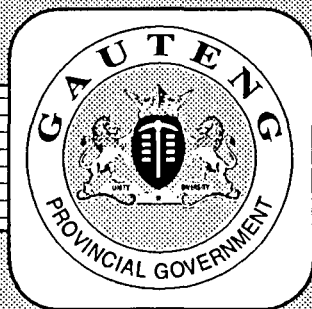


**THE PROVINCE OF
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Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

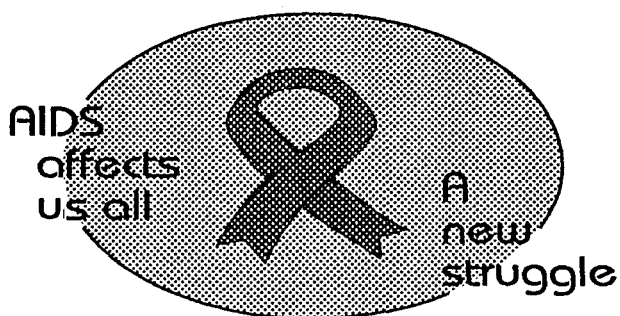
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Vol. 10

**PRETORIA, 11 AUGUST
AUGUSTUS 2004**

No. 319

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1659

DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Council declares Sonneveld Extension 12 to be an approved township subject to the conditions set out in the Schedule hereto.

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY KENLEAF DEVELOPERS (Van Eck Park) CC (HEREAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION C OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 1986, (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 328 (A PORTION OF OF PORTION 325)OF THE FARM WITPOORTJE 117 IR BE APPROVED BY THE EKURHULENI METROPOLITAN COUNCIL

SCHEDULE

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Sonneveld Extension 12.

1.2 DESIGN

The township shall consist of erven and streets as indicated on: General Plan S.G. No.11359/2003.

1.3 ENDOWMENT

The township owner shall, in terms of provisions of section 98(2) and (3) of the Town-planning and Townships Ordinance, 1986, pay an amount to be determined by the local authority, which amount shall be used by the local authority for the provision of land for parks and/or open spaces in or for the township as well as for the provision of bulk services.

Such endowments shall be payable in terms of the provisions of section 81 of the said ordinance read with section 95 thereof.

1.4 OBLIGATIONS WITH REGARD TO ESSENTIAL ENGINEERING SERVICES

The township owner shall within such period as the local authority may determine, fulfil his obligations in respect of the provision of water, electricity and sanitary services and the installation of systems there for, as well as the construction of the roads and storm-water drainage system as previously agreed upon between the township owner and the local authority.

a. Engineering Services

- (i) The applicant shall be responsible for the installation and provision of internal engineering services to the satisfaction of the relevant department.
- (ii) Once water, sewer and electrical networks have been installed, same will be transferred to the Local Authority, free of cost, who shall maintain these networks (except internal street lights) subject to (i) above.

b. Electrical Services

- (i) The owner/developer is liable for the cost of the installation of a street lighting network. The maintenance thereof and the power usage cost will be the responsibility of the The Atlantic City Home Owners Association/respective property owners.

1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

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

1.6 SPECIAL CONDITIONS

- (i) The township owner shall establish an association, which shall be known as The Atlantic City Home Owners Association and which shall take transfer of Erf 464 before any other erf in the township is transferred.
- (ii) The said "The Atlantic City Home Owners Association" shall in addition to such other responsibilities as may be determined by the developer, also be responsible for the maintenance of the internal road described as Erf 464
- (iii) The township owner shall ensure that a right of way servitude in favour of erven 348 B 463 is registered over the whole of Erf 464 before such erven are transferred.
- (iv) A servitude for municipal purposes in favour of the Local Authority, to guarantee access for its personnel and vehicles in order to carry out repair and maintenance work to the water, sewer and electrical networks (excluding streetlights) after they have been taken over by the Local Authority must be registered over the entire erf 464 before erven 348 B 463 are transferred.

1.7 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of mineral rights but excluding:

1.7.1 The following title conditions imposed in favour of the Town Council of Brakpan, in Deed of Transfer T86575/95:

- 1.7.1.1 No building shall be erected on the property without the written consent of the Town Council of Brakpan first had and obtained.
- 1.7.1.2 No slaughter house, factory or other industry whatsoever shall be established or conducted on the said property.
- 1.7.1.3 No cattle kraal, cowshed or other structure shall be erected on the said property without the written consent of the Town Council of Brakpan first had and obtained.

1.7.2 The following servitudes in favour of ESKOM in T 42418/03 which do not affect the township because of the location thereof:

- 1.7.2.1.B. The Remaining Extent of Portion 3 of the farm Witpoortje 117 I.R. measuring 448,3342 Hectares (of which the property hereby transferred from portion) is
 - [a] By Notarial Deed K2552/1979S, the rights has been granted to ELECTRICITY SUPPLY COMMISSION to convey electricity over the property together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
 - [b] By Notarial Deed K3842/86S, the rights has been granted to ESKOM to convey electricity over the property together with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- C. The Remainder extent of Portion 3 of the farm Witpoortje 117 I.R., measuring 322,7666 Hectares (of which the property hereby transferred forms a portion) is B
 - By virtue of Notarial Deed of Servitude K6576/2002 S dated 12th July 2002 the with in mentioned property is subject to a perpetual

servitude of electric power transmission substantially along the routes as agreed upon subject to any existing servitude or other real right to convey electricity across the property by means of 2 overhead power lines each consisting of conductors mounted on poles/structures with such structure supporting mechanism as may be necessary or convenient, as will more fully appear from the said Notarial Deed.

2.. CONDITIONS OF TITLE

2.1 ERVEN 348 TO 463 SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986

- (a) The erf is subject to a servitude, 2m 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, 2m wide, across the access portion of the erf as 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 aforesaid purpose of the construction, maintenance or removal of such sewerage mains and other works being good by the local authority.

2.2 CONDITIONS APPLICABLE TO SPECIFIC ERVEN

2.2.1 ERVEN 348 - 463

Every registered owner of Erven 348 - 463, shall be entitled to a right of way over Erf 464 as indicated on : General Plan S.G. No.11359/2003.

2.2.2 ERF 464

- 2.2.1 The whole of Erven 464 is subject to a right of way in favour of Erven 348 to 463 as indicated on: General Plan S.G. No.11359/2003
- 2.2.2 The whole of Erven 464 is subject to a servitude for municipal services in favour of Ekurhuleni Metropolitan Municipality as indicated on: General Plan S.G. No.11359/2003.

2.3 CONDITIONS APPLICABLE TO ALL ERVEN

As this land forms part of the land which is liable to subsidence, settlement, shocks and cracking whereby damage may be caused to buildings or structures erected thereon, the owner of the said land undertakes not at any time to require from the holder of mining title underlying, adjoining or adjacent to the said land or from the Inspector of Mines, that any protection to the surface of the said land or to any buildings or structure whatever situated thereon shall be given in terms of Regulations, framed under the powers contained in the Minerals Act No 50 of 1991, or any amendment thereof, and accept all risk of damage to such surfaces, building or structure which may be caused by mining operations past, present or future, either underneath said land or elsewhere.

2.4 ATLANTIC CITY HOME OWNERS ASSOCIATION:**Erven 348 - 463**

- a. Every owner of the erf, or of any subdivided portion thereof, or any person who has an interest therein shall become and shall remain a Member of the Atlantic City Home Owners' Association and be subject to its constitution until he/she ceases to be an owner of aforesaid. Neither the erf nor any subdivided portion thereof nor any interest therein shall be transferred to any person who has not bound himself/herself to the satisfaction of such Association to become a Member of the Atlantic City Home Owners' Association.
- b. The owner of the erf or any subdivided portion thereof, or any person who has an interest therein, shall not be entitled to transfer the erf or any subdivided portion thereof or any interest therein without the Clearance Certificate from the Home Owners' Association that the provisions of the Articles of Association' of the Home Owners' Association have been complied with.

P.M. MASEKO, Municipal manager

Notice 36/05/08/2004.

Date: 05/08/2004

LOCAL AUTHORITY NOTICE 1660**AMENDMENT SCHEME 424**

The Ekurhuleni Metropolitan Council herewith in terms of the provisions of section 125 (1) (a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Brakpan Town Planning Scheme, 1980, comprising the same land as included in the township of Sonneveld Extension 12.

Map 3 and the scheme clauses of the amendment scheme are filed with the Execution Director: Development Planning: Brakpan Service Delivery Center and are open for inspection at all reasonable times.

This amendment is known as Brakpan Amendment Scheme 424.

P.M. MASEKO, Municipal manager

Notice 36/05/08/2004.

Date: 05/08/2004

IMPORTANT NOTICE

The
Gauteng Provincial Gazette Function
will be transferred to the
Government Printer in Pretoria
as from 2nd January 2002

NEW PARTICULARS ARE AS FOLLOWS:

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149 Bosman Street
Pretoria

Postal address:

Private Bag X85
Pretoria
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Contact persons for subscribers:

Mrs S. M. Milanzi Tel.: (012) 334-4734

Mrs J. Wehmeyer Tel.: (012) 334-4753

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*In future, adverts have to be paid in advance
before being published in the Gazette.*

HENNIE MALAN

Director: Financial Management
Office of the Premier (Gauteng)

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