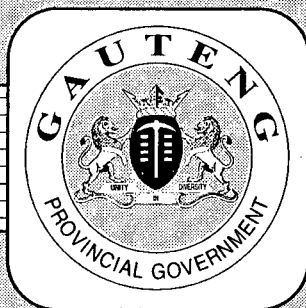


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Selling price • Verkoopprys: **R2,50**
Other countries • Buitelands: **R3,25**

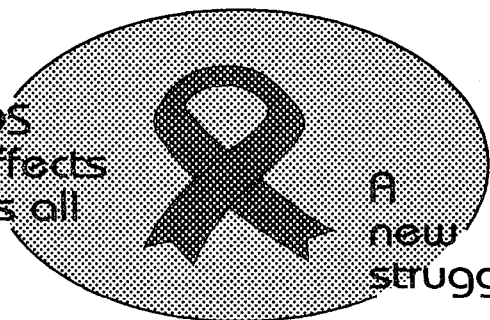
Vol. 10

**PRETORIA, 26 OCTOBER 2004
OKTOBER**

No. 461

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH



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CONTENTS • INHOUD

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
LOCAL AUTHORITY NOTICES		
2335 Town-planning and Townships Ordinance (15/1986): City of Johannesburg: Amendment Scheme 11-4093.....	3	461
2336 do.: do.: Declaration as an approved township: Greenstone Park.....	3	461

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2335

CITY OF JOHANNESBURG
AMENDMENT SCHEME 11-4093

The Council hereby in terms of provisions of Section 125 of the Town-planning and Townships Ordinance, 1986, declares that it has approved the amendment scheme, being an amendment of the Modderfontein Town-planning Scheme 1994, comprising the same land, as included in the Township of GREENSTONE PARK.

Map 3, Annexure and scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning, Transportation and Environment: City of Johannesburg and are open for inspection at all reasonable times.

The amendment scheme is known as Amendment Scheme 11-4093.

Executive Director: Development Planning Transportation and Environment.

PLAASLIKE BESTUURSKENNISGEWING 2335

PLAASLIKE BESTUURSKENNISGEWING 1124
STAD VAN JOHANNESBURG
WYSIGINGSKEMA 11-4093.

Die Stadsraad verklaar hierby ingevolge die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema synde 'n wysiging van Modderfontein Dorpsbeplanningskema, 1994, wat uit dieselfde grond as die dorp GREENSTONE PARK bestaan, goedgekeur het.

Kaart 3, Bylae en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing, Stad van Johannesburg en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 11-4093.

Uitvoerende Direkteur: Ontwikkelings Beplanning Vervoer en Omgewing

LOCAL AUTHORITY NOTICE 2336

LOCAL AUTHORITY NOTICE 1125

DECLARATION AS AN APPROVED TOWNSHIP

In terms of Section 103 (1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the CITY OF JOHANNESBURG declares GREENSTONE PARK to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY HEARTLAND PROPERTIES (PTY) LTD IN TERMS OF THE PROVISIONS OF THE TOWNPLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR THE PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 111(A PORTION OF PORTION 66)OF THE FARM MODDERFONTEIN 35 IR HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT.

(1) NAME

The name of the township shall be GREENSTONE PARK.

(2) DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No.6169/2004.

(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

- (i) excluding the following conditions in favour of the applicant which entitlements are waived and are not to be carried forward namely:

" 1.The former Remaining Extent of Portion 4 of the Farm Modderfontein 35, Registration Division I.R., the Province of Gauteng, indicated by the figure AxyGHJKLMNPQRSTUW on Diagram S.G. No 6168/2004 is subject to the following conditions:

- (a) Entitled together with the owner of the remaining extent of the said Farm to a servitude of Right of Way for a Railway Line over: -
- (i) Portion of ZUURFONTEIN No. 369, Pretoria, held by Deed of Transfer No T1767/1890;
- (ii) The remaining extent and portion of ZUURFONTEIN No. 369, Pretoria, held under Deed of Transfer Nos. 8232/1906 and 4441/1898; and
- (iii) Portion of ZUURFONTEIN No. 369, Pretoria, held under Deed of Transfer No 1768/1890;

as will appear from Notarial Deeds Nos. 315 - 317/1911 S registered on the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

- (b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G.No. A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
- (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
- (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-

1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma nine two seven four) Hectares;
2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;

As will more fully appear from reference to the said Notarial Deed.

(iv) By Virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

(v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-

1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33, I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 dated 19 December 1972; and
2. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976;

As will more fully appear from reference to the said Notarial Deed.

(vi) By Notarial Deed K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.NoA4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

2. The former Remaining Extent of the Farm Modderfontein 35, Registration Division I.R., Province of Gauteng, indicated by the figure xBCDEFy on Diagram SG No. 6168/2004 is subject to the following conditions:

(a) Entitled together with the owner of the remaining extent of the said Farm to a servitude of Right of Way for a Railway Line over: -

(i) Portion of ZUURFONTEIN No. 369, Pretoria, held by Deed of Transfer No T1767/1890;

(ii) remaining extent and portion of ZUURFONTEIN No. 369, Pretoria, held under Deed of Transfer Nos. 8232/1906 and 4441/1898; and

(iii) Portion of ZUURFONTEIN No. 369, Pretoria, held under Deed of Transfer No 1768/1890;

as will appear from Notarial Deeds Nos. 315 - 317/1911 S registered on the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

(b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G.No. A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-

- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
- (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
- (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma nine two seven four) Hectares;
 2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
- As will more fully appear from reference to the said Notarial Deed.
- (iv) By Virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
- (v) By virtue of Notarial Deed of servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33, I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 dated 19 December 1972; and
 2. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976;
- As will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.NoA4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

- (c) (iv) By Virtue of Notarial Deed No. K970/91S servitude K1014/82S in favour of Eskom is cancelled only as it affects Remaining Extent of Portion 1 of the farm Klipfontein 12, I.R., Transvaal:-

1. The servitude is now registered over Remaining Extent of the Farm Modderfontein No. 35 and Remaining Extent of Portion 10 (a portion of portion 1) Klipfontein No. 12 I.R., Transvaal, as appears from the abovementioned Notarial Deed K970/91S.
2. Routes have been determined over the above two properties as will more fully appear from the aforesaid Notarial Deed."

- (ii) excluding the following condition which only affects Erf 1:

" By virtue of Notarial Deed the within mentioned property is subject to a servitude in favour of Rand Water Board as indicated by the figure RSTUVAabcdef on Diagram SG No. 6168/2004 annexed hereto and as will more fully appear from reference to the said Notarial Deed."

(4) ENDOWMENT

The applicant shall make the necessary arrangements with the Council for the payment of an endowment in respect of the provision of land for the shortfall in providing suitable open space for parks in terms of the Town Planning and Townships Ordinance 15 of 1986.

(5) ENGINEERING SERVICES

The applicant shall, when it intends providing the required engineering services:

- (i) By agreement with the Council, classify every engineering services as internal and external engineering services in accordance with Chapter V of the Town Planning and Townships Ordinance, 1986.
- (ii) Install or provide water, electricity and sanitation as well as the construction of roads and stormwater drainage in the township to the satisfaction of the Council and, for this purpose, lodge reports, diagrams and specifications to the Council as required.

(6) OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTION WITH REGARD TO ALIENATION OF ERVEN

The township owner shall within such period as the Council may determine, fulfil his obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefore, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or be transferred into the name of a purchaser prior to the Council certifying that sufficient guarantees/ cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Council.

(7) ELECTRICITY

(i) JOHANNESBURG CITY POWER

The applicant shall make satisfactory arrangements with Johannesburg City Power for the installation of electrical services in and for the township.

(ii) **ESKOM**

Any cost and claims due to interruptions, interference or relocation to Eskom's services causing power supply loss due to this township will be borne by the applicant.

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

The township owner shall make necessary arrangements with the Council for the preparation and submission for approval of a stormwater management plan, for acceptance and disposal thereof in terms of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) and must be submitted to the Council for consideration of guarantee amounts.

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

The township owner shall at its own expense cause all existing buildings and structures situated within the building reserves, or over common boundaries to be demolished to the satisfaction of the Council, when required by the Council to do so. And before the commencement of any excavation work all relevant engineering service utility agencies must be contacted for the relocation of the existing services

(10) **REMOVAL, RELOCATION OR REPLACEMENT OF SERVICES**

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

(11) **ACCESS**

- (i) Access to or egress from the township shall not be permitted along the boundary thereof abutting on Provincial Road R25 (P91/1).
- (ii) Access to or egress from the township along the boundary thereof abutting on the M37 (Van Riebeeck / Andries Pretorius Road) shall be to the satisfaction of the Council.

(12) **DISPOSAL OF ERF 2**

- (i) Erf 2 shall be transferred to the Council.

(13) **SECURITY FENCE ABUTTING PROVINCIAL ROAD R 25 (P 91/1)**

- (i) The township owner shall erect the security fence abutting Provincial Road R 25 (P 91/1)

3. CONDITIONS OF TITLE

The erven mentioned hereunder shall be subject to the conditions imposed by the City of Johannesburg in terms of the provisions of the Town-Planning and Townships Ordinance, 1986.

(1) ALL ERVEN

- (a) All erven shall be subject to a servitude, 2m wide, in favour of the Council, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in case of a panhandle Erf, an additional servitude for municipal purposes 2m wide across the access portion of the Erf, if and when required by the Council: Provided that the Council 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 2m thereof.

(c) The Council shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by them 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 purposes subject to any damage being done during the process of construction, maintenance or removal of such sewerage mains and other works being made good by the Council.

(d) Except with the written consent of the Council and subject to any conditions as it may impose, neither the owner nor any person shall sink any wells or boreholes on the Erf, or abstract any subterranean water there from.

(e) The owner's shall be responsible for the maintenance of the security fence abutting Provincial Road R25 (P91/1).

(2) ERF 1

(a) Erf 1 is subject to a 5 m wide servitude for municipal purposes in favour of the Council as indicated on the General Plan.

PLAASLIKE BESTUURSKENNISGEWING 2336

**STAD VAN JOHANNESBURG
VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge Artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) verklaar die STAD VAN JOHANNESBURG hierby die dorp GREENSTONE PARK tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR HEARTLAND PROPERTIES (PTY) LTD INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 111('N GEDEELTE VAN GEDEELTE 66) VAN DIE PLAAS MODDERFONEIN NO 35 IR, PROVINSIE GAUTENG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

(1) NAAM

Die dorp sal bekend staan as GREENSTONE PARK.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan S.G. No.6169/2004

(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

- (i) uitgesonderd van die volgende voorwaardes ten gunste van die applicant welke regte van afstand gedoen is en wat nie oorgedra sal word nie naamlik:

" 1. The former Remaining Extent of Portion 4 of the Farm Modderfontein 35, Registration Division I.R., the Province of Gauteng, indicated by the figure AxyGHJKLMNPQRSTU on Diagram S.G. No 6168/2004 is subject to the following conditions:

(c) Entitled together with the owner of the remaining extent of the said Farm to a servitude of Right of Way for a Railway Line over: -

(iv) Portion of ZUURFONTEIN No. 369, Pretoria, held by Deed of Transfer No T1767/1890;

(v) The remaining extent and portion of ZUURFONTEIN No. 369, Pretoria, held under Deed of Transfer Nos. 8232/1906 and 4441/1898; and

(vi) Portion of ZUURFONTEIN No. 369, Pretoria, held under Deed of Transfer No 1768/1890;

as will appear from Notarial Deeds Nos. 315 - 317/1911 S registered on the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

(d) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the

figure aceb on diagram S.G.No. A10835/1993 annexed to Certificate of Consolidated Title No.

T141628/1998 is subject to the following conditions:-

(j) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.

(vii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

(viii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-

3. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma nine two seven four) Hectares;

4. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;

As will more fully appear from reference to the said Notarial Deed.

(ix) By Virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

(x) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-

3. Remaining Extent of Portion 218 of the Farm Zuurfontein 33, I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 dated 19 December 1972; and
4. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976;

As will more fully appear from reference to the said Notarial Deed.

(xi) By Notarial Deed K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.NoA4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

2. The former Remaining Extent of the Farm Modderfontein 35, Registration Division I.R., Province of Gauteng, indicated by the figure xBCDEFy on Diagram SG No. 6168/2004 is subject to the following conditions:

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(iv) remaining extent and portion of ZUURFONTEIN No. 369, Pretoria, held under Deed of Transfer Nos. 8232/1906 and 4441/1898; and

(v) Portion of ZUURFONTEIN No. 369, Pretoria, held under Deed of Transfer No 1768/1890;

as will appear from Notarial Deeds Nos. 315 - 317/1911 S registered on the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

(d) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G.No. A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-

(vii) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.

(viii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

(ix) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-

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4. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;

As will more fully appear from reference to the said Notarial Deed.

(x) By Virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

(xi) By virtue of Notarial Deed of servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-

3. Remaining Extent of Portion 218 of the Farm Zuurfontein 33, I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 dated 19 December 1972; and
4. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976;

As will more fully appear from reference to the said Notarial Deed.

(xii) By Notarial Deed K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.NoA4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

(c) (iv) By Virtue of Notarial Deed No. K970/91S servitude K1014/82S in favour of Eskom is cancelled only as it affects Remaining Extent of Portion 1 of the farm Klipfontein 12, I.R., Transvaal:-

3. The servitude is now registered over Remaining Extent of the Farm Modderfontein No. 35 and Remaining Extent of Portion 10 (a portion of portion 1) Klipfontein No. 12 I.R., Transvaal, as appears from the abovementioned Notarial Deed K970/91S.
4. Routes have been determined over the above two properties as will more fully appear from the aforesaid Notarial Deed."

(ii) Uitgesonderd van die volgende voorwaarde wat slegs Erf 1 raak::

" By virtue of Notarial Deed the withinmentioned property is subject to a servitude in favour of Rand Water Board as indicated by the figure RSTUVAabcdef on Diagram SG No. 6168/2004 annexed hereto and as will more fully appear from reference to the said Notarial Deed."

(4) BEGIFTIGING

Die applicant sal met die Raad die nodige reelings tref vir die betaling van 'n begiftiging vir die tekort in die voorsiening van geskikte oopruimte vir parke in terme van die Ordonansie op Dorpsbeplanning en Dorpe, 1986 (Ordinansie 15 van 1986).

(5) INGENEURSDIENSTE

Die applicant sal, wanneer hy van voorneme is om die vereiste ingeneursdienste te voorsien:

- (i) Elke ingeneursdiens ingevolge Hoofstuk V van die Ordinansie op Dorpsbeplanning en Dorpe, 1986 by ooreenkoms met die Raad klassifiseer as interne en eksterne ingeneursdienste.
- (ii) Water, elektrisiteit en sanitasie asook die konstruksie van paaie en stormwaterdreinerings installeer of voorsien tot die bevrediging van die Raad en vir hierdie doel moet verslae, planne en spesifikasies soos vereis word deur die Raad by die Raad ingedien word.

(6) VERANTWOORDELIKHEID TEN OPSIGTE VAN DIENSTE EN BEPERKING OP DIE VERVREEMDING VAN ERWE

Die dorpseienaar sal binne sodanige periode as wat die Raad mag bepaal sy verantwoordelikheid nakom met betrekking tot die voorsiening van water, elektrisiteit en riooldienste asook die konstruksie van paaie en stormwater dreinerings installing daarvan, soos wat daar vooraf tussen die eenaar en die Raad ooreengekom is. Erwe mag nie vervreem of oorgedra word in die naam van 'n koper alvorens die Raad gesertifiseer het dat voldoende waarborg / kontant bydraes aan die Raad betaal is in verband met die voorsiening van dienste deur die dorpseienaar.

(7) ELEKTRISITEIT

(i) JOHANNESBURG CITY POWER.

Die applikant sal bevredigende reelings tref met Johannesburg City Power vir die installering van elektrisitedienste in en vir die dorp.

(ii) ESKOM

Enige kostes en eise as gevolg van onderbrekings, inmenging of hervestiging van ESKOM dienste as gevolg van die stigting van die dorp sal deur die applikant gedra word.

(8) ONTVANGS EN VERSORGING VAN STORMWATER.

Die dorpseienaar sal die nodige reelings met die Raad tref vir die opstel en indiening vir goedkeuring van 'n stormwater beheerplan vir die ontvangs en versorging van stormwater in terme van die Ordinansie op Dorpsbeplanning en Dorpe, 1986 (Ordinansie 15 van 1986) en moet ingedien word by die Raad vir die oorweging van waarborg bydraes.

(9) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes of oor gemeenskaplike grense gelee is, laat sloop tot bevrediging van die Raad wanneer die Raad dit vereis. En voor die aanvang van enige uitgrawings moet alle Relevante ingeneursdienste verskaffings agentskappe genader word vir die verskuiwing van bestaande dienste.

(10) VERSKUIWING OF VERVANGING VAN MUNISIPALE DIENSTE.

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande Munisipale /

Telkom / Kragdiens te verskuif of te vervang moet die koste daarvan deur die dorpsenaar gedra word.

(11) TOEGANG

- (i) Toegang na en van die dorp sal nie langs die grens daarvan aangrensend aan Provinsiale Pad R25 (P91/1) toegelaat word nie.
- (ii) Toegang na en van die dorp sal langs die grens daarvan aangrensend aan die M37 (Van Riebeeck / Andries Pretoriusweg) tot die bevrediging van die Raad wees.

(12) VERVREEMDING VAN ERF 2.

- (i) Erf 2 sal aan die Raad oorgedra word.

(13) SEKURITEITSHEINING AANGRENSEND AAN PROVINSIALE PAD R25 (P91/1)

- (i) Die dorpsenaar sal die sekuriteitsheining aangrensend aan Provinsiale Pad R 25 (P91/1) oprig.

2. TITELVOORWAARDES

Die erwe hieronder genoem sal onderworpe wees aan die voorwaardes soos aangedui, opgele deur die Raad ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

(1) ALLE ERWE

- (a) Die erf is onderworpe aan 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad langs enige twee grense, uitgesonderd 'n straatgrens en in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Raad: Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
- (b) Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
- (c) Die Raad is geregtig om enige materiaal wat deur horn uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke wat hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke veroorsaak word.
- (d) Buiten met die skriftelike toestemming van die Raad en onderheuwig aan enige voorwaardes wat opgele word mag die eenaar of enige ander persoon nie enige putte of boorgate op die eiendom sink nie of so 'n persoon enige ondergrondse water daaruit onttrek nie.
- (e) Die eenaars sal verantwoordelik wees vir die onderhoud van die sekuriteitsheining aangrensend aan Provinsiale Pad R 25 (P91/1)

(2) ERF 1

- (a) Erf 1 is onderworpe aan 'n 5 m breed serwituut vir munisipale dienste ten gunste van die Raad soos aangedui op die Algemene Plan.

Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing.

IMPORTANT NOTICE

The
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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)

