

**KINGDOM OF CAMBODIA**  
**Nation Religion King**

**(JOINED) HYPOTHEC CONTRACT**

Contract No: **14/2018/HP/PPB/104179**

This hypothecated contract on land and other properties affixed to the land is made on ....../....../..... between the following parties:

**I. NAME AND ADDRESS OF CONTRACTING PARTIES**

**1. Hypothecator ( Party A)**

Name: Mr. BEN KIMSAN - Sex: Male.

- Date of Birth: 01/01/1970 - Nationality: Khmer.

- Address: #08B - Teuk Thlar Village - Teuk Thlar Commune - Sen Sok District - Phnom Penh Capital, Kingdom of Cambodia.

Name: Mrs. VEN MALY - Sex: Female.

- Date of Birth: 12/07/1981 - Nationality: Khmer.

- Address: #08B - Teuk Thlar Village - Teuk Thlar Commune - Sen Sok District - Phnom Penh Capital, Kingdom of Cambodia

**2. Debtor**

- Name: MALY SAN GROUP Co., Ltd.

- Registration date: 21/05/2010 - Registration No: 00019958.

- Address: #08B, Chong Thnol Khang Lech Village, Teuk Thlar Commune, Sen Sok District, Phnom Penh Capital, Kingdom of Cambodia

**3. Hypothec ( Party B)**

- Creditor's name: **BANK FOR INVESTMENT AND DEVELOPMENT OF CAMBODIA PLC – PHNOM PENH BRANCH**, a public limited company duly registered under the laws of the Kingdom of Cambodia, with commercial registration No. 19-Br-01 dated 10/05/2010 and having its registered address at #335, Preah Monivong Blvd, Sangkat Orussey 4, Khan 7 Makara, Phnom Penh Capital, Kingdom of Cambodia, and contact number: telephone: (855) 23 210 440, fax: (855) 23 214 854, email info@bidc.com.kh, and website: www.bidc.com.kh and represented by **Mr. NGUYEN VAN THIN** (hereinafter called the “**Party B**” or “**BIDC**”).

**II. CLAIM SECURED BY HYPOTHEC**

Debtor's name (BORROWER: MALY SAN GROUP Co., Ltd), a Private Limited Company duly incorporated under the laws of Kingdom of Cambodia with registration No 00019958,

having its registered address at #08B, Chong Thnol Khang Lech Village, Teuk Thlar Commune, Sen Sok District, Phnom Penh Capital, Kingdom of Cambodia and represented by **Mr. BEN KIMSAN**.

- (1) Consideration: Loan Contract dated 20/07/2018;
- (2) Principal of Loan Amount of 230,000.00 USD, in letters Two Hundred and Thirty Thousand United States Dollar;
- (3) Prevailing Interest Rate: 8 % per annum;
- (4) Damages: 25 % per annum
- (5) Conditions attached to claims secured pursuant to the Loan Contract dated 20/07/2018;

Party A and Party B agree to create Hypothec [normal or joint] over the rights mentioned in item 3 to secure the claims which is mentioned in item 2.

**III. DESCRIPTION OF IMMOVABLE PROPERTY OR RIGHTS WHICH ARE SUBJECTS TO THE HYPOTHEC:**

| No. | Pacel number | Title deed number | Ownership                             | Total Size (m2) | Location  |
|-----|--------------|-------------------|---------------------------------------|-----------------|---|
| 1   | 1024         | 12080208-1024     | Mr. BEN KIMSAN and wife Mrs. VEN MALY | 82 m2           | Chong Thnol Khang Lech Village, Teuk Thlar Commune, Sen Sok District, Phnom Penh Capital, Kingdom of Cambodia |
| 2   | 1025         | 12080208-1025     | Mr. BEN KIMSAN and wife Mrs. VEN MALY | 84 m2           | Chong Thnol Khang Lech Village, Teuk Thlar Commune, Sen Sok District, Phnom Penh Capital, Kingdom of Cambodia |

**IV. OTHER AGREEMENTS:**

- Annex I of this Contract.
- Credit contract number 14/2018/CL/PPB/104179 signed on 20/07/2018

This Contract has been made in Khmer and English. Each counterpart shall consist of 06 original copies with equal validity. Providing that, 02 copies for the Bank, 02 copies for the Hypothecator, 01 copy for the office notary public or lawyer (if any) and another copy for the hypothec registrar.

As in witness before the law, the parties have read and listened to the entire detail of this contract, and hereby provide its signatures to execute this contract on the date set forth above.

**Hypothecator:**  
(Thumb print and full name )

**Borrower**  
(Sign and full name and Seal)

**Hypothec**  
(Sign and full name seal)

**MR. BEN KIMSAN**

**Mr. BEN KIMSAN**

**Mr. NGUYEN VAN THIN**

**MRS. VEN MALY**

