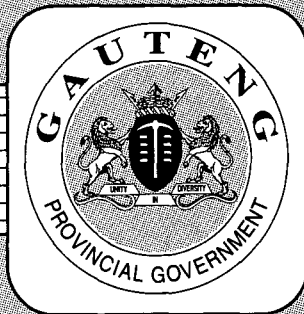


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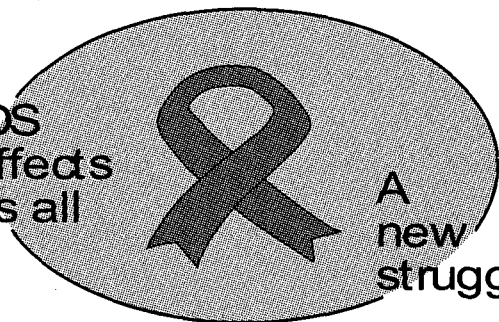
Vol. 10

PRETORIA, 12 MARCH
MAART 2004

No. 97

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PLAASLIKE BESTUURSKENNISGEWING 451

EKURHULENI METROPOLITAANSE MUNISIPALITEIT VERKLARING TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Ekurhuleni Metropolitaanse Munisipaliteit hierby dat die dorp, Edenvale Uitbreiding 5, tot 'n goedgekeurde dorp verklaar is, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR OSTIPROP 1195 (EDMS) BPK INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 102 VAN DIE PLAAS MODDERFONTEIN, 35-IR (VOORHEEN BEKEND AS GEDEELTES 45 EN 94 VAN DIE PLAAS MODDERFONTEIN, 35-IR), TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Edenvale Uitbreiding 5.

1.2 ONTWERP

Die dorp bestaan uit twee erwe soos aangedui op Algemene Plan L.G. Nr. 9191/2003.

1.3 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 die volgende voorwaardes:

- (a) Die serwitute en voorwaardes soos na verwys in titelvoorwaardes 1(i), 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14.1, 14.2, 14.3 en 15 gehou ingevolge Akte van Transport Nr.T152927/2002 met betrekking tot Gedeelte 94 van die plaas Modderfontein 35-IR, wat nie oorgedra word na die erwe in die dorp nie.
- (b) Die serwitute en voorwaardes soos na verwys in titelvoorwaardes A, B en C gehou ingevolge Akte van Transport Nr.T150426/2002 met betrekking tot Gedeelte 45 van die plaas Modderfontein 35-IR, wat nie oorgedra word na die erwe in die dorp nie.
- (c) Die ewigdurende serwituut van waterleiding by wyse van pyplyne oor 'n gedeelte van die eiendom 4007m² in omvang geregistreer ten gunste van Rand Water kragtens Notariële Akte van Serwituut K3638/1994S soos uitgebeeld deur die figuur ABCDEFGHJKLMNA op diagram L.G. Nr. A10037/1990, wat slegs Erf 1050 in die dorp raak.

1.4 REGISTRASIE VAN SERWITUUT

Gelyktydig met die registrasie van oordrag van Erf 1050, moet 'n Notariële Akte van Serwituut geregistreer word oor die genoemde Erf 1050 ten gunste van Eskom soos aangedui deur die figuur *AmnpqRSuvwx*A op Algemene Plan L.G. Nr. 9191/2003.

1.5 TOEGANG

Toegang tot die dorp moet tot bevrediging van die plaaslike bestuur wees. Geen ingang van Provinsiale Pad P 91-1 of Nasionale Pad N3 tot die dorp en geen uitgang tot Provinsiale Pad P 91-1 of Nasionale Pad N3 uit die dorp word toegelaat nie.

1.6 STRATE

Alle interne strate sal ontwikkel en onderhou word tot tevredenheid van die plaaslike bestuur.

1.7 ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpsenaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by dié van Provinsiale Pad P 91-1 (Modderfonteinweg) en moet die stormwater wat van die pad afloop of afgelei word, ontvang en versorg.

1.8 VERSKUIWING OF DIE VERVANGING VAN MUNISIPALE DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of te vervang moet die koste daarvan deur die dorpsenaar gedra word.

1.9 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING

Die dorpsenaar moet op eie koste 'n heining of ander fisiese versperring oprig tot bevrediging van die Gauteng Provinsiale Regering : Departement van Openbare Vervoer, Paaie en Werke en die Plaaslike Owerheid, soos en wanneer deur hom verlang om dit te doen, en die dorpsenaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl die erwe in die dorp oorgedra word na die gevolglike grondeienaars, waarna die verantwoordelikheid vir die instandhouding daarvan berus by die laasgenoemde.

1.10 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpsenaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.11 VERWYDERING VAN ROMMEL

Die dorpsenaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.12 VERSKUIWING EN/OF VERVANGING VAN TELKOM DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande TELKOM dienste te verskuif en/of te vervang, moet die koste daarvan deur die dorpsenaar gedra word.

1.13 KONSOLIDASIE VAN ERWE

Die dorpsenaar moet op eie koste die erwe in die dorp laat konsolideer. Toestemming tot die konsolidasie word hiermee deur die Plaaslike Owerheid verleen in terme van die bepalings van artikel 92(2) van Ordinansie 15 van 1986.

2. TITELVOORWAARDES

- 2.1 DIE ERWE HIERONDER GENOEM IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELEË DEUR DIE PLAASLIKE BESTUUR INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986.**

ALLE ERWE (ERWE 1050 EN 1051)

- (a) Die erf is onderworpe aan 'n serwituut 2m breed, vir munisipale doeleindes (water, riool, elektrisiteit en stormwater) (hierna verwys na as "die dienste"), 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 dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- (b) Geen gebou 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 2m daarvan geplant word nie.
- (c) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat 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 vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige dienste en ander werke veroorsaak word.

2.2 VOORWAARDES OPGELê DEUR DIE SUID-AFRIKAANSE NASIONALE PAD AGENTSKAP IN TERME VAN DIE BEPALINGS VAN ARTIKEL 49(5)(a)(i) VAN WET 7 VAN 1998

ALLE ERWE (ERWE 1050 EN 1051).

Geen struktuur of enigiets (ingesluit enigiets wat aan die grond verbonde is, al maak dit nie deel van daardie grond uit nie) mag opgerig of gelê word binne 'n afstand van 20m vanaf die nasionale padreserwegrens sonder die skriftelike goedkeuring van die Suid-Afrikaanse Nasional Pad Agenskap.

PAUL MASEKO : STADSBESTUURDER
 Burgersentrum, Posbus 25, EDENVALE, 1610
 Datum: 12 Maart 2004



LOCAL AUTHORITY NOTICE 451
EKURHULENI METROPOLITAN MUNICIPALITY
DECLARATION AS APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality hereby declares Edenvale Extension 5 Township to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY OSTIPROP 1195 (PTY) LTD UNDER THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 102 OF THE FARM MODDERFONTEIN, 35-IR (PREVIOUSLY DESCRIBED AS PORTIONS 45 AND 94 OF THE FARM MODDERFONTEIN, 35-IR), HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Edenvale Extension 5.

1.2 DESIGN

The township shall consist of 2 erven, as indicated on SG No. 9191/2003.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

- (a) The servitudes and conditions as referred to in conditions 1(i), 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14.1, 14.2, 14.3 and 15 held under Deed of Transfer No.T152927/2002 in respect of Portion 94 of the farm Modderfontein 35-IR, which shall not be transferred to the erven in the township.
- (b) The servitudes and conditions as referred to in conditions A, B and C held under Deed of Transfer No.T150426/2002 in respect of Portion 45 of the farm Modderfontein 35-IR, which shall not be transferred to the erven in the township.
- (c) The servitude in perpetuity to convey water by means of pipelines over a strip of property 4007m² in extent registered in favour of Rand Water by virtue of Notarial Deed of Servitude K3638/1994S and depicted by the figure ABCDEFGHJKLMNA on diagram S.G. No. A10037/1990, which affects only Erf 1050 in the township.

1.4 REGISTRATION OF SERVITUDE

Simultaneous with the registration of transfer of Erf 1050, a Notarial Deed of Servitude must be registered over the said Erf 1050 in favour of Eskom as indicated by the figure *AmnpqyRSuvwx*A on SG No 9191/2003.

1.5 ACCESS

Access to the township shall be to the satisfaction of the Local Authority. No ingress from Provincial Road P 91-1 or National Road N3 to the township and no egress to Provincial Road P 91-1 or National Road N3 from the township shall be allowed.

1.6 STREETS

All internal roads shall be constructed and maintained to the satisfaction of the Local Authority.

1.7 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Provincial Road P 91-1 (Modderfontein Road) and he shall receive and dispose of the stormwater running off or being diverted from the road.

1.8 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

Should it become necessary to move or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.9 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Gauteng Provincial Government: Department of Transport and Public Works and the Local Authority, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing

landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

1.10 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the Local Authority to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the Local Authority all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.11 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the Local Authority, when required to do so by the Local Authority.

1.12 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove and/or replace any existing TELKOM services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.13 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have the erven in the township consolidated. Consent for the consolidation is hereby granted in terms of the provisions of section 92(2) of Ordinance 15 of 1986 by the Local Authority.

2. CONDITIONS OF TITLE

2.1 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.

ALL ERVEN (ERVEN 1050 AND 1051)

- (a) The erf shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the local authority, 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, 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 a distance of 2m 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 construction, maintenance or removal of such services and other works as it, in its discretion may deem necessary, and shall furthermore be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Local Authority shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.2 CONDITIONS IMPOSED BY THE SOUTH AFRICAN NATIONAL ROADS AGENCY IN TERMS OF THE PROVISIONS OF ARTICLE 49(5)(a)(i) OF ACT 7 OF 1998

ALL ERVEN (ERVEN 1050 AND 1051)

No structure or other thing (including anything which is attached to the land on which it stands even though it does not form part of that land) shall be erected, laid or established without the written approval of the NRA within a distance of 20 metres measured from the national road reserve boundary.

PAUL MASEKO: CITY MANAGER

Civic Centre, PO Box 25, EDENVALE, 1610

Date: 12 March 2004

PLAASLIKE BESTUURSKENNISGEWING 452

**KENNISGEWING VAN GOEDKEURING
EDENVALE WYSIGINGSKEMA 786**

Hiermee word ooreenkomstig die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Ekurhuleni Metropolitaanse Munisipaliteit, 'n wysigingskema, synde 'n wysiging van die Edenvale Dorpsbeplanningskema, 1980, wat uit dieselfde grond as die dorp Edenvale Uitbreiding 5 bestaan, goedgekeur het.

Kaart 3 en die betrokke Bylae van die wysigingskema word in bewaring gehou te Burgersentrum, Van Riebeecklaan, Edenvale en die Direkteur: Ontwikkelingsbeplanning, Departement van Ontwikkelingsbeplanning en Plaaslike Regering, Johannesburg, en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Edenvale Wysigingskema 786 en sal van krag wees vanaf die datum van hierdie kennisgewing.

PAUL MASEKO : STADSBESTUURDER

Burgersentrum, Posbus 25, EDENVALE, 1610

Datum: 12 Maart 2004

t
LOCAL AUTHORITY NOTICE 452

**NOTICE OF APPROVAL
EDENVALE AMENDMENT SCHEME 786**

The Ekurhuleni Metropolitan Municipality hereby declares that in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) that it has approved an amendment scheme, being an amendment of the Edenvale Town Planning Scheme, 1980, comprising of the same land as included in the township Edenvale Extension 5.

Map 3, the Annexure and the relevant scheme clauses of the amendment scheme are filed at the Civic Centre, Van Riebeeck Avenue, Edenvale and the Director: Development Planning, Department of Development Planning and Local Government, Johannesburg, and are open for inspection at all reasonable times.

This amendment is known as the Edenvale Amendment Scheme 786 and will be effective as from the date of this publication.

PAUL MASEKO: CITY MANAGER

Civic Centre, PO Box 25, EDENVALE, 1610

Date: 12 March 2004