

IN THE MATTER OF FACILITY AGREEMENT AND 1ST PARTY DEED OF ASSIGNMENT (WITH POWER OF ATTORNEY) BOTH DATED 01.02.2010

BETWEEN

MALAYAN BANKING BERHAD
[Co. Reg. No. 196001000142 (3813-K)]

- ASSIGNEE/BANK

AND

ACI TECHNOLOGY SDN BHD – *In Liquidation*
[Co. Reg. No. 200601021383 (741136-H)]

- ASSIGNOR/BORROWER

PROCLAMATION OF SALE

IN EXERCISE OF THE RIGHTS AND POWERS conferred upon the Assignee/Bank under the **Facility Agreement and 1st Party Deed of Assignment both dated 01.02.2010**, it is hereby proclaimed that the said Assignee/Bank with the assistance of the under mentioned auctioneer, **WILL SELL THE PROPERTY DESCRIBED BELOW BY PUBLIC AUCTION ON THURSDAY, THE 29TH DAY OF APRIL, 2021 @ 10.00 A.M** at no. 1-1-6, 1st Floor, Block B, Kolam Centre Phase 2, Hilltop, Luyang, Jalan Lintas, 88300 Kota Kinabalu, Sabah.

PARTICULARS OF PROPERTY:-

Description of Property : **One Unit of a Corner Arcade Shop known as Lot 3.53, 3rd Floor, Kompleks Karamunsing, 88100 Kota Kinabalu held under parent title TL017544571**

Floor Area : **62.80 square metres (676 square feet) more or less**

Developer : **Crest Megaway Sdn. Bhd. [Co. No. 648840-D]**

Tenure : **Effective - 22.01.1902 to 21.01.2901**
Leasehold - 999 years
Unexpired – 880 years

NOTE:

Prospective bidders are advised to : (i) inspect the subject property 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 property will be sold **on an “as is where is” basis**, subject to the following reserve price of **RINGGIT MALAYSIA SIX HUNDRED AND FORTY- SIX THOUSAND (RM646,000.00) ONLY** subject to the Conditions of Sale 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** prior to the sale with the under mentioned Auctioneer.

Any arrears of **maintenance charges, assessment, water and electricity bills 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 or Developer **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 ninety (90) days from the date of auction sale by Bank Draft or Cashier’s Order drawn in favour of Malayan Banking Berhad.

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;
- (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, Karamunsing, 88100 Kota Kinabalu [Reference: VMF/MBB(RCRM-KK)-ACI/9034, 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