



PROVINCE OF THE EASTERN CAPE
IPHONDO LEMPUMA KOLONI
PROVINSIE OOS-KAAP

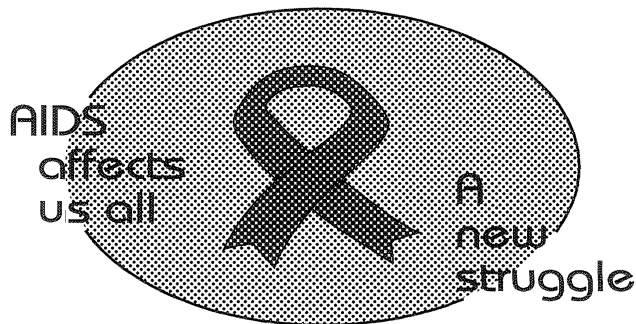
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BISHO/
KING WILLIAM'S TOWN, 5 NOVEMBER 2012

No. 2845

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DEPARTMENT OF HEALTH

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GENERAL NOTICES

No. 370

NELSON MANDELA BAY MUNICIPALITY

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

ERF 152, FRAMESBY (18 RONDEBOSCH ROAD) (CF07/00152) (LS) (Ref 287)

Notice is given in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open to inspection at Room 4178, Fourth Floor, Office for Housing and Local Government: Eastern Cape, Tyamzashe Building, Civic Square, Bhisho, and at the offices of the Nelson Mandela Bay Municipality, Second Floor, Lillian Diedericks Building, Govan Mbeki Avenue, Port Elizabeth.

Any objections, with full reasons therefore, should be lodged in writing with the Municipal Manager, P.O. Box 116, Port Elizabeth, 6000, within 21 days on the appearance of this notice in the *Provincial Gazette* (Eastern Cape Gazette), quoting the above act and the objector's erf number.

Applicant: A. Blignault..

Nature of application: Removal of title conditions applicable to Erf 152, Framesby.

Vote: 02130135.

T. HANI, Acting Municipal Manager

NELSON MANDELABAAI MUNISIPALITEIT

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

ERF 152, FRAMESBY (RONDEBOSCHWEG 18) (CF07/00152) (LS) (Verw. 287)

Kennis word gegee kragtens artikel 3 (6) van bogemelde Wet dat onderstaande aansoek ontvang is en ter insae lê by Kamer 4178, Vierde Verdieping, Kantoor vir Behuising en Plaaslike Regering: Oos-Kaap, Tyamzashe-gebou, Civic Square, Bhisho, en in die kantore van die Nelson Mandelabaai Munisipaliteit, Cuylersstraat 76, Uitenhage.

Enige besware, volledig gemotiveer, moet binne 21 dae van die verskyning van hierdie kennisgewing in die *Provinsiale Koerant* (Oos-Kaap) skriftelik by die Munisipale Bestuurder, Posbus 116, Port Elizabeth, 6000, ingedien word, met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

Aansoeker: A. Blignault.

Aard van aansoek: Die opheffing van die titelvoorwaardes van toepassing op Erf 152, Framesby.

Pos: 02130135.

T. HANI, Waarnemende Munisipale Bestuurder

No. 371

IN THE HIGH COURT OF SOUTH AFRICA
(EASTERN CAPE HIGH COURT, PORT ELIZABETH)

Port Elizabeth, Tuesday, the 16th day of October 2012

Before The Honourable Mr Justice SMITH

Case Number: 3283/12

In the *ex parte* application of:

WILLEM CHRISTIAAN ALBERTYN **1st Applicant**

CHARMAINE EDITH ALBERTYN **2nd Applicant**

Having heard Mr. Durr, Attorney for the Applicants, and having read the documents filed of record.

IT IS ORDERED:

1. That a *rule nisi* do hereby issue calling upon all interested parties to show cause on or before the return date for the hearing of the matter, TUESDAY, 20TH NOVEMBER 2012, why an order in the following terms should not be made:
 - 1.1. deleting the restrictive conditions set forth at paragraph 5 (c) and (d) of the Title Deed number T34990/2012 in respect of the property described therein as Erf 933 Kabega in the Nelson Mandela Bay Metropolitan Municipality, Division of Port Elizabeth, Province of the

Eastern Cape, (hereinafter referred to as "the property")
to wit:

"5. This erf shall be subject to the following further conditions, provided that where, in the opinion of the Administration after consultation with the Townships Board and the Local Authority it is expedient that the restriction in any such condition should at any time be suspended or relaxed, he may authorise the necessary suspension or relaxation subject to compliance with such conditions as he may impose:

- (c) Not more than half the area thereof shall be build upon;*
- (d) No building, or structure or any portion thereof, except boundary walls and fences, shall be erected nearer than 6.30 metres to the street line which forms a boundary of this erf nor within 3.15 square metres of the rear or 1.57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority an outbuilding not exceeding 3,05 metres, in height, measured from the floor to the wall plate may be erected within the above prescribed rear space and within the above prescribed rear space (sic.) and within the above prescribed lateral space for a distance of 9.45 metres reckoned from the rear boundary and provided further that outbuildings built simultaneously on adjoining erven may share a common partition wall on the common boundary thereof, and such outbuildings may be built within the*

rear half on the common lateral boundary, on consolidations of any two or more erven, this condition shall apply to the consolidated area as one erf."

- 1.2. Authorising the Registrar of Deeds to effect an endorsement of the Deeds of Transfer Number T 34990/2012 in accordance with paragraph 1.1. herein above;
- 1.3. Directing that the Applicant gives notice of this Application by the service of any rule nisi which this Honourable Court may grant, be effected:
 - 1.3.1. together with this Application, on each of the registered owners of the properties adjacent to the property, by way of sheriff, being:
 - 1.3.1.1. Mr David John Bath, owner of 19 Rotterdam Street, Van Der Stel;
 - 1.3.1.2. Mr F and Mrs E Gouws, owners of 22 Ennersdale Road, Van Der Stel;
 - 1.3.1.3. Mr S and Mrs S Govender, owners of 26 Rotterdam Street, Van Der Stel;
 - 1.3.1.4. Mr J and Mrs D Harmse, owners of 257 Great West Way, Van Der Stel;

1.3.1.5. Mr C D Lombard, owner of 23 Rotterdam Street, an Der Stel;

1.3.1.6. Mrs Y Bernhardt, owner of 23 Swellenberger Street, Van Der Stel;

1.3.1.7. Mr H M and Mrs J H Cecil, owners of 21 Swellengrebel Street, Van Der Stel;

1.3.1.8. Mr S A and Mrs T P Olivier, owners of 22 Rotterdam Street, Van Der Stel.

1.3.2. on the Nelson Mandela Bay Municipality;

1.3.3. by Sheriff:

1.3.3.1. on the Premier of the Eastern Cape, care of the office of the State Attorney in Port Elizabeth;

1.3.3.2. on the Registrar of Deeds, Cape Town; and

1.3.4. and publication of such *rule nisi* as this Honourable Court may grant:

1.3.4.1. once in the Provincial Gazette of the Province of the Eastern Cape; and

1.3.4.2. once, in English, in The Herald and in Afrikaans, in "Die Burger (Oos-Kaap)"

And by giving such advertisement, to the effect that the papers relating to this Application may be inspected at the offices of the Applicant's attorneys at 108 Cape Road, Mill Park, Port Elizabeth and of the registrar of this Honourable Court, in Bird Street, Central, Port Elizabeth.

BY ORDER OF THE COURT

B. Lucas

B. Lucas (Ms)

pp REGISTRAR

DTS Attorneys

LOCAL AUTHORITY NOTICES

No. 57

CLOSING OF PORTIONS OF PUBLIC PLACE ERF 3178, QUEENSTOWN

(Surveyor General Ref. No. S/8898/145 v1 p84)

Notice is hereby given in terms of section 137 (1) of the Municipal Ordinance No. 20 of 1974, that portions of Erf 3178, adjoining Erven 13436 and 13438, Queenstown, to be permanently closed.

Mr G. BROWN, Municipal Manager

No. 58

CLOSING OF PORTION OF ALBERT STREET ADJOINING ERVEN 4464 AND 8047, QUEENSTOWN

(Surveyor General Ref. No. S/8898/137 v1 p31)

Notice is hereby given in terms of section 137 (1) of the Municipal Ordinance No. 20 of 1974, that portions of Albert Street adjoining Erven 4464 and 8047, Queenstown, to be permanently closed.

Mr G. BROWN, Municipal Manager

No. 59

CLOSING OF PORTION OF BERRY STREET ADJOINING ERF 1448, QUEENSTOWN

(Surveyor General Ref. No. S/8898/127 v1 p40)

Notice is hereby given in terms of section 137 (1) of the Municipal Ordinance No. 20 of 1974, that a portion of Berry Street adjoining Erf 1448, Queenstown, to be permanently closed.

Mr G. BROWN, Municipal Manager

No. 60

DEPARTMENT OF LOCAL GOVERNMENT & TRADITIONAL AFFAIRS (EASTERN CAPE PROVINCE)

NGQUSHWA LOCAL MUNICIPALITY

LAND USE REGULATION ACT, 1987 (ACT No. 15 OF 1987)

ERF 365, HAMBURG

Under section 23 (3) of the Land Use Regulation Act, 1987 (Act No. 15 of 1987), and on application by the owner of Erf 365, Hamburg, condition 6 (a) in Deed of Transfer No. T845/1995, is hereby removed.
