

**PROCLAMATION OF SALE  
IN THE MATTER OF DEED OF ASSIGNMENT DATED 6<sup>TH</sup> DAY OF FEBRUARY 2002,  
DEED OF ASSIGNMENT AND FACILITIES AGREEMENT  
BOTH DATED 26<sup>TH</sup> DAY OF MARCH 2002**

BETWEEN

HONG LEONG BANK BERHAD (97141-X)

... ASSIGNEE

AND

SAHAK BIN ARASH  
[NRIC NO. 650130-12-5755]

... ASSIGNOR

In exercising the rights and powers conferred upon the Assignee under the Deed of Assignment dated 6<sup>th</sup> day of February 2002, Deed of Assignment and Facilities Agreement both dated 26<sup>th</sup> day of March 2002 entered into between the Assignee and the Assignor in respect of the Sale and Purchase Agreement entered into between Hiew Ching Fah, Chau Lan Fong, Chong Fei Cheng and Chong Nyuk Len and the Assignor dated the 6<sup>th</sup> day of February 2002, it is hereby proclaimed that the Assignee with the assistance of the undermentioned Auctioneer

WILL SELL THE PROPERTY DESCRIBED BELOW BY

**PUBLIC AUCTION**

ON THURSDAY, THE 25<sup>TH</sup> DAY OF MAY, 2023, AT 2.30 PM,

VIA ONLINE BIDDING AT [WWW.EAUCTION2U.COM.MY](http://WWW.EAUCTION2U.COM.MY) ("AUCTIONEER'S WEBSITE")

(Bidder registration must be made at least one (1) working day before the auction date and bidders are advised to log in to the Auctioneer's Website provided above and be on standby before the auction time. Bidders are further subject to the Auctioneer's Online Terms and Conditions)

**NOTE :** Prospective bidders are advised to : (i) seek independent legal advice on the Conditions Of Sale herein (ii) Inspect the subject property (iii) check on the issuance of separate individual title / master title (iv) conduct an official title search at the relevant Land Office and/or other relevant authorities (v) make the necessary enquiries with the Developer and/or Proprietor and/or State Authorities and/or relevant bodies on the necessary confirmations / terms of consent to the sale herein prior to the auction sale (vi) conduct and rely on their own searches, enquiries, investigations and verifications on the accuracy and correctness of the particulars and information provided. Prospective bidders are also advised that no reliance may be placed on any statement(s) or representation(s) made in this Proclamation Of Sale or by the Auctioneer at the auction concerning the subject property and that any prospective bidder(s) who choose(s) to rely on such statement(s) or representation(s) do(es) so at his/her/their own risk. The successful bidder(s) ("the Purchaser(s)") shall immediately upon the sale undertake to apply for and obtain the necessary confirmations / consent to transfer or assign (if any) from the Developer and/or Proprietor and/or State Authorities and/or relevant bodies (vii) seek confirmation from the Developer and / or relevant authorities whether the property is reserved for Bumiputra only, prior to the bidding.

**PARTICULARS OF THE SUBJECT PROPERTY ("Property")**

**RESTRICTION**

NIL

**LAND TITLE**

: Master Title TL 107516754  
(Amalgamated into Block Title TL  
107529395) (Subsidiary title issued but  
not transferred to Assignor)

**TOWN / MUKIM / DISTRICT / STATE**

: Tawau, Sabah

**LAND / FLOOR AREA**

: 157.6 sq. metres (1,696.4 sq. feet),  
More or less

**PROPRIETOR**

: Hap Seng Properties Development Sdn  
Bhd (Company No. 11995-D)

**DEVELOPER**

: Hap Seng Properties Development Sdn  
Bhd (Company No. 11995-D)

## ENCUMBRANCE

: Assigned to **Hong Leong Bank Berhad** subject to all existing easement, public and private right of way, support, drainage, light and all other rights or other incidents (if any), lease, tenancy, occupier, encroachment, trespass, nuisance, charge, lien, caveat, previous sale and purchase, previous assignment, covenant, common right and liability (including but not limited to liability to local authorities incurred but not ascertained and any rate made but not demanded), express and implied condition, restriction-in-interest and encumbrances subsisting thereon or thereover

## LOCATION AND DESCRIPTION OF THE SUBJECT PROPERTY

The subject property is a Second Floor office parcel within a 4-storey shop office building located at **TB 316, Second Floor, Block 37, Fajar Complex, 91000 Tawau, Sabah**

## RESERVE PRICE

The subject property will be sold on an "as is where is" basis and subject to a reserve price of **RM177,300.00 (RINGGIT MALAYSIA ONE HUNDRED SEVENTY SEVEN THOUSAND THREE HUNDRED ONLY)**, and to the Conditions of Sale herein and by way of an Assignment from the Assignee subject to the necessary confirmations / consent being obtained by the Purchaser from the Developer and/or Proprietor and/or State Authorities and/or relevant bodies (if any).

All intending bidders are required to deposit with PG Act Fast Auction (Sabah) Sdn. Bhd. ("the Auctioneer") a sum equivalent to **10%** of the fixed reserve price ("the initial deposit") by way of **bank draft** or **cashier's order** crossed "A/C PAYEE ONLY" made payable to **HONG LEONG BANK BERHAD / SAHAK BIN ARASH** or remit the same through online banking transfer to the bank account designated by the Auctioneer, **ONE (1) WORKING DAY BEFORE THE AUCTION DATE** and pay the difference between the initial deposit and the sum equivalent to 10% of the successful bid price ("differential sum") either via **bank draft** or **cashier's order** crossed "A/C PAYEE ONLY" made payable to **HONG LEONG BANK BERHAD / SAHAK BIN ARASH** or remit the same through online banking transfer within **THREE (3) WORKING DAYS** after the fall of the hammer. The initial deposit and the differential sum shall be collectively known as "the deposit" and Working Day means a day (excluding Saturdays, Sundays and Public Holidays) on which the Assignee is open for business in Kuala Lumpur. The balance of the purchase price is to be settled within **ninety (90) days** from the date of auction sale to **HONG LEONG BANK BERHAD**. Please refer to the Auctioneer's Online Terms and Conditions on [www.eauction2u.com.my](http://www.eauction2u.com.my) Website on the manner of payment of the deposit.

For further particulars, please contact **Messrs. Shelley Yap, Advocates & Solicitors**, Solicitors for the Assignee herein whose address is at 5<sup>th</sup> Floor, Wisma Pendidikan, Jalan Padang, P. O. Box 11627, 88817 Kota Kinabalu, Sabah, Malaysia (Ref: IRS/HLB/16455(8)/2022-Inf), Tel No : 088-236233, Fax No : 088-225407/538370 or the undermentioned Auctioneer.

### **Messrs. PG Act fast Auction (Sabah) Sdn Bhd**

Lot 14, 1<sup>st</sup> Floor, Block B,  
Lorong Kayu Manis 1, Damai Plaza,  
Luyang, 88300 Kota Kinabalu, Sabah

Email: [pgactfast.sabah@gmail.com](mailto:pgactfast.sabah@gmail.com)

[Tel: 088-387711 (O) / 016-7226667 H/P]