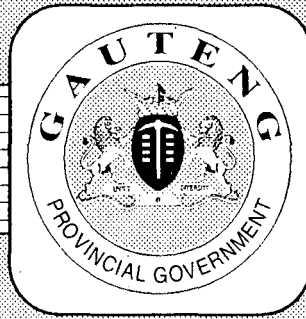


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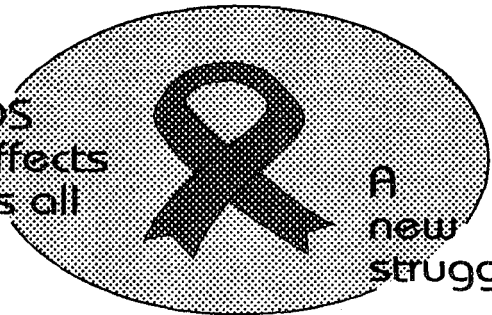
Vol. 11

PRETORIA, 2 JUNE 2005
JUNIE

No. 235

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1209

DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Fourways Extension 48** to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY ETERNAL PROPERTIES (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT/ TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 428 OF THE FARM ZEVENFONTEIN 407 JR HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) Name

The name of the township shall be Fourways Extension 48.

(2) Design

The township shall consist of erven and the streets as indicated on General Plan S.G. No. 5729/2004.

(3) Provision and installation of services

The township owner shall make the necessary arrangements with the local authority for the provision and installation of water and sanitation as well as the construction of roads and stormwater drainage in the township, to the satisfaction of the local authority.

(4) Electricity

(a) The local authority is not the bulk supplier of electricity in the township. The township owner shall in terms of Section 118(2)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) make arrangements in this regard with ESKOM, the licensed supplier of electricity in the township.

(b) The local authority shall be notified in writing that satisfactory arrangements have been made in respect of the supply of electricity to the township and in this connection, the township owner shall submit the following to the local authority:

- (1) A certified copy of the agreement in respect of the supply of electricity entered into with ESKOM;
- (2) A certificate by the licensed supplier of electricity that acceptable financial arrangements with regard to (1) above have been made by the township owner.

(5) Access

No access to or egress from the township shall be permitted along the lines of no access as indicated on the approved layout plan of the township.

(6) Provincial Government

(a) Should the development of the township not been completed on or before 1 August 2013, the application shall be resubmitted to the Department of Public Transport, Roads and Works (Gauteng Provincial Government) for reconsideration.

(b) If however, before the expiry date of the mentioned period, circumstances change in such a way that roads and/or PWV routes under the control of the said Department are affected by the proposed layout of the township, the applicant shall resubmit the application for the purpose of fulfilment of the requirements of the controlling authority in terms of the provisions of Section 11 of Act 21 of 1940, as amended.

(7) Demolition of buildings and structures

The township owner shall at his own cost 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 the local authority requires it.

(8) Disposal of existing Conditions of Title

All erven shall be made subject to existing conditions and servitudes, if any, excluding the following servitudes:

A. WHICH ONLY AFFECTS ERF 2378:

The servitude for electrical purposes in favour of ESKOM vide diagram S.G. No 2741/2004.

B. WHICH ONLY AFFECTS ERF 2383:

(a) *The servitude of right of way and municipal purposes in favour of the City of Johannesburg Metropolitan Municipality vide diagram SG No. 7874/2003 registered in terms of Notarial Deed of Servitude K7907/03.*

(b) *The servitude of right of way registered in favour of Eagle Trace Estate Homeowners Association, vide diagram SG No. 7874/2003 registered in terms of Notarial Deed of Servitude K7908/03, which servitude shall lapse by merger on transfer of Erf 2383.*

C. WHICH ONLY AFFECTS ERF 2384 AND A STREET:

(a) *The servitude of right of way and municipal purposes in favour of the City of Johannesburg Metropolitan Municipality vide diagram SG No. 7873/2003 registered in terms of Notarial Deed of Servitude K7906/03.*

(b) *The servitude of right of way registered in favour of Eagle Trace Estate Homeowners Association, vide diagram SG No. 7873/2003 registered in terms of Notarial Deed of Servitude K7902/03, which servitude shall partially lapse by merger on transfer of Erf 2384.*

(9) Notarial tie of Erven

The township owner shall, at its own costs, notarially tie Erf 2383, Erf 2384 and Erf 2385 with Erf 2120 Fourways Extension 37 to the satisfaction of the local authority, after proclamation of the township but prior to the transfer of any erf/unit in the township.

(10) Restriction on the transfer of erven

Erven 2383, 2384 and 2385 shall be transferred only to Eagle Trace Estate Homeowners Association, which Association shall have full responsibility for the functioning and proper maintenance of the said erven and the essential services within the said erven.

(11) Endowment

The township owner shall, in terms of the provisions of Section 98(2) of the Town Planning and Townships Ordinance, 15 of 1986, pay a lump sum as endowment to the local authority for the provision of land for a park (public open space).

(12) Obligations with regard to services and restriction regarding the alienation of erven

The township owner shall within such period as the local authority may determine, fulfil his obligations in respect of the provision of water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, 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 local authority 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 local authority.

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 (except Erven 2383, 2384 and 2385)

(a) Each 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 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 2380, 2381 and 2382

The registered owner of each of the erven shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the Department of Public Transport, Roads and Works (Gauteng Provincial Government) along the boundaries abutting Road K46 (P79-1). The erection of such barrier shall be done to the satisfaction of the said Department and such fence shall be maintained by the owner, to the satisfaction of the said Department.

(3) Erven 2383 and 2384

The erven shall not be alienated or transferred into the name of any purchaser other than the Eagle Trace Estate Homeowners Association, without the written consent of the local authority first having been obtained.

(4) Erf 2385

(a) The entire erf as indicated on the General Plan is subject to a servitude for municipal purposes and right of way in favour of the local authority.

(b) The erf shall not be alienated or transferred into the name of any purchaser other than the Eagle Trace Estate Homeowners Association, without the written consent of the local authority first having been obtained.

P. Moloï City Manager

(Notice 497/2005

May 2005

LOCAL AUTHORITY NOTICE 1209

VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Stad van Johannesburg Metropolitaanse Munisipaliteit hiermee die dorp **Fourways Uitbreiding 48** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ETERNAL PROPERTIES (EDMS) BPK (HIERNA DIE AANSOEKDOENER/ DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 428 VAN DIE PLAAS ZEVENFONTEIN 407 JR TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

(1) Naam

Die naam van die dorp is Fourways Uitbreiding 48.

(2) Ontwerp

Die dorp bestaan uit erwe en 'n straat soos aangedui op Algemene Plan LG Nr 5729/2004.

(3) Voorsiening en installering van dienste

Die dorpsseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van water en sanitêre dienste asook die konstruksie van strate en stormwaterdreinerings in die dorp, tot tevredenheid van die plaaslike bestuur.

(4) Elektrisiteit

(a) Die plaaslike bestuur is nie die grootmaat verskaffer van elektrisiteit aan die dorp nie. Die

dorpseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, die nodige reëlings tref met ESKOM, die gelisensieerde verskaffer van elektrisiteit in die dorp.

(b) Die plaaslike bestuur moet skriftelik verwittig word dat bevredigende reëlings met betrekking tot die voorsiening van elektrisiteit aan die dorp, getref is en in die verband moet die dorpseienaar die volgende aan die plaaslike bestuur verskaf:

- (1) 'n Gesertifiseerde afskrif van die ooreenkoms aangegaan met ESKOM rakende die voorsiening van elektrisiteit;
- (2) 'n Sertifikaat uitgereik deur ESKOM dat aanvaarbare finansiële reëlings met betrekking tot (1) hierbo, deur die dorpsdigter getref is.

(5) Toegang

Geen toegang tot of uitgang vanuit die dorp sal langs die lyne van geen toegang, soos aangedui op die goedgekeurde uitlegplan van die dorp, toegelaat word nie.

(6) Provinsiale Regering

(a) Indien die ontwikkeling van die dorp nie voor of op 1 Augustus 2013 voltooi word nie, moet die aansoek heringedien word by die Departement van Publieke Vervoer, Paaie en Werke (Gauteng Provinsiale Regering) vir heroorweging.

(b) Indien omstandighede egter, voor die verstryking van die gemelde periode, tot so 'n mate verander dat paaie en/of PWV roetes onder die beheer van die betrokke Departement deur die beoogde uitleg van die dorp geraak word, moet die applikant die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beherende liggaam in gevolge die bepalinge van Artikel 11 van Wet 21 van 1940, soos gewysig.

(7) Sloping van geboue en strukture

Die dorpseienaar 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.

(8) Beskikking oor bestaande Titellovoorwaardes

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige, uitgesonderd die volgende serwitute:

A. WAT SLEGS ERF 2378 RAAK:

The servitude for electrical purposes in favour of ESKOM vide diagram S.G. No 2741/2004.

B. WAT SLEGS ERF 2383 RAAK:

(a) *The servitude of right of way and municipal purposes in favour of the City of Johannesburg Metropolitan Municipality vide diagram SG No. 7874/2003 registered in terms of Notarial Deed of Servitude K7907/03.*

(b) *The servitude of right of way registered in favour of Eagle Trace Estate Homeowners Association, vide diagram SG No. 7874/2003 registered in terms of Notarial Deed of Servitude K7908/03, which servitude shall lapse by merger on transfer of Erf 2383.*

C. WAT SLEGS ERF 2384 EN 'n STRAAT RAAK:

(a) *The servitude of right of way and municipal purposes in favour of the City of Johannesburg Metropolitan Municipality vide diagram SG No. 7873/2003 registered in terms of Notarial Deed of Servitude K7906/03.*

(b) *The servitude of right of way registered in favour of Eagle Trace Estate Homeowners Association, vide diagram SG No. 7873/2003 registered in terms of Notarial Deed of Servitude K7902/03, which servitude shall partially lapse by merger on transfer of Erf 2384.*

(9) Notariële verbinding van erwe

Die dorpseienaar moet, op eie koste, Erf 2383, Erf 2384 en Erf 2385 notariële verbind met Erf 2120 Fourways Uitbreiding 37, tot tevredeheid van die plaaslike bestuur, na proklamasie van die dorp maar voor oordrag van enige erf/eenheid in die dorp.

(10) Beperking op die oordrag van erwe

Erwe 2383, 2384 en 2385 mag slegs aan Eagle Trace Estate Huiseienaarsvereniging oorgedra word, welke Vereniging volle verantwoordelikheid sal dra vir die funksionering en behoorlike instandhouding van die gemelde erwe en die noodsaaklike dienste binne die gemelde erwe.

(11) Begiftiging

Die dorpseienaar moet, ingevolge die bepalings van Artikel 98(2) van die Dorpsbeplanning en Dorpe Ordonnansie, Nr 15 van 1986, 'n globale bedrag as begiftiging aan die plaaslike bestuur betaal vir die voorsiening van grond vir 'n park (publieke oop ruimte).

(12) Verpligtinge ten opsigte van dienste en beperking betreffende die vervreemding van erwe

Die dorpseienaar moet binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom. Erwe mag nie vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur bevestig het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die plaaslike bestuur gelewer of betaal is nie.

2. TITELVOORWAARDES

Die erwe hieronder genoem is onderworpe aan die voorwaardes soos aangedui, opgelê deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

(1) Alle erwe (behalwe Erwe 2383, 2384 en 2385)

(a) Elke erf is onderworpe aan 'n serwituut 2 m breed, ten gunste van die plaaslike bestuur, vir riolerings- en ander munisipale doeleindes, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 m 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 2 m 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 rioolhoofpypleidings, en ander werke wat hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees 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 verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(2) Erwe 2380, 2381 en 2382

Die geregistreerde eienaar van elkeen van die erwe, moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement van Publieke Vervoer, Paaie en Werke (Gauteng Provinsiale Regering) oprig langs die grense aangrensend aan Pad K46(P79-1). Die oprigting van sodanige versperring moet tot tevredenheid van die gemelde Departement gedoen word en sodanige heining moet deur die eienaars instand gehou word tot tevredenheid van die gemelde Departement.

(3) Erwe 2383 en 2384

Die erwe mag nie vervreem of oorgedra word in die naam van enige koper behalwe aan Eagle Trace Estate Huiseienaarsvereniging, sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie.

(4) Erf 2385

(a) Die hele erf soos aangedui op die Algemene Plan is onderworpe aan 'n serwituut vir munisipale doeleindes en reg-van-weg, ten gunste van die plaaslike bestuur.

(b) Die erf mag nie vervreem of oorgedra word in die naam van enige koper behalwe aan Eagle Trace Estate Huiseienaarsvereniging, sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie.

LOCAL AUTHORITY NOTICE 1210**AMENDMENT SCHEME 02-1918**

The City of Johannesburg Metropolitan Municipality 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 Peri-Urban Areas Town Planning Scheme, 1975, comprising the same land as included in the township of **Fourways Extension 48**. Map 3 and the 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.

This amendment is known as Amendment Scheme 02-1918.

P. Moloi City Manager

(Notice 498/2005)

May 2005

PLAASLIKE BESTUURSKENNISGEWING 1210**WYSIGINGSKEMA 02-1918**

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe Nr 15 van 1986, dat hy 'n wysigingskema synde 'n wysiging van die Buitestedelike Gebiede Dorpsbeplanning Skema, 1975, wat uit dieselfde grond as die dorp **Fourways Uitbreiding 48** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Vervoer en Omgewing: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 02-1918.

P. Moloi Stadsbestuurder

(Kennisgewing 498/2005)

Mei 2005