Fil-Prim' Awla tal-Qorti Civili



SUBBASTA 24/2023

Bank of Valletta

Vs

Dottor Edric Bonello, mizzewweg lil Ann, fil-kummerc, iben Edward Hector Charles Bonello u Agnes nee' Camilleri, imwieled Essex, I-Ingilterra u residenti Kappara detentur tal-karta tal-identita' numru 271799(M), u Ann Bonello, mart Edric, beautician, bint Paul Mifsud u Teresa nee 'Muscat, imwielda Pieta' u residenti Kappara, detentrici tal-karta tal-identita' numru 316068(M).

Relazzjoni tal AIC Andrew Ellul Fil-Prim' Awła tal-Qorti Civili

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Vs

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Relazzjoni tal- AIC Andrew Ellul Jesponi bir-rispett kollu.

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

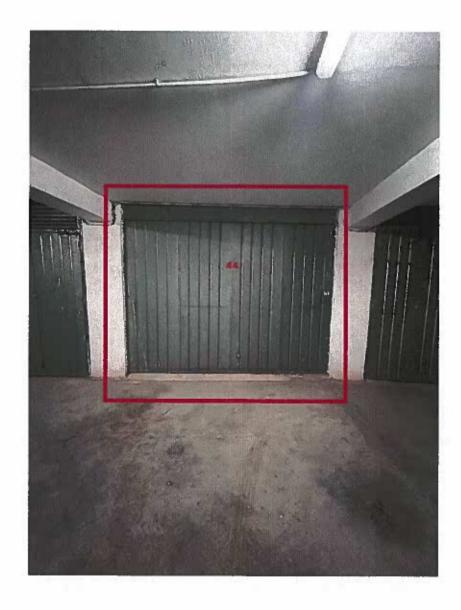
100

Il-garaxx internament mmarkat 44 li jinsab fil-« lower basement « , cioe' livell wiehed(1), formanti parti minn blokk ta' basement garages, minghajr numru ufficjali, liema basement garages huma maqsuma fuq zewg livelii, sottostanti propjeta ta' Manor Investments Limited jew is-succesuri taghha fit-titlu u formanti parti mill-kumpless minghajr numru ufficjali, maghruf bhala « Manor Court », gewwa l-Qawra, limiti ta' san Pawl il-Bahar. Il-garaxx ghandu l-access perpetwu, ininterrott u garantit mid-drive in bla numru ufficjali li taghti ghal Triq Il-Maskii u Triq it-Turisti, huwa suggett ghasservitujiet ezistenti rizultanti mill-pozizzjoni tieghu u huwa minghajr l-arja.

Illi biex jaqdi I-inkarigu li nghatalu huwa zamm access fil-18 ta' Lulju 2023 fil-11.30am meta ma fetah hadd u sar access iehor fil-24 ta' Awwissu 2023 fil-09.30am.

Din il garaxx hu madwar 3.8m wiesgh u 7.4m fond. Fil prezent hemm karozza u diversi affarijiet ohra fih. Il bieb tal garaxx wiesgha 3.5m. Id drive ta quddiem il garaxx wiesgha 5.25m. Kien hemm access ristrett biex jitkejjel minhabba n-numru ta' affarijiet li kien fih.

# Ritratti tal-Propieta









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

- 1. id-dags tal-garaxx
- 2. il-kundizzjoni tal-bini u I-istat tajjeb generali,
- 3. il-post ta' fejn qieghda (zona turistika),
- 4. Tibdil zghir mill-pjanti approvati1

Fl-opinjoni tieghi il-valur ta' din il-propjeta hu ta' Euro 60,000 (sittin elf Euro).

Tant ghandu l-unur jissottometti l-esponent ghas-savju gudizzju ta' din l-Onorabbli Qorti.

AIC Andrew Ellul

3 ta' Ottubru 2023

Li wara ii ddikiara ji thalias i-ammont lilu dovut, halef/halfet ii qeda/qdiet fedelmem u onestament I-inkarigu mognti lilu/ha.

pprezentata minn Andrew Ellul

3 1 OCT 2023

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ola dok/b . Chivers! ....dokumenti.

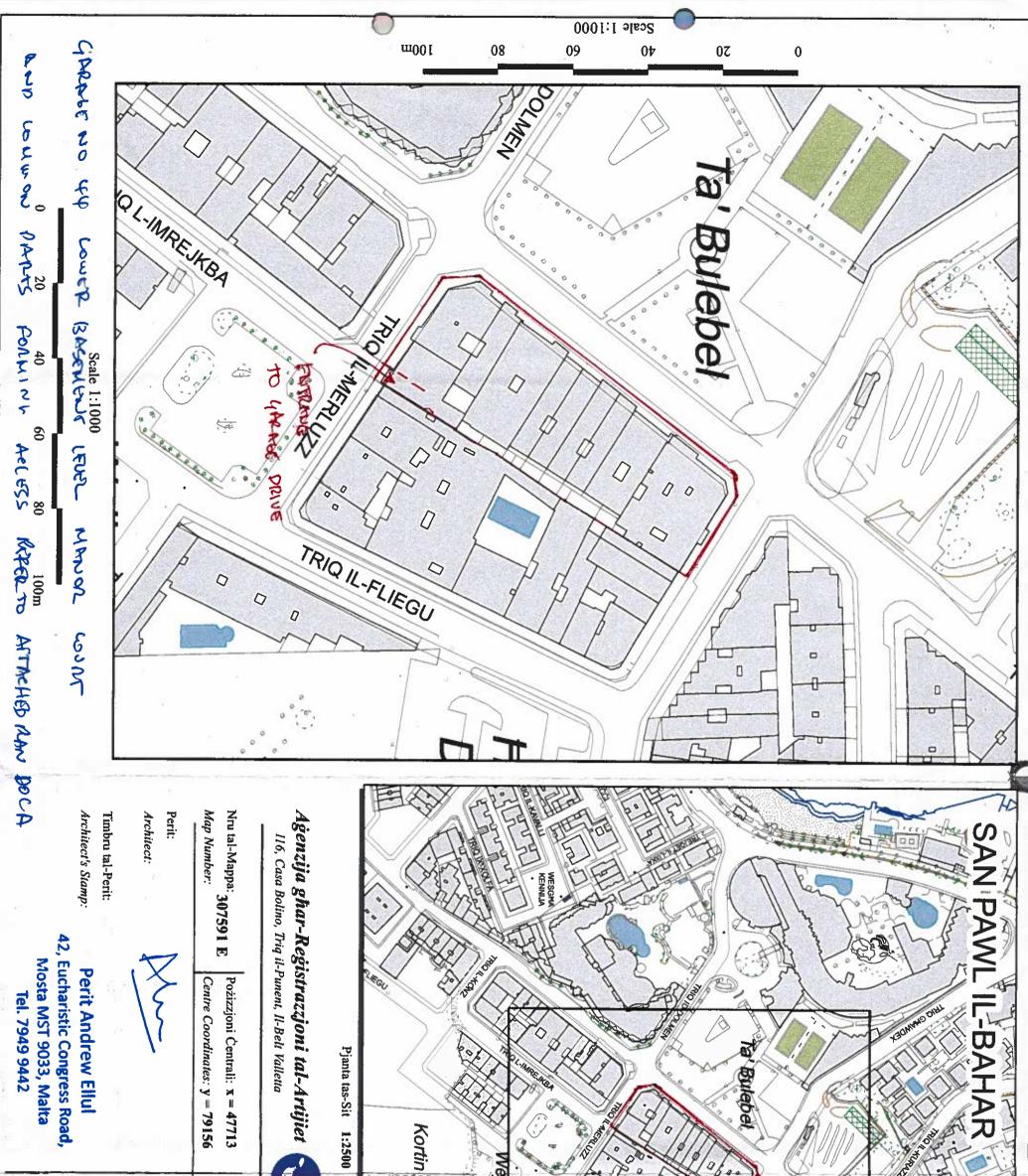
Graziella Aguru Cassar Deputat Registratur

Tlom >

**GRATI TAL-GUSTIZZJA - MALTA** IFFIRMATA U MAHLUFA QUDDIEMI







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TRIQ IL-FLEGU

TRIQ IL-PORT RUMAN

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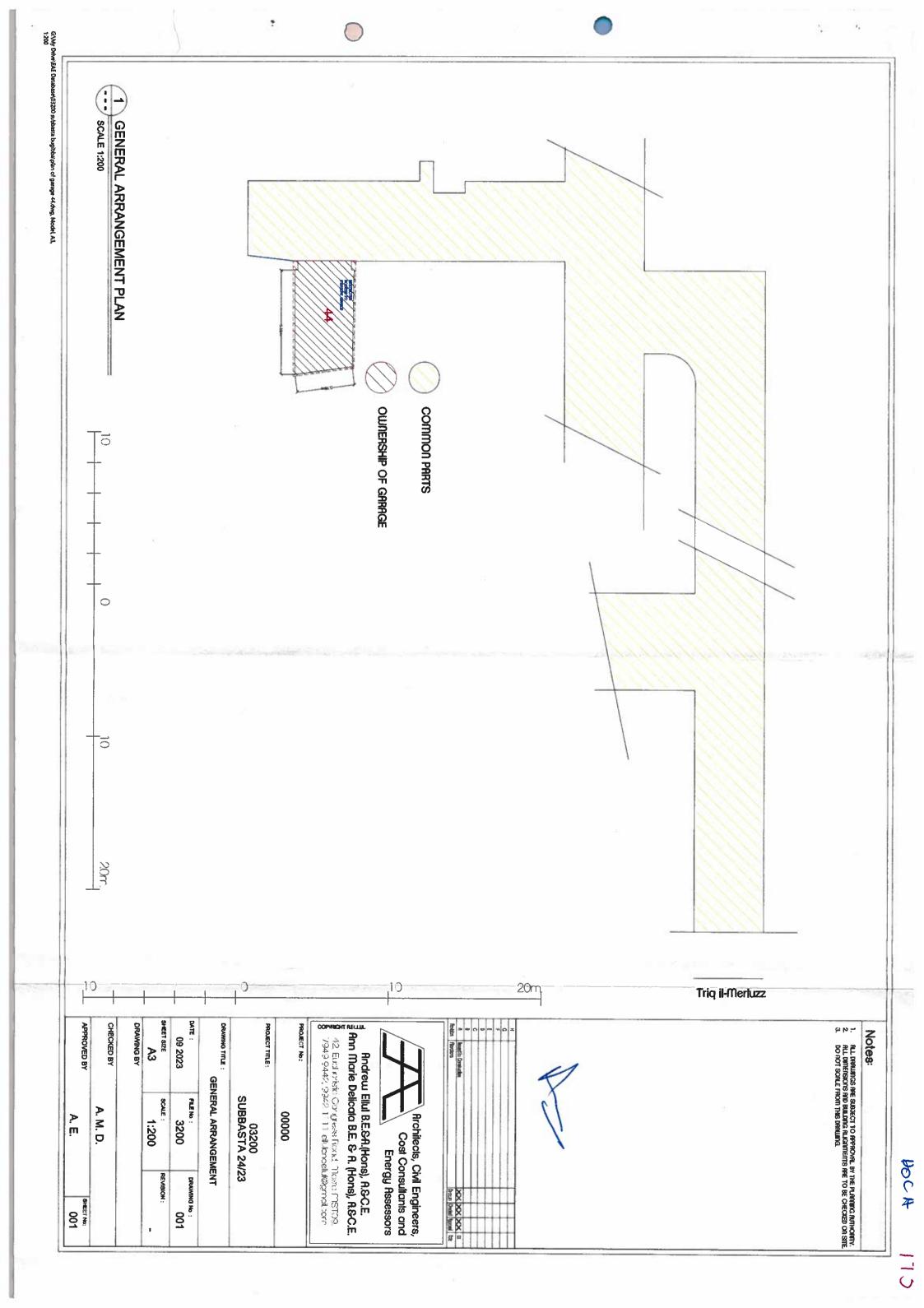
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Site Plan

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St Francis Ravelin, Floriana, FRN 1230, Maita

www.pa.org.mt

Tel: (+356) 2290 0000 VAT No: MT 1281-6708 customercare@pa.org.mt

Exemption No: EXO 1188

**Cash Sale** 

Name:

Perit Buttigleg

Cash Sale Number: 446416-2973-0

Address:

Date:

05 June 2023

VAT No.:

Item Description	Qty	Unit Price (excl VAT)	Net Amount (excl VAT)	VAT Amount	VAT Rate %
Copy of permit PA5319/94	1	€4.66	€4.66	€0.00	0
Copy of plans PA05319/94	3	€11.65	€34.95	€0.00	0

### Payment Details:

Internet Payment - 2023-06-05-0014

#### **Cash Sale Status:**

Settled

Total NET:

€39.61

**Total VAT:** 

€0.00

Total:

€39,61

Drawn up by

Elisabetta Festari

Receipt is not valid if payment is dishonoured.

Scans only



St Francis Ravelin, Floriana, FRN 1230, Malta

www.pa.org.mt

Tel: (+356) 2290 0000 VAT No: MT 1281-6708 customercare@pa.org.mt

Exemption No: EXO 1188

**Cash Sale** 

Name:

Perit Andrew Ellul

Cash Sale Number: 451915-2374-3

Address:

Date:

19 July 2023

VAT No.:

Item Description	Qty	Unit Price (excl VAT)	Net Amount (excl VAT)	VAT Amount	VAT Rate %
Copy of permit PA02884/97	1	€4.66	€4.66	€0.00	0
Copy of plans PA02884/97	1	€11.65	€11.65	€0.00	0

**Payment Details:** 

BOV

Debit / Credit Card

Cash Sale Status:

Settled

Total NET:

€16.31

**Total VAT:** 

€0.00

Total:

€16.31

Drawn up by

Elisabetta Festari

Receipt is not valid if payment is dishonoured.

Scans why

## **Andrew Ellul**

Architect, Civil Engineers & Cost Consultant 42 Eucharistic Congress Road, Mosta Tel. No 21430882, 79499442. Email:andrewellul@gmail.com

26 ta' Gunju 2023

Bank of Valletta 1/5 Misrah San Gorg Valletta VLT 1190

Dr Edric u Ann Bonello Villa Sunrise Sliema Road San Gwann Kappara

RE:Bank of Valletta VS Dr Edric u Ann Bonello

Ser isir access fuq:

1. Garage 44 Manor Court Triq it-Turisti, Qawra.

fit-18 ta' Lulju fil 11.30am.

Andrew Ellul A.&C.E.





#### A W T O R I TA TA' L-I P P J A N A R PLANNING AUTHORITY

To: Mr Charles Aquilina obo Manor Investment Rosedale, Triq Il-Kannizzata Balzan

Date: 6th February 1998 Our Ref: PA2884/97/DC07

Application Number:

Application Type: Date Received:

2884/97

Amended development permission

26/05/97

Architect:

Mr. Brian Ebejer

Approved Plan Numbers: PA 2884/97/2a/2c/2d/9a/9b/15a/15b/15c as amended

Location: Site at Triq It-Turisti, San Pawl Il-Bahar

PROPOSAL: To erect garages, shops and flats.

### DEVELOPMENT PLANNING ACT 1992 SECTION 33 AMENDED DEVELOPMENT PERMISSION

The Planning Authority hereby amends development permission granted in application number 5319/94, in accordance with the application and plans described above, subject to the following conditions:

- In case where a setback is permitted, applicant is to construct an extra skin to the third party wall at his own expenses maintaining same feature as per front elevation.
- Introductory notes and general conditions (A) on form DC 1/88 apply. Conditions for underlying basements and garages (B) also apply.
- Height of the building should not exceed four (4) floors, plus the underlying basements, and overlying penthouse. No structures above penthouse level are permitted.
- Apertures and balconies should not be in gold, silver or bronze aluminium.
- The facade of the building should be constructed in local stone except where other materials, finishes and colour are indicated on the approved drawings.
- The garages shall only be used for the parking of private cars. The open

0ax

PA 2884/97

plan parking area is to be accessible to the customers of the shops.

- 7. The ramp leading down to the underlying basement/garage shall at no point along its length be steeper than 1:8. It shall be so formed that it does not encroach onto the pavement.
- 8. Height of ground floor is not to exceed 13 courses from the underside of beams.
- This permission is subject to Trading Licence approval from the Police Department.
- 10. The upgrading of the road junction shall be carried out in accordance with approved plan PA 5319/94/13g, and shall be completed prior to the building being used.
- 11. The following group of conditions apply to all development:

  a) All works shall be carried out strictly in accordance with the approved plans. However, where ambiguities or discrepancies arise between the approved plans and the conditions on this decision notice, the conditions shall take precedence over the approved plans.

  b) Before work begins, the enclosed A3-size green copy of the Building Permit must be displayed on site. This must be mounted on a notice board, suitably protected from the weather, and easily legible from the street. The permit must be maintained in good condition until works on site are complete.

c) No building material, waste, machinery or plant shall be allowed to obstruct the pavement or the smooth flow of traffic in the vicinity of the site. Deposit of materials or placing of equipment in the street must be authorised by the Police.

d) Copies of all approved plans and elevations must be available for inspection on site by Planning Directorate staff at all reasonable times.

e) Where applicable, all building works must be in accordance with the official alignment and proposed/existing finished road levels as set out on site by the Planning Directorate's Land Surveyor. The Land Survey Unit of the Planning Directorate must be informed when the setting out of the alignment and levels is required.

f) Before building operations start, where applicable, the street is to be opened up and brought up to its proper and approved formation levels by the applicant.

g) This development permission is valid for a period of three years from the date of the permission. If, upon the lapse of this three year period, the site has NOT BEEN COMMITTED in accordance with the permit a new application must be submitted to the Planning Authority. If, however, the site has been committed and works HAVE COMMENCED the validity of the permit shall be extended for a period of a further twelve months. In the case of the latter, you should inform the Planning Authority of your intention to utilise your right to extend the permission for a further twelve months and the Authority shall issue a formal notification of this extension.

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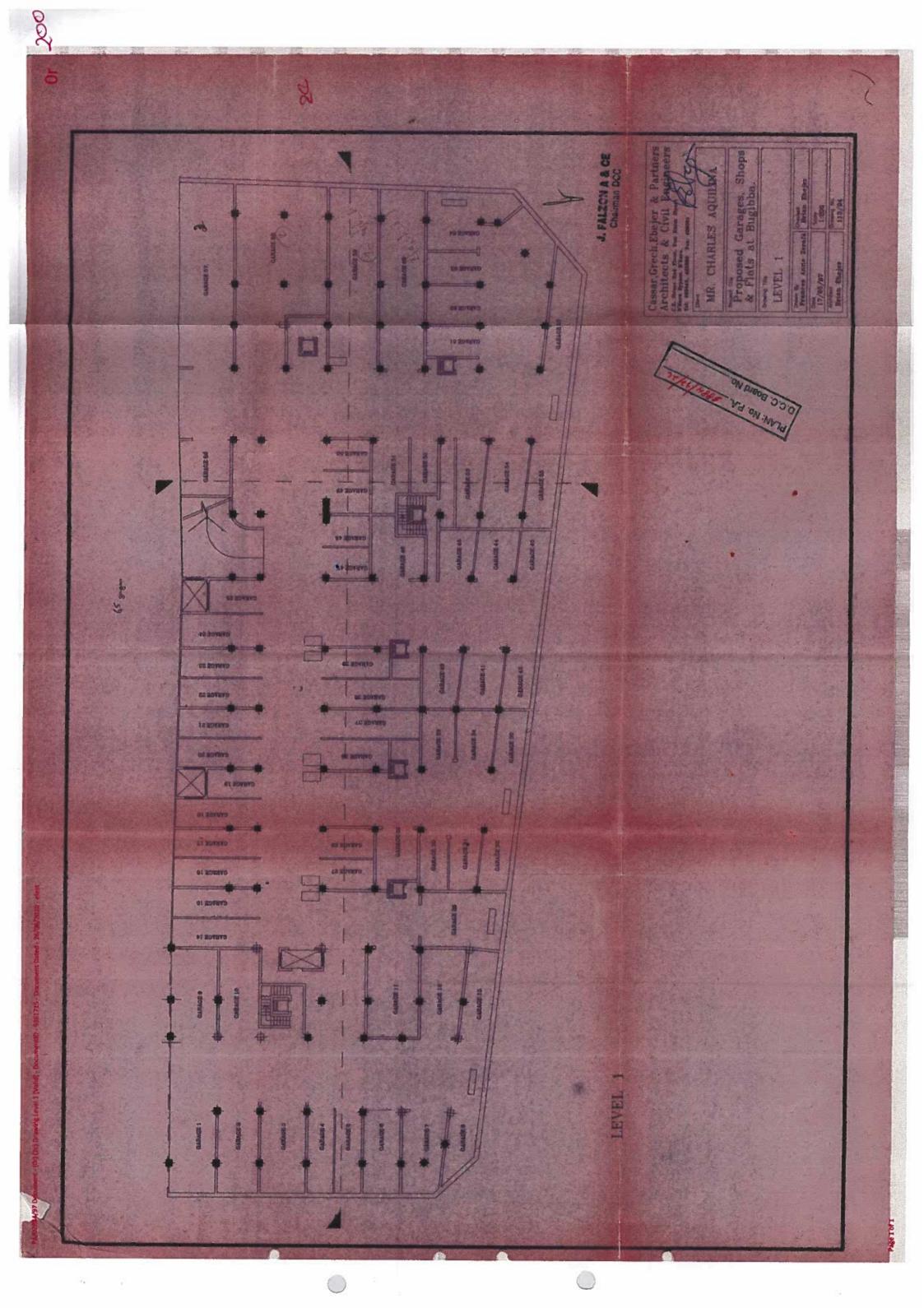
- h) The enclosed Commencement Notice shall be returned to the Planning Authority so that it is received at least five days prior to the commencement of the development hereby permitted.
- 12. The development hereby permitted shall not be brought into use until a Final Compliance Certificate, certifying that the development has been carried out in full accordance with the plans approved by this permission and with the other conditions imposed in this permission, has been issued by the Planning Authority.
- 13. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments. If this is not obtained before the development commences, this permission will be invalidated.

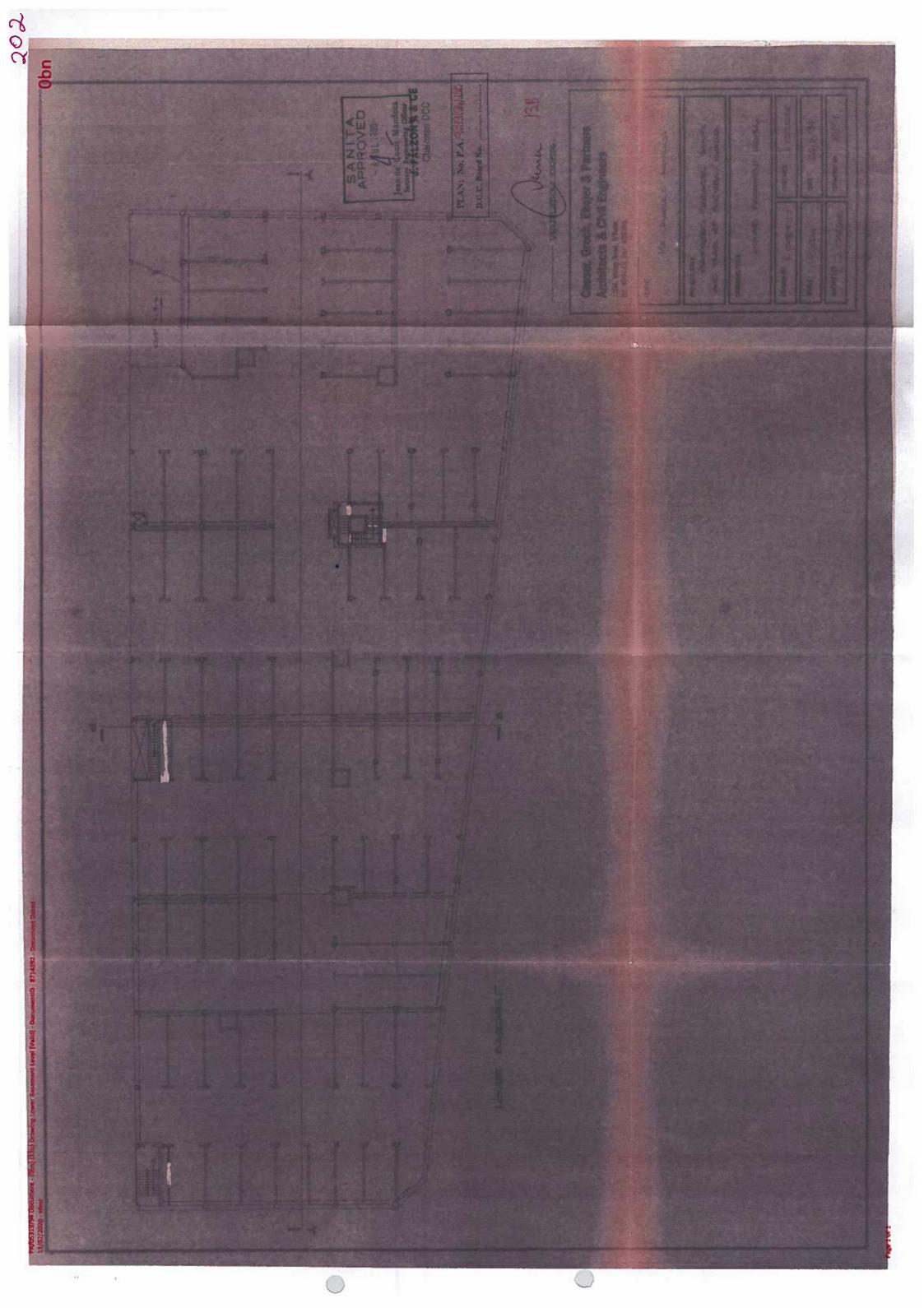
This permit is granted saving third party rights. The applicant is not excused from obtaining any other permission required by law. The applicant should contact the following regarding the location and provision of services prior to commencing development:- Enemalta, Water Services Corporation, Telemalta, Drainage Department and Melita Cable 27V.

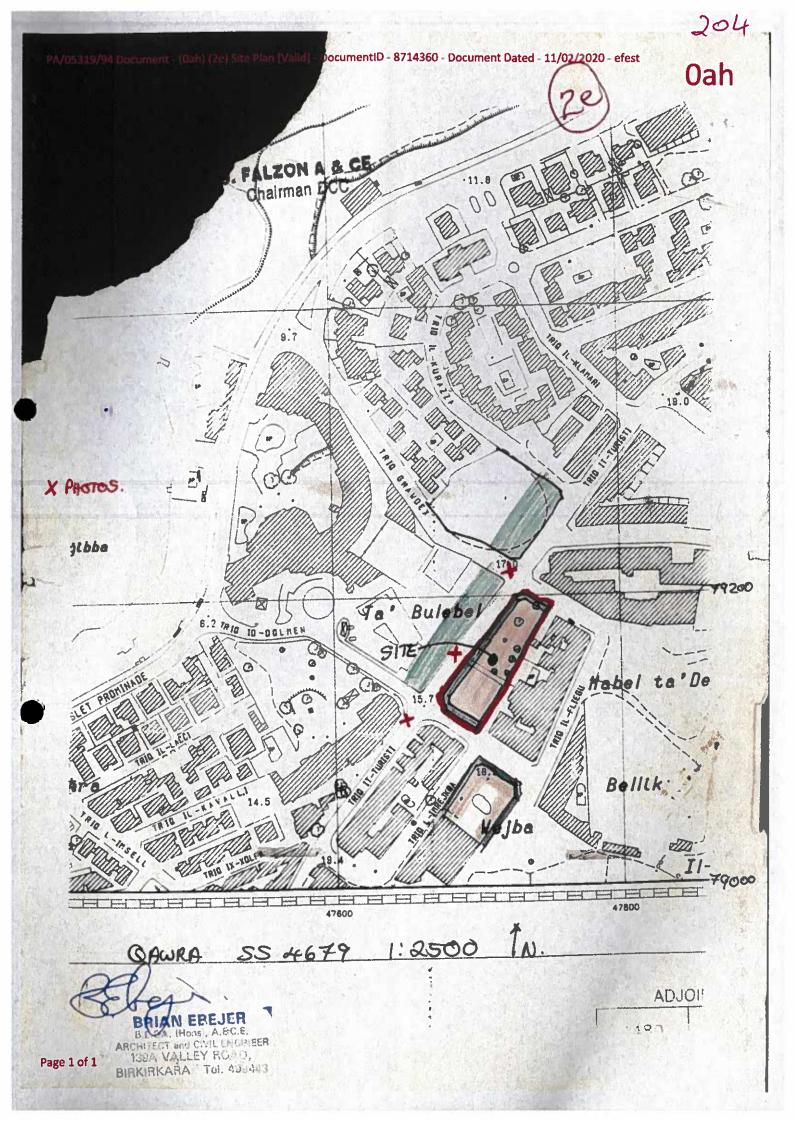
MONICA SCHRANZ

Secretary

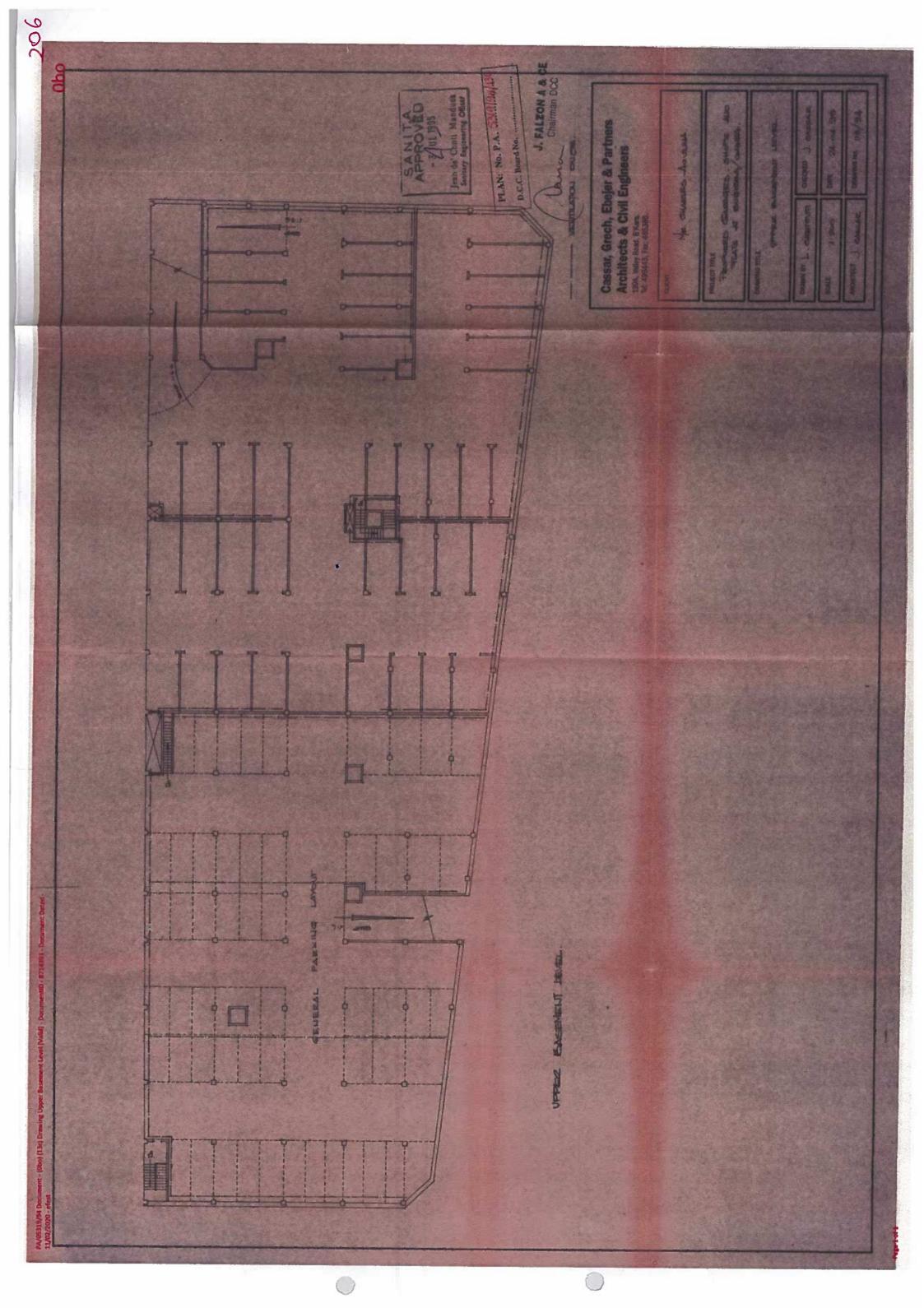
Development Control Commission







Page 1 of 1



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#### AWTORITA' TA' L-IPPJANAR PLANNING AUTHORITY

To: Mr Charles Aquilina

Rosedale,

Trig il-Kannizzata

Balzan

Date: 29th July 1995 Our Ref: PA5319/94/DC01

Application Number:

5319/94

Application Type:

Full development permission

Date Received:

02/09/94

Approved Plan Numbers: PA 5319/94/2E,11A,11B, 13A - 13E

Location: Sit at Triq It-Turisti, San Pawl Il-Bahar

PROPOSAL: To erect garages, shops and flats

DEVELOPMENT PLANNING ACT 1992 SECTION 33 FULL DEVELOPMENT PERMISSION

The Planning Authority hereby grants development permission in accordance with the application and plans described above, subject to the following conditions:

- The following group of conditions apply to all development:
- a) All works shall be carried out strictly in accordance with the approved plans. However, where ambiguities or discrepancies arise between the approved plans and the conditions on this decision notice, the conditions shall take precedence over the approved plans.
  - b) Before work begins, the enclosed A3-size green copy of the Building Permit must be displayed on site. This must be mounted on a notice board, suitably protected from the weather, and easily legible from the street. The permit must be maintained in good condition until works on site are complete.
  - c) No building material, waste, machinery or plant shall be allowed to obstruct the pavement or the smooth flow of traffic in the vicinity of the site. Deposit of materials or placing of equipment in the street must be authorised by the Police.
  - d) Copies of all approved plans and elevations must be available for inspection on site by Planning Directorate staff at all reasonable
  - e) Where applicable, all building works must be in accordance with the official alignment and proposed/existing finished road levels as set out on site by the Planning Directorate's Land Surveyor. The Land Survey Unit of the Planning Directorate must be informed when the setting out of the alignment and levels is required.
  - f) Before building operations start, where applicable, the street is to be opened up and brought up to its proper and approved formation levels by the applicant.
  - g) The development hereby permitted shall commence within twelve months of the date of this permission and shall be completed within two years

PA/05319/94 Document - (0bx) (20) Permit Full Development Permission [Valid] - DocumentID - 8714402 - Document Dated - 11/02/2020 - efest

of the date of this permission, unless it is renewed.

h) The enclosed Commencement Notice shall be returned to the Planning Authority so that it is received at least five days prior to the commencement of the development hereby permitted.

- The facade of the building should be constructed in local stone except where other materials, finishes and colour are indicated on the approved drawings.
- 3. The garage shall only be used for the parking of private cars.
- 4. The ramp leading down to the underlying basement/garage shall at no point along its length be steeper than as indicated on the approved plans. It shall not encroach onto the pavement.
- 5. Apertures and balconies should not be in gold, silver or bronze aluminium.
- 6. The use of the shops require a Police Trading Licence.
- 7. The upgrading of the road junctions shall be carried out in accordance with approved plan PA 5319/94/13G, and shall be complieted prior to the occupation of the building hereby permitted.

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

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MONICA SCHRANZ

Secretary

Development Control Commission

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#### AWTORITA TA' L-IPPJANAR PLANNING AUTHORITY

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To: Mr Charles Aquilina

Rosedale,

Triq il-Kannizzata

Balzan

Date: 29th July 1995 Our Ref: PA5319/94/DC01

Application Number:

5319/94

Application Type:

Pull development permission

Date Received:

02/09/94

Approved Plan Numbers: PA 5319/94/2E,11A,11B, 13A - 13E

Location: Sit at Triq It-Turisti, San Pawl Il-Bahar

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  - e) Where applicable, all building works must be in accordance with the official alignment and proposed/existing finished road levels as set out on site by the Planning Directorate's Land Surveyor. The Land Survey Unit of the Planning Directorate must be informed when the setting out of the alignment and levels is required.
  - f) Before building operations start, where applicable, the street is to be opened up and brought up to its proper and approved formation levels by the applicant.
  - g) The development hereby permitted shall commence within twelve months of the date of this permission and shall be completed within two years

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MONICA SCHRANZ

Secretary

Development Control Commission

#### Fil-Prim' Awla tal-Qorti Civili



**SUBBASTA 24/2023** 

Bank of Valletta

Vs

Dottor Edric Bonello, mizzewweg lil Ann, fil-kummerc, iben Edward Hector Charles Bonello u Agnes nee' Camilleri, imwieled Essex, l-Ingilterra u residenti Kappara detentur tal-karta tal-identita' numru 271799(M), u Ann Bonello, mart Edric, beautician, bint Paul Mifsud u Teresa nee 'Muscat, imwielda Pieta' u residenti Kappara, detentrici tal-karta tal-identita' numru 316068(M).

# Nota addizzjonali

- 1. Il garaxx ghandu kejl 30m² kif indikat fil-pjanta tar-registru tal-artijiet.
- 2. Il-partijiet komuni indikati bl-isfar fil- fil-pjanta tar-registru tal-artijiet.

- 3. L-arja mhix inkluza. Fil-pjanta tar-registru tal-artijiet il garaxx biss hu indikat bl-ahmar.
- 4. Il-garaxx hu suģģett u jgawdi mis-servitujiet ezistenti u rizultanti mill-pozizzjoni tiegħu.
- 5. Miniex infurmat bl-ebda kirjiet b'rigward dan il garaxx.
- 6. Hemm tibdiliet zghar bejn il garaxx u *drive in* ezistenti u kif mibni. Dawn jistghu jigu sanzjonati/ regolarizzati.
- 7. Il-garaxx huwa liberu u frank.
- 8. Il-garaxx ģie trasferit bil-kuntratt datat 15 ta' Settembru 2000 fl-atti tan-Nutar Carmel Mangion u suģģett ukoll għall-kundizzjonijiet imsemmija fl-istess kuntratt.

Tant ghandu l-unur jissottometti l-esponent ghas-savju gudizzju ta' din l-Onorabbli Qorti.

AIC Andrew Ellul

8 ta' Lulju 2024

Grazi da Aguru Cassar Deputat Registratur

Deher il-Perit Legali / Tekniku:

Li wara li ddikjara li thallas i-ammont lilu dovut, halef/halfet li qeda/qdiet fedelment u onestament i-inkarigu moghti lilu/ha.

Deputat Rednardur