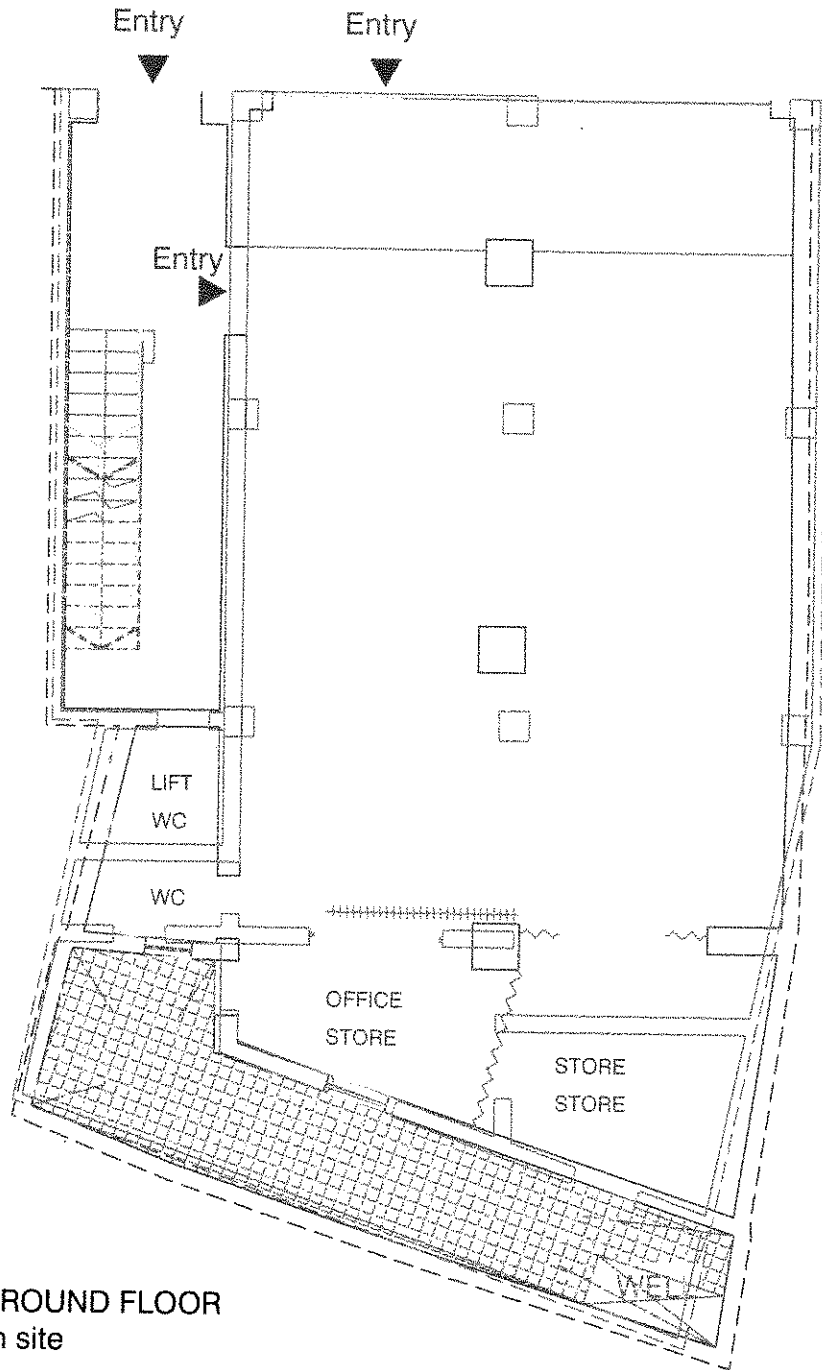
SECOND FLOOR

All exposed walls
are to be grouted
according to spec.



DOK N Pjanta li tqabbel il-fond kif approvat għall-bini ma dak
kif inhu mibni

HIGH STREET (TRIQ IL-KBIRA SAN GUZEPP), HAMRUN



AS EXISTING GROUND FLOOR
As measured on site

AS PLANNED GROUND FLOOR
Interpreted* from hard copy drawings
traced in Building Notice PB932/79

* Interpretation cannot be exact since it was
done from photocopies of old drawings traced
at the Planning Authority.

Perit Kylie Ann Borg Marks
BE&A(Hons), MSc

Architect & Civil Engineer

c/o, 41, Triq San Anard,

Taxien TXN 9016

MALTA

t: +356 79063743

e: kylie.borgmarks@gmail.com

dwg. title:

Comparison plan
Drawing

site address:

No. 236,
St. Joseph High Street,
HAMRUN

rev. details of revision

A drawn for Valuation

B

C

file ref.:

1812

date:

Jan.22

drg no:

EX003

drawn by:

KBM

revision:

A

sheet size:

A4

Dimensions are to be verified on site. Figured dimensions are
to be taken in preference to those scaled. Any discrepancies
must be reported immediately.

This drawing is the copyright of the author and cannot be
copied reproduced, retained or disclosed to any unauthorised
persons.

scale:

1:100

path:

1812_drawings

DOK P In-notifika tal-Qorti li fuqha hu bbazat dan ir-rapport

GRATI TAL-GUSTIZZIA

41

Pent Kyle Ann Berg Marks

Chromosome Class
List

41 ~~171~~ Edelweiss,

Tho Son Anord
6

Partien

Net

28/6

30/6

1889

ALL ALCOHOL
REGISTERED
RECEIPTS
LAW COURTS

FIL-PRIM' AWLA TAL-QORTI CIVILI

Imħallef: Onor. M.Chetcuti

Fl-atti tas-Subbasta Immobbli
Nru: 44/16

Fl-ismijiet:

Bank of Valletta p.l.c

Vs

Globino Limited

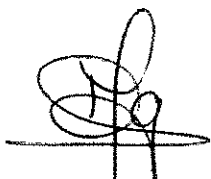
Il-Qorti,

Rat ir-rikors ;

Tilqa t-talba kif mitlub .

Tordna notifika lil Perit tal-Qorti .

Illum, 19 ta' Gunju 2018 .



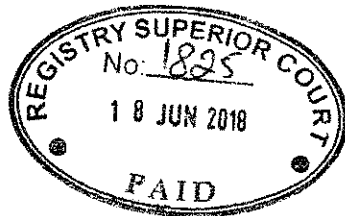
Marvic Farrugia
Deputat Registratur

Cedola
1800/16 Nov. '16

Fil-Prim' Awla tal-Qorti Civili

*Arbunad li fuq il-madwar.
Tidna nsewpuh il
numri idgub
Mickel
15/6/2018*

Fl-atti tas-subbasta numru 44/2016
fl-ismijiet



Bank of Valletta plc (C 2833)

vs

Globino Limited (C 10052)

Rikors tas-socjeta' Bank of Valletta plc (C 2833)

Tesponi Reverentement

Illi permezzs tar-rikors promotur taghha, l-esponenti qed titlob illi jinbieghu zewgt showrooms u cioe' dak wiehed (1) u tnejn (2) b'entratura min bieb komuni li jgib in-numru mitejn u sitta u tlettin (236), High Street, Hamrun,

Illi mir-relazzjoni tal-Perit inkarigat Kylie Ann Borg Marks jirrizulta illi iz-zewgt showrooms u cioe' dak wiehed (1) li jinsab fl-ewwel sular u dak (2) li jinsab fit-tieni sular ghandhom valur ta' sitt mija u erbatax-il elf u tmien mitt Ewro (€614,000).

Illi s-somma dovuta lill-esponenti, kif jirrizulta mill-att promotur ta' din is-subbasta, hija madwar hamsin elf Ewro (€50,000) u ghalhekk fl-umili sottomissjoni tal-esponenti anke biex issir l-inqas hsara lis-socjeta debitrice, jkun gust u ekwu illi tinbiegh l-ewwel showroom u cioe' dik bin-numru wiehed (1).

Ghaldaqstant, l-esponenti titlob umilment illi Din l-Onorabbli Qorti

1. Joghghobha tillibera mill-effetti ta' din is subbasta is-showroom li tinsab fin-numru (2) u cioe' u dik fl-ewwel sular (First Floor) u izzommha fermi u shah

biss fir-rigward tas-showroom numru wiehed (1) u cioe' dik li tinsab fil-pjan terran (Ground Floor) , u

2. Tordna lil Perit inkarigat Kylie Ann Borg Marks sabiex wara li taghmel il-konstatazzjonijiet mehtiega, temenda r-relazzjoni taghha u taghmel deskrizzjoni u stima tas-showroom numru wiehed (1) u cioe' dak li jinsab fil-pjan terran (Ground floor) bl-access li ghandu illum komuni ghaz-zewg sulari fua imsemmija, kollox taht dawk il-provvedeimenti xierqa u opportuni li Din l-Onorabbli Qorti joghgobha Tordna u Timponi.



Avv. Dott. Dominic A. Cassar

Omega House, Triq in-Naxxar
San Gwann SGN 9030



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

18 JUN 2018

Bov057s

illum _____

PL. V. Magro

ipprezentata mill-_____

B/Bla dok _____ dokumenti

Sharon Torra
Dep Reg \$

Fil-Prim' Awla tal- Qorti Ċivili



Fl-atti tas-subbasta
Nru. 44/16 fl-ismijiet

Bank of Valletta plc C 2833

– vs –

Globino Limited C 10052

NOTA tal-Perit Kylie Ann Borg Marks (183783M)

Tesponi bir-rispett illi:

1. Qed issir referenza ghar-relazzjoni pprezentata lill-Onorabbli Qorti fl-01 ta' Frar 2022.
2. Fir-rapport hemm spjegat li fl-atti tas-subbasta, fir-rikors tal-Bank of Valletta p.l.c. (C 2833) Nru.610 dd.07 Lulju 2016 ...
"gie stabbilit li s-socjeta' intimata hija proprjetarja tal-propjeta' immobiljari li hija *showroom* li tikkonsisti f'zewg sulari, internament enumerati bin-numru wiehed (1) u tnejn (2) b'entrata minn bieb komuni li jgib numru **mitejn u sitta u tletin (236), High Street, Hamrun**, formanti parti minn blokka ta' bini konsistenti fi tlett sulari, enumerati internament wiehed (1), tnejn (2) u tlieta (3), inkluz il-parti relattiva tal-partijiet komuni pero' **eskluz** il-bejt u l-arja sovrastanti it-tielet (3) sular, ta' liema bejt u arja, il-kumpanija Globino Limited ghandha biss l-uzu in komuni mall-proprjetarji tas-*showroom* li tinsab fit-tielet (3) sular."
3. Il-mandat ta' hwejjeg immobbli huwa marbut biss mal-**plan terran**.
4. Fir-rikors tal-Bank of Valletta, hemm referenza li dan il-plan terran huwa internament innumerat bin-numru wiehed (1).
5. Huwa wkoll dedott li hemm referenza ghall-plan terran bhala "l-ewwel (1) sular".
6. Qed jigi allura ccarat, li fir-relazzjoni tal-valutazzjoni tieghi stess, tal-2022, il-plan terran ghandu wkoll ir-referenza ta' l-ewwel (1) sular, imma dan dejjem huwa il-**"ground floor"**, li huwa l-ewwel livell li wiehed isib malli jidhol mill-bieb ta' barra tal-fond mit-triq.

Perit Kylie Ann Borg Marks

ILLUMINAZZJONI: 06/2022
DEHER IL-PERIT LEGALI/TEKNIKU, Kylie Ann Borg Marks LI HALEF LI QEDA FEDELMENT U ONESTAMENT L-INKARIGU MOGHTI LILU

Gaetana Aquilina
Deputat Registratur
Deputy Registrar
Qorti tal-Gustizzja (Malta)
Law Courts (Malta)
DEPUTAT REGISTRATUR

10 JUN 2022
Kylie Ann Borg Marks
Gaetana Aquilina
Deputat Registratur
Deputy Registrar
Qorti tal-Gustizzja (Malta)
Law Courts (Malta)