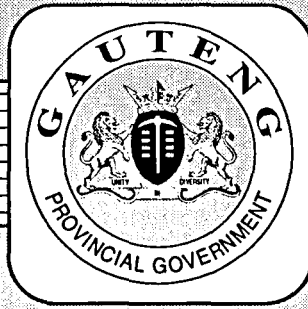


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

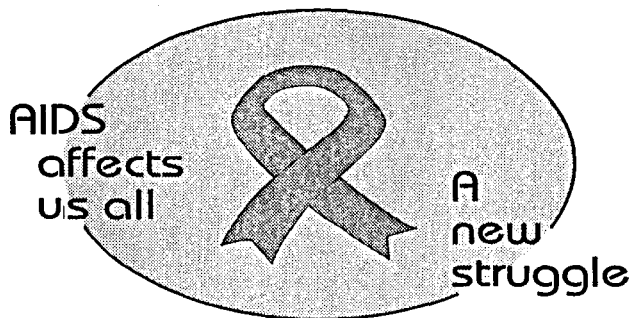
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Other countries • Buitelands: R3,25

Vol. 10

PRETORIA, 14 JUNE  
JUNIE 2004

No. 229

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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 1097

#### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

#### DECLARATION OF CLUBVIEW EXTENSION 80 AS APPROVED TOWNSHIP

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the City of Tshwane Metropolitan Municipality hereby declares the Township of Clubview Extension 80 to be an approved township, subject to the conditions as set out in the Annexure hereto.

(16/3/1910.....)

#### ANNEXURE

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY ZWARTKOP ESTATES (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE APPLICANT) IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 619 OF THE FARM ZWARTKOP 356 -JR HAS BEEN GRANTED**

**1. CONDITIONS OF ESTABLISHMENT**

**(1) NAME**

The name of the township shall be Clubview Extension 80.

**(2) DESIGN**

The township shall consist of erven and streets as indicated on General Plan No. 8289/2003.

**(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-

(a) the following servitudes which do not affect the township area:

(b) The property hereby transferred is subject to a servitude of pipeline in favour of Remaining Extent of Valhalla Township as per Deed of Transfer T3809/1933 as will more fully appear from Notarial Deed No 867/1939-S registered on the 28<sup>th</sup> day of August 1939.

(c) "Kragtens Notariële Akte No 488/1968 is die reg aan die Stad van Tshwane Metropolitaanse Munisipaliteit verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer tesame met bykomende regte, en onderhewig aan kondisies soos meer volledig sal blyk uit gesegde akte en kaart, afskrifte waarvan geheg is aan gesegde Notariële Akte geregistreer in die Aktekantoor te Pretoria op die 19<sup>de</sup> April 1968 en soos meer volledig sal blyk uit gesegde akte."

(d) According to Notarial Deed 894/71S dated the 29<sup>th</sup> June 1971, the herein mentioned property is subject to a servitude in respect of storm water in favour of the City of Tshwane Metropolitan Municipality, together with the right more clearly set out in Diagram 3864/1970 and 3868/1970 attached thereto, as shown more fully in the above-mentioned Notarial Deed.

- (e) According to Notarial Deed K.1958/1979-S dated the 20<sup>th</sup> February 1979 the right has been granted to the City of Tshwane Metropolitan Municipality to convey electricity over the herein mentioned property with the further rights, as will more fully appear on the within mentioned Notarial Deed.
- (f) "Kragtens Notariële Akte van Serwituut K.4851/90S, gedateer 28 September 1989, is hierdie eiendom onderhewig aan 'n ewigdurende reg om elektrisiteit te voorsien, welke serwituutregte aangedui word deur die volgende roete: Die figuur ABCDEF stel voor 'n serwituut vir elektriese kragleiding 1 047 vierkante meter soos aangetoon op LG no A10723/1983 ten gunste van die Stad van Tshwane met bykomende regte, soos meer volledig sal blyk uit gesegde akte met kaart aangeheg."
- (c) The remaining extent of the said portion "D" of the said farm, measuring as such 26, 5166 (TWO SIX comma FIVE ONE SIX SIX) Hectares, (of which the property hereby transferred forms a part) is subject to a servitude of pipeline for the conveyance of water in favour of the remaining extent of Valhalla Township, held under Deed of Transfer No 8309/1933, as will more fully appear from Notarial Deeds Nos 867/1939-S and 82/1940-S.
- A. The herein mentioned Portion 120 of the farm ZWARTKOP No 356, Registration Division JR; Gauteng whereof the property hereinafter mentioned forms a part is SUBJECT to the following conditions:
- Subject to a right of way-leave for the purposes of conveying electricity by means of underground cables or overhead wires, together with the right to maintain, repair and renew the same and certain ancillary rights as will more fully appear from Notarial Deed No 285/1934-S.
- A.(a)(iii) That Portion of Portion 120 of Portion "D" of the said farm ZWARTKOP No. 356, district Pretoria (whereof the property hereby transferred forms a portion) lettered ABCDEFGHJKLMNO1 mid spruit B1C1 on the Diagram S.G. No. A6924/1938 of the said Portion 120 is specially entitled and subject to the following conditions:
- a. The former Remaining Extent of the Eastern Portion of the said farm, measuring as such 2064,9702 hectares (of which the property hereby transferred forms part), with the exclusion, however, of Portions B.E.F.G.H.J.K.L.P.O.M. and R. of the Eastern Portion, transferred by Deed of Transfer 6044/1940, 11798/1931, 3130/1932, 3131/1932, 7690/1932, 7692/1932, 4981/1933, 4890/1933, 5933/1933 and 7109/1933, is entitled to a third share to the river water, but subject to the provisions of Notarial Deed No. 210/1931-S relating to the rights of water in the Kaalspruit and in the Hennops River above the Eastern boundary of the said farm;
  - b. Subject to the conditions relating to water of Certain Deed of Partition dated the 20<sup>th</sup> day of March 1857 referred to in the Diagram relating to Deed of Transfer dated 15<sup>th</sup> September 1856, made in favour of Carel Jacobus Erasmus, copies whereof are attached to Deeds of Transfer 2094/1902 and 2095/1902.
- A(a)(vii) Entitled to the servitude that without the written consent of the ISCOR LIMITED or its successors in title, no residence to cost less than R 3 000,00 (THREE THOUSAND RAND), inclusive of outbuildings, shall be erected upon lots or erven situate upon the

remaining extent of the said Portion "D" of the said farm (described in paragraph (vi) above, along the boundaries marked ZY, YX, XW, TS, SR and RQ on the said diagram S.G. No. A6924/1938, and that such lots or erven shall have frontages on the said boundaries measuring not less than 31,49 metres, which servitude has been varied as will more fully appear from Notarial Deed No. 1401/1940-S.

- C. "Die voormalige Resterende Gedeelte van die genoemde Gedeelte 120, groot as sodanig 86,4617 Hektaar, waarvan die eiendom hieronder gehou 'n deel uitmaak, is:
- (a) Onderhewig aan 'n serwituuat van reg van weg ten gunste van Gedeelte 220 ('n Gedeelte van Gedeelte 120) van die genoemde plaas ZWARTKOP, gehou onder Akte van Transport 4450/1952, en geregig tot serwitute van reg van weg oor die genoemde Gedeelte 220 ('n Gedeelte van Gedeelte 120) van die genoemde plaas ZWARTKOP, soos meer ten volle sal blyk uit genoemde Akte;
  - (b) Onderhewig aan die reg ten gunste van die Stad van Tshwane Metropolitaanse Munisipaliteit, om elektrisiteit oor genoemde Gedeelte 120, te vervoer, tesame met bykomende regte, en onderhewig aan kondisies soos meer ten volle sal blyk uit Notariële Akte No 488/1968-S, geregistreer op 19 April 1968;
  - (c) Onderhewig aan 'n serwituuat van stormwater aflei ten gunste van die Stad van Tshwane Metropolitaanse Munisipaliteit, tesame met bykomende regte, soos meer ten volle sal blyk uit Notariële Akte No 94/1971-S, geregistreer op 2 Augustus 1971.
- D. Die genoemde Gedeelte 120 van die plaas ZWARTKOP No 356, Registrasie Afdeling JR; Gauteng (waarvan die eiendom hieronder gehou 'n gedeelte uitmaak), is ONDERWORPE aan 'n serwituuat van pyplyn ten gunste van die Resterende Gedeelte van die Dorp VALHALLA, gehou onder Akte van Transport No 8309/1933, soos meer ten volle sal blyk uit Notariële Akte No 867/1939-S, geregistreer op 28 Augustus 1938, en GEREGTIG tot die voordele soos in genoemde Notariële Akte na verwys word."

(b) the following servitudes and rights which shall not be passed on to the erven in the township:

- (b) That portion of the said portion "D" of the said farm (of which the property hereby transferred forms a part) shown by the figure S1 midriver L1 M N O P Q R S on Diagram SG No A1052/1933 annexed to Certificate of Consolidated Title No 4604/1935 aforesaid is specially subject to the following:
  - (i) Subject to the provisions of the Pretoria Waterworks (Private) Bill No 15 of 1939;
  - (ii) The former remaining extent measuring as such 146,9310 (ONE FOUR SIX comma NINE THREE ONE NIL) Hectares, (of which the property hereby transferred forms a part) as held under Certificate of Amended Title No 7338/1922, and Certificate of Registered Title No 7347/1922, together with portions "A" and "B" of the middle portion of the said farm, transferred by Deeds of Transfer Nos 4386/1905 and 4387/1905, is entitled to certain rights to water and furrow over portions 1 and 2 of portion "D" of the middle portion of the said farm, transferred by Certificates of Partition Title No's 7340/1922 and 7341/1922, in manner more fully appearing from reference to the

- said Certificate of Partition Title No's 7340/1922 and 7341/1922;
- (iii) Subject to the terms of Notarial Deed No 210/1921-S relating to the rights to water in the Kaalspruit and water in the Hennops River above the eastern boundary of the said farm ZWARTKOP.
- (d) LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED reserves itself and its successors in title the right to lay down pipelines over the property hereby transferred, and to convey water by means thereof, but in exercising this right the transferor company shall not cause damage to any improvements upon the property hereby transferred.
- B. That portion of the herein mentioned Portion 120 of the farm ZWARTKOP No 356 JR; indicated by the figure P Q R S T U V W X Y Z A' mid spruit P' on diagram SG No A6924/1938 annexed to Deed of Transfer 22991/1938 (of which this property forms a portion) is SPECIALLY SUBJECT to the following conditions:
- (i) Subject to the provisions of the Pretoria Waterworks (Private) Bill No 15 of 1929;
- (ii) The former remaining extent measuring as such 14,9310 Hectares (of which the property held hereunder forms a part) as held under Certificate of Amended Title No 7338/1922 and Certificate of Registered Title No 7347/1922, together with portions "A" and "B" of the middle portion of the said farm, transferred by Deeds of Transfer Nos 4386/1905 and 4387/1905, is entitled to certain rights to water and furrow over portion o the said farm, transferred by Certificates of Partition Title Nos 7340/1922 and 7341/1922, in manner more fully appearing from reference to the said Certificates of Partition Title No's 7340/1922 and 7341/1922;
- (iii) Subject to the terms of Notarial Deed No 210/1931-S, relating to the rights to water in the Kaalspruit and water in the Hennops River above the Eastern Boundary of the said farm ZWARTKOP;
- (b) LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED reserves to itself the right to one-half of the water in the borehole situated upon the said Portion 120, near the point marked "C" on the said diagram SG No A6924/1938, annexed to Deed of Transfer T.22991/1938, on its northern boundary, but it is agreed that the exercise of the right so reserved to LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED shall at no time reduce the supply of water available for ISCOR LIMITED or its successors in title from the said borehole to less than average of 13 638 litres per hour taken over twelve (12) consecutive hours.
- (c) ISCOR LIMITED and its successors in title shall, subject to the provisions of the second paragraph of this clause, be entitled to the sole and exclusive use of the reservoir situate upon LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED's property, adjoining the northern boundary of the said Portion 120 and being the remaining extent of the eastern portion of the said farm, measuring as such 374,5650 Hectares and held by LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED by Deed of Transfer No 11603/1929, dated the 25<sup>th</sup> September 1929, and shall be entitled to enlarge the reservoir and to conduct water thereto from the said borehole or any other borehole, and from the said reservoir to the said Portion 120, by means of pipes over the said remaining extent of the eastern portion of the said farm and over the remaining extent of the said portion "D" of the said farm, measuring as such 26,5166 Hectares, and held by LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED by Certificate of Consolidated Title No 4604/1935 aforesaid.

The rights granted hereunder have been cancelled insofar as they affect the Remaining Extent of the eastern portion of the said farm ZWARTKOP,

measuring as such 30, 6659 Hectares, and the Remaining Extent of Portion D of the said farm ZWARTKOP, measuring as such 6, 1694 Hectares, as will more fully appear from Notarial Deed No 313/1964-S, registered on the 6<sup>th</sup> March, 1964.

- (d) LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED also reserves to itself and its successors in title the right to lay down pipelines over the said Portion 120, and to convey water by means thereof, but in exercising this right LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED shall not cause damage to any part of the golf course or to any sports grounds or to any improvements upon the said Portion 120.
  - (e) LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED reserves to itself and its successors in title to the Remaining Extent of the said Portion "D" of the said farm, measuring as such 26, 1566 Hectares, and held by LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED by certificate of Consolidated Title No 4604/1935, aforesaid, the right of way over the portion of the said Portion 120, shown on the said diagram by the figure T U V W.
  - (f) Entitle to the servitude that without the written consent of ISCOR LIMITED or its successors in title, no residence to cost less than R3 000,00 (THREE THOUSAND RAND), inclusive of outbuildings, shall be erected upon lots or erven situate upon the remaining extent of the said Portion "D" of the said farm (described in paragraph (c) above), along the boundaries marked ZY, XY, XW, TS, SR and RQ on the said diagram SG No A6924/1938, and that such lots or erven shall have frontages on the said boundaries measuring not less than 31,49 metres, which servitude has been varied as will more fully appear from Notarial Deed No 1401/1940-S.
- (c) the following servitudes which do affect the township area:
- (i) "the sewer servitude 3,0 metres wide vide Diagram S.G. No. 3715/1997, Deed of Servitude No. K 4894/1998 S which affects Erven 1025, 1044 and 1093."
  - (ii) "the sewer servitude, 7,0 metres wide vide Diagram S.G. No. A 1595/1978, registered in terms of Notarial Deed of Servitude No. K 3565/20004-S which affects Erf 1001."
  - (iii) "the sewer servitude, 7,0 metres wide vide Diagram S.G. No. A 1592/1978, registered in terms of Notarial Deed of Servitude No. K 2247/1997-S which affects Erf 1001."
  - (iv) "the sewer servitude, 6,0 metres wide vide Diagram S.G. No. 3714/1997, registered in terms of Notarial Deed of Servitude No. K 4893/1998 S which affects Erven 1044 and 1093."
  - (v) "the sewer servitude, 3,0 metres wide vide Diagram S.G. No. 3714/1997, registered in terms of Notarial Deed of Servitude No. K 4893/1998 S which affects erven 1074 to 1079 and erf 1044."
  - (vi) "the sewer servitude, 3,0 metres wide vide Diagram S.G. No. A 1602/1978, registered in terms of Notarial Deed of Servitude No. K 3566/2004-S which affects Erf 1092."
  - (vii) "A right of way servitude vide Diagram S.G. No. 3771/2003, registered in terms of Notarial Deed of Servitude No K 5445/2003 and affects erf 1092."

(viii) "A right of way servitude registered in terms of Notarial Deed of Servitude No K 5445/2003-S which is in favour of the Section 21 Company and the Council and affects erf 1092."

(ix) "A sewer servitude 3,00 metres wide, vide Diagram S.G. No. A 1595/1978, Deed of servitude No K 3565 /2004-S which affects erven 1001, 1017 to 1023 and 1091."

**(4) ACCESS**

No ingress from Provincial Road K101 to the township and no egress to Provincial Road K101 from the township shall be allowed.

**(5) ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township owner shall arrange for the drainage of the township to fit in with that of Road K101 and for all stormwater running off or being diverted from the road to be received and disposed of.

**(6) PRECAUTIONARY MEASURES**

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

- (a) water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen; and
- (b) 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.

**(7) DEMOLITION OF BUILDINGS AND STRUCTURES**

The township owner shall at its own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.

**(8) REMOVAL OF LITTER**

The township owner shall at its own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

**(9) REMOVAL OR REPLACEMENT OF MUNICIPAL AND/OR TELKOM SERVICES**

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

**(10) RESTRICTION ON THE DISPOSAL AND DEVELOPMENT OF ERVEN**

The township owner shall not dispose of or develop Erven 1001, 1056 to 1065 and 1086 and transfer of the erven shall not be permitted until the local authority has been satisfied that the erven are no longer subject to inundation as a result of the 1:50 year flood line.



**(11) ERVEN SUBJECT TO SPECIAL CONDITIONS**

Erf 1091, 1092 and 1093 shall be transferred at the cost of the township owner to a Company registered in terms of Section 21 of the Companies Act, 1973.

**(12) RESTRICTION ON THE ALIENATION OF LAND**

Regardless the issuing of a certificate as contemplated in Section 82 (1) (b)(ii)(cc) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no erf in the township may be transferred or be dealt with otherwise until the City of Tshwane Metropolitan Municipality certifies that the developer has complied with the provisions of conditions 13(a) to (f) inclusive below.

**(13) THE DEVELOPER'S OBLIGATIONS**

**(a) ASSOCIATION AND STATUTES**

The developer must register a Section 21 Company (homeowner's association) in terms of provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CM4) and the Company Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

Association and Statutes must clearly state that the main objective of the homeowner's association is the 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 Section 21 Company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

**(b) PROVISION OF ENGINEERING DRAWINGS**

The developer must submit to the City of Tshwane Metropolitan Municipality complete engineering drawings in respect of internal sewers and sewer connection points and complete engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

**(c) PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER**

Before any erf is transferred, the City of Tshwane Metropolitan Municipality must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water sewers in which is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The Municipality may at its own discretion allow an exception in respect of the internal road and storm water sewers. If this is the case, the developer must give the Municipality an undertaking that the developer will complete this service on or before a certain date and must provide the Municipality with a guarantee issued by a recognised financial institution.

No building plans will be approved before the services are completed and (if applicable) taken over by the division of the Service Delivery Department.

**(d) MAINTENANCE PERIOD AND GUARANTEE**

A maintenance period of 12 (twelve) months commences when the last of the internal engineering service (i.e. water, sewerage, electricity, and the road and storm water sewers) have been completed. The developer must furnish the section 21 company with a maintenance guarantee, issued by a recognised financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services and electricity service, which guarantee must be for an amount that is equal to 5% of the contract cost of the civil services and 10% of the contract cost of the electrical services and proof of this must be submitted to the City of Tshwane Metropolitan Municipality.

**(e) COMPLETION OF THE SCHEME**

The developer remains liable for the development of the entire housing scheme in accordance with the approved site development plan where applicable, provided that the scheme may also be developed in phases with the consent of the City of Tshwane Metropolitan Municipality, and provided further that the entire development takes place under the supervision of one architectural firm. If another architect or architectural firm is appointed at any stage during the execution of the scheme, the City of Tshwane Metropolitan Municipality must be notified without delay.

**(f) PROOF OF DEED OF SALE AND FINANCING**

The developer must submit proof that there is a valid and enforceable Deed of Sale between the developer and the buyer with regard to the sale of the relevant erf and the development of the erf by the developer in accordance with the approved plan. The developer must also provide proof that a loan for the proposed development has been approved in respect of each erf. If the buyer himself or herself is to finance the proposed development, satisfactory proof must be provided in respect of financing.

**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.

**(1) ALL ERVEN**

- (a) The erf is subject to a servitude, 2 m 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 2 m 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.
- (b) 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 2 m thereof.
- (c) 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) ERVEN 1001 to 1090**

The owner of each erf will during transfer of the erf become a member of the Section 21 Company and remain a member until he or she ceases to be the registered owner of that erf, which condition must be included in the title deed of the erf.

**(3) ERF 1024**

The erf is subject to a servitude, 2 m wide, for engineering services (water, sewer, electricity and storm-water) in favour of the Section 21 Company as indicated on the General Plan.

**(4) ERVEN 1001 to 1007, 1009 to 1012, 1027, 1030, 1032, 1033, 1035 to 1038, 1040, 1046 to 1052, 1055 to 1059, 1072 to 1074, 1077, 1080, 1086 to 1088 and 1090**

The erf is subject to a servitude, 2 m wide, for engineering services (sewer) in favour of the

Section 21 Company as indicated on the General Plan.

**(5) Erf 1073**

The erf is subject to a servitude, 2 m wide, for engineering services (water) in favour of the Section 21 Company as indicated on the General Plan.

**(6) Erf 1035 and erf 1041**

The erf is subject to a servitude, 2 m wide, for engineering services (storm-water) in favour of the Section 21 Company as indicated on the General Plan.

**(7) Erf 1043**

The erf is subject to a servitude, 2 m wide, for engineering services (electricity) in favour of the Section 21 Company as indicated on the General Plan.

**(8) Erf 1092**

The whole erf is subject to a servitude for engineering services in favour of the Section 21 Company and local authority.

**(9) Erven 1091 and 1093**

The whole erf is subject to a servitude for services in favour of the Section 21 Company and right of way in favour of the Section 21 Company.

**LOCAL AUTHORITY NOTICE 1098**

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**CENTURION AMENDMENT SCHEME 1141**

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 Clubview Extension 80 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 Centurion Scheme 1141

(16/3/1/910..... (.....))

**Acting General Manager: Legal Services**

..... 2004  
(Notice No ...../2004)

**PLAASLIKE BESTUURSKENNISGEWING 1097****STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****VERKLARING VAN CLUBVIEW UITBREIDING 80 TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Clubview Uitbreiding 80 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(16/3/1910.....)

**BYLAE**

**STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ZWARTKOP ESTATES (PROPRIETARY) LIMITED INGEVOLGE DIE BEPALINGS VAN DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 619 VAN DIE PLAAS ZWARTKOP 356 JR, GAUTENG, TE STIG, TOEGESTAAN IS.**

**1. STIGTINGSVOORWAARDES****(1) NAAM**

Die naam van die dorp is Clubview Uitbreiding 80

**(2) ONTWERP**

Die dorp bestaan uit erwe, parke en strate soos aangedui op Algemene Plan LG No 8289/2003.

**(3) BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd:

(a) die volgende serwitute wat nie die dorp raak nie:

"(b) The property hereby transferred is subject to a servitude of pipeline in favour of Remaining Extent of Valhalla Township as per Deed of Transfer T3809/1933 as will more fully appear from Notarial Deed No 867/1939-S registered on the 28<sup>th</sup> day of August 1939.

(c) "Kragtens Notariële Akte No 488/1968 is die reg aan die Stad van Tshwane Metropolitaanse Munisipaliteit verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer tesame met bykomende regte, en onderhewig aan kondisies soos meer volledig sal blyk uit gesegde akte en kaart, afskrifte waarvan geheg is aan gesegde Notariële Akte geregistreer in die Aktekantoor te Pretoria op die 19<sup>de</sup> April 1968 en soos meer volledig sal blyk uit gesegde akte."

(d) According to Notarial Deed 894/71S dated the 29<sup>th</sup> June 1971, the herein mentioned property is subject to a servitude in respect of storm water in favour of the City of Tshwane Metropolitan Municipality, together with the right more clearly set out in Diagram 3864/1970 and 3868/1970 attached thereto, as shown more fully in the above-mentioned Notarial Deed.

(e) According to Notarial Deed K.1958/1979-S dated the 20<sup>th</sup> February 1979 the right has been granted to the City of Tshwane Metropolitan Municipality to convey electricity over the herein mentioned property with the further rights, as will more fully appear on the within mentioned Notarial Deed.

(f) "Kragtens Notariële Akte van Serwituut K.4851/90S, gedateer 28 September

1989, is hierdie eiendom onderhewig aan 'n ewigdurende reg om elektrisiteit te voorsien, welke serwituutregte aangedui word deur die volgende roete: Die figuur ABCDEF stel voor 'n serwituut vir elektriese kragleiding 1 047 vierkante meter soos aangetoon

(c) The remaining extent of the said portion "D" of the said farm, measuring as such 26, 5166 (TWO SIX comma FIVE ONE SIX SIX) Hectares, (of which the property hereby transferred forms a part) is subject to a servitude of pipeline for the conveyance of water in favour of the remaining extent of Valhalla Township, held under Deed of Transfer No 8309/1933, as will more fully appear from Notarial Deeds Nos 867/1939-S and 82/1940-S.

A. The herein mentioned Portion 120 of the farm ZWARTKOP No 356, Registration Division JR; Gauteng whereof the property hereinafter mentioned forms a part is SUBJECT to the following conditions:

Subject to a right of way-leave for the purposes of conveying electricity by means of underground cables or overhead wires, together with the right to maintain, repair and renew the same and certain ancillary rights as will more fully appear from Notarial Deed No 285/1934-S.

A.(a)(iii) That Portion of Portion 120 of Portion "D" of the said farm ZWARTKOP No. 356, district Pretoria (whereof the property hereby transferred forms a portion) lettered ABCDEFGHJKLMNO1 mid spruit B1C1 on the Diagram S.G. No. A6924/1938 of the said Portion 120 is specially entitled and subject to the following conditions:

a The former Remaining Extent of the Eastern Portion of the said farm, measuring as such 2064,9702 hectares (of which the property hereby transferred forms part), with the exclusion, however, of Portions B.E.F.G.H.J.K.L.P.O.M. and R. of the Eastern Portion, transferred by Deed of Transfer 6044/1940, 11798/1931, 3130/1932, 3131/1932, 7690/1932, 7692/1932,4981/1933, 4890/1933,5933/1933 and 7109/1933, is entitled to a third share to the river water, but subject to the provisions of Notarial Deed No. 210/1931-S relating to the rights of water in the Kaalspruit and in the Hennops River above the Eastern boundary of the said farm;

b Subject to the conditions relating to water of Certain Deed of Partition dated the 20<sup>th</sup> day of March 1857 referred to in the Diagram relating to Deed of Transfer dated 15<sup>th</sup> September 1856, made in favour of Carel Jacobus Erasmus, copies whereof are attached to Deeds of Transfer 2094/1902 and 2095/1902.

A(a)(vii) Entitled to the servitude that without the written consent of the ISCOR LIMITED or its successors in title, no residence to cost less than R 3 000,00 (THREE THOUSAND RAND), inclusive of outbuildings, shall be erected upon lots or erven situate upon the remaining extent of the said Portion "D" of the said farm (described in paragraph (vi) above, along the boundaries marked ZY,YX,XW,TS,SR and RQ on the said diagram S.G. No. A6924/1938, and that such lots or erven shall have frontages on the said boundaries measuring not less than 31,49 metres, which servitude has been varied as will more fully appear from Notarial Deed No. 1401/1940-S.

C. "Die voormalige Resterende Gedeelte van die genoemde Gedeelte 120, groot as sodanig 86,4617 Hektaar, waarvan die eiendom hieronder gehou 'n deel uitmaak, is:

(a) Onderhewig aan 'n serwituut van reg van weg ten gunste van Gedeelte 220 ('n Gedeelte van Gedeelte 120) van die genoemde plaas ZWARTKOP, gehou onder Akte van Transport 4450/1952, en geregtig tot serwitute van reg van weg oor die genoemde Gedeelte 220 ('n Gedeelte van Gedeelte 120) van die genoemde plaas

ZWARTKOP, soos meer ten volle sal blyk uit genoemde Akte;

- (b) Onderhewig aan die reg ten gunste van die Stad van Tshwane Metropolitaanse Munisipaliteit, om elektrisiteit oor genoemde Gedeelte 120, te vervoer, tesame met bykomende regte, en onderhewig aan kondisies soos meer ten volle sal blyk uit Notariële Akte No 488/1968-S, geregistreer op 19 April 1968;
  - (c) Onderhewig aan 'n serwituuat van stormwater aflei ten gunste van die Stad van Tshwane Metropolitaanse Munisipaliteit, tesame met bykomende regte, soos meer ten volle sal blyk uit Notariële Akte No 94/1971-S, geregistreer op 2 Augustus 1971.
- D. Die genoemde Gedeelte 120 van die plaas ZWARTKOP No 356, Registrasie Afdeling JR; Gauteng (waarvan die eiendom hieronder gehou 'n gedeelte uitmaak), is ONDERWORPE aan 'n serwituuat van pyplyn ten gunste van die Resterende Gedeelte van die Dorp VALHALLA, gehou onder Akte van Transport No 8309/1933, soos meer ten volle sal blyk uit Notariële Akte No 867/1939-S, geregistreer op 28 Augustus 1938, en GEREKTIG tot die voordele soos in genoemde Notariële Akte na verwys word."
- (b) die volgende serwitute en regte word nie aan die erwe in die dorp oorgedra nie:
- (b) That portion of the said portion "D" of the said farm (of which the property hereby transferred forms a part) shown by the figure S1 midriver L1 M N O P Q R S on Diagram SG No A1052/1933 annexed to Certificate of Consolidated Title No 4604/1935 aforesaid is specially subject to the following:
    - (i) Subject to the provisions of the Pretoria Waterworks (Private) Bill No 15 of 1939;
    - (ii) The former remaining extent measuring as such 146,9310 (ONE FOUR SIX comma NINE THREE ONE NIL) Hectares, (of which the property hereby transferred forms a part) as held under Certificate of Amended Title No 7338/1922, and Certificate of Registered Title No 7347/1922, together with portions "A" and "B" of the middle portion of the said farm, transferred by Deeds of Transfer Nos 4386/1905 and 4387/1905, is entitled to certain rights to water and furrow over portions 1 and 2 of portion "D" of the middle portion of the said farm, transferred by Certificates of Partition Title No's 7340/1922 and 7341/1922, in manner more fully appearing from reference to the said Certificate of Partition Title No's 7340/1922 and 7341/1922;
    - (iii) Subject to the terms of Notarial Deed No 210/1921-S relating to the rights to water in the Kaalspruit and water in the Hennops River above the eastern boundary of the said farm ZWARTKOP.
  - (d) LYTTTELTON TOWNSHIPS (PROPRIETARY) LIMITED reserves itself and its successors in title the right to lay down pipelines over the property hereby transferred, and to convey water by means thereof, but in exercising this right the transferor company shall not cause damage to any improvements upon the property hereby transferred.
- B. That portion of the herein mentioned Portion 120 of the farm ZWARTKOP No 356 JR; indicated by the figure P Q R S T U V W X Y Z A' mid spruit P' on diagram SG No A6924/1938 annexed to Deed of Transfer 22991/1938 (of which this property forms a portion) is SPECIALLY SUBJECT to the following conditions:
- (i) Subject to the provisions of the Pretoria Waterworks

(Private) Bill No 15 of 1929;

- (ii) The former remaining extent measuring as such 14,9310 Hectares (of which the property held hereunder forms a part) as held under Certificate of Amended Title No 7338/1922 and Certificate of Registered Title No 7347/1922, together with portions "A" and "B" of the middle portion of the said farm, transferred by Deeds of Transfer Nos 4386/1905 and 4387/1905, is entitled to certain rights to water and furrow over portion o the said farm, transferred by Certificates of Partition Title Nos 7340/1922 and 7341/1922, in manner more fully appearing from reference to the said Certificates of Partition Title No's 7340/1922 and 7341/1922;
  - (iii) Subject to the terms of Notarial Deed No 210/1931-S, relating to the rights to water in the Kaalspruit and water in the Hennops River above the Eastern Boundary of the said farm ZWARTKOP;
- (b) LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED reserves to itself the right to one-half of the water in the borehole situated upon the said Portion 120, near the point marked "C" on the said diagram SG No A6924/1938, annexed to Deed of Transfer T.22991/1938, on its northern boundary, but it is agreed that the exercise of the right so reserved to LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED shall at no time reduce the supply of water available for ISCOR LIMITED or its successors in title from the said borehole to less than average of 13 638 litres per hour taken over twelve (12) consecutive hours.
- (c) ISCOR LIMITED and its successors in title shall, subject to the provisions of the second paragraph of this clause, be entitled to the sole and exclusive use of the reservoir situate upon LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED's property, adjoining the northern boundary of the said Portion 120 and being the remaining extent of the eastern portion of the said farm, measuring as such 374,5650 Hectares and held by LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED by Deed of Transfer No 11603/1929, dated the 25<sup>th</sup> September 1929, and shall be entitled to enlarge the reservoir and to conduct water thereto from the said borehole or any other borehole, and from the said reservoir to the said Portion 120, by means of pipes over the said remaining extent of the eastern portion of the said farm and over the remaining extent of the said portion "D" of the said farm, measuring as such 26,5166 Hectares, and held by LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED by Certificate of Consolidated Title No 4604/1935 aforesaid.
- The rights granted hereunder have been cancelled insofar as they affect the Remaining Extent of the eastern portion of the said farm ZWARTKOP, measuring as such 30, 6659 Hectares, and the Remaining Extent of Portion D of the said farm ZWARTKOP, measuring as such 6, 1694 Hectares, as will more fully appear from Notarial Deed No 313/1964-S, registered on the 6<sup>th</sup> March, 1964.
- (d) LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED also reserves to itself and its successors in title the right to lay down pipelines over the said Portion 120, and to convey water by means thereof, but in exercising this right LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED shall not cause damage to any part of the golf course or to any sports grounds or to any improvements upon the said Portion 120.
- (e) LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED reserves to itself and its successors in title to the Remaining Extent of the said Portion "D" of the said farm, measuring as such 26, 1566 Hectares,

and held by LYTTELTON TOWNSHIPS (PROPRIETARY) LIMITED by certificate of Consolidated Title No 4604/1935, aforesaid, the right of way over the portion of the said Portion 120, shown on the said diagram by the figure T U V W.

- (f) Entitle to the servitude that without the written consent of ISCOR LIMITED or its successors in title, no residence to cost less than R3 000,00 (THREE THOUSAND RAND), inclusive of outbuildings, shall be erected upon lots or erven situate upon the remaining extent of the said Portion "D" of the said farm (described in paragraph (c) above), along the boundaries marked ZY, XY, XW, TS, SR and RQ on the said diagram SG No A6924/1938, and that such lots or erven shall have frontages on the said boundaries measuring not less than 31,49 metres, which servitude has been varied as will more fully appear from Notarial Deed No 1401/1940-S.

(c) die volgende serwitute wat die dorp raak:

- (i) "n rioolserwituut 3,0 meter wyd volgens Diagram L.G. No. 3715/1997, Akte van serwituut No. K 4894/1998 S wat erwe 1025, 1044 en 1093 raak."
- (ii) "n rioolserwituut, 7,0 meter wyd volgens Diagram L.G. No. A 1595/1978, geregistreer ingevolge Notariële Akte van serwituut No K 3565/2004-S wat Erf 1001 raak."
- (iii) "n rioolserwituut, 7,0 meter wyd volgens L.G. Diagram No. A 1592/1978, geregistreer ingevolge Notariële Akte van serwituut No. K 2247/1997-S wat Erf 1001 raak."
- (iv) "n rioolserwituut, 6,0 meter wyd volgens Diagram L.G. No. 3714/1997, geregistreer ingevolge Notariële Akte van Serwituut No. K 4893/1998 S wat erwe 1044 en 1093 raak."
- (v) "n rioolserwituut 3,0 meter wyd volgens Diagram L.G. No. 3714/1997, geregistreer ingevolge Notariële Akte van serwituut No. K 4893/1998 S wat erwe 1074 tot 1079 en Erf 1044 raak."
- (vi) "n rioolserwituut, 3,0 meter wyd volgens Diagram L.G. No. A 1602/1978, geregistreer ingevolge Notariële Akte van Serwituut No. K 3566/2004-S wat Erf 1092 raak."
- (vii) "n Reg van weg serwituut volgens Diagram L.G. No. 3771/2003, geregistreer ingevolge Notariële Akte van Serwituut No K 5445/2003 en raak Erf 1092."
- (viii) "n Reg van weg serwituut geregistreer ingevolge Notariële Akte van Serwituut No K5445/2003 ten gunste van die Artikel 21 Maatskappy en die Plaaslike Bestuur en raak Erf 1092."
- (ix) "n rioolserwituut 3,00 meter wyd volgens Diagram L.G. No. A 1595/1978, Akte van serwituut No.K 3565/2004-S wat erwe 1001, 1017 tot 1023 en 1091 raak."

**(4) TOEGANG**

Geen toegang van Provinsiale Pad K 101 tot die dorp en geen uitgang vanaf die dorp na Provinsiale Pad K 101 sal toegelaat word nie.

**(5) ONTVANGS EN VERSORGING VAN STORMWATER**

Die dorpseienaar moet die stormwaterdreinerings van die dorp so reel dat dit inpas by die van



Pad K101 en moet die stormwater wat van die pad afloop of afgelei word, ontvang en versorg.

**(6) VOORKOMENDE MAATREËLS**

Die dorpseniener sal op eie koste, reëlins tref met die Plaaslike Bestuur om te verseker dat:

- (a) Water nie opdam nie, dat die totale oppervlakte van die dorp voldoende dreineer word en dat die strate voldoende afgeseël is met teer, sement of bitumen.
- (b) Slote vir die uitgraving van fondasies, pype, kables of enige ander doeleindes, moet gevul word klam grond in lae nie dikker as 150 mm nie, en moet gekompakteer word tot op dieselfde vlak as die omliggende grond.

**(7) SLOPING VAN GEBOUE EN STRUKTURE**

Die dorpseniener moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kant ruimtes en oor gemeenskaplike grense geleë is laat sloop tot bevrediging van die Plaaslike Bestuur, wanneer die Plaaslike Bestuur dit vereis.

**(8) VERWYDERING VAN ROMMEL**

Die dorpseniener moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevredenheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

**(9) VERSKUIWING EN/OF VERWYDERING VAN MUNISIPALE EN TELKOM DIENSTE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande dienste van munisipale en/of Telkomdienste te verskuif en/of te verwyder, moet die koste daarvan deur die dorpseniener gedra word.

**(10) BEPERKING OP DIE VERVREEMDING EN ONTWIKKELING VAN ERWE**

Die dorpseniener sal nie met Erwe 1001, 1056 tot 1065 en 1086 handel of ontwikkel en die oordrag van die erwe sal nie toegelaat word nie totdat die Plaaslike Bestuur tevrede is dat die erwe nie langer onderhewig aan oorstroming wat die gevolg van die 1:50 jaar vloedlyn is nie.

**(11) ERWE ONDERHEWIG AAN SPESIALE VOORWAARDES**

Erwe 1091, 1092 en 1093 sal op koste van die dorpseniener getranspoteer word aan die Maatskappy geregistreer in terme van die Artikel 21 Maatskappywet, 1973.

**(12) BEPERKING OP DIE VERVREEMDING VAN GROND**

Nieteenstaande die uitreiking van die sertifikaat soos vereis ingevolge Artikel 82(1)(b)(ii)(cc) van die Ordonnansie op Dorpsbeplanning en Dorpe, (Ordonnansie 15 van 1986), mag geen erf in die dorp oorgedra word of mee gehandel word alvorens die Stads Tshwane Metropolitaanse Munisipaliteit gesertifiseer het dat die ontwikkelaar voldoen het aan die bepalings van voorwaardes 12 (a) tot (f) hieronder uiteengesit.

**(13) VERANTWOORDELIKHEDE VAN DIE ONTWIKKELAAR**

**(a) AKTE EN STATUTE**

Die ontwikkelaar moet 'n Artikel 21 maatskappy (huiseienaarsvereniging) ingevolge die bepalings van die Maatskappywet, 1973 (Wet 61 van 1973) registreer. 'n Afskrif van die geregistreerde Akte van Oprigting (CM4) en die maatskappy se statute moet aan die Stad Tshwane Metropolitaanse Munisipaliteit oorhandig word.

Die akte en sy statute moet duidelik verklaar dat die huiseienaarsvereniging se

hoofdoel is om die interne ingenieursdienste van die ontwikkeling (d.i. water, riool, elektrisiteit en strate en stormwaterriole) te onderhou. Die ontwikkelaar is outomaties 'n lid van die Artikel 21 Maatskappy, onderhewig aan al die regte en verpligtinge van 'n gewone lid, totdat die laaste erf getranspoteer is.

**(b) VOORSIENING VAN INGENIEURSTEKENINGE**

Die ontwikkelaar moet aan die Stad Tshwane Metropolitaanse Munisipaliteit volledige ingenieurstekeninge ten opsigte van die interne rirole, rioolaansluitingspunte asook volledige ingenieurstekeninge ten opsigte van die interne strate en stormwaterriole sowel as water en elektriese dienste voorsien, voor die die konstruksie van genoemde dienste in Aanvang neem.

**(c) UITREIKING VAN 'N SERTIFIKAAT DEUR 'N PROFESSIONELE INGENIEUR**

Voordat enige erf getranspoteer kan word, moet 'n Professionele Ingenieur 'n sertifikaat uitreik aan die Stad Tshwane Metropolitaanse Munisipaliteit waarin gesertifiseer word dat die water, rirole, elektrisiteit en strate en stormwaterriole van die interne ingenieursdienste, of enige fase daarvan, voltooi is en dat die ingenieurs aanspreeklikheid vir sodanige dienste aanvaar. Die Munisipaliteit mag ingevolge sy diskresie 'n uitsondering toelaat in terme van die interne strate en stormwaterriole. Indien dit die geval is, moet die ontwikkelaar aan die Munisipaliteit 'n onderneming gee waarin bevestig word dat die ontwikkelaar die dienste sal voltooi op of 'n sekere datum en in die verband moet 'n waarborg deur 'n erkende finansiële instelling aan die Munisipaliteit uitgereik word.

**(d) ONDERHOUDTYDPERK EN WAARBORG**

'n Onderhoudstydperk van 12 (twaalf) maande neem in aanvang wanneer die laaste van die interne ingenieursdienste (d.i. water, rirole, elektrisiteit, en strate en stormwaterriole) voltooi is. Die ontwikkelaar moet aan die Artikel 21 Maatskappy 'n onderhoudswaARBORG, deur 'n erkende finansiële instelling uitreik, ten opsigte van swak vakmanskap en/of materiale ten opsigte van siviele ingenieursdienste en die elektriese dienste, waarvan die waarborg vir 'n bedrag van ten minste 5% van die siviele ingenieursdienste en 10% van die elektriese kontrakwaarde van die elektriese dienste moet wees en bewys hiervan moet by die Stad Tshwane Metropolitaanse Munisipaliteit ingedien word.

**(e) VOLTOOIING VAN DIE SKEMA**

Die ontwikkelaar bly verantwoordelik vir die ontwikkeling van die totale behuisingskema in ooreenstemming met die goedgekeurde terreinontwikkelingsplan, op voorwaarde dat die skema ook met die toestemming van die Stad Tshwane Metropolitaanse Munisipaliteit in fases ontwikkel kan word, en verder dat die totale ontwikkeling plaasvind onder toesig van een argiteksfirma. Indien 'n ander argitek of argiteksfirma aangestel word op enige stadium gedurende die uitoefening van die ontwikkeling, moet die Stad Tshwane Metropolitaanse Munisipaliteit sonder versuim in kennis gestel word.

**(f) BEWYS VAN KOOPAKTE EN FINANSIERING**

Die ontwikkelaar moet bewys lewer dat daar 'n geldige koopkontrak en afdwingbare koopakte tussen die ontwikkelaar en die koper met verwysing na die verkoop van die spesifieke erf en die ontwikkeling van die spesifieke erf in ooreenstemming met die goedgekeurde plan bestaan. Die ontwikkelaar moet ook bewys lewer dat 'n lening vir die voorgestelde ontwikkeling ten opsigte van elke erf goedgekeur is. Indien die koper die ontwikkeling self gaan finansier, moet hy of sy bevredigende bewys lewer ten opsigte van die finansiering.

## 2. TITELVOORWAARDES

Die erwe hieronder genoem, is onderworpe aan die voorwaarde soos aangedui, opgelê deur die Stad Tshwane Metropolitaanse Munisipaliteit ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986):

### (1) ALLE ERWE

- (a) Die erf is onderworpe aan 'n serwituut 2m breed vir riolerings- en ander munisipale doeleindes, ten gunste van die plaaslike bestuur, langs enige twee grense uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur. Met die verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- (b) Geen gebou of ander struktuur mag binne die voorgenoemde serwituutgebied opgerig word nie en geen grootwortelbome mag nêre die gebied van die sodanige serwituut of binne 'n afstand van 2m daarvan geplant word nie.
- (c) Die plaaslike bestuur is geregtig op enige material wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke way hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade verged wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke veroorsaak word.

### (2) ERWE 1001 tot 1090

Die eienaar van elke erf in die dorp sal tydens die oordrag van daardie erf 'n lid word van die Artikel 21 Maatskappy en sal 'n lid van die Maatskappy bly totdat die eienaar nie meer die eienaar van die betrokke erf is nie en die voorwaarde moet in die titelakte van die erf ingesluit word.

### (3) ERF 1024

Die erf is onderworpe aan 'n serwituut, 2 m wyd, vir ingenieursdienste (water, riool, elektrisiteit en stormwater) ten gunste van die Artikel 21 Maatskappy soos aangedui op die Algemene Plan.

### (4) ERWE 1001 tot 1007, 1009 tot 1012, 1027, 1030, 1032, 1033, 1035 tot 1038, 1040, 1046 tot 1052, 1055 tot 1059, 1072 tot 1074, 1077, 1080, 1086 tot 1088 and 1090

Die erf is onderworpe aan 'n serwituut, 2 m wyd, vir ingenieursdienste (riool) ten gunste van die Artikel 21 Maatskappy soos aangedui op die Algemene Plan.

### (5) Erf 1073

Die erf is onderworpe aan 'n serwituut, 2 m wyd, vir ingenieursdienste (water) ten gunste van die Artikel 21 Maatskappy soos aangedui op die Algemene Plan.

### (6) Erf 1035 en erf 1041

Die erf is onderworpe aan 'n serwituut, 2 m wyd, vir ingenieursdienste (stormwater) ten gunste van die Artikel 21 Maatskappy soos aangedui op die Algemene Plan.

### (7) Erf 1043

Die erf is onderworpe aan 'n serwituut, 2 m wyd, vir ingenieursdienste (elektrisiteit) ten gunste van die Artikel 21 Maatskappy soos aangedui op die Algemene Plan.

**(8) Erf 1092**

Die totale erf is onderworpe aan 'n serwitut vir ingenieursdienste ten gunste van die Artikel 21 Maatskappy en die Plaaslike Bestuur.

**(9) Erwe 1091 en 1093**

Die totale erf is onderworpe aan 'n serwitut vir dienste ten gunste van die Artikel 21 Maatskappy en 'n reg van weg ten gunste van die Artikel 21 Maatskappy.

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**PLAASLIKE BESTUURSKENNISGEWING 1098****STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****CENTURION WYSIGINGSKEMA 1141**

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 Clubview Uitbreiding 80 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 Centurion -wysigingskema 1141

(16/3/1/910.....)

**Waarnemende Hoofbestuurder: Regsdienste**

..... 2004  
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