



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

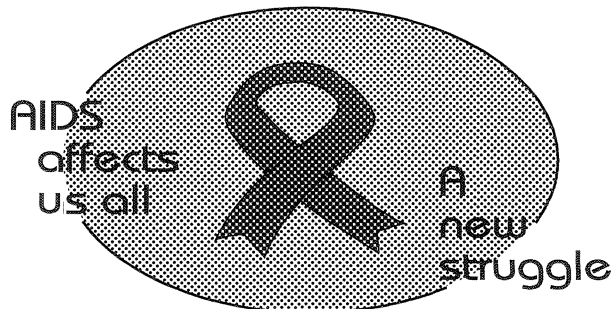
Provincial Gazette Igazethi Yephondo Provinsiale Koerant

Vol. 20

BISHO/
KING WILLIAM'S TOWN, 4 NOVEMBER 2013

No. 3065
(Extraordinary)

We all have the power to prevent AIDS



**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

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GENERAL NOTICE

No. 235

BUFFALO CITY METROPOLITAN MUNICIPALITY

**LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991 (ACT
NO. 113 OF 1991)**

**NOTICE OF SUSPENSION OF CERTAIN SERVITUDES AND
RESTRICTIVE CONDITIONS**

**TOWNSHIP NAME: REESTON RESIDENTIAL AREA PHASE 2 – EAST
LONDON**

I, the undersigned, MLIBO QOBOSHIYANE, in my capacity as Member of the Executive Council for Local Government and Traditional Affairs of the Province of the Eastern Cape duly authorised hereto by the Premier of the Province of the Eastern Cape being an executive Council, to whom the provisions of Proclamation R 293 of 1962 have been delegated, and as such acting for and on behalf of the Provincial Government of the Eastern Cape, hereby suspend by virtue of the powers vested in me in terms of Section 12(1)(b) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991) the undermentioned servitudes and restrictive conditions which are registered against the Certificates of Consolidated Title and Certificate of Registered Title referred to hereunder in respect of the undermentioned properties and which are situate in the Buffalo City Metropolitan Municipality:-

1. **ERF 55202 EAST LONDON
BUFFALO CITY METROPOLITAN MUNICIPALITY
DIVISION OF EAST LONDON
PROVINCE OF THE EASTERN CAPE**

**IN EXTENT: 44,1525 (FORTY FOUR COMMA ONE FIVE TWO
FIVE) HECTARES**

**HELD BY CERTIFICATE OF CONSOLIDATED TITLE NUMBER
T2154/2013**

- PARA 2C. SUBJECT to the condition created in Deed of Transfer No.
T117/1923 reading:-**

- (a) The said Municipality, its servants and agents will have the perpetual right of way to and from the "Pumping station site" thereby transferred over the existing road on the within property.

- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from the "Pumping Station Site" under, over and along a piece of land hereinafter called the Rising Main Way Leave, which piece of land extends across the remaining extent of the said property, being Farm 830 Reeston, and Portion 25 of Farm No. 854 belonging to us; provided however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way Leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 2D. SUBJECT to a servitude with regard to apportionment of water in terms of an order of the Water Court (Water Court District Eastern) dated 10/1/1966 as will more fully appear on reference to the copy of the said order annexed to Deed of Transfer No.1186/1958, and filed as Notarial Deed No. 6/1966S.

PARA 3C. SUBJECT to the following condition created in Notarial Deed (of Water) of Servitude No. 6/1966s reading:

"The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of Water Court (Water Court District Eastern) dated 10th January 1966, as will more fully appear on reference to the copy of the said Order annexed to Deed of Transfer No. 308/1959 dated 3rd April 1959."

PARA 4D. SUBJECT and ENTITLED to the following conditions created in Notarial Deed of Servitude No. 6/1966S reading:

"The within described land is subject to a servitude with regard to apportionment of water in terms of an order of the Water Court (Water Court District Eastern) as will more fully

appear on reference to the copy of the said order annexed to Notarial Deed No. 6/1966."

PARA 5D. SUBJECT to a servitude with regard to apportionment of water in terms of an order of the Water Court (Water Court District Eastern) as will more fully appear on reference to the copy of the said Order filed as Notarial Deed No. 6/1966s.

PARA 6D. SUBJECT to a servitude with regard to apportionment of water in terms of an order of the Water Court (Water Court District Eastern) as will more fully appear on reference to the copy of the said Order filed as Notarial Deed No. 6/1966s.

2. ERF 56644 EAST LONDON
BUFFALO CITY METROPOLITAN MUNICIPALITY
DIVISION OF EAST LONDON
PROVINCE OF THE EASTERN CAPE

IN EXTENT: 4,6844 (FOUR COMMA SIX EIGHT FOUR FOUR)
HECTARES

HELD BY CERTIFICATE OF CONSOLIDATED TITLE NUMBER
T2165/2013

PARA 5C. SUBJECT to the following condition created in Deed of Transfer No. 117/1923 reading:-

"The said Municipality, its Servants and Agents which have the Perpetual Right of Way to and from the said "Pumping Station Site" hereby transferred over the existing road on the property of the Appearer's Principals, being Farm 830 Reeston.

3. ERF 58223 EAST LONDON
BUFFALO CITY METROPOLITAN MUNICIPALITY
DIVISION OF EAST LONDON
PROVINCE OF THE EASTERN CAPE

IN EXTENT: 11,0243 (ELEVEN COMMA NOUGHT TWO FOUR THREE) HECTARES

HELD BY CERTIFICATE OF CONSOLIDATED TITLE NUMBER
T2171/2013

PARA 1C. SUBJECT to the following condition created in Deed of Transfer No. 117/1923 reading:-

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right of Way to and from the said "Pumping Station Site" hereby transferred over the existing road on the property of the Appearer's Principals, being Erf 58181 East London.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from the "Pumping Station Site" under, over and along a piece of land hereinafter called the Rising Main Way Leave, which piece of land extends across the remaining extent of the said property, being Erf 58181 East London, and Portion 25 of Farm No. 854 belonging to us; provided however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way Leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 5C. SUBJECT to the Right-of-Way and Way-Leave endorsed on Deeds of Transfer Nos. 734/1914 and 735/1914 respectively the full context of which is set forth in Deed of Transfer No. 117/1923 reads as follows:-

- (1) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from Portion 1 of Farm 830, Division of East London, hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830.
- (6a) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and

trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830, Division of East London, under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said Farm 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.

- (b) The said Municipality, its Successors, Assigns, Engineers, and Servants shall have the right at all times to enter in and upon the said Rising Main-Way Leave with animals and vehicles of every description for the purpose of carrying out any works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe track and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 6C. SUBJECT to the Right-of-Way and Way-Leave endorsed on Transfers Nos. 734/1914 and 735/1914, respectively, the full context of which is set forth in Deed of Transfer No. 117/1923, reads as follows:-

- (1) The said Municipality, its Servants and Agents which have the perpetual Right-of-Way to and from the said Portion 1 of Farm 830, Division of East London, hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830 East London.
- (2) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830, Division of East London under, over and along a piece of land hereinafter called the Rising Main Way Leave, which piece of land extends across the remaining extent of the said Farm No 854 East London belonging to us; provided however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.

- (3) The said Municipality, its Successors, Assigns, Engineers and Servants shall have the right at all times, to enter in and upon the said Rising Main Way Leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe track and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 7C. SUBJECT to the Right-of-Way and Way-Leave created in Deeds of Transfer Nos. 734/1914 and 735/1914, reading as follows:-

- (1) The said Municipality, its Servants and Agents which have the perpetual Right-of-Way to and from the said Portion 1 of Farm 830, Division of East London, hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830 East London.
- (2) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels and trenches, lay down pipes and watermain, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830, Division of East London under, over and along a piece of land hereinafter called the Rising Main Way Leave, which piece of land extends across the remaining extent of the said Farm No 854 East London belonging to us; provided however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (3) The said Municipality, its Successors, Assigns, Engineers and Servants shall have the right at all times, to enter in and upon the said Rising Main Way Leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe track and works, and for any other purpose which may be requisite and necessary in connection therewith

PARA 8C. SUBJECT to the following conditions created in Deed of Transfer No. 117/1923 reading:-

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from Portion 1 of the Farm No. 830 hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830 under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said property being Farm No. 830 and Portion 25 of the Farm 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 8D. ENTITLED to the following condition created in Deed of Transfer No. 946/1926 imposed by Anthony Calvert Wilson, reading :

"THAT the said JOHN WILLIAM HUTCHINSON, his successors in title, or Assigns, or the occupiers for the time being of the said Erven 58197, 58198, 58199, 58200, 58201, 58202 and Erf 58188 East London, shall at all times and forever for themselves, their servants and agents, with horses, carts and other vehicles and animals, have the right to use the roadway as shown on Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926."

PARA 8E. SUBJECT to the following condition created in Deed of Transfer No. 946/1926, imposed by Anthony Calvert Wilson, reading :

"THAT the right of access to take water from the stream or watercourse shown on the Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926, and for domestic use and for any other purpose, is reserved to the Appearer's Constituents, his Heirs, Executors, Administrators or Assigns, and to any other persons, whether riparian owners or not, to whom the right of such access and use shall have been granted by the Appearer's Constituent or his aforesaid."

PARA 9C. SUBJECT to the Right-of-Way and Way-Leave endorsed on Transfers Nos. 734/1914 and 735/1914, respectively, the full context of which is set forth in Deed of Transfer No. 117/1923, reads as follows:-

- (1) The said Municipality, its Servants and Agents which have the perpetual Right-of-Way to and from the said Portion 1 of Farm 830, Division of East London, hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830 East London.
- (2) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830, Division of East London under, over and along a piece of land hereinafter called the Rising Main Way Leave, which piece of land extends across the remaining extent of the said Farm No 854 East London belonging to us; provided however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (3) The said Municipality, its Successors, Assigns, Engineers and Servants shall have the right at all times, to enter in and upon the said Rising Main Way Leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe track and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 10C. SUBJECT to the Right-of-Way and Way-Leave endorsed on Transfers Nos. 734/1914 and 735/1914, respectively, the full context of which is set forth in Deed of Transfer No. 117/1923, reads as follows:-

- (1) The said Municipality, its Servants and Agents which have the perpetual Right-of-Way to and from the said Portion 1 of Farm 830, Division of East London, hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830 East London.
- (2) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830, Division of East London under, over and along a piece of land hereinafter called the Rising Main Way Leave, which piece of land extends across the remaining extent of the said Farm No 854 East London belonging to us; provided however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (3) The said Municipality, its Successors, Assigns, Engineers and Servants shall have the right at all times, to enter in and upon the said Rising Main Way Leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe track and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 11C. SUBJECT to the following condition created in Deed of Transfer No. 117/1923 reading:-

- (6a) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from the said "Pumping Station Site" hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of Farm No. 830.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from the

"Pumping Station Site" under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said property being Farm No. 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.

- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 16C. SUBJECT to the following conditions created in Deed of Transfer No. 117/1923 reading:-

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from Portion 1 of the Farm No. 830 hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830 under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said property being Farm No. 830 and Portion 25 of the Farm 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and

for any other purpose which may be requisite and necessary in connection therewith.

PARA 16D. ENTITLED to the following conditions created in Deed of Transfer No. 946/1926, imposed by Anthony Calvert Wilson, reading:-

- (i) "THAT the said JOHN WILLIAM HUTCHINSON, his successors in title, or Assigns, or the occupiers for the time being of the said Erven 58197, 58198, 58199, 58200, 58201, 58202 and Erf 58188 East London, shall at all times and forever for themselves, their servants and agents, with horses, carts and other vehicles and animals, have the right to use the roadway as shown on Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926.
- (ii) THAT the right of access to take water from the stream or watercourse shown on the Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926, and for domestic use and for any other purpose, is reserved to the Appearer's Constituents, his heirs, Executors, Administrators or Assigns, and to any other persons, whether riparian owners or not, to whom the right of such access and use shall have been granted by the Appearer's Constituent or his aforesaid.

PARA 17C. SUBJECT to the following conditions created in Deed of Transfer No. 117/1923 reading:-

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from Portion 1 of the Farm No. 830 hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830 under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said property being Farm No. 830 and Portion 25 of the Farm 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.

- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 17D. ENTITLED to the following conditions created in Deed of Transfer No. 946/1926, imposed by Anthony Calvert Wilson, reading:-

- (i) "THAT the said JOHN WILLIAM HUTCHINSON, his successors in title, or Assigns, or the occupiers for the time being of the said Erven 58197, 58198, 58199, 58200, 58201, 58202 and Erf 58188 East London, shall at all times and forever for themselves, their servants and agents, with horses, carts and other vehicles and animals, have the right to use the roadway as shown on Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926.
- (ii) THAT the right of access to take water from the stream or watercourse shown on the Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926, and for domestic use and for any other purpose, is reserved to the Appearer's Constituents, his heirs, Executors, Administrators or Assigns, and to any other persons, whether riparian owners or not, to whom the right of such access and use shall have been granted by the Appearer's Constituent or his aforesaid."

PARA 19C. SUBJECT to the Right of Way and Way Leave endorsed on Deed of Transfer No. 734/1914 and created in Deed of Transfer No. 117/1923 reading:-

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from Portion 1 of the Farm No. 830 hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and

trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830 under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said property being Farm No. 830 and Portion 25 of the Farm 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.

- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 19D. ENTITLED to the following conditions created in Deed of Transfer No. 946/1926, imposed by Anthony Calvert Wilson, reading:-

- (i) "THAT the said JOHN WILLIAM HUTCHINSON, his successors in title, or Assigns, or the occupiers for the time being of the said Erven 58197, 58198, 58199, 58200, 58201, 58202 and Erf 58188 East London, shall at all times and forever for themselves, their servants and agents, with horses, carts and other vehicles and animals, have the right to use the roadway as shown on Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926.
- (ii) THAT the right of access to take water from the stream or watercourse shown on the Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926, and for domestic use and for any other purpose, is reserved to the Appearer's Constituents, his heirs, Executors, Administrators or Assigns, and to any other persons, whether riparian owners or not, to whom the right of such access and use shall have been granted by the Appearer's Constituent or his aforesaid."

PARA 20C. SUBJECT to the conditions created in Deed of Transfer No. 117/1923 reading:-

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from Portion 1 of the Farm No. 830 hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830 under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said property being Farm No. 830 and Portion 25 of the Farm 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 20D. ENTITLED to the following condition created in Deed of Transfer No. 946/1926, imposed by Anthony Calvert Wilson, reading:-

"THAT the said JOHN WILLIAM HUTCHINSON, his successors in title, or Assigns, or the occupiers for the time being of the said Erven 58197, 58198, 58199, 58200, 58201, 58202 and Erf 58188 East London, shall at all times and forever for themselves, their servants and agents, with horses, carts and other vehicles and animals, have the right to use the roadway as shown on Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926."

PARA 20E. SUBJECT to the following condition created in Deed of Transfer No. 946/1926, imposed by Anthony Calvert Wilson, reading:-

"THAT the right of access to take water from the stream or watercourse shown on the Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926, and for domestic use and for any other purpose, is reserved to the Appearer's Constituents, his heirs, Executors, Administrators or Assigns, and to any other persons, whether riparian owners or not, to whom the right of such access and use shall have been granted by the Appearer's Constituent or his aforesaid."

PARA 21C. SUBJECT to the following conditions created in Deed of Transfer No. 117/1923 reading:-

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from Portion 1 of the Farm No. 830 hereby transferred over the existing road on the property of the Appearer's Principals, being the Remainder of the said Farm No. 830.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from Portion 1 of Farm 830 under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said property being Farm No. 830 and Portion 25 of the Farm 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 21D. ENTITLED to the following conditions created in Deed of Transfer No. 946/1926, imposed by Anthony Calvert Wilson, reading:-

- (i) "THAT the said JOHN WILLIAM HUTCHINSON, his successors in title, or Assigns, or the occupiers for the time being of the said Erven 58197, 58198, 58199,

58200, 58201, 58202 and Erf 58188 East London, shall at all times and forever for themselves, their servants and agents, with horses, carts and other vehicles and animals, have the right to use the roadway as shown on Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926.

- (ii) THAT the right of access to take water from the stream or watercourse shown on the Diagram No. 4307 of 1920, annexed to Deed of Transfer No. 283/1926, and for domestic use and for any other purpose, is reserved to the Appearer's Constituents, his heirs, Executors, Administrators or Assigns, and to any other persons, whether riparian owners or not, to whom the right of such access and use shall have been granted by the Appearer's Constituent or his aforesaid.

4. ERF 58222 EAST LONDON
BUFFALO CITY METROPOLITAN MUNICIPALITY
DIVISION OF EAST LONDON
PROVINCE OF THE EASTERN CAPE

IN EXTENT: 3,8121 (THREE COMMA EIGHT ONE TWO ONE) HECTARES

HELD BY CERTIFICATE OF CONSOLIDATED TITLE NUMBER T2169/2013

- PARA 4C. SUBJECT to the following condition created in Deed of Transfer No. 117/1923 reading:-

"The said Municipality, its Servants and Agents which have the Perpetual Right of Way to and from the said "Pumping Station Site" hereby transferred over the existing road on the property of the Appearer's Principals, being Farm 830 Reeston.

5. ERF 58224 EAST LONDON
BUFFALO CITY METROPOLITAN MUNICIPALITY
DIVISION OF EAST LONDON
PROVINCE OF THE EASTERN CAPE

IN EXTENT: 5,3588 (FIVE COMMA THREE FIVE EIGHT EIGHT) HECTARES

HELD BY CERTIFICATE OF CONSOLIDATED TITLE NUMBER T2172/2013

PARA 4C. SUBJECT to the following conditions created in Deed of Transfer No. T117/1923 reading:

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from the said "Pumping Station Site" hereby transferred over the existing road on the property of the Appearer's Principals, being Erf 58181 East London.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from the "Pumping Station Site" under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said property being Erf 58181 East London, and Portion 25 of the Farm 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 4D. AND FURTHER SUBJECT to a servitude of right to use the roadway endorsed on the said Deed of Partition Transfer No. 283/1926 which endorsement reads as follows:-

"By Deed of Transfer No. 946/1926 a servitude in perpetuity of right to use the roadway on Diagram No. 4307/1920 annexed to Deed of Transfer No. 283/1926, and granted in favour of the said Erven 58197, 58198, 58199, 58200, 58201, 58202 and Erf 58188 East London, as will more fully appear on reference to the said Deed."

PARA 4E. ENTITLED to a servitude of right of access to take water created by Deed of Transfer No. T946/1926 reading:-

"By Deed of Transfer No. 946/1926 the right of access to take water from the stream or water course shown on diagram No. 4307/1920 hereunto annexed has been reserved to the within mentioned transferee, etc., as will more fully appear on reference to the said Deed."

6. ERF 58225 EAST LONDON
BUFFALO CITY METROPOLITAN MUNICIPALITY
DIVISION OF EAST LONDON
PROVINCE OF THE EASTERN CAPE

IN EXTENT: 4,0424 (FOUR COMMA NOUGHT FOUR TWO FOUR)
HECTARES

HELD BY CERTIFICATE OF CONSOLIDATED TITLE NUMBER
T2172/2013

PARA 1C. SUBJECT to the following conditions created in Deed of Transfer No. T117/1923 reading:

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right-of-Way to and from the said "Pumping Station Site" hereby transferred over the existing road on the property of the Appearer's Principals, being Farm No. 830.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels, and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from the "Pumping Station Site" under, over and along a piece of land hereinafter called the Rising Main Way-Leave, which piece of land extends across the remaining extent of the said property being Farm No. 830 and Portion 25 of the Farm 854 belonging to us; provided, however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause,

and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 1D. SUBJECT to a servitude of right to use the roadway created in Deed of Transfer No. 946/1926 reading:-

"By Deed of Transfer No. 946/1926 a servitude in perpetuity of right to use the roadway on diagram No. 4307/1920 hereunto annexed has been granted in favour of Erf 16114 East London, as will more fully appear on reference to the said Deed."

PARA 1E. ENTITLED to a servitude of right of access to take water created by Deed of Transfer No. T946/1926 reading:-

"By Deed of Transfer No. 946/1926 the right of access to take water from the stream or water course shown on diagram No. 4307/1920 hereunto annexed has been reserved to the within mentioned transferee, etc., as will more fully appear on reference to the said Deed."

PARA 2B. SUBJECT to a servitude of Usufruct on a one-quarter share in favour of FLORENCE EVELYN BOWKER HUGHES (Born Frank) Born on 17 January 1899, a widow, under Notarial Deed of Cession of Usufruct No. 17/1964S.

PARA 3B. SUBJECT to a servitude of Usufruct on a one-quarter share in favour of FLORENCE EVELYN BOWKER HUGHES (Born Frank) Born on 17 January 1899, a widow, under Notarial Deed of Cession of Usufruct No. 17/1964S.

PARA 4B. SUBJECT to a servitude of Usufruct on a one-quarter share in favour of FLORENCE EVELYN BOWKER HUGHES (Born Frank) Born on 17 January 1899, a widow, under Notarial Deed of Cession of Usufruct No. 17/1964S.

PARA 5B. SUBJECT to a servitude of Usufruct on a one-quarter share in favour of FLORENCE EVELYN BOWKER HUGHES (Born Frank) Born on 17 January 1899, a widow, under Notarial Deed of Cession of Usufruct No. 17/1964S.

PARA 6B. SUBJECT to a servitude of Usufruct on a one-quarter share in favour of FLORENCE EVELYN BOWKER HUGHES (Born Frank) Born on 17 January 1899, a widow, under Notarial Deed of Cession of Usufruct No. 17/1964S.

PARA 7B. SUBJECT to a servitude of Usufruct on a one-quarter share in favour of FLORENCE EVELYN BOWKER HUGHES (Born Frank) Born on 17 January 1899, a widow, under Notarial Deed of Cession of Usufruct No. 17/1964S.

7. ERF 59780 (A PORTION OF ERF 54116) EAST LONDON
BUFFALO CITY METROPOLITAN MUNICIPALITY
DIVISION OF EAST LONDON
PROVINCE OF THE EASTERN CAPE

IN EXTENT: 3,1707 (THREE COMMA ONE SEVEN NOUGHT SEVEN) HECTARES

HELD BY CERTIFICATE OF REGISTERED TITLE NUMBER
T4381/2012

PARA 1C. SUBJECT to the following condition created in Deed of Transfer No. 117/1923 reading:-

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right of Way to and from the said "Pumping Station Site" hereby transferred over the existing road on the property of the Appearer's Principals, being Farm 830 Reeston.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from the "Pumping Station Site" under, over and along a piece of land hereinafter called the Rising Main Way Leave, which piece of land extends across the remaining extent of the said property, being Farm 830 Reeston, and Portion 25 of Farm No. 854 belonging to us; provided however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way Leave with animals

and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 2C. SUBJECT to the condition created in Deed of Transfer No. T117/1923 reading:-

- (a) The said Municipality, its Servants and Agents which have the Perpetual Right of Way to and from the said "Pumping Station Site" hereby transferred over the existing road on the property of the Appearer's Principals, being Farm 830 Reeston.
- (b) The Municipality, its Successors or Assigns shall have the right in perpetuity without being liable to make compensation in respect thereof, to dig channels and trenches, lay down pipes and watermains, construct Aqueducts, and make tunnels to and from the "Pumping Station Site" under, over and along a piece of land hereinafter called the Rising Main Way Leave, which piece of land extends across the remaining extent of the said property, being Farm 830 Reeston, and Portion 25 of Farm No. 854 belonging to us; provided however, that the surface shall be restored as far as possible to its natural level after any excavation and other construction and maintenance work.
- (c) The said Municipality, its successors, assigns, Engineers and Servants shall have the right at all times to enter in and upon the said Rising Main Way Leave with animals and vehicles of every description for the purpose of carrying out the works referred to in the preceding clause, and for constructing, maintaining, inspecting, supervising, relaying and controlling the said pipe tract and works, and for any other purpose which may be requisite and necessary in connection therewith.

PARA 2D. SUBJECT to a servitude with regard to apportionment of water in terms of an order of the Water Court (Water Court District Eastern) dated 10/1/1966 as will more fully appear on reference to the copy of the said order annexed to Deed of Transfer No.1186/1958, and filed as Notarial Deed No. 6/1966S.

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