

**IN THE MATTER OF FACILITY AGREEMENT AND DEED OF ASSIGNMENT
(WITH POWER OF ATTORNEY) BOTH DATED 24.05.2012**

BETWEEN

MALAYAN BANKING BERHAD (CO. NO. 3813-K) - ASSIGNEE/BANK

AND

**WISMA RAKYAT HOLDINGS SDN BHD (606505-U)
[IN LIQUIDATION] - ASSIGNOR**

PROCLAMATION OF SALE

IN EXERCISE OF THE RIGHTS AND POWERS conferred upon the Assignee/Bank under the Facility Agreement and Deed of Assignment (with Power of Attorney) both dated 24.05.2012, it is hereby proclaimed that the said Assignee/Bank with the assistance of the under mentioned auctioneer, **WILL SELL THE PROPERTIES DESCRIBED BELOW EN BLOC BY PUBLIC AUCTION ON WEDNESDAY THE 2ND DAY OF OCTOBER 2019 @ 10.30 A.M. AT THE KINABALU CLUB CONFERENCE ROOM, JALAN DALAPAN, 5KM, OFF JALAN PENAMPANG, 88300 KOTA KINABALU, SABAH.**

PARTICULARS OF PROPERTIES:-

Description of Properties	1. One (1) unit of Two (2) Storey Intermediate Shop-office known as Lot No. 12, Rugading Commercial Centre, KM 19, Jalan Tuaran (“Lot 12”) 2. One (1) unit of Two (2) Storey Intermediate Shop-office known as Lot No. 13, Rugading Commercial Centre, KM 19, Jalan Tuaran (“Lot 13”) 3. One (1) unit of Two (2) Storey Intermediate Shop-office known as Lot No. 14, Rugading Commercial Centre, KM 19, Jalan Tuaran (“Lot 14”)
Title Nos.	Lot 12 (CL045336525), Lot 13 (CL045336534) & Lot 14(CL045336543), District of Tuaran, Sabah
Floor Areas (Built Up)	1. Lot 12 : 2,400 sq. ft. more or less 2. Lot 13 : 2,400 sq. ft. more or less 3. Lot 14 : 2,400 sq. ft. more or less
Land Area	1. Lot 12 : 1,201 sq. ft. more or less 2. Lot 13 : 1,201 sq. ft. more or less 3. Lot 14 : 1,201 sq. ft. more or less

Tenure	99 years (unexpired 52 years) Effective 01.01.1972 to 31.12.2070
Developer/Vendor	Sabaland Construction Sdn. Bhd. (Co. No. 273401-K)
Encumbrance	Assigned to Malayan Banking Berhad and subject to all easements, leases, tenancies, occupiers, charges, caveats, previous sale and purchase, previous assignment, covenants, liabilities subsisting thereon or thereover.

NOTE:-

Prospective bidders are advised to : (i) inspect the subject properties and check on the issuance of subdivided title (ii) seek independent legal advice on all matters in connection with the auction sale including the Conditions of Sale herein (iii) conduct official search at the relevant Land Office and/or other relevant authorities and (iv) make the necessary enquiries with the relevant authorities as to whether the sale is open to all races or to Malaysian Citizens who are Bumiputra only and also on the other terms of consent to the sale herein prior to the auction sale. The Successful Purchaser shall immediately upon the sale undertake to apply for and obtain the consent to transfer (if any) from the Developer and/or the Proprietor and/or State Authorities or relevant bodies.

The Properties **will be sold en bloc on an “as is where is” basis**, subject to the reserve price of **RINGGIT MALAYSIA ONE MILLION THREE HUNDRED SEVENTY SEVEN THOUSAND AND EIGHT HUNDRED TEN (RM1,377,810.00) ONLY** subject to the Conditions of Sale herein and by way of an assignment from the above Assignee/Bank, subject to consent being obtained by the Successful Purchaser from the Developer and relevant authorities, if any, including all terms, conditions, stipulations and covenants which were and may be imposed by the relevant authority:

All intending bidders are required to deposit **10% of the fixed reserve price by Bank Draft or Cashier’s Order only** in favour of **Malayan Banking Berhad (3813-K)** prior to the sale with the under mentioned Auctioneer.

Any arrears of **QUIT RENT AND ASSESSMENT ONLY** (if any) which may be lawfully due (the Assignee/Bank reserves the right to refuse to pay any sums not lawfully due and/or those sums that are time-barred) to any relevant authority **UP TO THE DATE OF SUCCESSFUL SALE** shall be paid out of the proceeds of sale, provided that the Assignee/Bank is in receipt of the extracted bills from the Successful Purchaser within sixty (60) days from the date of the sale. In the event such extracted bills are not submitted within the stipulated sixty (60) days from the auction date, any subsequent claims made thereunder, the Assignee/Bank shall be entitled at their absolute discretion not to entertain and the same shall be borne by the Successful Purchaser.

The **BALANCE OF THE PURCHASE PRICE** is to be settled **WITHIN ONE HUNDRED AND TWENTY (120) DAYS** from the date of auction sale by **Bank Draft or Cashier’s Order drawn in favour of Malayan Banking Berhad (3813-K)**.

Prior to the commencement of the auction sale, all bidders are required to register with the Auctioneer appointed by the Assignee/Bank and shall submit the following to the Auctioneer:

- (1) an amount equivalent to 10% of the Reserved Price by Bank Draft or Cashier's Order in favour of Malayan Banking Berhad (3813-K);
- (2) Board of Directors resolution or a written authorization where the bidder is a company or other body recognized by law as capable of purchasing and owning lands, bidding through an authorized person; and
- (3) Written authorization where the bidder is acting as a proxy.

For further particulars, please contact **Messrs Fernandez & Co**, solicitors for the Assignee/Bank herein whose address is at No. 143, Jalan Tangki, Dezsos Building, Karamuning, 88100 Kota Kinabalu [Reference: VMF/MBB(RCRM-KL)-WRHSB/8338(5)/NF-liz, Telephone No : 088-222450, Fax No : 088-221584] or the under mentioned Auctioneer:

Messrs Mega Auction House

Licensed Auctioneer

13A, Taman Baginda, Jalan Penampang

88300 Kota Kinabalu, Sabah

Tel : 017-8511838 / 014-8611838

