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**LOCAL AUTHORITY NOTICE**

**LOCAL AUTHORITY NOTICE 1694**

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**CENTURION AMENDMENT SCHEME 1020C**

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 Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Eldoraigne Extension 49, being an amendment of the Centurion Town-planning Scheme, 1992.

Map 3 and the scheme clauses of this amendment scheme are filed with the Acting General Manager: Legal Services, and are open to inspection during normal office hours.

This amendment is known as the Centurion Amendment Scheme 1020C.

(13/2/Eldoraigne x49 (1020))  
 \_\_\_ June 2006

**Acting General Manager: Legal Services**  
 (Notice No 777/2006)

**PLAASLIKE BESTUURSKENNISGEWING 1694**

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

**CENTURION WYSIGINGSKEMA 1020C**

Hierby word ingevolge die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Stad Tshwane Metropolitaanse Munisipaliteit, 'n wysigingskema met betrekking tot die grond in die dorp Eldoraigne Uitbreiding 49, synde 'n wysiging van die Centurion Dorpsbeplanningskema, 1992, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoofbestuurder: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as die Centurion Wysigingskema 1020C.

(13/2/Eldoraigne x49 (1020C))  
 \_\_\_ Junie 2006

**Waarnemende Hoofbestuurder: Regsdienste**  
 (Kennisgewing No 777/2006)

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**DECLARATION OF ELDORAIGNE EXTENSION 49 AS APPROVED TOWNSHIP**

In terms of section 103(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Tshwane Metropolitan Municipality hereby declares the township Eldoraigne Extension 49 to be an approved township, subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY BONDEV BELEGGINGS (EIENDOMS) BEPERK AND MANSITO INVESTMENTS (PROPRIETARY) LIMITED UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 592 (A PORTION OF PORTION 590) OF THE FARM ZWARTKOP 356JR HAS BEEN GRANTED

**1. CONDITIONS OF ESTABLISHMENT**

**1.1 NAME**

The name of the township shall be Eldoraigne Extension 49.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No 4558/2002.

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## 1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding –

## 1.3.1 the following servitudes which affect Erf 4254 in the township:

- "1. The former Portion 62 of the said farm ZWARTKOP (of which the property hereby transferred forms a portion) is:
  - (i) Subject to a right of way-leave over it in favour of the CITY COUNCIL OF PRETORIA for the purpose of conveying electricity by means of high or low tension or other underground cables or overhead transmission lines etc., with certain ancillary rights and subject to certain conditions, as will more fully appear from Notarial Deed No. 664/1934S.
4. By virtue of Notarial Deed No. K1027/1952S, registered on 29 November 1952, the property hereby transferred is subject to a power line servitude in favour of the CITY COUNCIL OF PRETORIA, the centre line of which is indicated by the line de on Diagram LG No. 9502/1995 annexed to Certificate of Registered Title T374/1997, together with ancillary rights as will more fully appear on reference to the said Notarial Deed and Diagram.
9. Kragtens Notariele Akte van Serwituut No K7278/1994S, gedateer 29 November 1994, is die Resterende Gedeelte van Gedeelte 121 ('n gedeelte van Gedeelte 62) van die plaas ZWARTKOP 356, Registrasie Afdeling JR, Gauteng, groot 136,3384 Hektaar (waarvan die eiendom hiermee getranspoteer 'n deel uitmaak) onderhewig aan die volgende serwitute:
  - (1) 'n Serwituut vir rioolpyplyn 7 (sewe) meter wyd die verwysingslyn waarvan deur die lyn kmnqP op Kaart LG No 9502/1995 geheg aan Sertifikaat van Geregistreerde Titel T374/1997, aangedui word;  
  
soos meer volledig sal blyk uit bogemelde Notariele Akte."
11. "By virtue of Notarial Deed No, K8/1997S, registered on 3<sup>rd</sup> January 1997, the Remaining Extent of Erf 121 (a portion of Portion 62) of the farm ZWARTKOP 358, Registration Division JR, Gauteng in extent 92,1719 Hectares (of which the property hereby transferred forms a portion) is subject to a water pipeline servitude, 3,5 (THREE COMMA FIVE) metres wide, in favour of the TOWN COUNCIL OF CENTURION, the northern boundary of which is indicated by the line hj on Diagram LG No 9502/1995 annexed the Certificate of Registered Title T374/1997, as will more fully appear on reference to the said Notarial Deed and Diagram.'

## 1.3.2 the following servitudes which do not affect the township area:

1. The former Portion 62 of the said farm ZWARTKOP (of which the property hereby transferred forms a portion) is:
  - (ii) Subject to Notarial Deed No. 849/1938S, registered on the 20<sup>th</sup> July 1938, in terms of which Portion "C" of the said farm ZWARTKOP, in extent 130,1657 Hectares, held under Deed of Transfer T11749/1929, and the Remaining Extent of Portion "C" of the Western Portion of the said farm ZWARTKOP, in extent as such 360,3158 Hectares, held under Deed of Transfer T1433/1930, are entitled, subject to conditions, to a one-half (1/2) share of the water in the dam situate on the aforesaid Portion 62 of the said farm ZWARTKOP 356, Registration Division JR, Gauteng, and in the Remaining Extent of the middle portion of the said farm in extent as such 167,2707 Hectares, held under Certificate of Partition Title T7343/1922, as will more fully appear from the said Notarial Deed.

2. The use and enjoyment of the water from the Hennops River to which the Remaining Extent of Portion "d" of the said farm ZWARTKOP, in extent 115,0537 Hectares, the Remaining Extent of the Middle Portion of the said farm ZWARTKOP, in extent 167,2707 Hectares, the Remaining Extent of Portion 62 of the said farm ZWARTKOP, in extent 577,7309 Hectares and the Remaining Extent of the Western Portion of the said farm ZWARTKOP, in extent 350,2742 Hectares, are entitled, is divided as follows:

A. The owner of Portion 121 (a portion of Portion 62) of the aforesaid farm ZWARTKOP 356, Registration Division JR, Gauteng, (of which the property held transferred forms a portion) and the owners of Portion 122 (a portion of Portion 2) and of Portion 123 (a portion of Portion 2) respectively of the aforesaid farm ZWARTKOP 356. Registration Division JR, Gauteng, shall be entitled to:

- (i) The right to pump water from the Hennops River above the drift known as "Kalk Drift" and East of the Eastern Boundary of the said Portion 121 for 4,2827 Hectares of land, the quantity for such 4,2827 Hectares to be determined by reference to the Order of the Water Court dated 24<sup>th</sup> October, 1927.
- (ii) The right to pump after from the Hennops River at the Swimming Bath upon the said Portion 121 for forty-eight (48) continuous hours per week for the purpose of filling the said Bath and irrigating 1,7131 Hectares of land West of the Bath, the quantity of water for such 1,7131 Hectares to be determined by reference to the aforesaid Order of the Water Court, with the alternative right to irrigate the said land for twenty-four (24) continuous hours per week by gravitation from the weir in the Hennops River.

B. The owners of the following properties, namely:

- (a) The Remaining Extent of Portion "d" of Portion of the said farm ZWARTKOP in extent as such 115,0537 Hectares;
- (b) The Remaining Extent of the Middle Portion of the said farm ZWARTKOP in extent as such 167,2707 Hectares;
- (c) The Remaining Extent of Portion 62 of the said farm ZWARTKOP in extent as such 577,7309 Hectares;
- (d) The Remaining Extent of the Western Portion of the farm ZWARTKOP 356, Registration Division JR, Gauteng, in extent as such 350,2742 Hectares;

all held by Deed of Partition Transfer T18505/1939 shall be entitled to the balance of the balance of the water."

9. Kragtens Notariële Akte van Serwituut No K7278/1994S, gedateer 29 November 1994, is die Resterende Gedeelte van Gedeelte 121 ('n gedeelte van Gedeelte 62) van die plaas ZWARTKOP 356, Registrasie Afdeling JR, Gauteng, groot 136,3384 Hektaar (waarvan die eiendom hiermee getransporeer 'n deel uitmaak) onderhewig aan die volgende serwitute:

- (2) 'n Serwituut vir rioolpyplyn 3 (drie) meter wyd soos aangedui deur die lyn GHJ op Kaart LG No A 1593/78;

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- (3) 'n Serwituut vir rioolpylyn 3 (drie) meter wyd soos aangedui deur die lyn KLMNPQRSTUWXYZAa Ab Ac Ad Ae op Kaart LG No A 1593/78;

soos meer volledig sal blyk uit bogemelde Notariële Akte."

1.3.3 the following servitudes which shall not be passed on to the erven in the township:

- "1. Portion 121 (a portion of Portion 62) of the said farm ZWARTKOP 356, Registration Division JR, Gauteng (of which the property hereby transferred forms a portion) is:
- (a) Entitled to a Servitude of Water Furrow across the Eastern corner of the aforementioned Remaining Extent of Portion "d" of a portion of the said farm ZWARTKOP.
- The corner referred to would be the area of a triangle produced by extending the Western boundary of the present Remaining extent of the Western Portion of the said farm in extent as such 364,8041 Hectares, to make contact with the Southern Boundary of the said Remaining Extent of Portion "d", in extent as such 115,0537 Hectares.
- (b) Subject to a servitude in favour of the owners of the four properties described in (a), (b), (c) and (d) of Condition 2B hereof, of the right to lay a pipeline over Portion 123 of the Western Portion of the said farm ZWARTKOP 356, Registration Division JR, Gauteng, held under paragraph three of the said Deed of Partition T18504/1939 and over the aforesaid Remaining Extent of Portion 121 (a portion of Portion 62) along the Western boundary of the latter to the Remaining Extent of Portion 62 as described in Condition 2 B (c) hereof.
7. The Remaining Extent of Portion 121 (a portion of Portion 62 of the said farm ZWARTKOP 356, Registration Division JR, Gauteng, in extent 181,8488 Hectares (of which the property hereby transferred forms a portion) is:
- entitled to the condition that no Industry of any nature shall be conducted upon Portion 285 (a portion of Portion 121) of the aforesaid farm ZWARTKOP 356, Registration Division JR, Gauteng, in extent 1243989 Hectares, held by virtue of Deed of Transfer T41077/1970, registered on 18 December 1970.
8. Kragtens Akte van Sessie No K3513/1986S, geregistreer op 15 Oktober 1986, is die Resterende Gedeelte van Gedeelte 121 ('n gedeelte van Gedeelte 62) van die plaas ZWARTKOP 356. Registrasie Afdeling JR, Gauteng, groot 162,2697 Hektaar (waarvan die eiendom hiermee getranspoteer 'n deel uitmaak) onderhewig aan 'n Serwituut van Reg van Weg 25 (vyf en twintig) meter wyd oor 'n streek grond groot 5554 (VYF DUISEND VYF HONDERD VIER EN VYFTIG) vierkante meter soos aangedui deur die figure ABCDEFA op Kaart LG No A 12068/1984 ten gunste van die REPUBLIEK VAN SUID AFRIKA soos meer volledig sal blyk uit gemelde Akte van Sessie en Kaart
10. Kragtens Notariële Akte van Serwituut No K7096/95S, gedateer 17 Oktober 1995 en geregistreer op 31 Oktober 1995, is die Resterende Gedeelte van Gedeelte 121 ('n gedeelte van Gedeelte 62) van die plaas ZWARTKOP 356, Registrasie Afdeling JR, Gauteng, groot 136,3384 Hektaar, (waarvan 'n gedeelte hiermee getranspoteer 'n deel uitmaak) onderhewig aan 'n Serwituut van Reg van Weg, groot 1,5778 hektaar, soos aangedui deur die figuur ABCDEF op Serwituut Kaart LG No A7560/1995 ten gunste van die SUIDELIKE METROPOLITAAN-SE SUBSTRUKTUUR, soos meer volledig sal blyk uit genoemde Notariële Akte."

#### 1.4 ACCESS

No ingress from Provincial Road K103 to the township and no egress to Provincial Road K103 from the township shall be allowed.

#### 1.5 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owners shall arrange for the drainage of the township to fit in with that of Road K103 and for all stormwater running off or being diverted from the road to be received and disposed of.

#### 1.6 PRECAUTIONARY MEASURES

The township owner shall at its own expense, make arrangements with the local authority in order to ensure that –

1.6.1 water will not accumulate to the effect that the entire surface of the dolomite area/s is drained properly and that streets are sealed effectively with tar, cement or bitumen; and

1.6.2 trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150 mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.

#### 1.7 REMOVAL OR REPLACEMENT OF MUNICIPAL AND TELKOM SERVICES

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal and Telkom services, the cost thereof shall be borne by the township owners.

### 2. CONDITIONS OF TITLE

THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986.

#### 2.1 ALL ERVEN

2.1.1 The erf is subject to a servitude, 3m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 3m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.

2.1.2 No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.

2.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

2.1.4 The owner of each erf will during transfer of the erf become a member of the Section 21 Company.

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