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GAUTENG**



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Provincial Gazette Provinsiale Koerant

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Selling price • Verkoopprys: **R2.50**
Other countries • Buitelands: **R3.25**

Vol. 24

PRETORIA
23 NOVEMBER 2018
23 NOVEMBER 2018

No. 356

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ISSN 1682-4525



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CONTENTS

		<i>Gazette</i>	<i>Page</i>
		<i>No.</i>	<i>No.</i>
LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS			
2011	Town-planning and Townships Ordinance (15/1986): Tijger Vallei Extension 62	356	3
2012	Town-planning and Townships Ordinance (15/1986): Tijger Vallei Extension 19	356	10

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 2011 OF 2018**CITY OF TSHWANE****PERI-URBAN AREAS AMENDMENT SCHEME 705PU**

It is hereby notified in terms of the provisions of Section 125(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the City of Tshwane has approved an amendment scheme with regard to the land in the township of Tijger Vallei Extension 62, being an amendment of the Peri-Urban Town-planning Scheme, 1975.

Map 3 and the scheme clauses of this amendment scheme are filed with the Strategic Executive Director: Group Legal Services, and are open to inspection during normal office hours.

This amendment is known as Peri-Urban Amendment Scheme 705PU.

(CPD 9/1/1/1-TVLx62 0981)
(13/2/Tijger Vallei x62 (705PU))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

23 NOVEMBER 2018
(Notice 215/2018)

CITY OF TSHWANE**DECLARATION OF TIJGER VALLEI EXTENSION 62 AS APPROVED TOWNSHIP**

In terms of Section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), the Kungwini Local Council hereby declares the township of Tijger Vallei Extension 62 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-TVLx62 0981)
(13/2/Tijger Vallei x62 (705PU))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY TIJGER VALLEI 2 PROPERTIES PROPRIETARY LIMITED, UNDER THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 171 (A PORTION OF PORTION 150) OF THE FARM ZWARTKOPPIES 364JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Tijger Vallei Extension 62.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on the General Plan SG No 446/2016.

1.3 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay or provide in terms of Section 98(2) of the Ordinance, 1986 read with Regulation 44(1) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), pay a lump sum as endowment to the local authority in lieu of or for the provision of land for a park (public open space) equal to 454 m².

1.4 ACCESS

Access to the township will provided to the satisfaction of the municipality.

1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

Should it become necessary to move or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.6 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane, when required to do so by the Municipality.

1.7 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES

Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.8 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture and Rural Development, if applicable, those by which exemption has been granted from compliance with regulations No 1182 and 1183, promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be.

1.9 LAND TO BE TRANSFERRED TO THE NON PROFIT COMPANY (HOMEOWNER'S ASSOCIATION)

Erf 774 (private road) and Erven 775, 776 and 1045 (private park) shall be transferred to the non-profit Company (Homeowner's Association) as the first transfer after proclamation of the township, by and at the expense of the township owner.

A servitude for access and municipal services shall be registered over Erf 774 in favour of the Municipality and all the erven in the township.

The erf may not be transferred by the non-profit Company.

1.10 DISPOSAL OF EXISTING CONDITIONS OF TITLE

1.10.1 All erven shall be made subject to existing conditions and servitudes, including the following which affect all the erven in the township:

A. THE FORMER PORTION 148 (A PORTION OF PORTION 19) OF THE FARM ZWARTKOPPIES NO 364 (indicated by the figure ABCDEFGHefghjklVWXYZA1B1C1D1E1F1G1H1A on consolidation diagram SG No 9739/2006 and of which the within mentioned property forms a part) IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. Subject to the terms of an Order of the Water Court for the district of Pretoria, a copy of which is annexed to Deed of Transfer 7908/1925 dated the 25th August 1926, marked A.
2. Subject to the terms of an Order of the Water Court dated at Pretoria on the 27th of June 1949, as will more fully appear from Notarial Deed of Servitude 620A/1949-S.
3. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES NO 364, Registration Division J.P. district of Pretoria, measuring 396,1690 hectares (which portion of land is represented by the figures (a) 1' mid river, 2' 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 1' and (b) 37, 38, 39, 37 on Diagram S.G. No A 3915/67, annexed to Certificate of Consolidated Title No 6486/1968, and of which the within mentioned land forms a portion) is subject to the following:
 - (i) Subject to a servitude of right of way in favour of the remainder of TWEEFFONTEIN aforesaid, making use of the existing farm roads;
as will more fully appear with reference to Notarial Deed 551/56-S dated the 15th May 1956.
4. The former Remaining Extent of the farm Zwartkoppies No 364, Registration Division J.R., district Pretoria, measuring as such 925,4358 hectares (of which the property hereby transferred forms a portion) is:-

- (i) Subject to a right of way in favour of Portion 20 measuring 21,4133 hectares, held under Deed of Transfer No 6488/68, along a route to be agreed upon, as will more fully appear from the said Deed of Transfer.

5. The property is subject to:-

- (i) By virtue of notarial deed No K 2579/74S the right has been granted to ESCOM to convey electricity over the property hereby transferred, together with ancillary rights, and subject to conditions as will more fully appear on reference to the said Notarial Deed, which servitude affects this property only insofar as the ancillary rights are concerned.

1.10.2 Excluding the following entitlements which shall not be passed on to the erven in the township:

1. Entitled to the following conditions:

- (i) The owner of the property hereby transferred, and the owner of certain Portion of a Portion of the farm Zwartkoppies 364, Registration Division J.R., district Pretoria, measuring 12,4311 hectares; held under Deed of Transfer T6636/54, dated the 20th March 1954; shall have the sole control of the water belonging to the South Western Portion of the farm Zwartkoppies 364JR aforesaid, measuring 1401,1207 hectares, and to the aforesaid portion of portion of the said farm, and they shall have the right to take the whole of the said water for any purpose whatsoever during the winter months of each year, i.e. May to September inclusive. During the remainder of each year they shall allow the full stream of water to which they are entitled under Order of the Water Court, to pass to Portion A of the South Western Portion of the said farm, measuring 345, 4508 hectares, from Saturday 6 pm to Monday 6 am in each week, i.e. a period of 36 hours per week. They shall however, allow all surplus water during the year to pass down the furrow to the said portion A of the South Western Portion and shall not at any time return it to the river. At no time shall the owner of the said Portion A of the South Western Portion be permitted to interfere with the valve in the divisor dam and the said owner of the property hereby transferred and the owner of the aforesaid Portion of a portion of the said farm, undertake during the abovementioned 36 hours period that the valve shall remain open sufficiently to allow the full stream of water, as provided above to pass. This shall not apply however, when the river is in flood.
- (ii) The owner of the said Portion A of the South Western Portion is solely responsible for the repairing, cleaning and maintenance of the furrow from the divisor dam in the Pienaars River situate on the Remaining Extent of the said farm Zwartkoppies 364JR aforesaid, and built to give effect to the Order of the Water Court, referred to in Conditions 1. hereof, to the sluice gate and thence from the deviation of the said water furrow to the dam on the said Portion A of the South Western Portion. The owner of the property hereby transferred, is responsible for repairing, cleaning and maintenance of the said furrow between the sluice gate and the deviation of the said furrow hereinbefore referred to.

2. Subject to the terms of Notarial Deed 1000/54 S, whereby the property together with certain Portion of Portion of the farm Zwartkoppies 364, Registration Division JR is entitled to cession of all rights to water as well as ancillary rights thereto in respect of Portion A of the South Western Portion, as will more fully appear from reference to the said Notarial Deed.

3. The Remaining Extent of the South Western Portion of the farm ZWART-KOPPIES NO 364, Registration Division JR. district of Pretoria, measuring 396,1690 hectares (which portion of land is represented by the figures (a) 1' mid river, 2' 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 1' and (b) 37, 38, 39, 37 on Diagram SG No A 3915/67, annexed to Certificate of Consolidated Title No 6486/1968, and of which the within mentioned land forms a portion) is:

- (i) Entitled to a servitude of right of way 15,74 metres wide over the Remainder of TWEEFONTEIN 371, J.R. measuring 458,7720 hectares, held under Deed of Transfer No 10975/23;

as will more fully appear with reference to Notarial Deed 551/56-S dated the 15th May 1956.

4. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES No 364, Registration Division JR, district of Pretoria, measuring 473,3282 hectares (which portion of land is represented by the figure (a) 1' mid river 2', 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 1' and (b) 37, 38, 39, 37 on Diagram S.G. No A 3915/67, annexed to Certificate of Consolidated Title No 6486/1968, and of which the within mentioned land forms a portion) is:

- (i) entitled to a servitude of right of way, 15,74 metres wide over portion 15 of the farm Zwartkoppies 364, J.R. measuring 1191,4147 hectares, as more fully described in Deed of Transfer No 20691/1956.

5. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES NO 364, Registration Division J.R., district of Pretoria; measuring 451,9149 hectares (which portion of land is represented by the figures (a) 1' mid river, 2' 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 1' and (b) 37, 38, 39, 37 on Diagram S.G. No A 3915/67, annexed to Certificate of Consolidated Title No 6486/1968, and of which the within mentioned land forms a portion) is:-

Entitled to a servitude of right of way and the right to conduct and lay underground pipelines for a proposed dam site situate on the South of Portion 17 (a portion of the South Western Portion) of the farm Zwartkoppies No 364, J.R. district Pretoria measuring 21,4133 hectares, held under Deed of Transfer No 38597/1965, along a route to be agreed upon, as will more fully appear from the said Deed of Transfer.

6. The former Remaining Extent of the farm Zwartkoppies No 364, Registration Division J.R., district Pretoria, measuring as such 925,4358 hectares (of which the property hereby transferred forms a portion) is:

- (i) Entitled to a servitude of drainage furrow over Portion 21, measuring 21,5310 hectares, held under Deed of Transfer 6487/68, along a route to be agreed upon, as will more fully appear from the said Deed of Transfer.

- 1.10.3 “Excluding the following servitude which does not affect the erven in the township due to its locality:

- A. THE FORMER PORTION 148 (A PORTION OF PORTION 19) OF THE FARM ZWARTKOPPIES NO 364 (indicated by the figure HJKLMNPQRSTUVWXYZA1B1C1D1E1abcdefH on diagram SG No 443/2016 and of which the within mentioned property forms a portion) IS:

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Subject to a servitude in perpetuity for public purposes, 6 meters wide, in favour of the City Council of Pretoria, indicated by the figure A, c, d, F1, H1, A on diagram SG No 9739/2006 as will more fully appear from Deed of Cession K 5347/1994S with diagram SG No A4097/1993 annexed thereto, which servitude affects this property only insofar as the ancillary rights are concerned.”

1.11 TOWNSHIP ACCESS TO A PUBLIC ROAD

Erven 733 to 773 are entitled to a servitude of right of way over the following erven (private roads) being Erf 774 Tijger Vallei Extension 62, Erf 732 Tijger Vallei Extension 61, Erf 697 Tijger Vallei Extension 60, Erf 193 Tijger Vallei Extension 18, Erven 141 and 142 Tijger Vallei Extension 17, Erf 104 Tijger Vallei Extension 9, which servitudes shall be registered prior to or simultaneously with the transfer or registration of the first erf or unit within this township.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of section 82 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) must be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

2.2 RESTRICTIONS ON THE TRANSFER AND REGISTRATION OF ERVEN / LAND

In terms of section 82(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no Erf or Erven in the township may be transferred, until the City of Tshwane Municipality has certified that the township owner has complied with his obligations as contained in section 82 and the conditions of establishment have been complied with.

In terms of section 98(2) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as a condition of approval of township establishment, the registration of a Certificate of Registered Title, the opening of a Sectional Title Scheme or registration or transfer of a sectional title unit, resulting from the approval of this township may be not be performed unless the Local Authority certifies that all the requirements and conditions for the registration thereof, have been complied with read with section 53 of the Spatial Planning and Land Use Management Act, 16 of 2013 where applicable.

No transfer or registration transaction of any Erf, Portion or Unit shall be done without the consent of the local authority, which consent shall certify that all conditions of establishment, endowments have been paid, engineering contributions or any other obligations in terms of any agreement or imposed on the township owner including those contained under condition 3.3 herein have been complied with.

2.3 RESTRICTION ON THE TRANSFER OF AN ERF

Any erf, Portion or unit shall not be alienated or transferred into the name of any purchaser, without the written consent of the local authority first having been obtained.

Erven 774,775, 776 and 1045 shall, prior to or simultaneously with registration of the first transfer of an erf/unit in the township and at the costs of the township owner, be transferred only to the Non Profit Company which organization shall have full responsibility for the functioning and proper maintenance of the said erven and the engineering services within the said erven.

In terms of section 82(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no Erf or Erven in the township may be transferred, until the City of Tshwane Municipality has certified that the township owner has complied with his obligations as contained in section 82 and the conditions of establishment have been complied with.

In terms of section 98(2) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as a condition of approval of township establishment, the registration of a Certificate of Registered Title, the opening of a Sectional Title Scheme or registration or transfer of a sectional title unit, resulting from the approval of this township may be not be performed unless the Local Authority certifies that all the requirements and conditions for the registration thereof, have been complied with read with section 53 of the Spatial Planning and Land Use Management Act, 16 of 2013 where applicable.

2.4 THE DEVELOPER'S OBLIGATIONS

2.4.1 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane complete engineering drawings in respect of internal sewers and sewer connection points and complete detail design engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

The detail design drawings will only be evaluated after the required Services Reports has been approved.

The Developer must obtain a way-leave from the Municipality prior to commencement of construction work, if such work will be done on Municipal property.

2.4.2 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water sewers, in which it is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The City of Tshwane may at its own discretion allow an exception in respect of the internal road and storm water sewers. If this is the case, the developer must give the City of Tshwane an undertaking that the developer will complete this service on or before a certain date and must provide the City of Tshwane with a guarantee issued by a recognized financial institution.

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Public Works and Infrastructure Development Department.

2.4.3 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences on the date on which the council has certified that the provisions of Section 82 (1)(b)(ii)(cc) of the Town-Planning and Townships Ordinance 15 of 1986 has been complied with and when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and stormwater services) have been completed. The developer must submit proof to the Municipality that:

2.4.3.1 the non-profit company has been furnished with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the roads and stormwater services and the electricity services, which guarantee must be for an amount that is equal to 10% of the contract cost of the civil roads and stormwater services and the contract cost of the electrical services, prior to the commence date of the contract.

2.4.3.2 the Municipality has been furnished with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and / or materials with regard to the sewer and water services, which guarantee must be for an amount that is equal to 10% of the contract cost of these services, prior to the commence date of the contract.

2.5 The servitudes indicated under paragraph 2.11 shall be registered prior to or simultaneously with the transfer or registration of the first Erf within this township.

3. CONDITIONS OF TITLE

3.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

3.1.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN REFERRED TO IN CLAUSE 1.9

3.1.1.1 The erf shall be subject to a servitude, 2 m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the Municipality: Provided that the Municipality may waive any such servitude.

3.1.1.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m from thereof.

3.1.1.3 The City of Tshwane shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

3.2 REGISTRATION OF NEW SERVITUDES

3.2.1 Erven 737, 738, 744, 745, 746, 750, 751, 753, 755, 756, 759, 760, 764, 771, 772, 773 and 1045 are subject to a 3,00m wide sewer servitude in favour of the Local Authority as indicated on the General Plan.

3.2.2 The whole of Erf 774 is subject to a servitude for municipal and right of way purposes in favour of the Local Authority as indicated on the General Plan.

3.2.3 Erf 740 is subject to 5,00 metres wide sewer servitude in favour of the Local Authority as indicated on the General Plan.

3.3 CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/ CREATED ON FIRST REGISTRATION OF THE ERVEN CONCERNED

3.3.1 Erven 774 to 776 and 1045 are subject to a servitude for pipelines and boreholes in favour of Hazeldean Farm Proprietary Limited as indicated on the General Plan.

3.3.2 Erven 737 to 740, 742, 748 to 751 are subject to a servitude right of way in favour of The Ridge Home Owners Association NPC as indicated on the General Plan.

LOCAL AUTHORITY NOTICE 2012 OF 2018**CITY OF TSHWANE****PERI-URBAN AREAS AMENDMENT SCHEME 706PU**

It is hereby notified in terms of the provisions of Section 125(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the City of Tshwane has approved an amendment scheme with regard to the land in the township of Tijger Vallei Extension 19, being an amendment of the Peri-Urban Town-planning Scheme, 1975.

Map 3 and the scheme clauses of this amendment scheme are filed with the Strategic Executive Director: Group Legal Services, and are open to inspection during normal office hours.

This amendment is known as Peri-Urban Amendment Scheme 706PU.

(CPD 9/1/1/1-TVLx19 0981)
(13/2/Tijger Vallei x19 (706PU))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

23 NOVEMBER 2018
(Notice 202/2018)

CITY OF TSHWANE**DECLARATION OF TIJGER VALLEI EXTENSION 19 AS APPROVED TOWNSHIP**

In terms of Section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), the Kungwini Local Council hereby declares the township of Tijger Vallei Extension 19 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-TVLx19 0981)
(13/2/Tijger Vallei x19 (706PU))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY TIJGER VALLEI 2 PROPERTIES PROPRIETARY LIMITED, UNDER THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 168 (A PORTION OF PORTION 150) OF THE FARM ZWARTKOPPIES 364JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Tijger Vallei Extension 19.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on the General Plan SG No 445/2016.

1.3 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay or provide in terms of Section 98(2) of the Ordinance, 1986 read with Regulation 44(1) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), pay a lump sum as endowment to the local authority in lieu of or for the provision of land for a park (public open space) equal to **454m²**.

1.4 ACCESS

Access to the township will be proved to the satisfaction of the municipality.

1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

Should it become necessary to move or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.6 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane Metropolitan Municipality, when required to do so by the Municipality.

1.7 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES

Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.8 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture and Rural Development, if applicable, those by which exemption has been granted from compliance with regulations No 1182 and 1183, promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be.

1.9 LAND TO BE TRANSFERRED TO THE NON PROFIT COMPANY (HOMEOWNER'S ASSOCIATION)

Erf 225 (private road) and Erven 199, 226 and 227 (private park) shall be transferred to the non-profit Company (Homeowner's Association) as the first transfer after proclamation of the township, by and at the expense of the township owner.

A servitude for access and municipal services shall be registered over Erf 225 in favour of the Municipality and all the erven in the township.

The erf may not be transferred by the non-profit Company.

1.10 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any;

1.10.1 Including the following which affect all the erven in the township:

1. Subject to the terms of an Order of the Water Court for the district of Pretoria, a copy of which is annexed to Deed of Transfer 7908/1925 dated the 25th August 1925, marked A.
2. Subject to the terms of the Water Court date at Pretoria on the 27th June, 1949, as will more fully appear from Notarial Deed of Servitude No. 620A/49-S.
3. Subject to a servitude of right of way in favour of the Remainder of the Farm Tweefontein 371JR, making use of the existing farm roads, as will more fully appear with reference to Notarial Deeds 551/56-S and 351/1956S.

2.10.2 Excluding the following entitlements which shall not be passed on to the erven in the township:

A. THE FORMER PORTION 148 (A PORTION OF PORTION 19) OF THE FARM ZWARTKOPPIES NO 364 (indicated by the figure HJKLMNPQRSTUVWXYZ A1B1C1D1E1abcdefH on diagram SG No (443/2016) and of which the within mentioned property forms a portion) IS:

1. Entitled to the following conditions:

- (i) The owner of the property hereby transferred, and the owner of certain Portion of a Portion of the farm Zwartkoppies 364, Registration Division J.R., district Pretoria, measuring 12,4311 hectares; held under Deed of Transfer T6636/54, dated the 20th March 1954; shall have the sole control of the water belonging to the South Western Portion of the farm Zwartkoppies 364, J.R. aforesaid, measuring 1401,1207 hectares, and to the aforesaid portion of portion of the said farm, and they shall have the right to take the whole of the said water for any purpose whatsoever during the winter months of each year, i.e. May to September inclusive.

During the remainder of each year they shall allow the full stream of water to which they are entitled under Order of the Water Court, to pass to Portion A of the South Western Portion of the said farm, measuring 345, 4508 hectares, from Saturday 6 pm to Monday 6 am in each week, i.e. a period of 36 hours per week. They shall however, allow all surplus water during the year to pass down the furrow to the said portion A of the South Western Portion and shall not at any time return it to the river. At no time shall the owner of the said Portion A of the South Western Portion be permitted to interfere with the valve in the divisor dam and the said owner of the property hereby transferred and the owner of the aforesaid Portion of a portion of the said farm, undertake during the abovementioned 36 hours period that the valve shall remain open sufficiently to allow the full stream of water, as provided above to pass. This shall not apply however, when the river is in flood.

- (ii) The owner of the said Portion A of the South Western Portion is solely responsible for the repairing, cleaning and maintenance of the furrow from the divisor dam in the Pienaars River situate on the Remaining Extent of the said farm Zwartkoppies 364JR. aforesaid, and built to give effect to the Order of the Water Court, referred to in Conditions 1. hereof, to the sluice gate and thence from the deviation of the said water furrow to the dam on the said Portion A of the South Western Portion. The owner of the property hereby transferred, is responsible for repairing, cleaning and maintenance of the said furrow between the sluice gate and the deviation of the said furrow hereinbefore referred to.
2. Subject to the terms of Notarial Deed 1000/54 S, whereby the property together with certain Portion of Portion of the farm Zwartkoppies 364, Registration Division J.R. is ENTITLED to cession of all rights to water as well as ancillary rights thereto in respect of Portion A of the South Western Portion, as will more fully appear from reference to the said Notarial Deed.
3. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES NO 364, Registration Division J.P. district of Pretoria, measuring 396,1690 hectares (which portion of land is represented by the figures (a) 1' mid river, 2' 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 1' and (b) 37, 38, 39, 37 on Diagram S.G. No A 3915/67, annexed to Certificate of Consolidated Title No 6486/1968, and of which the within mentioned land forms a portion) is:
- (i) Entitled to a servitude of right of way 15,74 metres wide over the remainder of TWEEFONTEIN 371JR measuring 458,7720 hectares, held under Deed of Transfer No 10975/23;
- as will more fully appear with reference to Notarial Deed 551/56-S dated the 15th May 1956.
4. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES NO 364, Registration Division J.R., district of Pretoria, measuring, 473,3282 hectares (which portion of land is represented by the figure (a) 1' mid river 2', 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 1' and (b) 37, 38, 39, 37 on Diagram SG No A 3915/67, annexed to Certificate of Consolidated Title No 6486/1968, and of which the within mentioned land forms a portion) is:
- (i) entitled to a servitude of right of way, 15, 74 metres wide over portion 15 of the farm Zwartkoppies 364JR measuring 1191, 4147 hectares, as more fully described in Deed of Transfer No 20691/1956;
5. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES NO 364, Registration Division J.R., district of Pretoria; measuring 451,9149 hectares (which portion of land is represented by the figures (a) 1' mid river, 2' 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 1' and (b) 37, 38, 39, 37 on Diagram S.G. No A 3915/67, annexed to Certificate of Consolidated Title No 6486/1968, and of which the within mentioned land forms a portion) is:-
- (i) Entitled to a servitude of right of way and the right to conduct and lay underground pipelines for a proposed dam site situate on the South of Portion 17 (a portion of the South Western Portion) of the farm Zwartkoppies No 364 JR district Pretoria measuring 21,4133 hectares, held under Deed of Transfer No 38597/1965, along a route to be agreed upon, as will more fully appear from the said Deed of Transfer.

6. The former Remaining Extent of the farm Zwartkoppies No 364, Registration Division JR., district Pretoria, measuring as such 925,4358 hectares (of which the property hereby transferred forms a portion) is:-
- (i) Entitled to a servitude of drainage furrow over Portion 21, measuring 21,5310 hectares, held under Deed of Transfer 6487/68, along a route to be agreed upon, as will more fully appear from the said Deed of Transfer.
- B. THE FORMER PORTION 149 (A PORTION OF PORTION 17) OF THE FARM ZWARTKOPPIES NO 364 (indicated by the figure ABCDEFGfedcbaF1G1H1J1A on diagram SG No (443/2016), of which the within mentioned property forms a portion) IS SUBJECT TO THE FOLLOWING CONDITIONS:
1. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES 364, Registration Division J.R., Transvaal, measuring as such 581.8222 hectares, (of which the former Portion 149 forms a portion) is ENTITLED to the following conditions:
 - (a) The owner of the property hereby transferred and of the three further properties transferred under Deed of Transfer 6636/54 dated 20th March 1954, namely: (a) Portion of a Portion of the farm ZWARTKOPPIES 364, Registration Division J.R., Transvaal, measuring 12,4311 hectares; (b) Portion of the farm ZWARTKOPPIES 364, Registration Division J.R., district Pretoria, measuring 281,4593 hectares; and (c) The Remaining Extent of a portion of the farm ZWARTKOPPIES 364, Registration Division JR, district Pretoria, measuring as such 269,0281 hectares shall have the sole control of the water belonging to the South Western Portion of the farm ZWARTKOPPIES 364, Registration Division JR, district Pretoria, measuring 1401,1207 hectares, and to the three further properties aforesaid, transferred under Deed of Transfer 6636/54 dated 20th March 1954, and he shall have the right to take the whole of the said water for any purpose whatsoever during the winter months of each year, i.e. May to September inclusive; during the remainder of each year he shall allow the full stream of water to which he is entitled under the Order of the Water Court, to pass to Portion A of the South Western Portion of the said farm, measuring 345,4508 hectares, from Saturday 6 p.m. to Monday 6 a.m. in each week, i.e. a period of 36 hours per week. He shall however, allow all surplus water during the year to pass down a furrow to the said Portion A of the South Western Portion, and shall not at any time return it to the river. At no time shall the owner of the said Portion A of the South Western Portion be permitted to interfere with the valve in the divisor dam and the said owner of the property hereby transferred, and the owner of the three further properties aforesaid, held under Deed of Transfer 6636/1954 dated 20th of March 1954, undertakes during the abovementioned 36 hour period that the valve shall remain open sufficiently to allow the full stream of water as provided above, to pass. This shall not apply, however, when the river is in flood.
 - (b) The owner of the said Portion A of the South Western Portion is solely responsible for the repairing, cleaning and maintenance of the furrow from the divisor dam in the Pienaars River situated on the Remaining Extent of the said farm ZWARTKOPPIES 364, aforesaid, and built to give effect to the Order of the Water Court referred to in Clause A(a) hereof, to the sluice gate and thence from the deviation of the said furrow to the same on the said Portion A of the South Western Portion. The owner of the property hereby transferred is responsible for the repairing, cleaning and maintenance of the said furrow between the sluice gate and the deviation of the said furrow hereinbefore referred to.
 2. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES 364, measuring 581,8222 hectares (of which the within mentioned property forms a portion) is ENTITLED together with the three other properties transferred under Deed of Transfer 6636/1954, dated the 20th of March 1954, namely: (a) Portion of a Portion of the farm ZWARTKOPPIES 364, Registration Division JR., district Pretoria, measuring 12,4311 hectares, (b) Portion of the farm ZWARTKOPPIES 364, Registration Division J.R., district Pretoria, measuring 281,4593 hectares; and (c) The Remaining Extent of a portion of the farm ZWARTKOPPIES 364, Registration Division J.R., district Pretoria, measuring as such 269,0281 hectares, to a cession of all rights to water as well as ancillary rights thereto in respect of Portion A of the South Western Portion of ZWARTKOPPIES 364, Registration Division JR., district Pretoria, held under Deed of Transfer 13696/37 as will more fully appear from Notarial Deed 1000/1954 dated 28th October 1954.

3. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES 364, Registration Division J.R., district Pretoria, measuring 496,1690 hectares (of which the within mentioned property forms a portion) is subject to Notarial Deed 551/1956 S, whereby the remainder is:
 - (a) Entitled to a servitude of right of way 15,74 metres wide marked F E G H F on diagram 4638/55 thereto annexed over the remainder of TWEE-FONTEIN 372, Registration Division J.R., district Pretoria (former 423) measuring 458,7720 hectares, held under Deed of Transfer 10975/19;
 4. The Remaining Extent of the South Western Portion of the farm ZWARTKOPPIES 364, Registration Division J.R., district Pretoria, measuring as such 473,3282 hectares (of which the within mentioned property forms a portion) is:
 - (a) Entitled to a servitude 15, 74 metres wide indicate by the figure A H F G A on diagram S.G. No. A 2481/56 annexed to Deed of Transfer 20591/1956 dated 31st August, 1956, over Portion 15 of the farm ZWARTKOPPIES 364, aforesaid, measuring 22, 8408 hectares, and held under Deed of Transfer 20691/1956.
- 1.10.3 Excluding the following conditions and servitudes which only affect erven 205, 209, 210, 211, 212, 213, 221, 222, 223, 224, that portion of erf 204 south of the reference line a b, that portion of erf 207 south of the reference line a b, that portion of erf 208 south of the reference line a b, that portion of erf 214 south of the reference line a a, that portion of erf 215 south of the reference line a a, that portion of erf 220 south of the reference line a f, that portion of erf 225 south of the reference lines a b and a a respectively and that portion of erf 226 south and west of the reference line a b c d e f, all reference lines indicated on General Plan SG No (445/2016):
- A. THE FORMER PORTION 148 (A PORTION OF PORTION 19) OF THE FARM ZWARTKOPPIES NO 364 (indicated by the figure HJKLMNPQRSTUVWXYZ A1B1C1D1E1abcdeH on diagram SG No (443/2016) and of which the within mentioned property forms a portion) IS:
 1. The Remaining Extent of the farm Zwartkoppies No 364, Registration Division J.R., district Pretoria, measuring as such 925,4358 hectares (of which the property hereby transferred forms a portion) is:-
 - (a) Subject to a right of way in favour of Portion 20 measuring 21,4133 hectares, held under Deed of Transfer No 6488/68, along a route to be agreed upon, as will more fully appear from the said Deed of Transfer.
 2. The property is subject to:-
 - (a) By virtue of notarial deed No K 2579/74S the right has been granted to ESCOM to convey electricity over the property hereby transferred, together with ancillary rights, and subject to conditions as will more fully appear on reference to the said Notarial Deed, which servitude affects this property only insofar as the ancillary rights are concerned.
- 1.10.4 Excluding the following conditions and servitudes which only affect erven 199, 200, 201, 202, 203, 206, 216, 217, 218, 219, 227, that portion of erf 204 north of the reference line a b, that portion of erf 207 north of the reference line a b, that portion of erf 208 north of the reference line a b, that portion of erf 214 north of the reference line a a, that portion of erf 215 north of the reference line a a, that portion of erf 220 north of the reference line a f, that portion of erf 225 north of the reference lines a b and a a respectively and that portion of erf 226 north and east of the reference line a b c d e f, all reference lines indicated on General Plan SG No (443/2016):
- A. THE FORMER PORTION 149 (A PORTION OF PORTION 17) OF THE FARM ZWARTKOPPIES NO 364 (indicated by the figure ABCDEFGfedcbaF1G1H1J1A on diagram SG No (to be approved), of which the within mentioned property forms a portion) IS SUBJECT TO THE FOLLOWING CONDITIONS:
 1. SUBJECT to a Servitude of Right of Way and the right to conduct and lay underground pipe lines from a proposed dam site situated to the South of the property hereby transferred along a route to be agreed upon, in favour of the Remaining Extent of the said farm ZWARTKOPPIES 364, Registration Division J.R., district Pretoria, measuring as such 451, 9149 hectares, held by the said CHARLES BOBBARD STRUBEN MALLESON under Deed of Transfer No. 6636/1954 dated 20th March, 1954.

1.10.5 Excluding the following servitude which does not affect the erven in the township due to its locality:

A. THE FORMER PORTION 148 (A PORTION OF PORTION 19) OF THE FARM ZWARTKOPPIES NO 364 (indicated by the figure HJKLMNPQRSTUVWXYZ A1B1C1D1E1abcdefH on diagram SG No (443/2016) and of which the within mentioned property forms a portion) IS:

1. Subject to a servitude in perpetuity for public purposes, 6 meters wide, in favour of the City Council of Pretoria, indicated by the figure A, c, d, F1, G1, H1, A on diagram SG No 9739/2006 as will more fully appear from Deed of Cession K 5347/1994S with diagram SG No A4097/1993 annexed thereto, which servitude affects this property only insofar as the ancillary rights are concerned.

1.11 TOWNSHIP ACCESS TO A PUBLIC ROAD

Erven 199 to 227 are entitled to a servitude of right of way over the following erven (private roads) being Erf 774 Tijger Vallei Extension 62, Erf 732 Tijger Vallei Extension 61, Erf 697 Tijger Vallei Extension 60, Erf 193 Tijger Vallei Extension 18, Erven 141 and 142 Tijger Vallei Extension 17, Erf 104 Tijger Vallei Extension 9, which servitudes shall be registered prior to or simultaneously with the transfer or registration of the first erf or unit within this township.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of section 82 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) must be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

2.2 RESTRICTIONS ON THE ALIENATION OF LAND

No transfer or registration transaction of any Erf, Portion or Unit shall be done without the consent of the local authority, which consent shall certify that all conditions of establishment, endowments have been paid, engineering contributions or any other obligations in terms of any agreement or imposed on the township owner including those contained under condition 3.3 herein have been complied with.

In terms of section 82(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no Erf or Erven in the township may be transferred, until the City of Tshwane Municipality has certified that the township owner has complied with his obligations as contained in section 82 and the conditions of establishment have been complied with.

In terms of section 98(2) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as a condition of approval of township establishment, the registration of a Certificate of Registered Title, the opening of a Sectional Title Scheme or registration or transfer of a sectional title unit, resulting from the approval of this township may be not be performed unless the Local Authority certifies that all the requirements and conditions for the registration thereof, have been complied with read with section 53 of the Spatial Planning and Land Use Management Act, 16 of 2013 where applicable.

2.3 RESTRICTION ON THE TRANSFER OF AN ERF

Any erf, Portion or unit shall not be alienated or transferred into the name of any purchaser, without the written consent of the local authority first having been obtained.

Erven 199, 225 to 227 shall, prior to or simultaneously with registration of the first transfer of an erf/unit in the township and at the costs of the township owner, be transferred only to the Non Profit Company which organization shall have full responsibility for the functioning and proper maintenance of the said erven and the engineering services within the said erven.

In terms of section 82(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no Erf or Erven in the township may be transferred, until the City of Tshwane has certified that the township owner has complied with his obligations as contained in section 82 and the conditions of establishment have been complied with.

In terms of section 98(2) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as a condition of approval of township establishment, the registration of a Certificate of Registered Title, the opening of a Sectional Title Scheme or registration or transfer of a sectional title unit, resulting from the approval of this township may be not be performed unless the Local Authority certifies that all the requirements and conditions for the registration thereof, have been complied with read with section 53 of the Spatial Planning and Land Use Management Act, 16 of 2013 where applicable.

2.4 THE DEVELOPER'S OBLIGATIONS

2.4.1 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane complete engineering drawings in respect of internal sewers and sewer connection points and complete detail design engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

The detail design drawings will only be evaluated after the required Services Reports has been approved.

The Developer must obtain a way-leave from the Municipality prior to commencement of construction work, if such work will be done on Municipal property.

2.4.2 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water sewers, in which it is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The City of Tshwane may at its own discretion allow an exception in respect of the internal road and storm water sewers. If this is the case, the developer must give the City of Tshwane an undertaking that the developer will complete this service on or before a certain date and must provide the City of Tshwane with a guarantee issued by a recognized financial institution.

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Public Works and Infrastructure Development Department.

2.4.3 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences on the date on which the council has certified that the provisions of Section 82 (1)(b)(ii)(cc) of the Town-Planning and Townships Ordinance 15 of 1986 has been complied with and when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and stormwater services) have been completed. The developer must submit proof to the Municipality that:

2.4.3.1 the non-profit company has been furnished with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the roads and stormwater services and the electricity services, which guarantee must be for an amount that is equal to 10% of the contract cost of the civil roads and stormwater services and the contract cost of the electrical services, prior to the commence date of the contract,

2.4.3.2 the Municipality has been furnished with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and / or materials with regard to the sewer and water services, which guarantee must be for an amount that is equal to 10% of the contract cost of these services, prior to the commence date of the contract.

2.5 The servitudes indicated under paragraph 1.11 shall be registered prior to or simultaneously with the transfer or registration of the first Erf within this township.

3. CONDITIONS OF TITLE

3.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

3.1.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN REFERRED TO IN CLAUSE 1.9

3.1.1.1 The erf shall be subject to a servitude, 2 m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the Municipality, along any two boundaries, except a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the Municipality: Provided that the Municipality may waive any such servitude.

3.1.1.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m from thereof.

3.1.1.3 The City of Tshwane shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

3.1.2 REGISTRATION OF NEW SERVITUDES

3.1.2.1 Erven 210, 213, 214, 216, 223 and 224 are subject to a 3,00m wide sewer servitude in favour of the Local Authority as indicated on the General Plan.

3.1.2.2 The whole of Erven 225, 226 and 227 are subject to a servitude for municipal and right of way purposes in favour of the Local Authority as indicated on the General Plan.

3.2 CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/ CREATED ON FIRST REGISTRATION OF THE ERVEN CONCERNED

3.2.1 The whole of Erven 199, 225, 226 and 227 are subject to a servitude for pipelines and boreholes in favour of Hazeldean Farm Proprietary Limited as indicated on the General Plan.

3.2.2 Erven 212, 213, 214 and 215 are subject to servitudes of right of way in favour of The Ridge Home Owners Association NPC as indicated on the General Plan.

Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001,
for the **Gauteng Provincial Administration**, Johannesburg.

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Publications: Tel: (012) 748 6053, 748 6061, 748 6065