

### 2.1.1 Association and Statutes

- (a) The developer must at his own cost establish a Non Profit Company (home-owner's association) in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008). The company shall be committed to be extended to include the owners of erven in the proposed townships, Rua Vista Extension 18 and 19.
- (b) All the owners of the erven or of any subdivision thereof, or of any sectional title unit thereon or of any interest therein must become members of the Non Profit Company. A copy of the registered Memorandum of Incorporation must be submitted to the City of Tshwane Metropolitan Municipality.
- (c) The Memorandum of Incorporation must clearly state what the main objective of the homeowners' association is and who is responsible for maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity, and the road and storm water sewers). The developer is deemed to be a member of the non-profit company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

### 2.1.2 Provision of Engineering Drawings

- (a) The developer must submit to the CTMM complete detail design drawings in respect of roads and stormwater, water and sewer infrastructure for approval prior to the commencement of the construction of the said services.
- (b) The detail design drawings will only be evaluated after the required Services Report with regard to roads and stormwater has been approved.
- (c) The developer must obtain a way leave from the Council prior to commencement of construction work, if such work will be done on Council property.

### 2.1.3 Maintenance Period and Guarantee

A maintenance period of 12 (twelve) months commences 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:

- (a) furnish the Non Profit Company with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and / or materials with regard to the civil engineering services (roads and stormwater), which guarantee must be for an amount that is equal to 10% of the contract cost of these services, and proof of this must be submitted to the Municipality.
- (b) furnish the municipality with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and / or materials with regard to the civil engineering services (water and sewer) and the electricity services, which guarantee must be for an amount that is equal to 10% of the contract cost of these services, and proof of this must be submitted to the Municipality.

## 3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding:

- (1) The following servitude which only affects Erf 3619 in the township:

By Notarial Deed of Servitude K248/2018S dated 7th December 2017, the within mentioned property is subject to a servitude for access control, right of way and municipal purposes in favour of the City of Tshwane Metropolitan Municipality and the Thatchfield Ridge Home Owners Association NPC, which servitude is 1495 square metres in extent as indicated by the figure A B C D E F A on Diagram S.G. No. 3537/2017 as will more fully appear from the said Notarial Deed of Servitude, with ancillary rights."

## 4. CONDITIONS OF TITLE

### 4.1 THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS