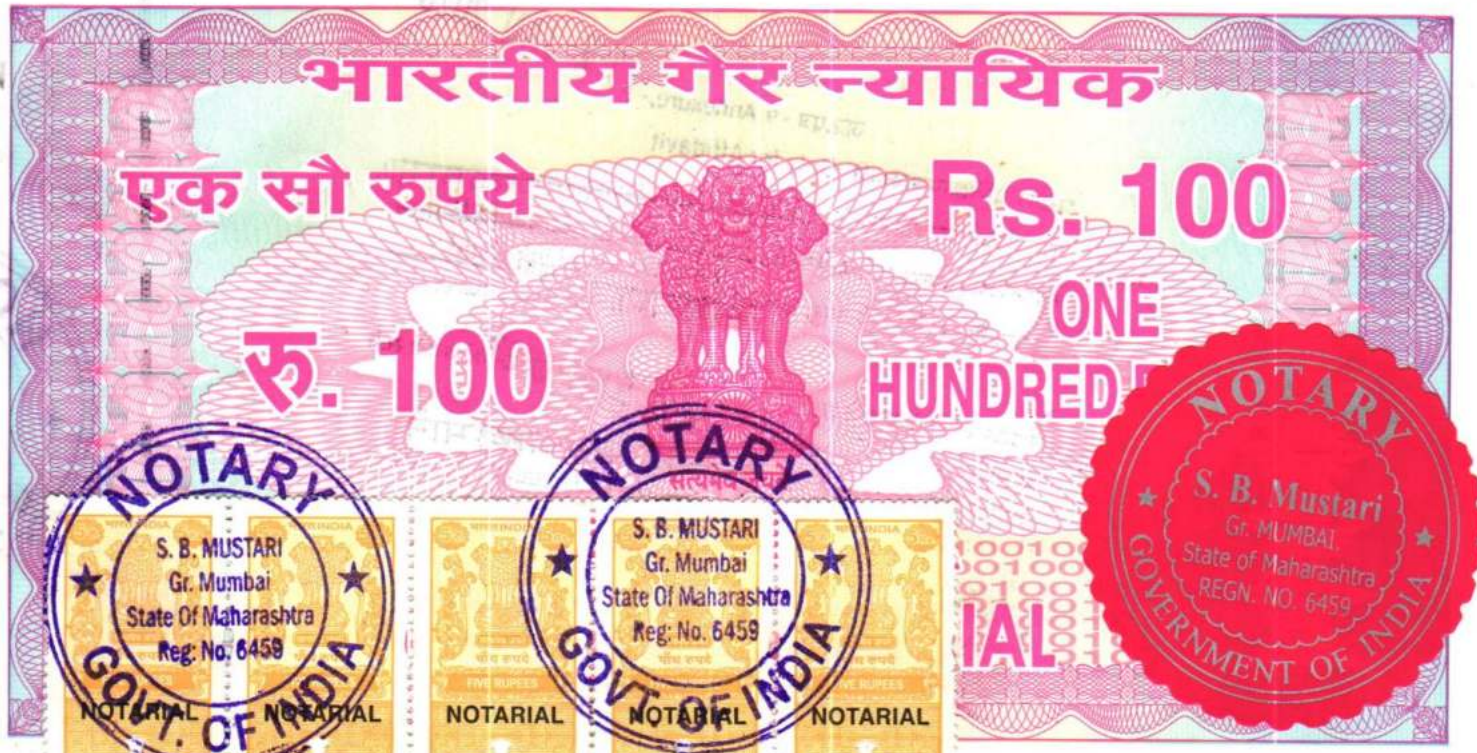




36AA 135645



FORM 'B'

श्री. रोहीत कुंदे

[See rule 3(6)]

DECLARATION, SUPPORTED BY AN AFFIDAVIT, WHICH SHALL BE SIGNED BY THE PROMOTER OR ANY PERSON AUTHORIZED BY THE PROMOTER

Affidavit cum Declaration

Affidavit cum Declaration of **Mr. Deepak Agawane**, director of Sun Beam High Tech Developers Pvt. Ltd., duly authorised vide board resolution dated 20/02/2023, a company incorporated under the provisions of Companies Act, 1956, having its registered office at Paras Building, G-1, Versova Link Road, Versova Andheri (West), Mumbai - 400 054 ("**Promoter**"), Promoter of the proposed project "**Sunbeam Heights**".

I, **Mr. Deepak Agawane**, director of the Promoter of the proposed project, do hereby solemnly declare, undertake and state as under:

दिपक शिंदे आगवणे

12 JAN 2023

~~SUNBEAM HIGH TECH DEVELOPERS PVT. LTD.~~
~~Plot No. 1, Bldg. Ground Floor,~~

1. Paras Bida, Ground Floor,

Juhu Versova Link Road
Mumbai-400

Andheri (W), Mumbai-400053.

पर्यावासात २०२३ च्याही सह

सागर जलजलाध्य माने

सागर जलजलस्थि मान
मिशनरी, ऑप, वीक लि.

3-15

०५/०५/२००५ गुरुवार।
मुद्रांक

राष्ट्रियता का अर्थ है, जिसका अर्थ है, जो देश के लोगों को एक साथ बांधे रखे।
जो देश के लोगों को एक साथ बांधे रखे।
जो देश के लोगों को एक साथ बांधे रखे।





1. The Promoter is in process of redeveloping the land or Plot No. 34/1 (W) bearing Survey No. 41 and corresponding to CTS No. 01, MHADA layout plot no. C-7 admeasuring approximately 3735.22 sq. mtrs. of Adarsh Nagar owned by Maharashtra Housing Area Development Authority ("MHADA") and leased to Adarsh Nagar Shree Adarsh Co-operative Housing Society Limited ("**Society**") situate, lying and being at Village Oshiwara within the registration Sub-District of Andheri and district Mumbai Suburban ("**the Larger Land**"). By and under a Development Agreement dated 2nd June, 2022 and registered with the Sub-Registrar of Assurances at Bandra under number BDR-15/11971 of 2022 executed by between the Society of the First Part, Sunil Ramesh Jaiswal and others of the Second Part and the Promoter of the Third Part the Society has granted re-development rights to the Promoter for the consideration and on the terms and conditions contained therein. The Promoters propose to redevelop the Larger Land by developing thereon 2 buildings. Building no. **2** for rehab of the existing tenants, comprising of Basement plus ground floor for shops plus 1st and 2nd upper commercial floors plus 3rd to 22nd upper residential floors and building no. **1** building comprising of basement, plus ground floor for shops plus first and second upper commercial floors plus 3rd amenity floor plus 1 to 18 upper residential floors plus 1 service floor plus 19 to 32 upper residential floors. Portion of Building no. 1 comprising of unit no. 1 on the 2nd floor, the 3rd amenity floor plus 1 to 18 upper residential floors plus 1 service floor plus 19 to 32 upper residential floors comprise the free sale portion and is the real estate project ("**Project**"). Thereafter by and under the Development Management Agreement dated 5th September, 2022, made by and between the Promoter and Spark Developers Private Limited ("**Promoter 2**"), the Promoter appointed Promoter 2 as exclusive development manager to perform the services as set out under the Development Management Agreement dated 5th September, 2022 to aid and assist the Promoter in the construction of the two buildings situated of the Larger Land for the consideration and on terms and conditions specified in the Development Management Agreement dated 5th September, 2022. That, the development rights granted to the Promoter are valid and subsisting and that a legally valid authentication of title of the Larger Land along with the agreement between the Society and the Promoter for development of the Project is enclosed herewith to develop the Larger Land, on portion of which the development of the Sunbeam Heights is proposed and the report on title of the Larger Land along with the Development Management Agreement dated 5th September, 2022 between the Promoter and the Promoter 2 is uploaded on RERA website.
2. The Promoter has a clear and marketable development rights to the Larger Land subject to the mortgages created by the Promoter and Promoter 2 on the Larger Land mentioned hereinbelow:
 - a. Debenture Trust Deed dated 6th September, 2022 *registered with Sub-Registrar of Assurances at Andheri-4 under serial no. BDR-15/12290 of 2022* executed between Sun Beam High Tech

Sun Beam High Tech



Developers Private Limited therein referred to as the "Company" or "Borrower" of First Part and Spark Developers Private Limited therein referred to as the "Corporate Guarantor 1" or "Development Manager" of Second Part and KRVP Realtors Private Limited therein referred to as the "Corporate Guarantor 2" of Third Part and Mr. Deepak Sakham Kamble therein referred to as the "Personal Guarantor 1" of Fourth Part and Amey Anil Malandkar therein referred to as the "Personal Guarantor 2" of Fifth Part and Vistra ITCL (India) Limited therein referred to as the "Debenture Trustee" or "Trustee" of Sixth Part, the Borrower therein has mortgaged all the beneficial right, title and interest both present and future, in the said Land unto the debenture trustee for the benefit of the Debenture Holders as and by way of English mortgage and ~~and~~ which is more particularly described under the Debenture Trust Deed dated 6th September, 2022.

- b. Further in terms of the Development Agreement and letter dated 20/02/2023, there is a lien on unit no. 1 comprising of 3300 sq. ft. RERA carpet area commercial property situated at second floor in the sale building as security in lieu of the Society members vacating the existing premises. The lien will be released by the Society on offering possession of newly constructed flats to the members in rehabilitation building after obtaining Occupation Certificate.
3. That the time period within which the project shall be completed by Promoter along with the Promoter 2 from the date of registration of project shall be 31st December 2027.
4. That seventy per cent of the amounts realised by the Promoter and Promoter 2 for the Sunbeam Heights project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the cost of construction and the land cost and shall be used only for that purpose.
5. That the amounts from the separate account to cover the cost of the Sunbeam Heights project shall be withdrawn in accordance with Rule 5.
6. That Promoter and Promoter 2 shall get the accounts audited within six months after the end of every financial year by a practicing chartered accountant, and shall produce a statement of accounts duly certified and signed by such practicing chartered accountant, and it shall be verified during the audit that the amounts collected for Sunbeam Heights project have been utilised for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the Sunbeam Heights project.
7. That the Promoter shall with the assistance of the Promoter 2 obtain all the pending approvals on time, from the competent authorities.
8. That the Promoter along with Promoter 2 shall inform the Authority regarding all the changes that have occurred in the information

Handwritten signature: १५६ २/११ ३१/१२/२३

furnished under sub-section (2) of section 4 of the Act and under rule 3 of these rules, within seven days of the said changes occurring.

9. That the Promoter along with the Promoter 2 has furnished such other documents as have been prescribed by the rules and regulations made under the Act.
10. That the Promoter and Promoter 2 shall not discriminate against any allottee at the time of allotment of any apartment or building, as the case may be, on any grounds.

For Sun Beam High Tech Developers Pvt. Ltd.


Mr. Deepak Agawane
Deponent

Verification

The contents of my above Affidavit cum Declaration are true and correct and nothing material has been concealed by me therefrom.

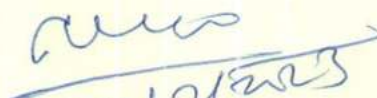
Verified by me at _____ on this _____ day of 2023.

For Sun Beam High Tech Developers Pvt. Ltd.


Mr. Deepak Agawane
Deponent



BEFORE ME


14/02/23

S. B. MUSTARI
ADVOCATE & NOTARY
GOVT. OF INDIA
No.B/4, Sai Dham Hsg. Soc.,
Tilak Nagar, Sakinaka,
Mumbai-400 072.

Sr No.: 153	23
Date: 14/02	23