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GENERAL NOTICE

NOTICE 189 OF 2008

IN THE HIGH COURT OF SOUTH AFRICA
(SOUTH EASTERN CAPE LOCAL DIVISION)

PORT ELIZABETH, Tuesday, the 10th day of June 2008

BEFORE The Honourable Madam Justice BESHE (AJ)

Case No. 1070/2008

In the ex parte application of:

GRAHAM CECIL BUCHANAN
Id: 541029 5062 083

APPLICANT

Having heard Advocate Mullins, Counsel for the Applicant, and having read the documents filed of record.

IT IS ORDERED:

1. That all interested parties are called to show cause, if any, to the above Honourable Court on Tuesday, 24 June 2008 at 09h30 or so soon thereafter as Counsel may be heard, why the Title Deed restrictions set out in clauses A, B (6), and C (3) (4) (5) (6) of the Title Deed T21323/2006 in respect of Erf 326 Fernglen, in Nelson Mandela Bay Metropolitan Municipality, Eastern Cape, should not be removed from the Title Deed by giving notice of the Applicant's attorneys and the Registrar of the above Honourable Court, 2 Bird Street, Central, Port Elizabeth, of any objections of the granting of the relief sought herein and the grounds upon which such objections are made by the objector.
2. That the Applicant is to give notice of this application by serving the papers relating to this application and any rule nisi, or extention thereof, which the above Honourable Court were disposed to grant:

2.1 upon:

- 2.1.1 the Nelson Mandela Bay Metropolitan Municipality;
 - 2.1.2 the Director General of the Province of the Eastern Cape Local Government and Housing;
 - 2.1.3 the Registrar of Deed, Cape Town;
 - 2.1.4 upon owners of adjoining properties, namely erven 307, 308, 309, 310, 316, 317, 327 and 345 Fernglen;
- 2.2 by publishing the rule nisi:
- 2.2.1 once forthwith in each of the "Herald" and "Die Burger (Oos-Kaap)" newspapers;
 - 2.2.2 once in the Provincial Gazette of the Province of the Eastern Cape;
- and by giving notice in such advertisement, of the address of the Applicant's attorneys and the fact that a copy of the application may be obtained from such attorneys at the aforesaid address.
3. That any party who opposes the application will be ordered to pay the costs thereof.

BY ORDER OF THE COURT

J. Scholtz

Lexicon Attorneys

pp REGISTRAR
