

Prim Awla tal-Qorti Civili

Qorti tas-SUBBASTA

Kawza nru. 63/2022



**Mary Rose Pisani,
K.I. 613062M**

VS

**Anthony Pisani,
K.I. 673959M**

Rapport u Valutazzjoni ta' Propjeta Maqbuda, mill-espert tekniku,

Prof . Perit Vincent Buhagiar

ECD – Energy Conscious Design

Architecture, Environmental Design & Energy Consultancy

Prof. Perit Vincent M. Buhagiar B.E.&A.(Hons.), M.Sc.(Lond.), Ph.D.(Wales).
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Ref. Taghkom: SUBBASTA_63/2022

Ref. Taghna: 27.014.L

Data: 24 ta' April 2023

Attrici:	Mary Rose Pisani. K.I. 1613062M.
Konvenut:	Anthony Pisani, K.I. 613062M.
Kummissjoni:	Spezzjoni u rapport dwar il-kundizzjoni u valur ta' propjeta.
Siti:	85A, Flat 1, 'Bil-Lampa' Triq Hortan, Marsascala. Garaxx, bla isem, sottopost ghal-istess flat, parti mill-istess blokka. Bejt, bhala l-Arja tal-blokk, indiviza u komuni ma terzi.

Suggett: Qbid ta' Propjeta bil-Qorti Civili, Atti tas-Subbasta, ref. 63/2022.

LIL MIN TISTA TOLQOT U TINTERESSA:

Introjtu

Gejt inkarigat mill-Qorti tas-Subbasta, ghan-nom tal-Attrici, biex fil-kapacita professjonali tieghi bhala Perit, naghmel spezzjoni tal-propjeta fl-indirizz t'hawn fuq, u niprepara rapport tekniku dwar il-kundizzjoni u stima tal-fond fuq imsemmi, skont dokument ufficjali, hawn anness, [Dok A].

Preludju

Wara li hrigt l-ewwel avviz biex nispezzjona l-fond fuq imsemmi, permezz ta' ittra registrata, li ggib id-data tas-06 ta' April 2023 [Dok B, Dok C], jien assenjajt appuntment ghal-20 ta' April 2023. Fuq il-post kien hemm prezenti, iz-zewg partijiet innifishom, cioe, l-konvenut, u l-attrici, li kienet akkumpanjata minn bintha, Annrina Camilleri, K.I. 52988M.

Din tal-ahhar ipprezentatli prokura [Dok D] li turi li hija ghanda id-dritt li tirrapresenta lill-ommha, kif ukoll certifikat mediku [Dok E] li jghid li ommha ghanda bzonn akkompanjament imhabba l-istat mentali taghha. Ghaldaqstant hallejta takkompanjani fil-visita tieghi tal-fondi fuq imsemmija.

Informazzjoni moghitja mill-Konvenut

Skond informazzjoni verbali mill-konvenut, Anthony Pisani, huwa flimkien ma l-ex-martu, Mary Rose Pisani, nee Camilleri(attrici), kienu xtraw il-plot fis-sena 1990, wara id-data taz-zwieg. Fuq din il-plot huma kienu bnew il-blokka, imsemmija 'Bil-Lampa', bin-numru ufficjali 85A. L-attrici ikkonfermat dan.

Il-konvenut iddikjara illi huwa kien bena il-blokka, hu stess, wahdu, 'single-handedly', ftit ftit wara il-gurnata tax-xoghol. Kien ghalhekk hu dam sitt snin biex lesta il-blokka, sal-istat 'shell u finishes' bazici biex setghu jidhlu fiha.

Mill-banda l-ohra l-attrici, ex-mara tieghu, f'dak iz-zmien, kienet taghti il-kontribuzzjoni finanzjarja taghha biex jinxtraw il-materjali necessarji bhala binja. Huma kienu jabitaw go Flat 1, li jinsab fl-ewwel sular ta' fuq il-garaxx, li jinsab fil-livell mat-triq (ground floor level). Il-konvenut kien juza il-garaxx ghal vetturi taghom, kif ukoll bhala mahzen ghall-ghodda li kellu, li kella x'taqsam mas-sena tal-bini u t-tibjidd. Flat 2 huwa illum mibjugh, kif gie dikjarat miz-zewg partijiet, u kif gie ikkonfermat ukoll mill-avukat tal-Attrici. Ghaldaqstant dan ma kienx suggett tal-ispezzjoni.

Il-plot kif mixtrija kella cens ta' €37.33 (originarjament LM16.00), li pero kien infeda ftit ta' snin wara u ghalhekk illum il-plot u l-flats u l-arja huma tenuti 'freehold' u liberu w franki minn kull piz iehor.

Dokumenti Legali

Bhala kuntratti ta' trasferiment/akkwist, jew dokumenti ufficjali ohra iz-zewg partijiet ma gabu ebda dokument maghom, minkejja it-talba li ghamilt meta tajthom l-appuntament ta' l-ispezzjoni b'ittra registrata [Dok B]. Ghaldaqstant ma statjtx nispezzjona u nikkonferma it-titolu fuq il-binja jew il-plot originali. Ghalkemm huma ma setghux juruni jew jghadduli ebda dokument, pero huma accertawni li dawn diga kienu gew mghoddija lill-avukati rispettivi u jinsabu fil-file taghom fil-Qorti [Kawza Civili, 7/2009 AL u Appell 7/2009/1 TM/AE].

Vista fuq il-Post u Access propju tal-fondi

Iz-zewg partijiet ikkolaboraw u fethuli, kemm il-garaxx (cwievet ghand il-konvenut), kif ukoll Flat 1 (one) u l-bejt (cwievet ghand l-attrici). Ghaldaqstant nsita niddikjara illi ma kelli l-ebda ostakolu jew xkiel ghal dan l-access. Il-partijiet ikkolboraw perfettament.

Lokalita fejn tinsab il-propjeta'

Dawn il-fondi imsemmija, essenzjalment il-blokka shiha, tinsab fi Triq il-Hortan f'Marsascalea. Din hija zona residenzjali li ilha stabbilita mis-snin tmeninijiet; fil-fatt din il-blokka kienet mibnija fid-disghinijiet. Site Plan annessa, [Dok F].

Permessi u Kostruzzjoni

Skond l-'Schemes' tal-Planning Authority, kif aggornati ricenti, f' din iz-zona kull plot tista tigi zviluppata f' total ta' SITT sulari (4 floors + semi-basement + 1 setback floor). Skema tal-izvilupp, kif ukoll l-gholi gross huma murija fiz-zewg dokumenti hawn annessi, maghrufa bhala 'Local Plans'+ 'Building Heights' [Dok G, Dok H].

Din il-blokka, imsemmija '*Bil-Lampa*', hija prezentament mibnija fuq tlett sulari, pero il-garaxx hu mibni fuq 14 il-filata u l-filata 'baxxa', cioe precizament, fih gholi intern ta' 3.95 metri. Basement ma hemmx. Hemm bir taht parti zghira mill-garaxx, fuq quddiem, hdejn it-tarag. Dan ma setghax jigi mkejjel ghax kien mimli bl-ilma.

Ghalhekk minn dan l-istharrig, jidher car illi l-blokka tista issirilha zieda ta' *tlett sulari ohra u penthouse*. Pero ta' min wiehed izid jghid ukoll illi:

- Spazju biex jigi installat 'passenger lift' ma hemmx,
- Struttura jaf ma tiflahx 3 sulari ohra fuq l-ezistenti, u ghaldaqstant trid tigi reinfurzata l-blokka, jew titwaqqa u tinbena kompletament mill-gdid.
- Hawn wiehed jista jiehu l-opportuntia sa biex jithaffer spazzju taht il-plot kollha biex isir basement gdid li jigi imqassam f' diversi garages purament ghal-perkegg ta' karozzi tas-sidien tal-blokka, kif inhu irrakkomandat mill-Awtorita tal-Ippjanar, biex jitnaqqsu il-karozzi mit-toroq tal-madwar.
- Dan l-izvilupp huwa ristrett mill-fatt li l-ewwel irid isir qbil mas-sidien ta' flat 2, kemm jekk se jizdiedu is-sulari, kif ukoll jekk trid titwaqqa il-blokka u tinbena mill-gdid, jew tigi reinfurzata strutturalment.

Dwar permessi originali, il-konvenut qalli li ma zammx kopji tal-permess jew tal-pjanti approvati, peress illi l-blokka ilha mibnija il-fuq minn sebgha w ghoxrin sena. Huma kienu dahhlu fi flat 1, lest, fl-1996, kif ikkonfermat l-attrici, ex-martu.

Wara tfitxija intensiva fuq il-'MapServer' tal-Awtorita tal-Ippjanar, instabu biss zewg referenzi fuq din is-sit [PA2272/95 u PA3539/97], izda dawn jsemmu applikanti u periti differenti mil-partijiet ta' dina il-kawza. Dettalji ohra qabel dawn id-dati (1995 u 1997), jew pjanti ta' dawn l-appliakzzjoni ma hemmx fuq il-Mapserver peress li dawn huma taz-zmien qabel twaqqfet l-Awtorita tal-Ippjanar u l-Ambjent.

Peress li l-plot inxtrat fl-1990, il-konvenut kien applika ftit wara (circa fi zmien sena), ghalhekk il-*files* ta' dak iz-zmien kienu jgibu referenza PB (P.A.P.B. - Planning Area Permits Board), cioe fil-forma PB + numru / sena.

[Nota Bene: MEPA originarjament twaqqfet fl-1992, bil-Planning Act 1 tan-1992].

Kostruzzjoni, Taqsim, Uzu u qisien tal-Kmamar

Plot:

Il-fondi imsemmija hawn fuq huma kollha fuq 'plot' wahda. Din il-plot ghandha access dirett minn Triq il-Hortan, u fiha ftit xtur fuq quddiem. Ghandha '*front*

garden' ta' circa tlett metri, bi ftti xtur, fejn il-blokka hija imbghad rettangolari. B'hekk ix-xtur intilef qabel il-faccata, li b'hekk giet angulata ffit mill-linja tat-triq u l-bankina. B'hekk, it-taqsim ma giex affetwat b'dan ix-xtur.

Bhala kostruzzjoni, il-binja hija mibnija bil-gebel, briks u konkos reinfurzat, bis-saqaf tal-garaxx imsaqqaf bil-planki.

Tqassim tal-plot, illum kolp ta' bini, fih dawn li gejjin:

Pjan Terran:

Garaxx : 18.20 x 5.88m interni

Store: 4.14 x 2.03m

WC+shower (shell): 2.5 x 1.2m

Dan il-pjan huwa prattikament okkupat minn garaxx kbir li jokkupa kwazi il-plot kollha, ghajr ghal-bitha zghira fuq wara ta' circa erbgha piedi (circa 1.28-0.9m), li m'hijiex kif stipulata bil-ligi sanitarja (1.5m). Din fiha ffit xtur ukoll, li huwa mitluf minn naha ghal-ohra, mal-appogg ta' wara. Dan is-sular huwa ta' 3.95m gholi, meta gie imkejjel mill-art tal-konos sas-saqaf tal-planki (mhux miksija).

Garaxx (id-WC u l-store inkluzi) fih kejl superficjali ta' circa 107 metri kwadri. Pjanta tal-garaxx, hawn annessa [Dok I].

Fl-Ewwel Sular

Minn entrata u tromba tat-tarag, wara l-ewwel indana tarag, wiehed jasal fl-ewwel sular. Hawn it-taqsim jikkonsisti f'kuridur twil u kmamar laterali, li jinkludu:

Kitchen/Dining room: 4.11 x 3.67m

Living room: 4.27 x 3.67m, b'gallarija maghluqa bl-auminium gahl fuq it-triq.

Kamra tal-banju mdaqqa: 3.14 x 2.02m

Bitha interna: 3.08 x 1.83m

Kamra tas-sodda matrimonjali (1): 4.10 x 3.85m

Kamra tas-sodda ohra (2): 3.73 x 3.34m

Kamra tas-sodda ohra (3): 2.83 x 2.46m

Terrazin fuq wara: 5.88 x 1.62m

Dan is-sular huwa ta' 3.03m gholi, meta gie imkejjel mill-madum sas-saqaf miksi (bla soffitt), u fih kejl superficjali intern ta' circa 107 metri kwadri.

Pjanta ta' Flat 1, fl-ewwel sular hawn annessa [Dok J].

It-Tieni Sular:

Dan jigi flat 2. Dan kien mibjugh u illum huwa propjeta ta' terzi u b'hekk ma jiffurmax parti minn din il-kawza, u ghaldaqstant ma giex spezzjonat.

Fit-Tielet Sular:

Dan jigi il-bejt. Dan hu indiviz u komuni bejn iz-zewg sidien taz-zewg flats. Hawn insibu 2 washrooms, li jissakru, wahda ghal kull flat. Spazju tal-bejt huwa liberu minn kull ingombro, ghajr ghal 2 air conditioning units li jinsabu wiehed fuq kull naha tal-bejt, ta' wara u ta' quddiem. Dawn huwa propjeta tas-sidien ta' Flat 2. Washroom 1 (ma Flat 1) fiha qiesien 4.07 x 3.78m, b'gholi intern ta' 2.3m (mkejla madum sal-konkos miksi). Pjanta tal-bejt u l-washrooms hawn annessa [Dok K].

Servizzi, Finishes u Aperturi

Bhala servizzi, l-elettriku (electrics) il-wires huma mghoddija fil-conduits tal-UPVC u l-ilma (plumbing) mghoddi fil-PDFE (pajpijiet tal-plastik), ditta Acorn. Bhala installazzjoni, dan ix-xoghol sar kollu mill-konvenut. Dan kollu kif spjegat mill-konvenut stess, u ikkonfermat mill-attrici.

Mill-lat ta' finishes, il-flat huwa mghammar b'kamra tal-banju wahda, bil-banju 'corner', WC, sink u shower. Fil-flat kollu, il-madum huwa kollu tac-cermakia, ta' tip wiehed kullimkien, ghajr il-kamra tal-banju.

Bhal dawl u ilma, dawk kollha jinsabu fi stat tajjed u jahdmu, bhal ma hija is-sistema tad-drenagg. Dawn kollha gew ippruvati minni fuq il-post.

Aperturi interni huma kollha tal-Aluminum, hlief il-Bieb ta' barra u l-bibien tal-kmamar li huma tal-injam. Dawn ukoll gew mahduma kollha mill-konvenut. Mill-banda l-ohra l-attrici taght is-seham taghha ghall-ispejjez tal-materjali.

Kundizzjoni Generali tal-Flat u l-Washroom, illum.

Dawn jinsabu fi stat ta' finishes baziku, u jidher illi l-flat jinstab fi stat ta' telqa, billi kif gie ikkonfermat mill-partijeit, dan ilu maghluq ghal madwar sentejn (circa 18-20 xahar). Hemm kcina b'xi *appliances* installati fil-post, pero ghamara ohra ma hemmx. L-attrici qaltli li kien jinkera ghal xi zmien, izda issa ma ghadux. Ghaldaqtant flat 1 jinsab batal.

Washroom hija fi stat degradanti hafna, Hemm sinjali ta' dhul tal-ilma tax-xita. Hemm ukoll hsara fil-konkos tal-blajjet u xi konsenturi f'xi kmamar u sinajli cari ta' umdita fil-kuridur mill-appogg tal-lemin, peress li hemm plot vojta, li ghada ma gietx mibnija. Provista tal-ilma minn tank tal-ilma fuq il-washroom li kien iservi lil-garaxx gie skonnetjat mill-livell tal-bejt.

Ritratti essenzjali ta' kull parti, hawn annessi [Dok L, M, N, O, P, Q, R].

Stima fis-Suq tal-Propjeta

Wara li qist il-pozizzjoni tal-blokka, w il-kundizzjoni ta' Flat 1, il-washroom mieghu, u l-kundizzjoni ta' manutenzjoni generali tal-post, kif ukoll l-skema ta' zvilupp tal-lokal, jien nistma il-partigjit indipendenti kif gej:

Garaxx wahdu: €275,000 (mitejn u hamsa w sebghin elf Ewro)
Flat 1 + washroom: €212,000 (mitejn u tnax il-elf Ewro)
Arja tal-bejt fabbrikabli: €300,000 (tlett mitt elf Ewro)
Titlu: Freehold.

Konkluzjoni

Dan kollu qed jigi dikjarat minni personalment bhala l-Perit hawn taht iffirmit, u dan ir-rapport huwa ibbazat fuq infomazjoni mgħoddija lili mill-attribuci/konvenut, sidien prezenti tal-fondi imsemmija. Il-qisien, pjanti u dokumenti ohra gew elevati u migbura u ir-ritratti gew mehuda minni personalment.

Jien lest nixhed dan kollu bil-gurament, biex nikkonferma l-awtenticita tar-rapport u lest nirrispondi għal xi domandi mistoqsija għal dettalji ohra, skond kif nigmi mitlub.

Nota Finali

Dan ir-rapport qed jigi pprezentat lill-Onorabli Qorti, li ikkummissjonat dan il-kaz lili bhala il-Perit hawn taht iffirmit. Għaldaqstant jista jigi mgħoddi biss lil partijiet koncernati, *wara li jigi intaxxat* (jinhadem il-kont tal-Perizja) u jithallas.

Għalhekk, dan ir-rapport *ma jistax jigi relaxxat jekk ma jithallasx il-kont dovut* u tinghata l-ircewta fiskali rispettiva, li tkopri kollox. Dan qed jingħad biex kollox jimxi bil-procedura stabbilita u kif regolat mill-Qorti ta'Malta.

Bir-rispett.

Prof. Perit Vince Buhagiar

Annessi.: 18 il-dokument + indici tagħhom

Carina Abdilla
Deputat Registratur

6 JUNI 2023

Ilum _____

Ipprezentata mill Prof. Perit Vince Buhagiar

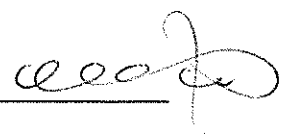
bla dok/b Intax dokumenti

(18)

Ilum <u>16 ta' Ġunju 23</u>
Deher/ret <u>Vince Buhagiar</u>
Karta tal-Identita Nru: <u>7936604</u>
Halef/halfet din innota / rikors / risposta / ittre ufficjali / mandat / affidavit / att wara li giet iffirmita u moqrija lili / lilha. <u>rapport</u>
Gaetana Aulina Deputat Registratur

Dokumenti Annessi - Tmintax (18):

- Dok.A: Ittra tal-kariga mill-Qorti Civili.
- Dok.B: Ittra lil attrici u lil konvenut, biex ninformhom bid-data u l-hin tal-access.
- Dok.C: Malta post - Ricevuta tal-ittra registrata.
- Dok D: Prokura minn Mary Rose Pisani lil bintha Annrina Camilleri.
- Dok E: Certifikat Mediku (Mary Rose Pisani)
- Dok F(4+2) Site Plan Ufficjali, bis sit indikata, imbelfla bl-ahmar,
- Dok G: 'Locla Plan', bil-'Building Heights' - Skema ta' Zvilupp ghal Marsascale
- Dok.H: Tabella li turi ir-relazzjoni tas-sulari mal-gholi bil-metri skond DC 2015.
- Dok. I: Ground Floor Plan - GARAGE.
- Dok. J: First Floor Plan - FLAT 1.
- Dok K: Roof Plan + Washrooms 1& 2.
- Dok L: Ritratti tal-faccata u l-kuntest bhala 'streetscape'
- Dok M: Ritratti tal-garaxx u l-isem + numru
- Dok N: Ritratti tat-tromba tat-tarag u tal- kuridur
- Dok O: Ritratti tal-Kitchen-Dining u tal-Living room
- Dok P: Ritratti tat 3 Kmamar tas-sodda
- Dok Q: Ritratti tal-kamra tal-banju u l-washroom minn gewwa
- Dok R: Ritratti tal-Bejt u l-washrooms minn barra
- Dok S: *Schedule 8, part 3, formola mimlija.*





Fil-Prim Awla' tal-Qorti Ċivili

Fl-Atti tas-Subbasta Nru: 63/22

Mary Rose Pisani K1613062M

Vs

Anthony Pisani K1673959M

Lill: Perit Vincent Buhagiar

Inti mgharraf illi gejt mahtur bhala espert fl-atti tal-Mandat ta' Qbid ta' Hwejjeg Immobbli hawn fuq imsemmi sabiex taghmel deskrizzjoni tal-fond jew fondi indikat fir-rikors promotur u sabiex tfisser il-pizijiet, kirjiet u jeddiet ohra, sew reali kemm personali, jekk ikun herm, li ghalihom dan il-fond jew fondi ikun suggett kif ukoll l-ahhar trasferiment tieghu, skond l-informazzjoni li jkun ha mill-kreditur jew mid-debitur.

Inti mitlub sabiex tigi tigbor l-inkartament relattiv mill-20 ta' Marzu 2023 '1 quddiem filwaqt illi mgharraf illi ghandek sat-20 ta' Mejju 2023 sabiex tipprezenta r-rapport dettaljat tieghek.

Marvic Farrugia
Deputat Registratur

ECD – Energy Conscious Design

Architecture, Environmental Design & Energy Consultancy

Prof. Perit Vincent M. Buhagiar B.E.&A.(Hons.), M.Sc.(Lond.), Ph.D.(Wales).
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Ref. Taghkom: **SUBBASTA 63/2022 MC**

Ref. taghna:

Data: 06 ta' April 2023

Rikorrenti: Mary Rose Pisani, K.I. 1613062M

Intimat: Anthony Pisani, K.I. 1673959M

Kummissjoni: **Spezzjoni ghar-Rapport Tekniku u Stima**

Fond (Sit): **Appartamenti + Garaxx,
85A, 'Bil-Lampa', Triq il-Hortan, Marsaskala, Malta.**

Subject: Re- Spezzjoni tal-Fondi imsemmija

Fuq inkarigu ufficjali mill-Prima Awla tal-Qorti Civili ta' Malta, ghandi bzonn naghmel spezzjoni tal-fond fuq imsemmi ghal skop ta' valutazzjoni tal-propjeta imsemmija. Din l-ispezzjoni se ssir hekk:

Data: **IT-TNEJN, 24 ta' APRIL, 2023**

Hin: **5.00pm**

Niitaghju: **Fuq il-Post, hdejn il-Fond stess.**

Importanti li jkun hemm wiehed mis-sidien tal-fond imsemmi biex jiftahli, kif ukoll li jkun hemm fil-hin. Biex inhaffu l-process, gib mieghek id-dokument relevanti li ghandhom x'jaqsmu mal-fond (kuntratti, ktieb tal-kera, permessi, licenzji, ecc.).

Ghandek/Ghandkom id-dritt li jkunu prezenti l-avukati taghkom waqt l-ispezzjoni.

Tislijiet,



Prof. Perit V.M. Buhagiar



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 Email: vincentbuhagiar@gmail.com

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Subbasta
 63/22

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KNOWN ALL MEN BY THESE PRESENT that I the undersigned

Mary Rose Camilleri, daughter of Joseph Camilleri and Carmen nee' Farrugia, born in Mtarfa on the 4th October 1962 and residing at 85A, Bil-Lampa, Flat 1, Triq il-Hortan, Marsaskala (holder of identity card number 613062 (M));

do hereby make, constitute and appoint as my true and lawful attorney

my daughter Annrina Camilleri, daughter of Anthony Pisani and Mary Rose nee' Camilleri, born in Pieta' on the ninth of January of the year nineteen hundred and eighty eight (9/1/1988) and residing at number three (3), Il-Fanal, Triq Bajjada, Alley number five (5), Zabbar (holder of identity card numbers 52988 (M));

hereinafter referred to as "my Attorney" empowering my/our Attorney:-

- 1) To administer my/our property movable and immovable in the most ample and unlimited manner;
- 2) To accept in my/our name and on my/our behalf either simply or with benefit of inventory any inheritance which may devolve upon me/us;
- 3) To formulate and file declarations of successions and donation and to pay imposts and penalties thereon;
- 4) To appear in my/our name and on my/our behalf on any deed of liquidation, approval and acquittance of accounts, and partition of movable and immovable property, money, stocks and other valuables which belong to me/us jointly with others or which come or may come to me/us from any inheritance or by any title or cause whatsoever, empowering him/her, for such purpose to assume any obligation and to undertake anything which may be required in the premises without any exception whatsoever;
- 5) To effect any transfer (sale, barter or exchange long-lease, 'datio in solitum' etc.) of movable and/or immovable property belonging to me/us for such sale price or consideration and under those terms and conditions which my/our said attorney may deem proper, as well as to do any and every procedure for the liberation of burthens and servitudes aggravating any immovable property belonging to me/us;
- 6) To acquire either by title of purchase or by any title whatsoever any immovable property by notarial transfers or by public sales under judicial authority (subbasta) under such sale price, terms and conditions which said attorney may deem fit and proper;
- 7) To constitute any lien, hypothecation, privilege, pledge or other security of my/our property present and future even when necessary *in solidum* with others under such terms as may be deemed necessary by my/our attorney in order to safeguard each and every act which my/our said attorney may do in virtue of these present, as well as to give in my/our name and on my/our behalf my/our consent for the cancellation, postponement, waiver or reduction of hypothecary or privileged inscriptions and to subrogate other persons in same as the case might be;
- 8) To apply in my/our name and on my/our behalf for any authorisation which may be required for any act mentioned in this power of attorney to the competent Court and/or other competent authority;
- 9) To stand in judgement, either as plaintiff or defendant in my/our name, with all the powers enumerated in section one thousand eight hundred and sixty-five of the Civil Code of Malta (Chapter 16 of the Laws of Malta);
- 10) To transact and compromise any dispute or lawsuit in which I/we may be a party, upon such terms as my/our said attorney in fact may deem best, with all powers necessary for the purpose;
- 11) To demand and exact or withdraw from any bank, authority or Court Registry and from any person or constituted body any sum of money or other effects which may be due to me/us for any or cause whatsoever, with power to agree to all terms and conditions set forth in the schedule of deposit including that of hypothecating all my/our present and future property;
- 12) To demand breaking of a fixed term deposit held with a bank in my/our name, with power to agree to all terms and conditions including that of forfeiture of any interest accrued to date on any fixed term deposit;
- 13) To assume in my/our name and on my/our behalf any obligation, including the taking of a loan and/or overdraft, the giving of an indemnity for the issue of bank guarantees and the constitution of a suretyship / guarantee, even *in solidum* with others, under all such conditions and for any amounts as the said attorney may deem fit;
- 14) To accept as a gift, or as security for a loan, to reject, to demand, to buy, to receive, or otherwise to acquire either ownership or possession of, any bond, share, investment, instrument of similar character, commodity interest or any instrument with respect thereto, together with the interest, dividends, proceeds or other distributions connected therewith;
- 15) To sell, to exchange, to transfer either with or without security, to release, to surrender, to hypothecate, to pledge, to grant options concerning, to loan, to trade in, or otherwise to dispose of any bond, share, investment, instrument of similar character, commodity interest or any interest with respect thereto;
- 16) To release in whole or in part, to assign the whole or a part of, to satisfy in whole or in part, and to enforce by action, proceeding or otherwise, any pledge, encumbrance, lien or other claim as to any bond, share, investment, instrument of similar character, commodity interest or any interest with respect thereto, when such pledge, encumbrance, lien or other claim is owned, or claimed to be owned by me/us;

DR. JEAN CARL DEBONO B.A., M.A., LL.D. DR. JEAN CARL DEBONO B.A., M.A., LL.D.
 Notary Public and Commissioner for Oaths Notary Public and Commissioner for Oaths
 40, Triq Ganni Vassallo, Luqa LQA 1513, Malta 40, Triq Ganni Vassallo, Luqa LQA 1513, Malta
 Mobile: 99604727 Tel/Fax: 21663588 Mobile: 99604727 Tel/Fax: 21663588
 Email: jcdebano@gmail.com Email: jcdebano@gmail.com

M. Camilleri

cced

- 17) To do any act of management or of conservation with respect to any bond, share, investment, instrument of similar character, commodity interest or any instrument with respect thereto, owned by me/us, including by way of illustration, but not of restriction, power to insure against any casualty, liability or loss, to obtain or to regain possession or to protect my/our interest therein by action;
 - 18) To take any investment decision and/or adopt any risk profile and risk taking preference which my/our attorney may, in his/her discretion, consider appropriate and to agree and to contract, in any manner, and with any broker or other person, and on any terms, which my/our attorney may select, for the accomplishment of any of the purposes mentioned above in clauses 14 to 17, and to perform, to rescind, to reform, to release or to modify any such agreement entered into by me/us or on my/our behalf;
 - 19) To take out and/or enter into in my/our name and on my/our behalf a policy of insurance under such terms and conditions as my/our Attorney may deem fit and to redeem and surrender, to appoint/change beneficiaries as permitted by the applicable law and/or to pledge/assign any insurance policy held in my/our name for any reason my/our attorney may deem appropriate;
 - 20) To open and/or close any bank accounts in my/our name and on my/our behalf and to operate such bank accounts freely and without any restriction and/or to request the bank to issue debit cards in relation to the said accounts and to agree to all applicable terms and conditions relating to the said accounts and/or cards,
 - 21) To give in my/our name and in my/our behalf any instructions to any third party for the purpose of requesting, altering, adding or otherwise cancelling any personal information held by the bank in relation to me/us;
 - 22) To give in my/our name and in my/our behalf instructions to any third party for the purpose of receiving any correspondence/statements in any address that the Attorney may deem appropriate;
 - 23) To encash or endorse any cheque, bank draft or bill of exchange payable to me/us;
 - 24) To sign in my/our name and on my/our behalf any cheque, bank draft, or bill of exchange drawn on my/our own account;
 - 25) To apply, agree, sign and establish a merchant acquiring relationship with any bank under the terms and conditions stipulated in the Merchant Application Form, the Card Processing Agreement and the Card Processing Terms of Service and/or other agreements which may apply from time to time; and to do all other acts deemed necessary to establish such a relationship;
 - 26) To perform any act ancillary to the above or which may in the absolute discretion of my/our Attorney be deemed necessary to enable my/our Attorney to exercise for me/us all or any of the powers here conferred;
 - 27) For the better doing, performing and executing and executing of the matters aforesaid, I/we hereby grant unto my/our said attorney full power and authority to substitute and appoint in his/their place and stead one or more attorney or attorneys to exercise for me/us as my/our attorney or attorneys any of or all powers hereby conferred and to revoke any such appointment from time to time, as my/our said attorney shall from time to time deem fit.
- AND I/We hereby undertake to approve, ratify and confirm whatsoever my/our attorney shall lawfully do or cause to be done in accordance with this power of attorney.

For the purposes of the Civil Code of Malta, I the undersigned Notary Public have duly brought to the attention of the above mentioned Mary Rose Camilleri the importance and consequences of such an appointment as Attorney/Mandator, with regards to acts of Extraordinary Administration and Compromise.

Moreover, I, the above mentioned Mary Rose Camilleri do hereby declare that I have been duly warned by the said Notary Public of the importance and consequences of such an appointment, with regards to acts of Extraordinary Administration and Compromise.

Moreover, I the undersigned Notary Public declare that this power of attorney, has been duly attested to, in terms of the Code of Organisation and Civil Procedure of the Laws of Malta.

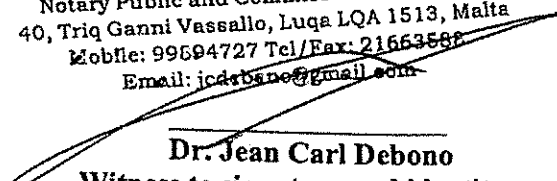
I, the undersigned Notary/Advocate do hereby declare that Mary Rose Camilleri has signed this mandate after I ascertained her identity by means of the above-mentioned official document and after I explained to her and warned her of the importance and consequence of this mandate.

In witness whereof, I/we have hereunder set my/our hand at 40, Triq Ganni Vassallo, Luqa

Today 20th April 2023


Ms. Mary Rose Camilleri

DR. JEAN CARL DEBONO B.A., M.A., LL.D.
Notary Public and Commissioner for Oaths
40, Triq Ganni Vassallo, Luqa LQA 1513, Malta
Mobile: 99594727 Tel/Fax: 21663588
Email: jcd@bono@gmail.com


Dr. Jean Carl Debono
Witness to signature and identity

CERTIFIED TRUE COPY OF THE ORIGINAL

TODAY 20/4/2023

DR. JEAN CARL DEBONO B.A., M.A., LL.D.
Notary Public and Commissioner for Oaths
40, Triq Ganni Vassallo, Luqa LQA 1513, Malta
Mobile: 99894727 Tel/Fax: 21663588
Email: jcd@bono@gmail.com



Dr. Andrew Farrugia Wismayer MD

Dok E.

Reg No: 3578

Mobile Number: 7939 4868

Mary Rose Cenilleri
6130624

18/4/23

To whom it may concern,

This is to confirm that

the above mentioned suffers from

multiple psychiatric conditions and

would be recommended that her

daughter Ancina Cenilleri 529884

is present for all meeting

with her x-husband.

Dr. Andrew Farrugia Wismayer, MD

Reg. no. 3578




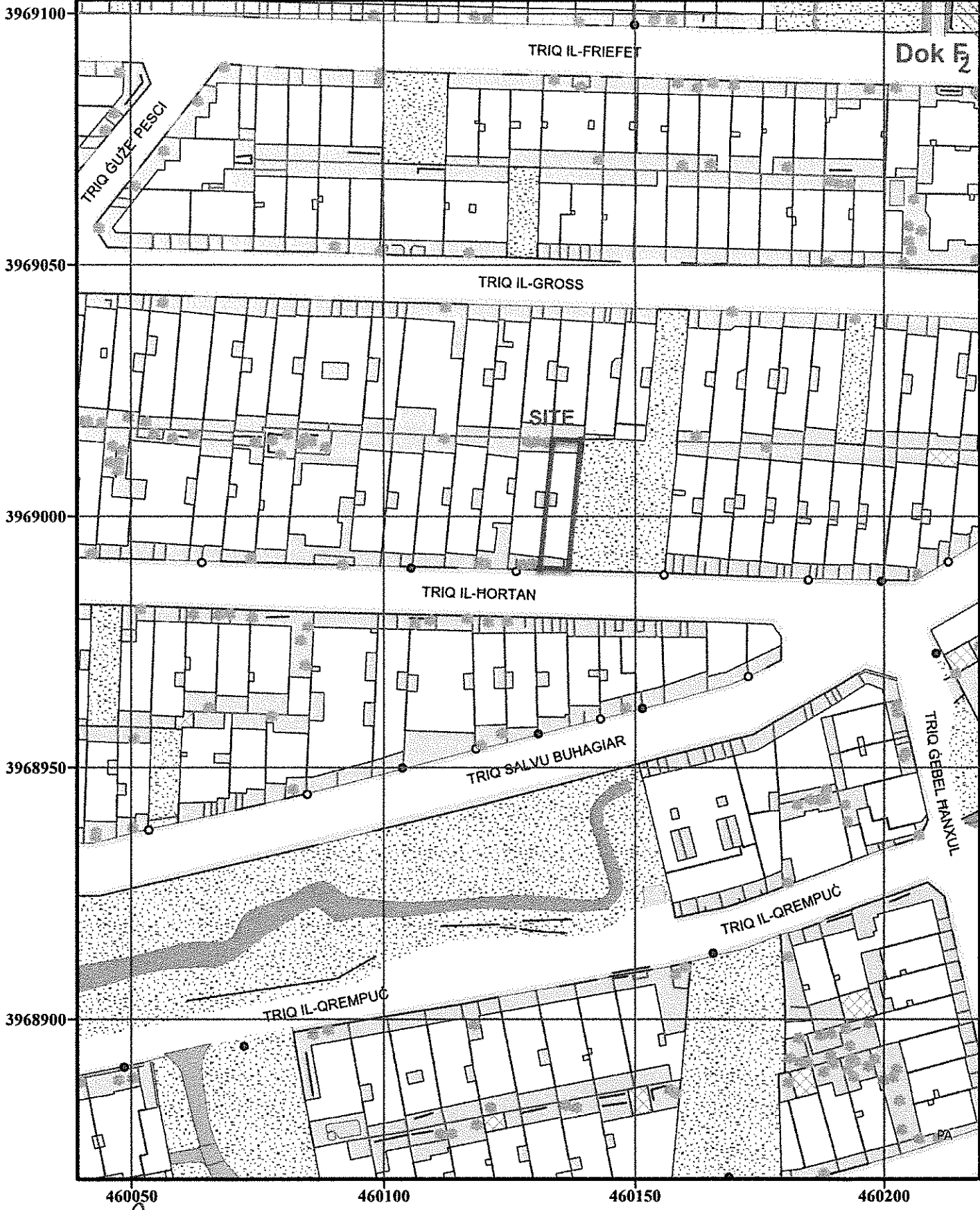
Browns Mensija

Monday to Friday: 8.00am to 10.30am & 3.00pm to 4.30pm

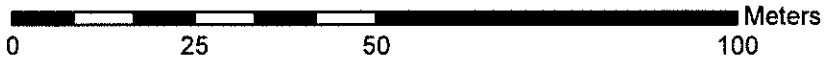
St Andrews Clinic tel 2135 5205

Daily by appointment





Handwritten signature
 Dr. Valerio M. F. Magliet
 Director General
 Planning Authority
 11, Victoria Street, Valletta, Malta
 Tel: +356 2290 0000
 Fax: +356 2290 2295
 www.pa.org.mt



1:1,000

Handwritten signature



PLANNING AUTHORITY

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

Compiled and published by the Mapping Unit, Planning Authority.
 EROF.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.

SOUTH MALTA LOCAL PLAN

Leżżenja ta' Malta (Local Environment & Planning Authority)
 Malta Environment & Planning Authority

Key:

- Limits to Development
- Urban Conservation Area
- Bangalow - 1 Floor plus semi-basement
- Villa Area - 2 Floors plus semi-basement
- 2 Floors
- 2 Floors plus basement
- 2 Floors plus semi-basement
- 2 Floors plus (reduced) 3rd Floor
- 2 Floors plus basement - subject to Policy MS3.3.1.1
- 2 Floors plus semi-basement
- 4 Floors
- 4 Floors plus semi-basement
- Not to exceed existing height
- As per Policies MS3.6.1.1, MS3.6.1.2, MS3.6.1.3 & MS3.6.1.4
-

Remarks:
 The above height limitations shall not be applicable to residential areas open to the sea or to a water body, or to a lake, or to a site or other open space suitable for urban development.

Marsascala
Building Heights

Scale: 1:6500
 Date: July 2006
 Map: MS 3
 DRAWN BY: G.S.J.
 Not to be used for reproduction or distribution without the permission of the Mapping Unit, Malta Environment & Planning Authority.
 Date: 2006
 Copyright Mapping Unit, Malta Environment & Planning Authority



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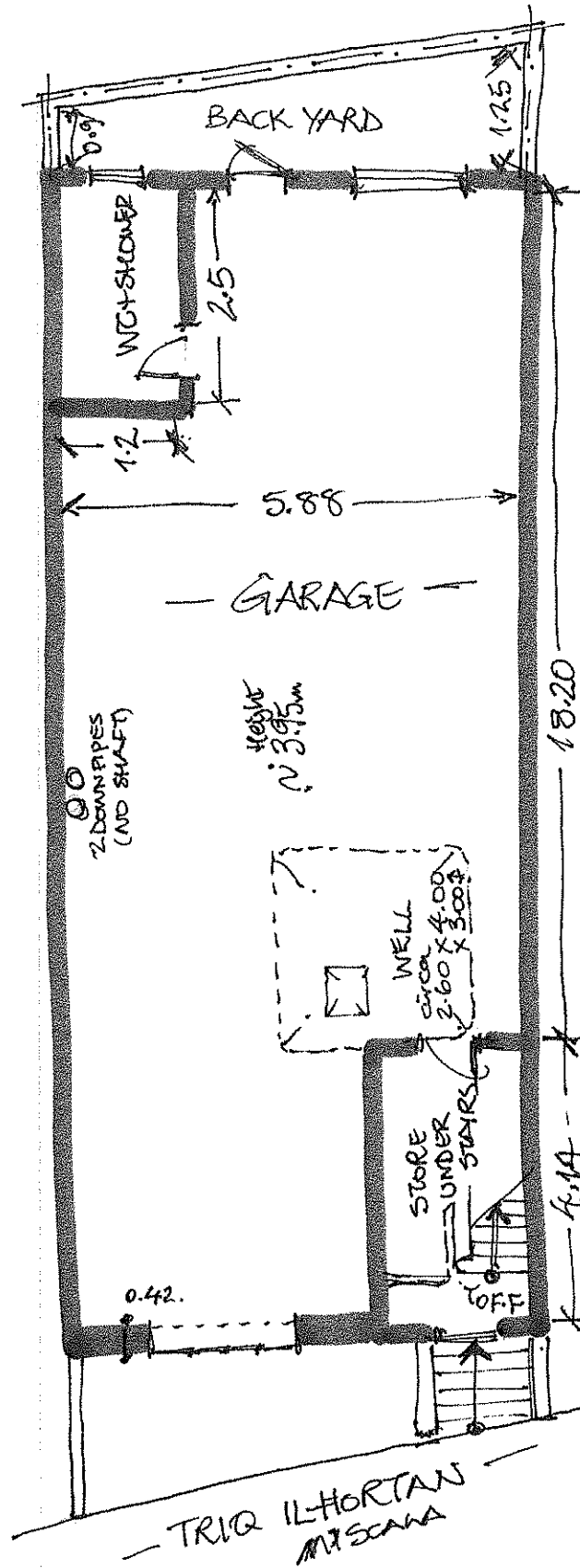
Annex 2: Interpretation of Height Limitation

Dok H

Height limitation shall be interpreted as follows:

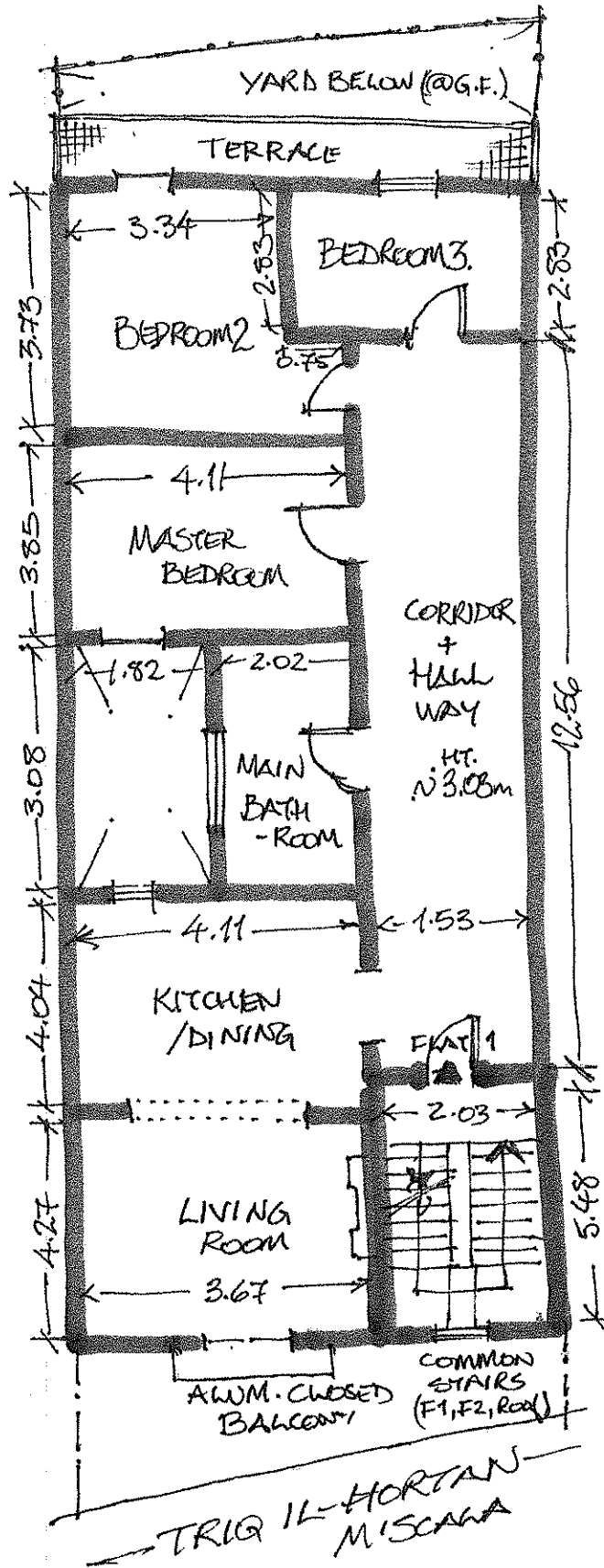
Number of Floors	Allowable Maximum Height in Metres Without Basement	Allowable Maximum Height in Metres With Basement	Allowable Maximum Height in Metres With Semi-Basement
1	7.70	8.60	9.80
2	11.40	12.30	13.50
3	15.40	16.30	17.50
4	19.90	20.80	22.00
5	22.90	23.80	25.00
6	26.90	27.80	29.00
7	29.90	30.80	32.00
8	33.40	34.30	35.50





GROUND FLOOR
PLAN
GARAGE
-NOT TO SCALE-

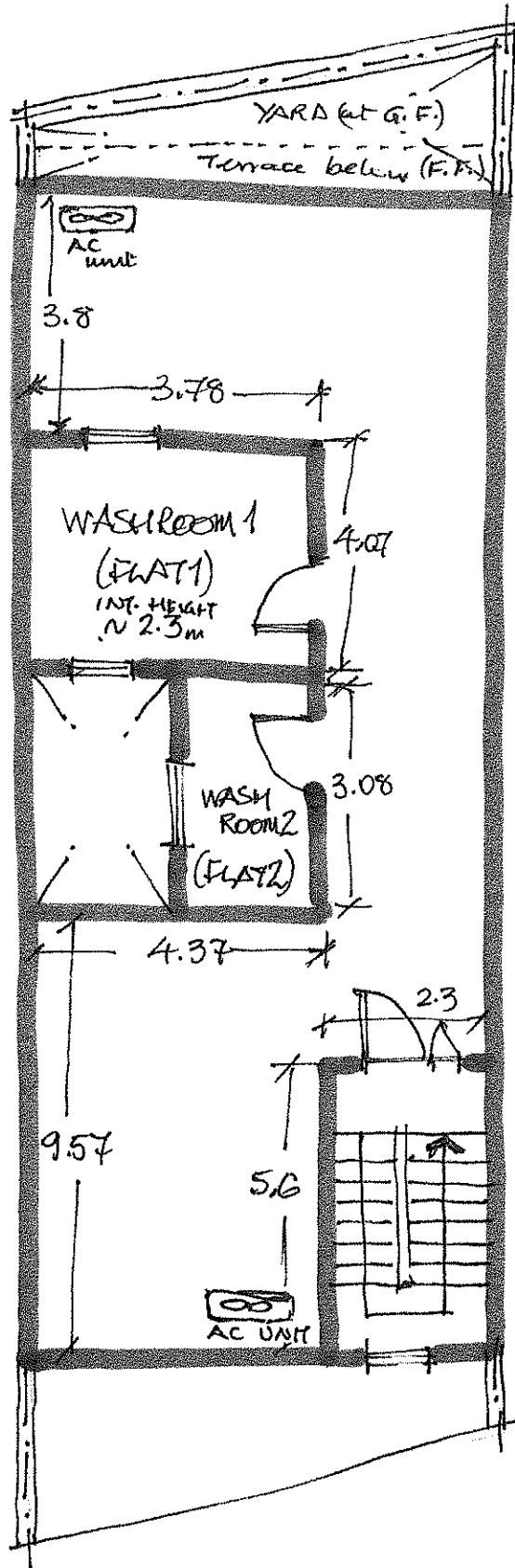
Dok J



FIRST FLOOR
PLAN
FLAT 1.
- NOT TO SCALE -

(Handwritten signature)

Dok K



ROOF PLAN
WASH ROOMS 1, 2
- NOT TO SCALE -



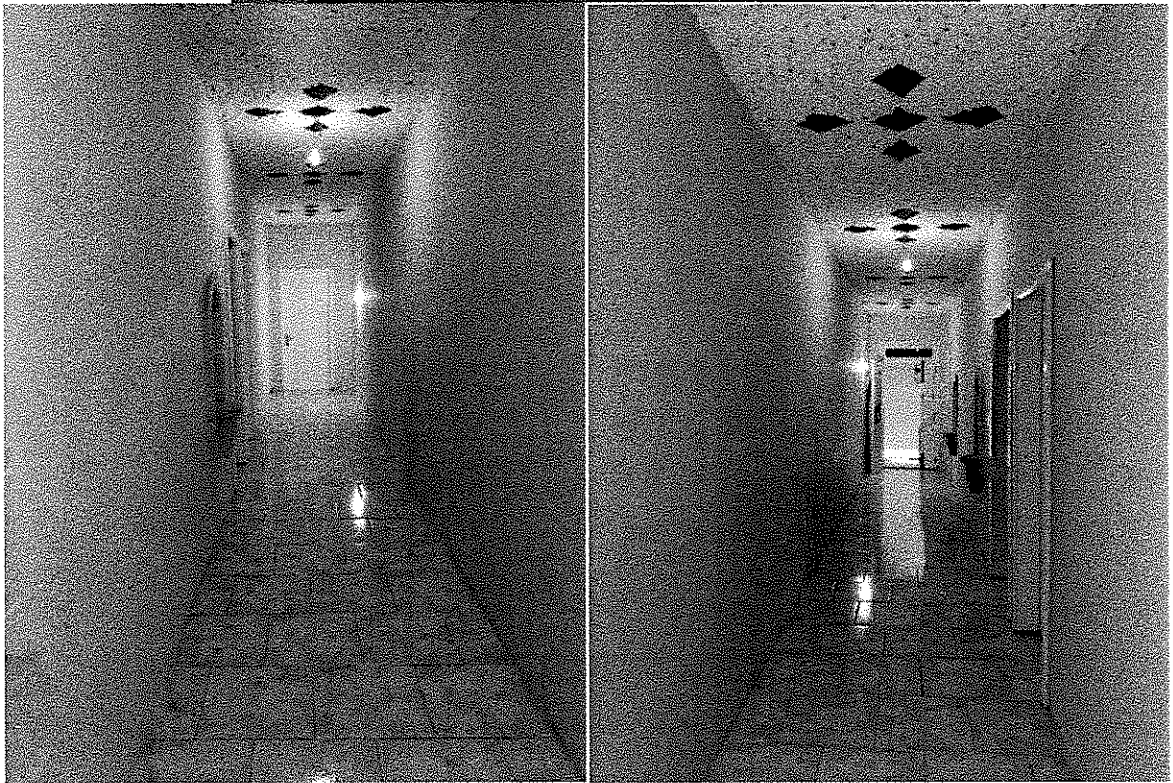
Dok L - Ritratti tal-faccata u l-kuntest bhala 'streetscape'

A handwritten signature or mark in the bottom right corner of the page.



Dok M - Ritratti tal-garaxx u l-isem + numru

eee



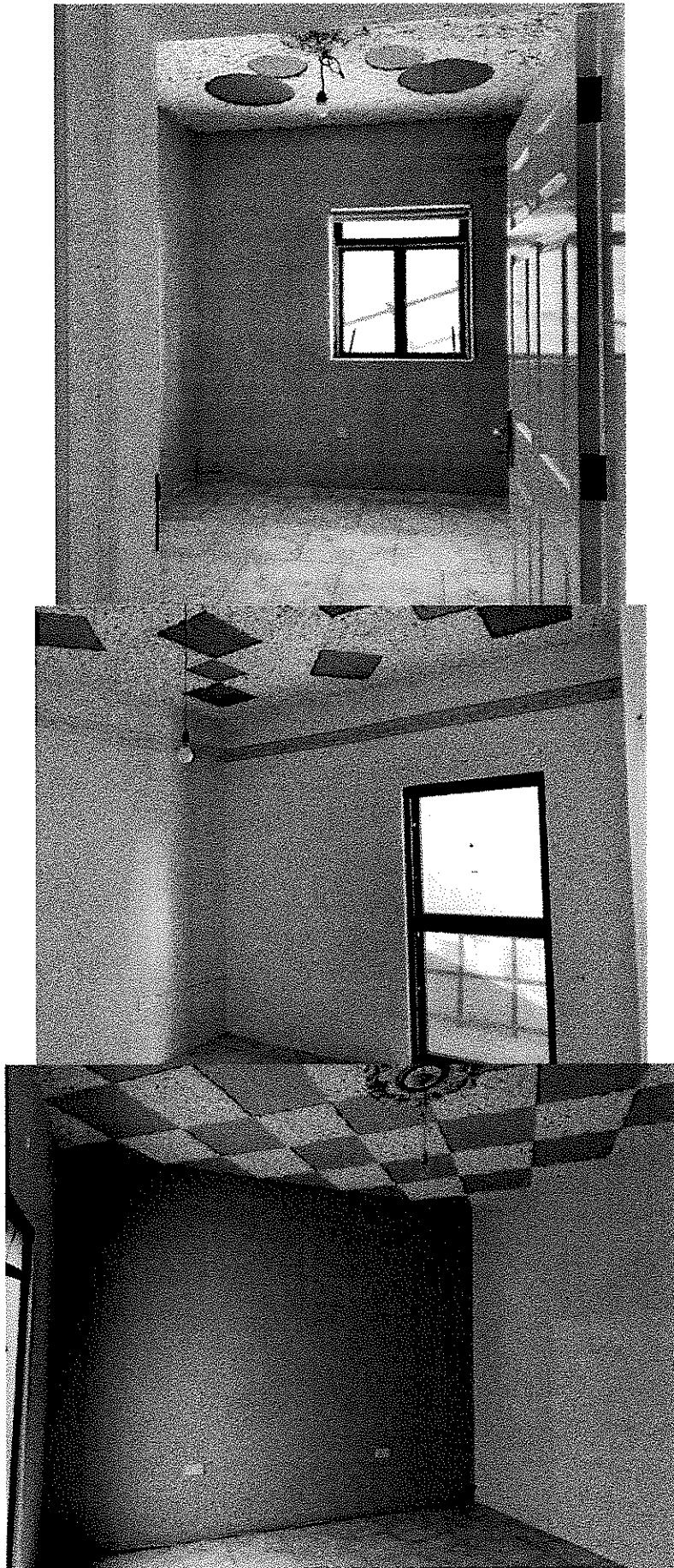
Dok N - Ritratti tat-tromba tat-tarag u tal- kuridur

A handwritten signature or mark in the bottom right corner of the page.



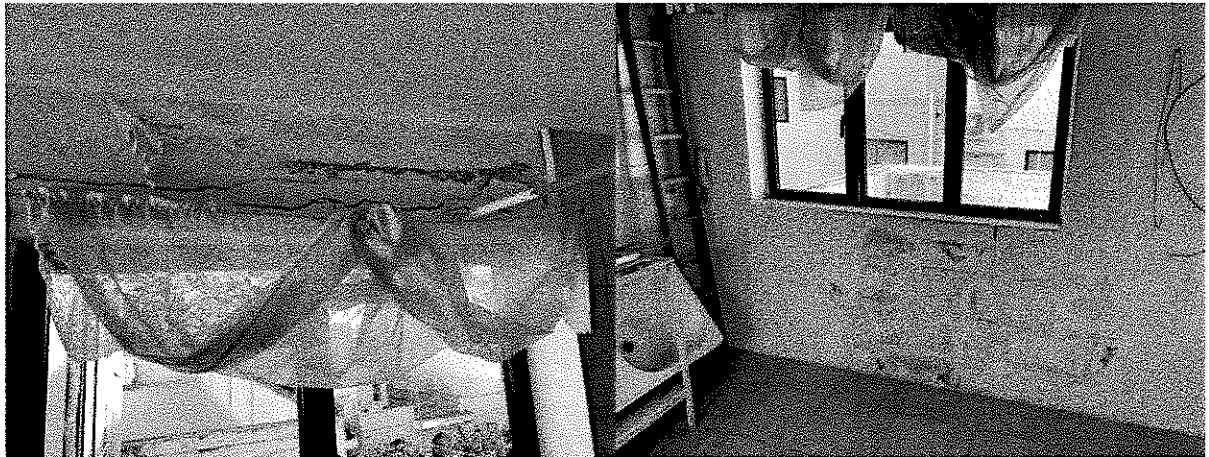
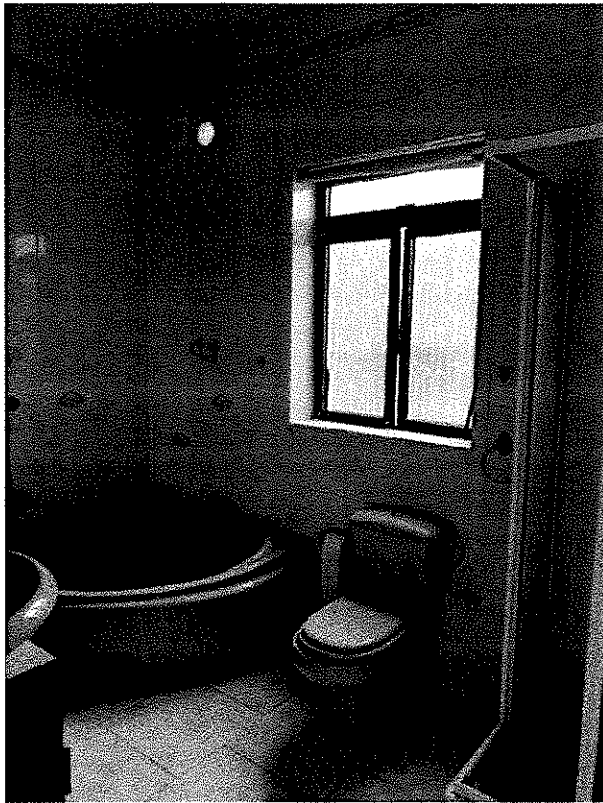
Dok O - Ritratti tal-Kitchen-Dining u tal-Living room

A handwritten signature or mark in cursive script, located in the bottom right corner of the page.



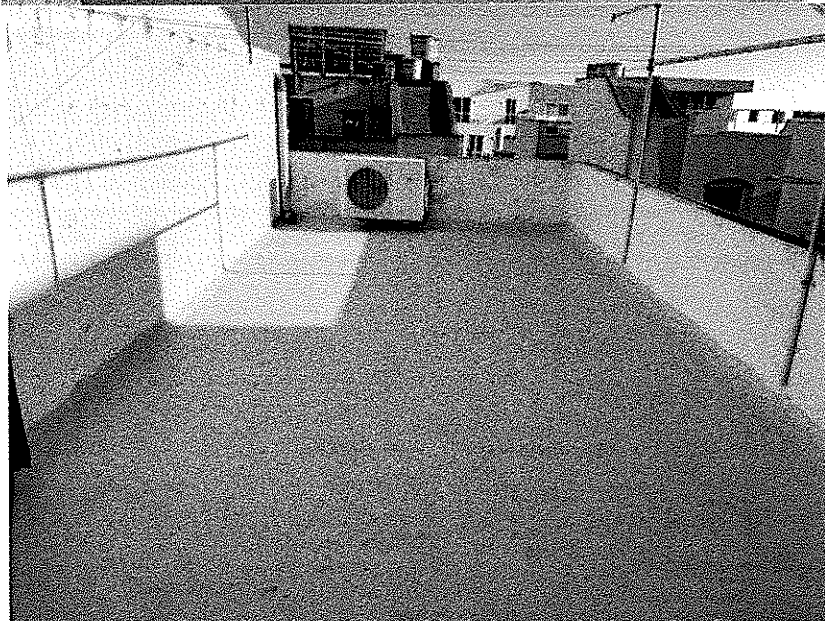
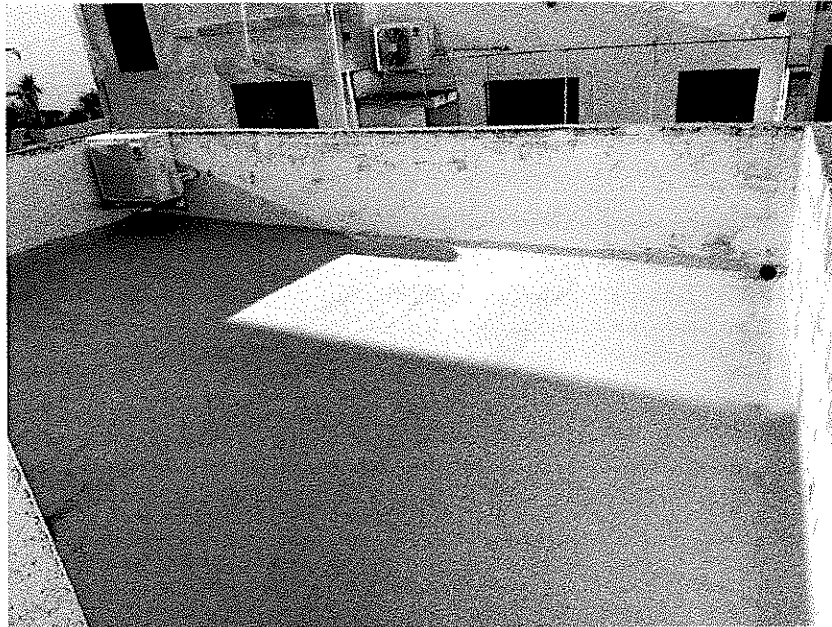
Dok P - Ritratti tat 3 Kmamar tas-sodda

Handwritten signature



Dok Q - Ritratti tal-kamra tal-banju u l-washroom

Handwritten signature



Dok R - Ritratti tal-Bejt u l-washrooms minn barra

A handwritten signature in cursive script, followed by a date that appears to be '2021'.

Dok 'S'

PART III
EIGHTH SCHEDULE

Physical Attributes of immovable property.

Locality

Address

Total Footprint of Area Transferred*

Type of Property
Villa Semi-Detached Bungalow Flat/Apartment
Penthouse Mezzanine Maisonette Farmhouse
Terraced House Ground floor tenement

Age of Premises
0-20 years Over 20 years Pre WW2

Environment
Sea view Country view Urban
Quiet Traffic Entertainment Industrial

Construction Stage
Shell Semi-Finished** Finished***

Finishing
Good Adequate Poor
Shell Finished

Amenities
Tick as many as appropriate
With Garden With Pool With Lift With Basement
No garage One car garage Two car garage Multi car garage
Ownership of Roof No Ownership of Roof

Property Value


Date

Transferee:
Name _____

* Includes all lands and gardens but excludes additional floors, roofs, washrooms
** Includes plastering, electricity, plumbing, drains and floor tiles
*** Includes ** plus bathrooms and apertures (internal/external)

Perit's Signature  Signature _____

Warrant Number:

Rubber Stamp / Full Name in Block Capitals


Date: Vincent Puhagiar
Vincent Puhagiar (Melit), MSc.(Lond), PhD(Wales)
Chartered & Building Energy Consultant
c/o Trq Francesco Azzopardi,
Tabel Malta, RBT2611
Mob: 99449930 VAT No: MT 1186-9508
vincent.puhagiar@gmail.com



List

AT P.O.
Buhagiar

Prof. Perit Vincent Buhagiar
B.E. & A. (Hons)(Melb), MSc.(Lond), PhD(Wales)
Architect & Building Energy Consultant
3, Triq Francesco Azzopardi,
Rabat Malta, RBT2611
Mob: 99449930, VAT No: MT 1180-9508
Personalised Rubber Stamp
P.O. Box 1121703B, Rabat, Malta

MaltaPost p.l.c.
Civic Centre, St. Rita Street, Rabat
Rabat
Tel: (+356) 21224421
EXO No: EX0947
VAT No: MT15114134
TII No: ---

RBT103/790S 14 Apr 2023 12:39:41
USER: ACH498
Contact Name: CASH SALE CLIENT NA
Vat Number: NA

Sale Number: RBT1121703B

Qty	Description	Tax	€
5	€2.80 Olympic Games 2	E	14.00
5	€0.07c Malta Mel Off1	L	0.35

14.35
14.35

Grand Total: €14.35

Total tendered: 20.00
Cash tendered: 20.00

Change: €5.65

VAT Analysis €

Full	R 18%	0.00
Reduced	R 5%	0.00
Exempt	E 0%	14.35
Non-Vatable IV	0%	0.00

VAT Paid: €0.00

***RBT1121703B**

*RBT1121703B+

Receipt is invalid if
cheque is dishonoured.

This is a non-fiscal Profforma Invoice
for payments against Local Purchase Orders

MT [Barcode]	To: *	Maria Rita Mifud	} SUBBASTA 50/22
MT [Barcode]	To: *	Michael Mifud	
MT [Barcode]	To: *	Michael Mifud	} SUBBASTA 63/22
MT [Barcode]	To: *	Mary Rose Pisani	
MT [Barcode]	To: *	Anthony Pisani	
here	To: *		
here	To: *		
here	To: *		
here	To: *		
here	To: *		
here	To: *		
here	To: *		
12	To: *	Attach barcode here	

* Prior to presenting Registered Mail items at any Access Point, kindly take note of addressee details in the space provided.

Aquilina Gaetana at Court Services Agency

From: Vincent Buhagiar <vincent.buhagiar@gmail.com>
Sent: 08 June 2023 18:39
To: Aquilina Gaetana at Court Services Agency
Subject: Kawza Qorti tas-SUBBASTA 63/2022
Attachments: RECEIPTS-Registered mail (SUB5022+6322).pdf; ATT00001.htm

CAUTION: This email originated from OUTSIDE the Government Email Infrastructure. DO NOT CLICK LINKS or OPEN attachments unless you recognise the sender and know the content is safe.

Hello Ms. Aquilina,
Wara li dahhalt ir-rapport, into tlabtni l-ispejjez assocjati. Fuq din il-kawza, bhala spejjez, kelli dawn:

Land Registry Site plan,
6.00
PA site plan, 3.00
Posta Registrata: 5.74*
TOTAL: 14.74

*(Receipt mil-MaltaPost hija ta' 14.35, pero danw kienu ta' 5 ittri registrati li jinkludu 3 ta' Kawza ohra (50/2022).
Ghalhekk mit-total ta 14.35, div by 5 x 2 = 5.74

Mill-bqija tista tmexx bil-kont ufficjali, ghax il-partijiet qed jigru warajja biex johrog ir-rapport wara li nahilfu.

Grazzi bil- quddiem,

Sincerely,

Perit Vince Buhagiar

vincent.buhagiar@gmail.com
+356 9944 9930