

॥ श्री भवानी ॥



Mrs. Surinder H. Rao
B.A.LL.B.
Advocate (High Court) &
Notary (Govt. of India)

Resi. :
Sai Complex, 2nd floor,
Flat No. 4, Mahagiri Market,
Above K. G. Wanage Masala Factor
Thane (West) 400601.
(M.) : 9004031216

Date : 27 MAR 201

SUPPLEMENTARY TITLE CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

Re: Investigation of Title of:

A. 1. Shri Rajan Narayan Bandelkar, 2. Shri. Shyamal Vijay Mody, 3. Mrs. Kalpana Vijay Mody and 4. Mrs. Sangeeta Kirti Shah, the partners of M/S. UNNATHI ASSOCIATES (hereinafter referred to as 'the said First Owners') to

i) the property being all that piece or parcel of land bearing S.No.21/6 admeasuring 2830 sq.mtrs. lying and being at village Vadavali Taluka and District Thane and more particularly described Firstly in the Second Schedule hereunder written (hereinafter referred to as 'the said First Property');

ii) the property being all those pieces or parcels of land bearing old S.No.107/8, New Survey No.72/8 admeasuring 130 sq. mtrs. and old S.No.112/1, New Survey No.71/1 admeasuring 8150 sq.mtrs. lying and being at village Owale, Taluka and District Thane and more particularly described Secondly in the Second Schedule hereunder written (hereinafter referred to as 'the said Second Property')

iii) the property being all that piece or parcel of land bearing old S. No.113/1, New Survey No.66/1 admeasuring 11000 sq. mtrs., lying and being at village Owale, Taluka and District Thane and more particularly described Thirdly in the Second Schedule hereunder written (hereinafter referred to as 'the said Third property')

iv) the property being all those pieces or parcels of land bearing Old S.No.113/4, New S.No.66/4 admeasuring about 1100 sq. mtrs., Old S.No.113/14, New S.No.66/14 admeasuring 5600 sq. mtrs., Old S.No.114/1, New S.No.65/1 admeasuring 620 sq. mtrs., Old S.No.114/2, New S. No.65/2 admeasuring 6360 sq. mtrs. lying and being at village Owale, Taluka and District Thane and more particularly described Fourthly in the Second schedule hereunder written (hereinafter referred to as 'the said Fourth property')

v) the property being all that piece or parcel of land bearing old S.No.113/6, New S.No.66/6 admeasuring 1730 sq. mtrs., lying, situate and being at village Owale, Taluka and District Thane, in the Registration District & Sub-District Thane and more particularly described Fifthly in the Second Schedule hereunder written (hereinafter referred to as 'the said Fifth property');

vi) the property being all that piece or parcel of land bearing Old S. No.113/8 New S. No.66/8 admeasuring about 2000 sq. mtrs. lying, situate and being at village Owale, Taluka and District Thane and more particularly described Sixthly in the Second Schedule hereunder written (hereinafter referred to as 'the said Sixth property');



For UNNATHI ASSOCIATES

[Signature]
PARTNER



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vii) the property being all that piece or parcel of land bearing Old S.No.113/9, New S. No.66/9 admeasuring 1300 sq. mtrs., situate, lying and being at village Owale, Taluka and District Thane and more particularly described Seventhly in the Second Schedule hereunder written (hereinafter referred to as 'the said Seventh property');

viii) the property being all those pieces or parcels of land bearing Old S.No.113/10, New S.No.66/10, admeasuring 720 sq. mtrs. and Old S.No.113/13, New S.No.66/13, admeasuring 1050 sq. mtrs., both situated, lying and being at village Owale, Taluka and District Thane, and more particularly described Eightly (A) and Eightly (B) respectively in the Second Schedule hereunder written (hereinafter referred to as 'the said Eighth property');

ix) the property being all that piece or parcel of land bearing Old S.No.113/12, New S.No.66/12, admeasuring 800 sq. mtrs., situate, lying and being at village Owale, Taluka and District Thane and more particularly described Ninely in the Second Schedule hereunder written (hereinafter referred to as 'the said Nineth property');

x) the property being all that piece or parcel of land bearing Old S.No.113/15, New S.No.66/15, admeasuring 2400 sq. mtrs., situate, lying and being at village Owale, Taluka and District Thane and more particularly described Tenthly in the Second Schedule hereunder written (hereinafter referred to as 'the said Tenth property');

xi) the property being all that piece or parcel of land bearing Old S.No.113/16, new S.No.66/16 admeasuring 3600 sq.mtrs., situate, lying and being at Village Owale, Tal. & Dist. Thane and more particularly described Eleventhly in the Second Schedule hereunder written (hereinafter referred to as 'the said Eleventh property') and

xii) the property being all that piece or parcel of land bearing Old S.No.113/17, New S.No.66/17 admeasuring 1000 sq.mtrs, situate, lying and being at village Owale Taluka and District Thane and more particularly described Twelfthly in the Second Schedule hereunder written (hereinafter referred to as 'the said Twelfth Property');

B. SHRI DEEPAK VALLBHAJI DEDHIA (hereinafter referred to as "the said Second Owner") to:

i) the property being all that piece or parcel of land bearing S.No.21, Hissa No.1, admeasuring 5670 sq. mtrs., situate, lying and being at village Vadavali, Taluka and District Thane and more particularly described Thirteenthly in the Second Schedule hereunder written (hereinafter referred to as 'the said Thirteenth Property') and

ii) the property being all that piece or parcel of land bearing Old S.No.113/7, New S.No.66/7, admeasuring 4300 sq. mtrs., situate, lying and being at village Owale, Taluka and District Thane and more particularly described Fourteenthly in the Second Schedule hereunder written (hereinafter referred to as 'the said Fourteenth property')

C. SHRI JANARDAN ATMARAM PATIL (hereinafter referred to as 'the said Third Owner') to the property being all those pieces or parcels of land bearing S. No.21, Hissa No.3,

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admeasuring 910 sq. mtrs.; S. No.21/4, admeasuring 910 sq. mtrs.; S. No.21/5, admeasuring 1010 sq. mtrs., S. No.21/7, admeasuring 1210 sq. mtrs. and S. No.21/8(a), admeasuring 4010 sq. mtrs., situate, lying and being at village Vadavali Taluka and District Thane, in the Registration District & Sub-District Thane and within the local limits of Thane Municipal Corporation and more particularly described Fifteenthly in the Second Schedule hereunder written (hereinafter referred to as 'the said Fifteenth property')

D. SHRI ABDUL MUTALLIB IBRAHIM VAREKAR (hereinafter referred to as 'the said Fourth Owner') to the property being all that piece or parcel of land bearing S.No.21/8b admeasuring 4040 sq. mtrs. lying and being at village Vadavali, Taluka and District Thane and more particularly described Sixteenthly in the Second Schedule hereunder written (hereinafter referred to as 'the said Sixteenth property')

E. SMT. REKHA VINAYAK MHATRE & OTHERS (hereinafter referred to as 'the said Fifth Owners') to the property being all that piece or parcel of land bearing Old S.No 113/2 New S.No 66/2 admeasuring about 2600 sq.mtrs lying and being at village Owale, Taluka and District Thane and more particularly described Seventeenthly in the Second Schedule hereunder written (hereinafter referred to as 'the said Seventeenth property').

The first property to seventeenth property more particularly described Firstly to Seventeenthly in the Second Schedule hereunder written are hereinafter referred to as 'the said property'.

1. This has reference to the Title Certificate dated 8th November, 2016 (hereinafter referred to as 'the said Title Certificate') issued by me in respect of the said property alongwith lands bearing Old S. No.113/18, 19, 21, 22 & 23, New S. No.66/18, 19, 21, 22 & 23 & old S. No.120/1, New S. No.45/1, all situated at Village Owale, Thane (hereinafter collectively referred to as 'the said Plots') more particularly described in the First to Seventeenth Schedules thereunder written and the same being described Firstly to Seventhly in the First Schedule hereunder written (hereinafter collectively referred to as 'the said lands'). A copy whereof is annexed hereto as Annexure 'A'.

2. I have caused searches to be taken at the office of Sub Registrar of Assurances at Thane in respect of the said lands.

3. This is to place on record that after issuing the said Title Certificate in respect of the said lands, you have furnished following information and documents executed by you and upon perusal thereof, the following events appears to have taken place in respect of the said lands :

a) the said Third Matter more particularly described in the said Title Certificate in respect of the said Eighth property, came to be dismissed for default on 29/11/2016. Neither any application for restoration nor any appeal against the said order dated 29/11/2016 has been filed by the said Hemchandra till date in respect of the said Third Matter/the said order dated 29/11/2016.

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b) my clients have represented to me that they had, initially, alongwith the said property, amalgamated the said plots being lands bearing Old S. No.113/18, 19, 21, 22 & 23, New S. No.66/18, 19, 21, 22 & 23 & old S. No.120/1, New S. No.45/1, all situated at Village Owale, Thane i.e. the said lands and prepared and submitted the layout plan to the Corporation for its sanction and approval and the same had been sanctioned by the Corporation as mentioned in the said Title Certificate. However, my clients have been asked by the Chief conservator of Forests, Sanjay Gandhi National Park, Borivali, Mumbai vide their letter dated 31/10/2015 to procure the NOC/Consent from NBWL and the National Green Tribunal in respect of the said Plots. However, in reality, the said plots do not fall under the Proposed Eco Sensitive Zone and as such my clients have filed an Application bearing No.111 of 2016 (hereinafter referred to as 'the said Application') in respect thereof before the National Green Tribunal, Western Zone Bench, Pune for declaring the said plots to be outside the preview of the Eco Sensitive Zone boundary of the said Park and as such do not require NOC's as aforementioned. My clients have also applied to NBWL vide application dated 18th March 2015 and the same is pending.

c) my clients have further represented that the decision of the National Green Tribunal might take considerable time. Therefore, my clients have decided to reconsider its project and have decided to temporarily remove the said plots from the present layout plan and accordingly, my clients made a Miscellaneous Application bearing No.15/2017 in the said Application in respect thereof before the National Green Tribunal, Western Zone Bench, Pune and the said application was accepted by the said Tribunal and the said Application stands disposed of as being withdrawn as well M.A. No.15/2017 also came to be disposed of alongwith aforesaid Application.

d) my clients have further represented that they intend to amalgamate the said plots also alongwith the adjoining properties described in the said Title Certificate after obtaining requisite permission with the said property in order to carry out the development of the said property to its maximum/optimal potential by utilizing and consuming the permissible/beneficial FSI/TDR of such adjoining plots.

e) meanwhile, my clients have prepared and submitted amended plans in respect of the said property to the Corporation for its approval and sanction. The Corporation has sanctioned the amended plans vide V.P. No.S06/0201/14/TMC/TDD/2087/17 dated 08/03/2017 and also granted Commencement Certificate therein in respect of Building No.A1, A2 and B2 (Mhada) to be constructed upon the said property.

f) as per Amended sanctioned plans, my clients are entitled to construct 12 buildings being Building Nos.A1 comprising of Stilt + 24th upper floors, A2 comprising of Lower Ground + Stilt + 12th + 13th (P) to 25th (P) upper floors, A3 comprising of Lower Ground + Stilt + 1st to 25th upper floors, A4 comprising of Lower Ground + Stilt + 12th + 13th (P) to 24th (P) upper floors, A5 comprising of Lower Ground + Upper Ground + Stilt + 24th upper floors, MHADA building No.B 1 comprising of Stilt + 16 upper floors, MHADA B 2 comprising of Stilt + 6th (P) upper floors, Building Nos.C1 comprising of Stilt + 3 level Podium + 1 to 23rd upper floors, Building C2 comprising of Stilt + 2 level Podium + 1 to 22nd upper floors and C3, comprising of Stilt + 2 level Podium + 1 to 22nd upper floors alongwith

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commercial shops in front of Building Nos.C1 to C3, Building No.D1 comprising of Stilt + 12 (P) upper floors, Office Building No.E comprising of Stilt + 2nd upper floors and a Club House comprising of ground + 1 (P) upper floor on the said property.

g) my clients have availed Credit facility/Term Loan of Rs.60 Crore from JM Financial Credit Solutions Limited (hereinafter referred to as 'the said JMFCSL') by an Unilateral Indenture of Mortgage dated 28/11/2016 (hereinafter referred to as 'the said Mortgage Deed') and as a security for the repayment of the said amount along with interest & other monies that may become due & payable to the said JMFCSL, my clients have created mortgage in respect of the said lands and all the units constructed and/or to be constructed thereon in favour of the said JMFCSL. The said Mortgage Deed is registered with the Sub-Registrar of Assurances at Thane on 28/11/2016 under Sr. No.13347/2016.

In view of the above, I hereby state that in my opinion, subject to: 1) the outcome of the aforementioned First, Second and Fourth Matters, 2) compliance of the various terms and conditions mentioned in the aforementioned Agreements, orders and permissions, NOC'S and documents including the said ROW, 3) mortgage created in favour of the said JMFCSL as mentioned hereinabove and 4) what is stated hereinabove, the title of: a) the said First Owners to the said First to Twelfth property more particularly described Firstly to Twelfthly in the Second Schedule hereunder written, b) the said Second Owners to the said Thirteenth property more particularly described Thirteenthly in the Second Schedule hereunder written, c) the said Third Owners to the said Fourteenth property more particularly described Fourteenthly in the Second Schedule hereunder written, d) the said Fourth Owner to the said Fifteenth property more particularly described Fifteenthly in the Second Schedule hereunder written, e) the said Fifth Owner to the said Sixteenth property more particularly described Sixteenthly in the Second Schedule hereunder written and e) the said Sixth Owners to the said Seventeenth property more particularly described Seventeenthly in the Second Schedule hereunder written, save and except the portions of land handed over to the Corporation vide the said First and the said Second Declaration more particularly mentioned in the said Title Certificate, is clear, marketable and free from all encumbrances and further my clients are entitled to develop the said Property.

THE FIRST SCHEDULE ABOVE REFERRED TO:

Firstly:

ALL THAT piece and parcel of land bearing Survey No.21 Hissa No 6 admeasuring 2830 sq. mtrs., situate, lying and being at Village Vadavali, Taluka and District Thane, in the Registration District & Sub District Thane, within the local limits of the Municipal Corporation of the city of Thane.

Secondly:

ALL THOSE pieces and parcels of land bearing Old S.No.107/8, New Survey No.72/8 admeasuring 130 and Old S.No.112/1, New Survey No.71/1 admeasuring 8150 sq.

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mtrs. situate, lying and being at Village Owale, Taluka and District Thane, in the Registration District & Sub District Thane, within the local limits of the Municipal Corporation of the city of Thane.

Thirdly:

ALL THOSE pieces and parcels of land bearing S.No.113/1, New Survey No.66/1, admeasuring 11000 sq.mtrs., Old S.No.113/18, New Survey No.66/18, admeasuring 600 sq.mtrs., Old S.No.113/19, New S.No.66/19, admeasuring 600 sq.mtrs., Old S.No.113/12, New S.No.66/12, admeasuring 4200 sq.mtrs., Old S.No.113/22, New S.No.66/22 admeasuring 200 sq.mtrs., Old S.No.113/23, New S.No.66/23, admeasuring 1200 sq.mtrs., situate, lying and being at Village Owale, Taluka and District Thane, in the Registration District & Sub District Thane, within the local limits of the Municipal Corporation of the city of Thane.

Fourthly:

ALL THOSE pieces and parcels of land bearing old S.No.113/4, New Survey No.66/4, admeasuring 1100 sq.mtrs., old S.No.113/14, New Survey No.66/14, admeasuring 5600 sq.mtrs., Old S.No.114/1, New S.No.65/1, admeasuring 630 sq.mtrs., Old S.No.114/2, New S.No.65/2, admeasuring 6320 sq.mtrs., situate, lying and being at Village Owale, Taluka and District Thane, in the Registration District & Sub District Thane, within the local limits of the Municipal Corporation of the city of Thane.

Fifthly:

ALL THAT piece and parcel of land bearing old S.No.113, Hissa No.6, New Survey No.66, Hissa No.6, admeasuring 1730 sq. mtrs., situate, lying and being at Village Vadavali, Taluka and District Thane, in the Registration District & Sub District Thane, within the local limits of the Municipal Corporation of the city of Thane.

Sixthly:

ALL THAT piece and parcel of land bearing old S.No.113, Hissa No.8, New Survey No.66, Hissa No.8, admeasuring 2000 sq. mtrs., situate, lying and being at Village Vadavali, Taluka and District Thane, in the Registration District & Sub District Thane, within the local limits of the Municipal Corporation of the city of Thane.

Seventhly:

ALL THAT piece and parcel of land bearing old S.No.113, Hissa No.9, New Survey No. 66, Hissa No.9, admeasuring 1300 sq. mtrs., situate, lying and being at Village Vadavali, Taluka and District Thane, in the Registration District & Sub District Thane, within the local limits of the Municipal Corporation of the city of Thane.

6

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PARTNER

