

# DUE DILIGENCE REPORT:

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## Land

### MIG PROJECT

August 20, 2022



MIG Project:  
Soi Pasak 8/7  
Cherngtalay,Thalang  
District,Phuket Province 83110

Contact:  
Phuket Modern law and Business Co.,Ltd.  
39/104 soi dechkerd  
Patong sub-district  
Kathu District  
Phuket 83120  
  
Tel.081-979-1858  
Fax:076-689724  
Email:  
phuketmodernlaw39104@gmail.com

Here in please find a Due Diligence investigation of MIG Project, Cherngtalay,Talang, Phuket Province, Thailand. This report is prepared on the basis of the information and documents provided to us from the Phuket Land Office.

**Land Title Deed:**

Pursuant to the contract provided by Seller, the project will be built on Land Title Deed :

- 1.Title Deed No.39172,No.23 located at Cherngtalay Sub-District,Thalang District,Phuket Province, having an approximate area of 01 Rai, 01 Ngan and 88.5/10 Square Wah (hereinafter referred to as "The Land").
- 2.Title Deed No.39171,No.22 located at Cherngtalay Sub-District,Thalang District,Phuket Province, having an approximate area of 01 Rai, 01 Ngan and 97 Square Wah (hereinafter referred to as "The Land").
- 3.Title Deed No.39170,No.21 located at Cherngtalay Sub-District,Thalang District,Phuket Province, having an approximate area of 01 Rai, 01 Ngan and 93.6/10 Square Wah (hereinafter referred to as "The Land").

**REPORT EXAMINES:**

This report examines the Unit Background & History, Categories of Land Title, Zoning & By-Laws of the Land Title, Construction Regulations, and any encumbrances on Land.



## THE LAND BACKGROUND:

### Classification of Land Title Deed:

After conducting an examination of the Land Title Deed (Chanote) Number 39170,39171,39172 we note that it is located in the Cherntalay Sub-District, District. According to provisions of Thai law, Land Title Deeds are divided into the following categories:

#### CATEGORIES OF LAND TITLE

Freehold Title Deed: ('Chanote' or 'Nor Sor 4')

Most commonly referred to as Chanote Title, or 'Freehold Title', this type of land ownership is designated by the Ministerial Regulation no 43 (B.E. 2537) pursuant to the Land Code Act B.E. 2497, Clause 2, 4 and 13, which respectively state that: "This type of title grants the holder of the document the full rights over the land". Thus, if you are planning on buying land in Thailand, this type of title deed is the best option. For Foreigners, Chanote title can only be acquired if you are purchasing in a condominium and your unit is within the 49% of the floor space awarded to the foreign freehold ownership. Lastly, a red Gaurda marks this form of Title Deed.

Nor Sor 3 Gor:

A land awaiting a full title deed is granted the document Nor Sor 3 Kor. The land is measured by the Land Department; therefore, it has its exact boundaries. The owner knows exactly what he owns. This type of land may be sold, transferred, or mortgaged, as a land with freehold title deed (Chanote). The owner of the land may file a petition to the Land Department demanding to change it to a full title deed (Chanote), and the Land Department may do so if there is no opposition made against the petition. Lastly, a green Gaurda marks this form of Title Deed.

Nor Sor 3:

A difference between this type of land title deed and the aforementioned category is that the Land Department or other relevant government authority has never measured a land with Nor Sor 3 Title. Therefore the land has no exact boundaries, and there could be some potential issues concerning land boundaries. However, Nor Sor 3 may later upgrade to Nor Sor 3 Kor, then a freehold title deed (Chanote) in the future. The owners of this type of Title have the right to have their name appear on the Title Deed, and they also have the right to occupy the land and use it for their benefit. Lastly, a green Gaurda marks this form of Title Deed.

Possessory Right:

This type of title deed is least recommended. A land with a possessor's right has never been substantiated by Department, but is only recognized by tax payments at the Local Administrative Office. This deed means that the owner is considered a 'possessor' of land, but the real owner is the government. On this type of Title, you cannot register rights like a usufruct or a lease, and you cannot get a building permit.

**CONCLUSION: We hereby verify the title of the three plot of Lands as belonging to the first category: Chanote Title Deed.**



## THE LAND BACKGROUND:

### 1).Historical Transactions of the Land Title Deed 391172, No.23:

Title Deed Number 391172 is located at Cherngtalay Sub-District, Talang Phuket District, Phuket Province, having an approximate area of 01 Rai, 01 Ngan and 88.5/10 Square Wah. The registered original owner of the land is Mr. Win Kor-in.

- **January 15, 2009** : Prior to this date Land has transferred this plot of land to his son Legal heir, Mr. Sawaeng Kor-in, according to the inheritance transfer request document No. 51113/52
- **July 30, 2021**: Prior to this date Land has transferred this plot of land to his son Legal heir, Mr.Kasideach Kor-In, according to It records the appraisal of the property No. 1058/30 July 2021.

### 2.)Historical Transactions of the Land Title Deed 391171, No.22:

Title Deed Number 391171 is located at Cherngtalay Sub-District, Talang Phuket District, Phuket Province, having an approximate area of 01 Rai, 01 Ngan and 97 Square Wah. The registered original owner of the land is Mr. Win Kor-in.

- **January 15, 2009**: Prior to this date Land has transferred this plot of land to his son Legal heir, Mr. Sawaeng Kor-in as an administrator of the estate(Trustee).
- **August 19, 2014**: Prior to this date Land has transferred this plot of land to The Legal heir of Mr. Win Kor-in, is Mrs.Lawang Panarak, according to It records the appraisal of the property No. 22598/57.

### 3).Historical Transactions of the Land Title Deed 391170 ,No.21:

Title Deed Number 391170 is located at Cherngtalay Sub-District, Talang Phuket District, Phuket Province, having an approximate area of 01 Rai, 01 Ngan and 93.6/10 Square Wah. The registered original owner of the land is Mr. Win Kor-in.

- **January 15, 2009**: Prior to this date Land has transferred this plot of land to his son Legal heir, Mr. Sawaeng Kor-in as an administrator of the estate(Trustee).
- **April 01, 2009**: Prior to this date Land has transferred this plot of land to son Legal heir of Mr. Win Kor-in is Mr.Prawit Kor-In,, according to It records the appraisal of the property No. 10450/52

**NOTE: The Contractor are the owner of the land and all three plots of land are not subject to mortgage obligations.**

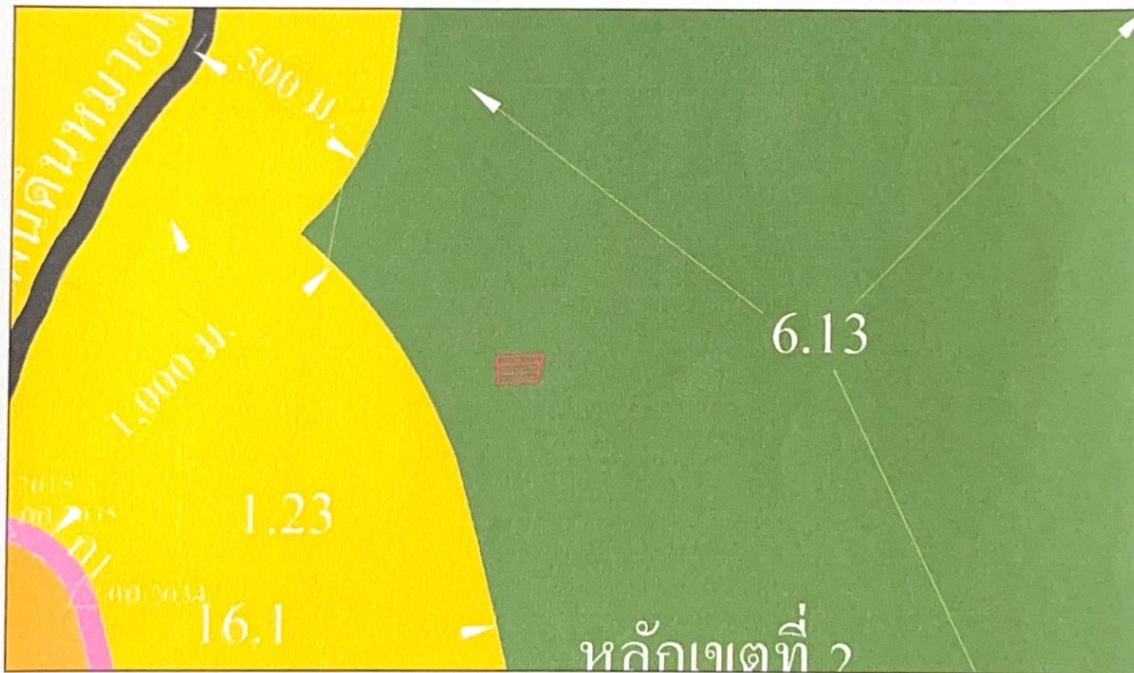


Phuket Environmental & Area Regulations  
Ministerial Announcement - Environment  
& Natural Resources Re: Area/Location  
Regulation and Environment Protection  
Strategies Phuket Province B.E. 2553  
(A.D. 2010)

The Regulations pursuant to the  
Ministry of Natural Resources &  
Environment for Phuket Province as they  
affect the land. These Regulations limit  
certain liberties of residents in Phuket in  
effort to promote  
environmental quality and preservation.

### Phuket Regulations: There are 8 Zones by color

- = Zone 1 = Red color
- = Zone 2 = Yellow color
- = Zone 3 = Navy Blue color
- = Zone 4 = Pink color
- = Zone 5 = Light Green color
- = Zone 6 = Dark Brown color
- = Zone 7 = Dark Green color
- = Zone 8 = Light Brown color






**REGULATION & ZONING:**

The Land is subject to specific zoning and building regulations approved by the Interior Ministry together with the regulations of the Ministry of Environment as officially applied to Phuket Province, namely the Area/Location Regulation and Environment Protection Strategies Phuket Province B.E. 2546 and Construction Control Act B.E. 2522 (A.D. 1979), enforceable in Phuket since B.E. 2546

Interior Ministry Construction Control Act B.E. 2522 (A.D. 1979), enforceable in Phuket since B.E. 2546:

In reference to the diagram on Page 6, the area, which the Land is located, has been designated

 = Dark Green Color is populated area can be lawfully used for the residential purpose,. However the utilization of the land for any other purpose other than the aforementioned must not exceed 10% of the total coverage area of the Land Title Deed.

**Encumbrances on Land:**

There is no encumbrance on land title deed number 16232.

**Public Road Access:**

There is three way of public road access to the Lands at Pasak Soi 8/7, Pasak Soi 2, and Bangjo Road .

**Permits & Approvals:**

By Law, the following approval, permission or licenses must be obtained for land development and others.



## 1. Land

1.1) The Title Deed No. 391172, No. 23: are lawfully owned by Mr. Kasideach Kor-In

1.2) The Title Deed No. 391171, No. 22: are lawfully owned by Mrs. Lawang Panarak.

1.3) The Title Deed No. 391170, No. 21: are lawfully owned by Mr. Pavit Kor-In

## 2. Zoning

- The land is located at Chertalay Sub-District, Thalang Phuket District, Phuket Province.
- Interior Ministry Construction Control Act B.E. 2522 (A.D. 1979), enforceable in Phuket since B.E. 2546:

- Ministerial Announcement - Environmental & Natural Resources Re: Area/ Location Regulation & Environmental Protection Strategies Phuket Province B.E. 2553 = Zone 7 = Dark Green Color

**CONCLUSION:** The plans pursuant to the contract are compliance with the Regulations

### Legal comment:

The Three Plots of land are located nearby many Villa project around, side by side, The construction control by Aor-Bor.Tor Chrengtalay (Local Authority) who is the organization to issue the construction permit and licenses. To do Land developing may need the professional Law team work to organize and deal with Official Office. We had been contact with Aor-Bor.Tor Chrengtalay to get certify that The Located of land can be construction.



### Summary of Cherngtalay Sub-District Municipality Administrative Organization

(1) For the above three plots of land Determination of Land Use Classification No. 12 Rural and Agricultural Land Use, the land for agriculture or relating agriculture, habitation, tourism, government institutions, public utilities. For the use of land for other purpose can be used for an additional not more than 5% of the land in this area and prohibit to use the land for the following activities:

This type of land is prohibited for the use of land as defined belows:

1. All kind of factory pursuant to factory law, except

(a) Factory according to the type, kind and group that is prescribed to be operated in accordance with the list attached to the Ministerial Regulation which does not cause any nuisance under the law on public health or does not pollute the community or the environment according to the ENHANCEMENT AND CONSERVATION OF NATIONAL ENVIRONMENTAL QUALITY ACT, B.E. 2535., which is not a row house or row house type factory and has an operating area not exceeding 100 square meter, but in the case of a factory engaged in business related to the new agricultural industry, the area of operation is not more than 500 square meters, but this does not affect the 4th factory (1) under the operation of Bangkok Metropolis;

(b) Group 1 and Group 2 factories operating business for education, research, design, testing, improvement and product or technology development which does not cause nuisance under the law on public health or does not pollute the community or the environment according to the ENHANCEMENT AND CONSERVATION OF NATIONAL ENVIRONMENTAL QUALITY ACT, B.E. 2535., and has an operating area not exceeding 500 square meters

(2) Production of mixed concrete products that do not qualify as a factory except in the case of a concrete unit ready to mix in a temporary located in the construction site or nearby for the benefit of the construction project.

(3) Fuel depots and places used for fuel storage which is non liquefied petroleum gas and natural gas for sale that require a license under the fuel oil control law. Unless it is located on the edge of Public Road. having a road boundary size of not less than 30 meters and a fuel service station located along a public road with a road boundary size of not less than 12 meters

(4) Gas filling facility, gas storage facility and gas filling room for liquefied petroleum gas and natural gas according to the law on fuel control, except

(a) Liquefied Petroleum Gas Service Station located along a public road with a road boundary size of not less than 30 m.

(b) A natural gas service station located along a public road with a road boundary size of not less than 12 meters.

(c) Gas outlet, gas facility and places where food is sold using gas

(5) Saltwater aquaculture or brackish water, except for aquaculture in Bang Khun Thian

(6) Hotels according to hotel law

(7) Theater under the building control law

(8) Service place under the law of service place



(9) All types of land allocation except for the allocation of land for living in the type of detached houses small plots of land not less than 100 square wah per plot, occupying not more than 10% of the total project area

(10) Living in a semi-detached house, row house, row building, row house or residential buildings

(11) Commercial operations with an area of operation more than 100 square meters, except

(a) Commercial operations with an area of operation more than 100 square meters but not more than 300 square meters, located along a public road with a road boundary size of not less than 16 meters

(b) Commercial operations with an operating area exceeding 300 square meters but not exceeding 500 square meters, located along a public road with a road boundary size of not less than 30 meters

(12) Office, except for office which is not row house or row building with an area of operation not more than 100 square meters

(13) The installation or construction of a sign with a size of more than 1 square meter or weight, including the structure of more than 10 kilograms in the area that has a distance from the temple, ancient remains, special way or a public road with a boundary of 40 meters to the installation point or constructing less than 50 meters of signs, except for the name of the building or establishment and fuel service signs or gas service stations

(14) Storage location, shipping station or shipping business except located on the edge of public roads that are not less than 30 meters

(15) Convention Center or Exhibition

(16) Market, except

(a) Market where an operating area not exceeding 1,000 square meters located on the edge of public roads that are not less than 12 meters

(b) Market where an operating area exceeding 1,000 square meters but not exceeding 2,500 square meters located on the edge of public roads with a road boundary size are not less than 16 meters

(c) Market where an operating area exceeding 2,500 square meters located on the edge of public roads with a road boundary size of not less than 16 meters

2. According to the announcement of the Ministry of Resources and Environment 2017, the three plots of land located in the 5th area, is allowed to construct a building with a height of not more than 6 meters, but is not higher than 12 meters

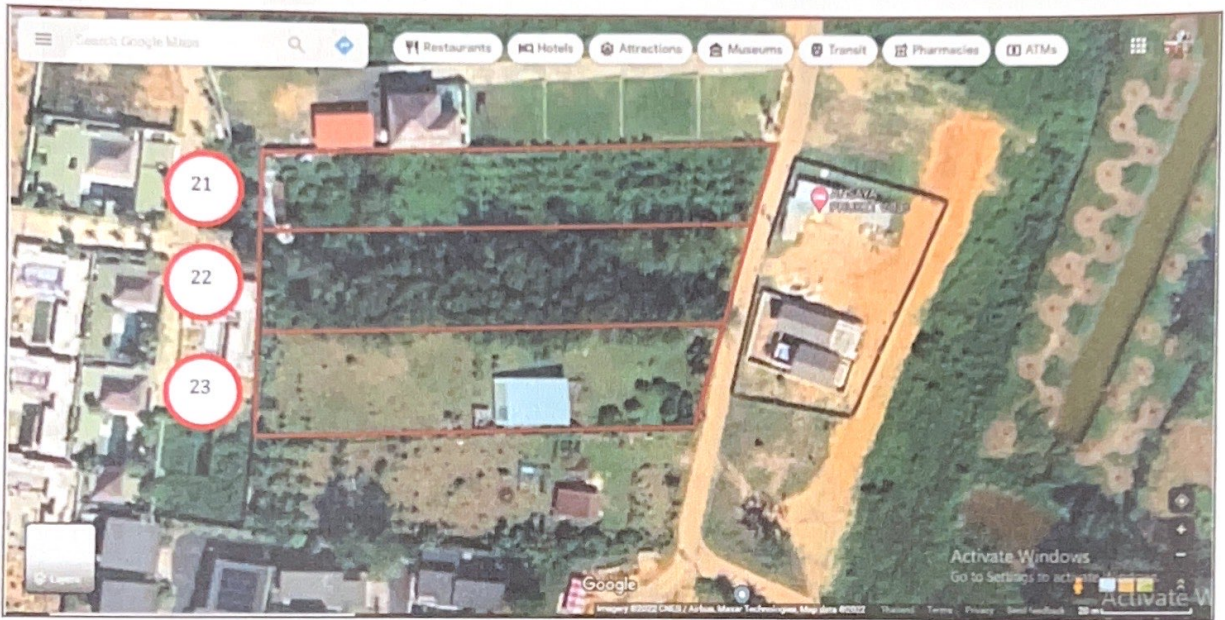
3.1 There must be a space not less than 30 percent of the land requesting permission for detached houses, twin houses, public buildings, residential buildings or offices.

3.2 There must be a space not less than 10 percent of the plot of land that requesting permission for buildings in the neighborhood building, Ban Long or commercial building

**\*\*According the three plots of land are in the agricultural zone. To construct housing may need the specialists expert construction and architects to designing and planning a land management .**

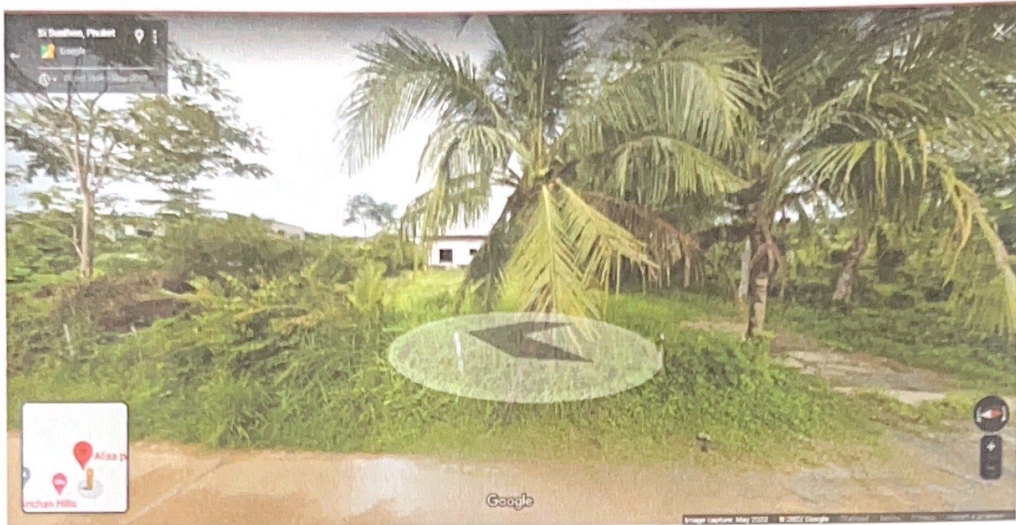


Land Plots Location



























Neighbor Project









Entrance to land plots









