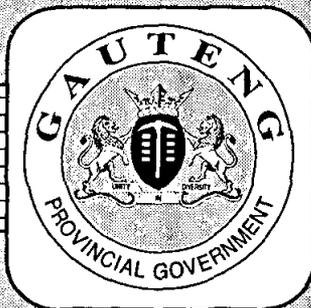


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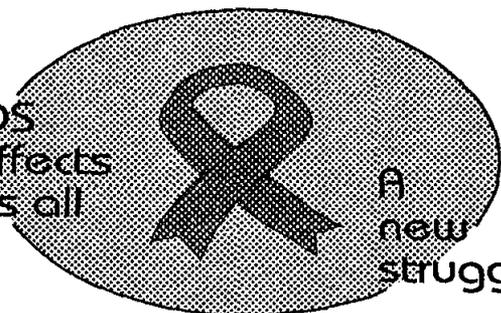
Vol. 11

PRETORIA, 30 SEPTEMBER 2005

No. 415

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CONTENTS • INHOUD

No.		Page No.	Gazette No.
LOCAL AUTHORITY NOTICES			
2367	Town-planning and Townships Ordinance (15/1986): City of Johannesburg Metropolitan Municipality: Declaration as an approved township: Ormonde Extension 36.....	10	415
2368	do.: do.: Johannesburg Amendment Scheme 492036	17	415
2369	do.: do.: Declaration as an approved township: Ormonde Extension 37	22	415
2370	do.: do.: Johannesburg Amendment Scheme 492037	26	415
2371	do.: do.: Declaration as an approved township: Ormonde Extension 39	34	415
2372	do.: do.: Johannesburg Amendment Scheme 492039	41	415

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with effect from 3 May 2005.**

For enquiries and information:

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Cell: 083 640 6121**

LOCAL AUTHORITY NOTICES

PLAASLIKE BESTUURSKENNISGEWING 2367

PLAASLIKE BESTUURSKENNISGEWING 929 VAN 2005

JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT

VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar Johannesburg Stad, Metropolitaanse Munisipaliteit hierby Ormonde uitbreiding 36 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR INDUSTRIAL ZONE BEPERK 71/08146/06 (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN ARTIKEL 98(1) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 5 EN 6 VAN DIE PLAAS VIERFONTEIN 321, REGISTRASIE AFDELING I.Q., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. Stigtingsvoorwaardes

1.1 Naam

Die naam van die dorp is Ormonde uitbreiding 36.

1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 10358/2003.

1.3 Ingenieursdienste

1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwater dreinerings en om 'n bydrae vir eksterne dienste te betaal; en

1.3.2 die plaaslike bestuur is verantwoordelik vir die installering en voorsiening van eksterne ingenieursdienste.

Die dorpseienaar sal, wanneer hy van voorneme is om die dorp van ingenieurs- en noodsaaklike dienste te voorsien :

1.3.3 elke ingenieursdiens wat vir die dorp voorsien moet word, ingevolge artikel 116 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) by ooreenkoms met die plaaslike bestuur klassifiseer as interne en eksterne ingenieursdienste; en

1.3.4 alle interne ingenieursdienste en noodsaaklike dienste installeer en voorsien tot bevrediging van die plaaslike bestuur en vir hierdie doel moet die verslae, planne en spesifikasies soos vereis deur die plaaslike owerheid ingedien word.

1.4 Beskikking oor bestaande titel voorwaardes

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

- 1.4.1 Die serwituut vir 'n waterpyplyn met met bykomende regte ten gunste van die Peri – Urban Raad wat geregistreer is in terme van Notarële Akte van Serwituut No 1041/62S en aangedui word op SG diagram SG No. A 3273/60 wat nie die dorpsgebied raak nie;
- 1.4.2 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K1233/62S en aangedui word op diagram SG No. A 441/61 wat nie die dorpsgebied raak nie;
- 1.4.3 Die serwituut vir riool doeleindes met bykomende regte ten gunste van Erf 163 Baragwanath Uitbreiding 1 Johannesburg wat geregistreer is in terme van Notarële Akte van Serwituut No 1077/63S gedateer 29 November 1962 wat nie die dorpsgebied raak nie;
- 1.4.4 Die serwituut ten gunste van Johannesburg Stadsraad on elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K751/65S wat nie die dorpsgebied raak nie;
- 1.4.5 Die serwituut ten gunste van Eskom vir die oprigting van 'n elektriese substasie met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K338/67S en aangedui word op diagram SG No A 3676/82 wat nie die dorpsgebied raak nie;
- 1.4.6 Die serwituut ten gunste van Gaskor om gas te gelei oor die eiendom met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K591/71S en aangedui word op diagram SG No. A 4187/67 wat nie die dorpsgebied raak nie;
- 1.4.7 Die ewigdurende serwituut vir riool doeleindes met bykomende regte ten gunste van Johannesburg Stadsraad wat geregistreer is in terme van Notarële Akte van Serwituut No K2504/75S wat nie die dorpsgebied raak nie;
- 1.4.8 Die ewigdurende serwituut ten gunste van Johannesburg Stadsraad om water te gelei oor die eiendom met bykomende regte oor 'n area wat aangedui word deur die figure ABCD en EFGHJK wat geregistreer is in terme van Notarële Akte van Serwituut No K1199/80S en aangedui word op diagram SG No. A 87/79 wat nie die dorpsgebied raak nie;
- 1.4.9 Die pyplyn serwituut wat oorgedra is tengunste van die Republiek van Suid Afrika wat gedeeltelik gekanseller is in terme van Notarële Akte K 2235/1998S wat nie die dorpsgebied raak nie;
- 1.4.10 Die ewigdurende serwituut ten gunste van Gaskor om gas te gelei oor die eiendom met bykomende regte oor 'n area wat aangedui word deur die figure ABCDEF en geregistreer is in terme van Notarële Akte van Serwituut No K2172/85S en aangedui word op diagram SG No. A 9088/1983 wat nie die dorpsgebied raak nie;
- 1.4.11 Die serwituut vir riooldoeleindes met bykomende regte ten gunste van Johannesburg Stadsraad oor 'n area wat aangedui word deur die figure ABCDEFGHJKLMNPQRSTU wat geregistreer is in terme van Notarële Akte van Serwituut No K824/86S en aangedui word op diagram SG No. A 9489/84 wat nie die dorpsgebied raak nie;
- 1.4.12 Die ewigdurende serwituut vir waterdoeleindes met bykomende regte ten gunste van Rand Water Raad oor 'n area wat aangedui word deur die figuur ABCDE op diagram SG No A8780/84 en die gedeelte wat 3,2331 hektaar groot is wat

aangedui word deur die figuur ABCDEFGHJ op diagram SG No A8781/84 wat geregistreer is in terme van Notarële Akte van Serwituut No K77/87S wat nie die dorpsgebied raak nie;

- 1.4.13 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte deurmiddel van geleidingslyne waarvan die middellyn van die serwituut aangedui word deur die lyn aBCb en Bed op diagram SG No A11405/83 en SG A11406/83 wat geregistreer is in terme van Notarële Akte van Serwituut No K3491/87S wat nie die dorpsgebied raak nie;
- 1.4.14 Die serwituut van reg van weg met bykomende regte wat toegestaan is aan RMP en aangedui word deur die figuur ABCDEF in terme van Notarële Akte van Serwituut No K2911/90S en aangedui word op diagram SG No. A 6653/89 wat nie die dorpsgebied raak nie;
- 1.4.15 Die serwituut van reg van weg vir padoeleindes ten gunste van Johannesburg Stadsraad met bykomende regte wat aangedui word deur die figuur ABCDEFG in terme van Notarële Akte van Serwituut No K4460/90S en aangedui word op diagram SG No. A 6090/90 wat nie die dorpsgebied raak nie;
- 1.4.16 Die serwituut van reg van weg met bykomende regte wat toegestaan is aan RMP Bestuursdienste BPK wat aangedui word deur die figuur ABCDEFGHJKLM in terme van Notarële Akte van Serwituut No K4461/90S en aangedui word op diagram SG No. A 4401/90 wat nie die dorpsgebied raak nie;
- 1.4.17 Die serwituut vir konstruksie en instandhouding en elektriese substasie ten gunste van Johannesburg Stadsraad met bykomende regte wat aangedui word deur die figuur ABCD in terme van Notarële Akte van Serwituut No K2133/91S en aangedui word op diagram SG No. A 6678/90 wat nie die dorpsgebied raak nie;
- 1.4.18 Die ewigdurende pyplyn serwituut met bykomende regte ten gunste van Rand Water Raad soos aangedui deur die figuur ABC en geregistreer is in terme van Notarële Akte van Serwituut No K909/92S en aangedui word op diagram SG No. A 2147/91 wat nie die dorpsgebied raak nie;
- 1.4.19 Die pyplyn serwituut ten gunste van Johannesburg Stadsraad om water te gelei oor die eiendom met bykomende regte wat aangedui word deur die figuur ABC in terme van Notarële Akte van Serwituut No K2957/93S en aangedui word op diagram SG No. A 1123/87 wat nie die dorpsgebied raak nie;
- 1.4.20 Die ewigdurende serwituut ten gunste van AECI vir doeleindes om 'n gas pyplyn te konstrueer, te lê en te onderhou wat aangedui word deur die figuur ABCDEFGHJKLM in terme van Notarële Akte van Serwituut No K2956/93S en aangedui word op diagram SG No. A 5502/90 wat nie die dorpsgebied raak nie;
- 1.4.21 Die serwituut ten gunste van Johannesburg Stadsraad vir die oprigting en onderhoud van elektriese geleidingslyne en aanverwante doeleindes wat aangedui word deur die figuur ABCDEFGHJKLMN in terme van Notarële Akte van Serwituut No K2961/93S en aangedui word op diagram SG No. A 103/93 wat nie die dorpsgebied raak nie;
- 1.4.22 Die serwituut ten gunste van Johannesburg Stadsraad vir die onderhoud van elektriese geleidingslyne en aanverwante doeleindes wat aangedui word deur die figuur ABCDEFGHJK in terme van Notarële Akte van Serwituut No K5528/93S en aangedui word op diagram SG No. A 3625/1993 wat nie die dorpsgebied raak nie;

- 1.4.23 Die serwituut ten gunste van Suidelike Metropolitaanse Substruktuur vir die Groter Johannesburg Metropolitaanse Oorgangsraad met bykomende regte wat aangedui word deur die figuur ABCDA in terme van Notarële Akte van Serwituut No K6286/97S en aangedui word op diagram SG No. A 10606/1993 wat nie die dorpsgebied raak nie;
- 1.4.24 Die ewigdurende reg van weg serwituut ten gunste van Crown Consolidated Gold Recoveries Beperk wat geregistreer is in terme van Notarële Akte van Serwituut No K1936/99S wat nie die dorpsgebied raak nie;
- 1.4.25 Die serwituut ten gunste van Gaskor om gas te gelei oor die eiendom met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K632/71S en aangedui word op diagram SG No. A 4188/67 wat nie die dorpsgebied raak nie;
- 1.4.26 Die 2m ewigdurende serwituut vir die geleiding van water ten gunste van die Johannesburg Stadsraad wat aangedui word deur die figuur ABCD in terme van Notarële Akte van Serwituut No K1199/80S en aangedui word op diagram SG No. A 88/79S wat nie die dorpsgebied raak nie;
- 1.4.27 Die ewigdurende riool serwituut met bykomende regte ten gunste van die Johannesburg Stadsraad wat aangedui word deur die figuur ABCDE in terme van Notarële Akte van Serwituut No K88/79 en die figuur ABCD wat aangedui word op diagram SG No. A 4731/85 wat nie die dorpsgebied raak nie;
- 1.4.28 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K1398/1991S op diagram SG NO. A6909/88 wat nie die dorpsgebied raak nie;
- 1.4.29 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K559/89S waarvan die presiese roete bepaal word deur Notariële Akte K1398/1991S op diagram SG No. A6909/88 wat nie die dorpsgebied raak nie;
- 1.4.30 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K561/89S waarvan die presiese roete bepaal word deur Notariële Akte K6346/1992S waarvan die middellyn van die serwituut aangedui word deur lyne abc en def op diagram SG No. A11208/1996 wat 11 meter op beide kante van die lyne oorskry wat nie die dorpsgebied raak nie;
- 1.4.31 Die volgende voorwaardes wat nie aan die erwe in die dorp oorgedra moet word nie:

Titel Akte T44808/98 voorwaardes:

- A.2. Entitled to a right of way together with ancillary rights over Erf 4 Baragwanath Extension 1 held under Certificate of Registered Title T 27397/61 as will more fully appear from reference to Notarial Deed K1538/61.
- "C.3. A portion measuring approximately 5,7600 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(a) of Act 54/1971 vide EX79/1978."
- D. The former Remaining Extent of Portion 5 of the farm Vierfontein 321, Registration Division I.Q. Transvaal, measuring 619,8247 (SIX HUNDRED AND NINETEEN comma EIGHT TWO FOUR SEVEN) hectares, whereof the property held hereunder forms a portion, is subject to the following conditions:

A portion measuring approximately + 20,3200 hectares has been expropriated by the National Transport Commission in terms of Section 8(1)(a) of Act 54/1971 vide notice of Expropriation EX 695/1981.

- E.3. A portion measuring approximately + 3,800 hectares has been expropriated by the Department of Transport in terms of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX 253/1982.
4. A portion measuring approximately 20,3200 hectares has been expropriated by the National Transport Commission in favour of Section 8(1) (a) of Act 54/1971 vide EX 645/1981.
5. A portion measuring approximately + 2,5300 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(b) of Act 54/1971 vide Expropriation Notice 342/1982, which has been partially cancelled by EX413/89 in respect of portion measuring 4100 square metres, 500 square metres and 3100 square metres.
6. A portion measuring approximately +1,704 hectares has been expropriated by the Department of Transport in favour of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX622/1982.
7. A portion measuring approximately + 3,2100 hectares has been expropriated by the South African Railways and Harbours Administration in terms of Section 8(1)(a) of Act 54/1971 vide Expropriation Notice EX 275/1983.
- F The former Remaining Extent of Portion 5 of the farm Vierfontein 321, registration Division I.Q. Transvaal, measuring 396,5256 (THREE HUNDRED AND NINETY SIX comma FIVE TWO FIVE SIX) hectares, whereof the property held hereunder forms a portion, is subject to:
- A portion measuring + 6,3 metres wide has been expropriated by the South African railways and Harbours Administration in terms of Section 32(5) of Act 37/1955 vide Expropriation Notice EX177/1984.
- G.5. A portion measuring + 1,7749 hectares has been expropriated by the Department of Development Planning Environment and Works vide EX294/1987;
- K.2. A portion measuring approximately +6,5133 hectares has been expropriated by the City Council of Johannesburg in terms of Section 5 of Act 63/1975 vide Expropriation Notice EX349/1991.
- O.2. A portion measuring approximately +5,7600 hectares has been expropriated by the Department of Transport in terms of Section 891)(a) of Act 56/1971 vide expropriation Notice EX79/1971.
- P The former Remaining Extent of the farm Vierfontein 321, registration Division I.Q. Transvaal; measuring 235,2586 (TWO HUNDRED AND THIRTY FIVE comma TWO FIVE EIGHT SIX) hectares subject to the Expropriation of a servitude for overhead transmission lines and underground electricity cables measuring 4,3885 hectares in favour of Greater Johannesburg Transitional Metropolitan Council in terms of Section 79(24) of Ordinance 17139 by Notice of Expropriation EX62/96.
- 1.4.32 Die volgende voorwaardes wat nie aan die erwe in die dorp oorgedra moet word nie:

Titel Akte T 4103/98 voorwaaarde:

6. Subject to Expropriation Notice EX 190/95 in favour of the Department of Planning Environment and Works in terms of Act 63 of 1975.

1.4.33 Die serwituut ten gunste van Telkom wat slegs erwe 1305, 1277, 1324, 1328 en 1327 in die dorp raak.

1.5 Sloping van geboue en structure

Die dorpseienaar moet op eie koste alle bestaande geboue en structure wat binne die boulynreserwes, kant ruimtes en oor gemeenskaplike grense gelee is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.6 Verwydering van rommel

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

1.7 Verskuiwing of 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 dorpseienaar gedra word.

1.8 Verskuiwing van kraglyne

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kraglyne van ESKOM of Telkom te verskuif, moet die koste daarvan deur die dorpseienaar gedra word.

1.9 Verantwoordelikheid ten opsigte van dienste en beperking op die vervreemding van erwe.

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

1.10 Samestelling en pligte van die Huiseienaars Assosiasie

1.10.1 Die applikant sal 'n Huiseienaars Assosiasie, oordentlik en wettig saamstel tot bevrediging van die plaaslike bestuur, voor of gelyktydig met die verkoop van die eerste erf in die dorp.

1.10.2 Erwe 1328, 1326, 1327 en 1325 (Privaat Oop Ruimste) sowel as Erf 1324 (Toegang) moet in die naam van die Huiseienaars Assosiasie geregistreer word.

1.10.3 Een en elke eienaar van erwe 1268 tot 1323 moet lid word van die Huiseienaars Assosiasie op oordrag van die erwe. Hierdie huiseienaars Assosiasie sal volle verantwoordelikheid van alle essensiele dienste (uitgesluit die dienste wat deur die Raad oorgeneem word) wat binne Erwe 1325 – 1328 en Erf 1324 geleë is oorneem.

1.10.4 Die Huiseienaars Assosiasie sal volle wettlike mag hê om van een en elke lid die koste te verhaal wat nodig is om sy werk te verrig en sal wettlike regte hê om sodanige kostes van enige lid te verhaal indien die lid nie sy verantwoordelikhede nakom nie.

1.10.5 Die plaaslike bestuur kan nie verantwoordelik gehou word indien die oppervlakte van die toegangs erf onklaar raak nie en/of enige ander dienste, met die uitsondering van

dienste wat deur die Raad oorgeneem is.

- 1.10.6 Toegang van erwe 1268 - 1323 na 'n publieke straat moet oor Erf 1324 geskied.
- 1.10.7 Die plaaslike bestuur moet ten alle tye tot onbeperkte toegang oor Erf 1324 beskied.

1.11 Bepanking op die vervreemding van erwe 1324 en 1325 - 1328

Erf 1324 (Toegang) en Erwe 1325 - 1328 mag slegs aan die huiseienaarsvereniging van die dorp oorgedra word en die huiseienaarsvereniging sal volle verantwoordelikheid neem vir die funksionering en onderhoud van die genoemde erf en vir die noodsaaklike dienste op die erf.

2. TITELVOORWAARDES

2.1 Voorwaardes opgelê deur die Streeks Direkteur: Meneraal en Energie Sake in terme van die Minerale Wet, 1991 (Wet 50 van 1991)

Alle erwe sal aan die volgende voorwaardes onderworpe wees:

- 2.1.1 "Aangesien hierdie erwe (grond, standplaas ens) deel vorm van grond wat ondermyn is of ondermyn mag word in die verlede, hede en toekoms aanvaar die eienaar daarvan alle verantwoordelikheid vir enige skade aan die grond of geboue daarop as gevolg van sodanige versakking, vassaking, skokke of krake."
- 2.1.2 Aangesien hierdie erwe deel vorm van 'n area wat onderworpe is aan stofbesoedeling en geraas besoedeling as gevolg van herwinnings aktiwiteite in die verlede, hede of toekoms in die nabyheid daarvan, moet die eienaar aanvaar dat ongerief met betrekking tot stof, besoedeling en/of geraas as 'n gevolg daarvan, ondervind mag word.

2.2 Voorwaardes opgelê deur die Plaaslike Bestuur kragtens die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986)

Alle erwe is onderworpe aan die voorwaardes soos aangedui :

- 2.2.1 Die erwe is onderworpe aan 'n serwituut 2 meter breed vir riolerings- en ander munisipale doeleindes en 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 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur : Met dien verstande dat die plaaslike bestuur van sodanige serwituut mag afsien.
- 2.2.2 Geen geboue of ander strukture mag binne die voorgenoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 (two) meter daarvan geplant word nie.
- 2.2.3 Die plaaslike bestuur is geregtig om enige materiaal wat deur hom 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 voorgenoemde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voorgenoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rioolhoofpyleidings en ander werke veroorsaak word.
- 2.2.4 Erwe 1314, 1313, 1281 en 1280

Die erwe is onderworpe aan 'n 5m x 2,5m serwituut vir substasie doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

2.2.5 Erf 1324

Die totale erf is onderworpe aan 'n serwituut van reg van weg en munisipale doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

LOCAL AUTHORITY NOTICE 2367

LOCAL AUTHORITY NOTICE 929 VAN 2005

CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY

DECLARATION AS 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 hereby declares Ormonde Extension 36 Township to be an approved township subject to the conditions set out in the schedule hereto.

ANNEXURE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY INDUSTRIAL ZONE LIMITED 71/08146/06 (HEREIN AFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 98(1) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 146 OF THE FARM VIERFONTEIN 321, REGISTRATION DIVISION I.Q., PROVINCE OF GAUTENG HAS BEEN GRANTED.

1 Conditions of establishment

1.1 Name

The name of the township shall be Ormonde Extension 36.

1.2 Design

The township shall consist of erven and streets as indicated on General Plan S.G. No. 10358/2003.

1.3 Engineering services

1.3.1 The township owner shall be responsible for the installation and provision of engineering services including streets and storm-water drainage and a contribution towards bulk sewerage services; and

1.3.2 the local authority concerned shall be responsible for the installation and provision of external engineering services;

The township owner shall when he intends to provide the township with engineering and essential services:

1.3.3 by agreement with the local authority classify every engineering service to be provided for the township in terms of section 116 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as an internal or external engineering service and in accordance with the guidelines; and

1.3.4 install or provide all internal and essential services to the satisfaction of the local

authority and for this purpose shall lodge reports, diagrams and specifications as the local authority may require.

1.4 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:

- 1.4.1 the servitude for a water pipeline together with ancillary rights in favour of Peri-Urban Board registered in terms of Notarial Deed of Servitude No K1041/62S and indicated on SG diagram SG No A 3273/60 which does not affect the township area;
- 1.4.2 the servitude in favour of Eskom to convey electricity with ancillary rights registered in terms of Notarial Deed of Servitude No K1233/62S and depicted on diagram SG No A 441/61 which does not affect the township area;
- 1.4.3 the servitude for sewer purposes together with ancillary rights in favour of Erf 163 Baragwanath Extension 1 Johannesburg registered in terms of Notarial Deed of Servitude No 1077/63S dated 29th November 1962 which does not affect the township area;
- 1.4.4 the servitude in favour of the City Council of Johannesburg to convey electricity with ancillary rights registered in terms of Notarial Deed of Servitude No K751/65S which does not affect the township area;
- 1.4.5 the servitude in favour of Eskom for the erection of an electrical substation with ancillary rights registered in terms of Notarial Deed of Servitude No K338/67S and depicted on diagram SG No A 3676/82 which does not affect the township area;
- 1.4.6 the servitude in favour of Gaskor to convey gas over the property with ancillary rights registered in terms of Notarial Deed of Servitude No K591/71S and depicted on diagram SG No. A4187/67 which does not affect the township area;
- 1.4.7 the perpetual right of servitude for sewerage purposes together with ancillary rights in favour of the City Council of Johannesburg registered in terms of Notarial Deed of Servitude K2504/75S which does not affect the township area;
- 1.4.8 the servitude in favour of the City Council of Johannesburg in perpetuity to convey water over the property with ancillary rights over an area indicated by the figures ABCD and EFGHJK registered in terms of Notarial Deed of Servitude No K1199/80S and depicted on diagram SG No A87/79 which does not affect the township area;
- 1.4.9 the pipeline servitude which has been ceded in favour of the Republic of South Africa which was partially cancelled by virtue of Notarial Deed K 2235/1998S which does not affect the township area;
- 1.4.10 the servitude in favour of Gaskor to convey gas over the property in perpetuity with ancillary rights over an area indicated by the figures ABCDEF registered in terms of Notarial Deed of Servitude No K2172/85S and depicted on diagram SG No A9088/1983 which does not affect the township area;
- 1.4.11 the servitude for sewer purposes together with ancillary rights in favour of the City Council of Johannesburg over an area indicated by the figures ABCDEFGHJKLMNPQRSTU registered in terms of Notarial Deed of Servitude No K824/86S and depicted on diagram SG No A9489/84 which does not affect

the township area;

- 1.4.12 the perpetual servitude for water purposes together with ancillary rights in favour of the Rand Water Board over an area indicated by the figures ABCDE on diagram SG No A8780/84 and that portion measuring 3,2331 hectares represented by the figure ABCDEFGHJ on diagram SG No A8781/84 registered in terms of Notarial Deed of Servitude No K77/87S which does not affect the township area;
- 1.4.13 the servitude in favour of Eskom to convey electricity with ancillary rights by means of transmission lines the center of which servitude is indicated by the line aBCb and Bed on diagram SG No A11405/83 and SG A11406/83 registered in terms of Notarial Deed of Servitude No K3491/87S which does not affect the township area;
- 1.4.14 the servitude of right of way together with ancillary rights granted to RMP as indicated by the figures ABCDEF in terms of Notarial Deed of Servitude No K2911/90S and depicted on diagram SG No. A6653/89 which does not affect the township area;
- 1.4.15 the servitude of right of way for road purposes in favour of the City Council of Johannesburg with ancillary rights as indicated by the figures ABCDEFG in terms of Notarial Deed of Servitude No K4460/90S and depicted on diagram SG No. A6090/90 which does not affect the township area;
- 1.4.16 the servitude of right of way together with ancillary rights granted to RMP Management Services Limited with ancillary rights as indicated by the figure ABCDEFGHJKLM in terms of Notarial Deed of Servitude No K4461/90S and depicted on diagram SG No. A4401/90 which does not affect the township area;
- 1.4.17 the servitude for construction and maintaining and electricity transformer substation in favour of the City Council of Johannesburg together with ancillary rights as indicated by the figure ABCD in terms of Notarial Deed of Servitude No K2133/91S and depicted on diagram SG No. A6678/90 which does not affect the township area;
- 1.4.18 the pipeline servitude in perpetuity with ancillary rights in favour of the Rand Water Board as indicated by the figure ABC registered in terms of Notarial Deed of Servitude K909/92 and depicted on diagram SG No. A2147/91 which does not affect the township area;
- 1.4.19 the pipeline servitude in favour of the City Council of Johannesburg to convey water over the property together with ancillary rights as indicated by the figure ABC in terms of Notarial Deed of Servitude No K2957/93S and depicted on diagram SG No. A1123/87 which does not affect the township area;
- 1.4.20 the servitude in perpetuity in favour of AECI for the purposes of constructing, laying and maintaining a gas pipeline with ancillary rights as indicated by the figure ABCDEFGHJKLM in terms of Notarial Deed of Servitude No K2956/93S and depicted on diagram SG No. A5502/90 which does not affect the township area;
- 1.4.21 the servitude in favour of THE city Council of Johannesburg for the erection and maintenance of electrical transmission lines and purposes ancillary thereto as indicated by the figure ABCDEFGHJKLMN in terms of Notarial Deed of Servitude No K2961/93S and depicted on diagram SG No. A103/93 which does not affect the township area;

- 1.4.22 the servitude in favour of the City Council of Johannesburg for the maintenance of electrical transmitter lines and purposes ancillary thereto as indicated by the figure ABCDEFGHJK in terms of Notarial Deed of Servitude No K5528/93S and depicted on diagram SG No. A3625/1993 which does not affect the township area;
- 1.4.23 the servitude of right of way in favour of the Southern Metropolitan Substructure of the Greater Johannesburg Transitional Metropolitan Council together with ancillary rights thereto as indicated by the figure ABCDA in terms of Notarial Deed of Servitude No K6286/97S and depicted on diagram SG No. A10606/1993 which does not affect the township area;
- 1.4.24 the servitude of right of way in perpetuity in favour of the Crown Consolidated Gold Recoveries Limited registered in terms of Notarial Deed of Servitude No K1936/99S which does not affect the township area;
- 1.4.25 the servitude in favour of Gaskor to convey gas over the property with ancillary rights registered in terms of Notarial Deed of Servitude No K632/71S and depicted on diagram SG No. A 4188/67 which does not affect the township area;
- 1.4.26 the 2 metre servitude for the conveyance of water in perpetuity in favour of the City Council of Johannesburg as indicated by the figure ABCD in terms of Notarial Deed of Servitude No K1199/80S and depicted on diagram SG No. A88/79 which does not affect the township area;
- 1.4.27 the sewer servitude in perpetuity in favour of the City Council of Johannesburg with ancillary rights as indicated by the figure ABCDE in terms of Notarial Deed of Servitude No K1786/86S and depicted on diagram SG No. A88/79 and the figure ABCD depicted on diagram SG No A4731/85 which does not affect the township area;
- 1.4.28 the servitude to convey electricity with ancillary rights in favour of Eskom registered in terms of Notarial Deed of Servitude No K558/89S and the exact rout determined by Notarial Deed K1398/1991S on diagram SG No. A6909/88 which does not affect the township area;
- 1.4.29 the servitude to convey electricity with ancillary rights in favour of Eskom registered in terms of Notarial Deed of Servitude No K559/89S and the exact rout determined by Notarial Deed K1069/1993S on diagram SG No. A5575/88 which does not affect the township area;
- 1.4.30 the servitude to convey electricity with ancillary rights in favour of Eskom registered in terms of Notarial Deed of Servitude No K561/89S and the exact rout determined by Notarial Deed K6346/1992S the center line of which servitude is indicated by lines abc and def on diagram SG No. A11208/1996 extending 11 metres on both sides of the lines which does not affect the township area;
- 1.4.31 the following conditions which shall not be passed on to the erven in the township:
- Title Deed T 44808/98 conditions
- A.2. Entitled to a right of way together with ancillary rights over Erf 4 Baragwanath Extension 1 held under Certificate of Registered Title T 27397/61 as will more fully appear from reference to Notarial Deed K1538/61.
- "C.3. A portion measuring approximately 5,7600 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(a) of Act 54/1971 vide

EX79/1978."

- E. The former Remaining Extent of Portion 5 of the farm Vierfontein 321, Registration Division I.Q. Transvaal, measuring 619,8247 (SIX HUNDRED AND NINETEEN comma EIGHT TWO FOUR SEVEN) hectares, whereof the property held hereunder forms a portion, is subject to the following conditions:
- A portion measuring approximately +_ 20,3200 hectares has been expropriated by the National Transport Commission in terms of Section 8(1)(a) of Act 54/1971 vide notice of Expropriation EX 695/1981.
- E.3. A portion measuring approximately + 3,800 hectares has been expropriated by the Department of Transport in terms of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX 253/1982.
4. A portion measuring approximately 20,3200 hectares has been expropriated by the National Transport Commission in favour of Section 8(1) (a) of Act 54/1971 vide EX 645/1981.
5. A portion measuring approximately + 2,5300 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(b) of Act 54/1971 vide Expropriation Notice 342/1982, which has been partially cancelled by EX413/89 in respect of portion measuring 4100 square metres, 500 square metres and 3100 square metres.
6. A portion measuring approximately +1,704 hectares has been expropriated by the Department of Transport in favour of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX622/1982.
7. A portion measuring approximately + 3,2100 hectares has been expropriated by the South African Railways and Harbours Administration in terms of Section 8(1)(a) of Act 54/1971 vide Expropriation Notice EX 275/1983.
- F The former Remaining Extent of Portion 5 of the farm Vierfontein 321, registration Division I.Q. Transvaal, measuring 396,5256 (THREE HUNDRED AND NINETY SIX comma FIVE TWO FIVE SIX) hectares, whereof the property held hereunder forms a portion, is subject to:
- A portion measuring + 6,3 metres wide has been expropriated by the South African railways and Harbours Administration in terms of Section 32(5) of Act 37/1955 vide Expropriation Notice EX177/1984.
- G.5. A portion measuring + 1,7749 hectares has been expropriated by the Department of Development Planning Environment and Works vide EX294/1987;
- K.2. A portion measuring approximately +6,5133 hectares has been expropriated by the City Council of Johannesburg in terms of Section 5 of Act 63/1975 vide Expropriation Notice EX349/1991.
- O.2. A portion measuring approximately +5,7600 hectares has been expropriated by the Department of Transport in terms of Section 891)(a) of Act 56/1971 vide expropriation Notice EX79/1971.
- P The former Remaining Extent of the farm Vierfontein 321, registration Division I.Q. Transvaal; measuring 235,2586 (TWO HUNDRED AND THIRTY FIVE comma TWO FIVE EIGHT SIX) hectares subject to the Expropriation of a servitude for overhead transmission lines and underground electricity cables

measuring 4,3885 hectares in favour of Greater Johannesburg Transitional Metropolitan Council in terms of Section 79(24) of Ordinance 17139 by Notice of Expropriation EX62/96.

- 1.4.32 The following conditions which shall not be passed on to the erven in the township:

Title Deed T 4103/98 condition:

7. Subject to Expropriation Notice EX 190/95 in favour of the Department of Planning Environment and Works in terms of Act 63 of 1975.

- 1.4.32 the servitude in favour of Telkom which affects erven 1305, 1277, 1324, 1328 and 1327 in the township only.

1.5 Demolition of buildings and structures

The township owner shall at his 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.

1.6 Removal of litter

The township owner shall at his 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.

1.7 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.

1.8 Repositioning of circuits

If, by any reason of the establishment of the township, it should become necessary to reposition any existing circuits of ESKOM or Telkom, the cost thereof shall be borne by the township owner.

1.9 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 provisions of water and sanitary services as well as the construction of roads and storm-water 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 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.

1.10 Formation and duties of Resident's Association

- 1.10.1 The applicant shall properly and legally constitute a Resident's association to the satisfaction of the local authority prior to or simultaneous with the sale of the first erf in the township.

- 1.10.2 Erf 1324 (Access) and erven 1328, 1326, 1327 and 1325 (Private Open Space) shall be registered in the name of the Resident's Association.

- 1.10.3 Each and every owner of Erven 1268 to 1323 shall become a member of the Resident's Association upon transfer of the erven. Such Association shall have full responsibility for Erven 1325 - 1328 and Erf 1324 for the essential services (excluding services taken over by the local authority) contained herein.
- 1.10.4 The Resident's Association shall have full legal power to levy from each and every member the costs incurred in fulfilling its function and shall have legal recourse to recover such fees in the event of a default by any member.
- 1.10.5 The local authority shall not be liable for the malfunction of the surfacing of the access way and/or any services with the exception of services taken over by the local authority.
- 1.10.6 Access from Erven 1268 - 1323 to a public road shall be across Erf 1324.
- 1.10.7 The local authority shall have unrestricted access to Erf 1324 at all times.

1.11 Restriction on the transfer of erve 1324 en 1325 - 1328

Erf 1324 (Access) and Erven 1325 - 1328 shall be transferred only to the Residents Association established in respect of the township, which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the essential services with the said erven.

2 Conditions of title

2.1 Conditions imposed by the Regional Director: Mineral and Energy Affairs in terms of the Minerals Act, 1991 (Act 50 of 1991)

All erven shall be subject to the following conditions:

- 2.1.1 As this erf (stand, land etc) forms part of land which is, or may be, undermined and may be liable to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking.
- 2.1.2 As this erf forms part of an area which may be subject to dust pollution and noise as a result of re-cycling activities past, present or future in the vicinity thereof, the owner thereof accepts that inconvenience with regard to dust pollution and noise as a result thereof, may be experienced.

2.2 Conditions imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

The erven mentioned hereunder shall be subject to the conditions as indicated:

- 2.2.1 The erven are subject to a servitude, 2 metres 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 metres 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.
- 2.2.2 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 (two) metres thereof.
- 2.2.3 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 work 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.

2.2.4 Erven 1314, 1313, 1281 and 1280

The erven are subject to a 5m x 2,5m servitude for transformer/ substation purposes in favour of the local authority, as indicated on the general plan.

2.2.5 Erf 1324

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

LOCAL AUTHORITY NOTICE 2368

LOCAL AUTHORITY NOTICE 929 OF 2005

JOHANNESBURG TOWN PLANNING SCHEME, 1987: AMENDMENT SCHEME 492036

The City of Johannesburg, hereby declares that it has approved an amendment scheme, being an amendment of the Johannesburg Town Planning Scheme, 1979, comprising the same land as included in the township of Ormonde Extension 36, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3 and scheme clauses of the amendment scheme are filed with the Deputy Director-General, Gauteng Provincial Government: Department Housing and Local Government, Marshalltown and the Assistant Director: Development Planning, Transportation and Environment, Johannesburg, Room 8100, 8th Floor, A-Block, Metropolitan Centre, Braamfontein and are open for inspection at all reasonable times.

The date this scheme will come into operation is 30 September 2005.

This amendment is known as the Johannesburg Amendment Scheme 492036.

A NAIR: EXECUTIVE DIRECTOR, DEVELOPMENT PLANNING, TRANSPORTATION AND ENVIRONMENT, CITY OF JOHANNESBURG

PLAASLIKE BESTUURSKENNISGEWING 2368

PLAASLIKE BESTUURSKENNISGEWING 929 VAN 2005

JOHANNESBURG DORPSBEPLANNINGSKEMA, 1987: WYSIGINGSKEMA 492036

Johannesburg Stad, verklaar hierby ingevolge die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) dat hy 'n wysigingskema synde 'n wysiging van die Johannesburgse Dorpsbeplanningskema, 1979, wat uit die selfde grond as die dorp Ormonde Uitbreiding 36 bestaan, goedgekeur het.

Kaart 3 en skemaklousules van die wysigingskema word in bewaring gehou deur die Adjunk-Direkteur Generaal, Departement Behuising en Plaaslike Regering, Marshalltown en is by die Assistent Direkteur : Ontwikkelingsbeplanning, Vervoer en Omgewing, Johannesburg, Kamer 8100, 8 ste Verdieping, A-Blok, Metropolitaanse Sentrum, Braamfontein beskikbaar vir inspeksie te alle redelike tye.

Die datum van die inwerkingtreding van die skema is 30 September 2005.

Hierdie wysiging staan bekend as die Johannesburg Wysigingskema 492036.

A NAIR: UITVOERENDE DIREKTEUR, ONTWIKELINGSBESTUUR, VERVOER EN OMGEWING JOHANNESBURG STAD

PLAASLIKE BESTUURSKENNISGEWING 2369
PLAASLIKE BESTUURSKENNISGEWING 930 VAN 2005
JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT
VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar Johannesburg Stad, Metropolitaanse Munisipaliteit hierby Ormonde uitbreiding 37 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR INDUSTRIAL ZONE BEPERK 71/08146/06 (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN ARTIKEL 98(1) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 142 ('N GEDEELTE VAN GEDEELTE 6) VAN DIE PLAAS VIERFONTEIN 321, REGISTRASIE AFDELING I.Q., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. Stigtingsvoorwaardes

1.1 Naam

Die naam van die dorp is Ormonde uitbreiding 37.

1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 10359/2003.

1.3 Ingenieursdienste

1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwater dreinerings en om 'n bydrae vir eksterne dienste te betaal; en

1.3.2 die plaaslike bestuur is verantwoordelik vir die installering en voorsiening van eksterne ingenieursdienste.

Die dorpseienaar sal, wanneer hy van voorneme is om die dorp van ingenieurs- en noodsaaklike dienste te voorsien :

1.3.3 elke ingenieursdiens wat vir die dorp voorsien moet word, ingevolge artikel 116 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) by ooreenkoms met die plaaslike bestuur klassifiseer as interne en eksterne ingenieursdienste; en

1.3.4 alle interne ingenieursdienste en noodsaaklike dienste installeer en voorsien tot bevrediging van die plaaslike bestuur en vir hierdie doel moet die verslae, planne en spesifikasies soos vereis deur die plaaslike owerheid ingedien word.

1.4 Beskikking oor bestaande titel voorwaardes

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

- 1.4.1 Die serwituut ten gunste van Johannesburg Stadsraad om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K751/65S wat nie die dorpsgebied raak nie;
- 1.4.2 Die serwituut ten gunste van Eskom vir die oprigting van 'n elektriese substaise met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No 338/67S en aangedui word op diagram SG No. A 3676/82 wat nie die dorpsgebied raak nie;
- 1.4.3 Die serwituut ten gunste van Gaskor om gas te gelei oor die eiendom met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K632/71S wat nie die dorpsgebied raak nie;
- 1.4.4 Die ewigdurende serwituut ten gunste van Johannesburg Stadsraad om water te gelei oor die eiendom met bykomende regte oor 'n area wat aangedui word deur die figuur ABCD en wat geregistreer is in terme van Notarële Akte van Serwituut No K1199/80S en aangedui word op diagram SG No. A 88/79 wat nie die dorpsgebied raak nie;
- 1.4.5 Die serwituut vir riooldoeleindes met bykomende regte ten gunste van Johannesburg Stadsraad oor 'n area wat aangedui word deur die figure ABCDE wat geregistreer is in terme van Notarële Akte van Serwituut No K4730/85 en die figuur ABCD aangewend op diagram SG No. A 4731/85 wat nie die dorpsgebied raak nie;
- 1.4.6 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K558/89S en die presiese roete word bepaal deur Notarële Akte K1398/1991S op diagram S G No. A6909/88 wat nie die dorpsgebied raak nie;
- 1.4.7 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K559/89S waarvan die presiese roete bepaal word deur Notariële Akte K1069/1993S op diagram SG No. A5575/88 wat nie die dorpsgebied raak nie;
- 1.4.8 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K561/89S waarvan die presiese roete bepaal word deur Notariële Akte K6346/1992S waarvan die middellyn van die serwituut aangedui word deur lyne abc en def op diagram SG No. A11208/1996 wat 11 meter op beide kante van die lyne oorskry wat nie die dorpsgebied raak nie;
- 1.4.9 Die volgende voorwaardes wat nie aan die erwe in die dorp oorgedra moet word nie:

Titel Akte T4103/98 voorwaarde:

- 6. Subject to Expropriation Notice EX 190/95 in favour of the Department of Planning Environment and Works in terms of Act 63 of 1975.

1.5 Sloping van geboue en structure

Die dorpsieenaar moet op eie koste alle bestaande geboue en structure wat binne die boulynreserwes, kant ruimtes en oor gemeenskaplike grense gelee is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.6 Verwydering van rommel

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

1.7 Verskuiwing of 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 dorpsieenaar gedra word.

1.8 Verskuiwing van kraglyne

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kraglyne van Eskom of Telkom te verskuif, moet die koste daarvan deur die dorpsieenaar gedra word.

1.9 Samestelling en pligte van die Huiseienaars Assosiasie

- 1.9.1 Die applikant sal 'n Huiseienaars Assosiasie, oordentelik en wettig saamstel tot bevrediging van die plaaslike bestuur, voor of gelyktydig met die verkoop van die eerste erf in die dorp.
- 1.9.2 Erwe 1354 (Privaat Oop Ruimte) sowel as Erf 1353 (Toegang) moet in die naam van die Huiseienaars Assosiasie geregistreer word.
- 1.9.3 Een en elke eienaar van erwe 1329 tot 1352 moet lid word van die Huiseienaars Assosiasie op oordrag van die erwe. Hierdie huiseienaars Assosiasie sal volle verantwoordelikheid van alle essensiele dienste (uitgesluit die dienste wat deur die Raad oorgeneem word) wat binne Erwe 1354 en Erf 1353 geleë is oorneem.
- 1.9.4 Die Huiseienaars Assosiasie sal volle wetlike mag hê om van een en elke lid die koste te verhaal wat nodig is om sy werk te verrig en sal wetlike regte hê om sodanige kostes van enige lid te verhaal indien die lid nie sy verantwoordelikhede nakom nie.
- 1.9.5 Die plaaslike bestuur kan nie verantwoordelik gehou word indien die oppervlakte van die toegangs erf onklaar raak nie en/of enige ander dienste, met die uitsondering van dienste wat deur die Raad oorgeneem is.
- 1.9.6 Toegang van erwe 1329 - 1352 na 'n publieke straat moet oor Erf 1353 geskied.
- 1.9.7 Die plaaslike bestuur moet ten alle tye tot onbeperkte toegang oor Erf 1353 geskied.

1.10 Beperking op die vervreemding van erwe 1353 en 1354

Erf 1353 (Toegang) en Erwe 1354 (Privaat Oop Ruimte) mag slegs aan die huiseienaarsvereniging van die dorp oorgedra word en die huiseienaarsvereniging sal volle verantwoordelikheid neem vir die funksionering en onderhoud van die genoemde erf en vir die noodsaaklike dienste op die erf.

1.11 Verantwoordelikheid ten opsigte van dienste en beperking op die vervreemding van erwe.

Die dorpsieenaar sal binne sodanige periode as wat die plaaslike bestuur mag bepaal, sy verantwoordelikheid nakom met betrekking tot die voorsiening van water en riooldienste sowel as vir die konstruksie van paaie en stormwater dreinerings en die installering daarvan, soos wat daar vooraf tussen die eienaar en die plaaslike bestuur ooreengekom is. Erwe mag nie vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur gesertifiseer het dat voldoende waarborge/kontant bydraes aan die plaaslike bestuur betaal is in verband met die voorsiening van dienste aan die dorpsieenaar.

2. TITELVOORWAARDES

2.1 Voorwaardes opgelê deur die Streeks Direkteur: Meneraal en Energie Sake in terme van die Minerale Wet, 1991 (Wet 50 van 1991)

Alle erwe sal aan die volgende voorwaardes onderworpe wees:

- 2.1.1 "Aangesien hierdie erwe (grond, standplaas ens) deel vorm van grond wat ondermyn is of ondermyn mag word in die verlede, hede en toekoms aanvaar die eienaar daarvan alle verantwoordelikheid vir enige skade aan die grond of geboue daarop as gevolg van sodanige versakking, vassaking, skokke of krake."
- 2.1.2 Aangesien hierdie erwe deel vorm van 'n area wat onderworpe is aan stofbesoedeling en geraas besoedeling as gevolg van herwinnings aktiwiteite in die verlede, hede of toekoms in die nabyheid daarvan, moet die eienaar aanvaar dat ongerief met betrekking tot stof, besoedeling en/of geraas as 'n gevolg daarvan, ondervind mag word.

Erwe 1329, 1330, 1352 en 1354 wat geleë is in Zone 1 soos op die Algemene Plan aangedui is aan die volgende voorwaardes onderworpe:

- 2.1.3 "Aangesien hierdie erwe (grond, standplaas ens) deel vorm van grond wat ondermyn is of ondermyn mag word en onderhewig is aan versakking, vassaking, skokke en krake as gevolg van mynbedrywighede in die verlede, hede en toekoms aanvaar die eienaar daarvan alle verantwoordelikheid vir enige skade aan die grond of geboue daarop as gevolg van sodanige versakking, vassaking, skokke of krake."
- 2.1.4 Geboue sal nie drie verdiepings oorskry nie met 'n maksimum muur hoogte van 12 meter wat gemeet moet word van die vloer tot dakrand met een kelder vlak.
- 2.1.5 Die geboue/strukture wat opgerig word in Sone 1 van die voorgestelde area moet deur 'n geregistreerde argitek of gekwalifiseerde siviele ingenieur soos volg deur middle van 'n sertifikaat geëdosseer word:

"Die planne en spesifikasies van hierdie geboue/strukture is opgestel met die wete dat die grond waarop die geboue/strukture opgerig staan te word, onderhewig is aan insakking. Die gebou is ook so ontwerp dat dit, indien insakking sou plaasvind, die veiligheid van persone daarin, sover moontlik, sal verseker.

2.2 Voorwaardes opgelê deur die Plaaslike Bestuur kragtens die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986)

Alle erwe is onderworpe aan die voorwaardes soos aangedui :

- 2.2.1 Die erwe is onderworpe aan 'n serwituut 2 meter breed vir riolerings- en ander munisipale doeleindes en 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 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur : Met dien verstande dat die plaaslike bestuur van sodanige serwituut mag afsien.
- 2.2.2 Geen geboue of ander strukture mag binne die voorgenoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 (two) meter daarvan geplant word nie.
- 2.2.3 Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke wat hy volgens goëddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond

vir die voorgenoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rioolhoofpypleidings en ander werke veroorsaak word.

2.2.4 Erwe 1347 en 1348

Die erwe is onderworpe aan 'n 5m x 2,5m serwituut vir substasie doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

2.2.5 Erf 1353

Die totale erf is onderworpe aan 'n serwituut van reg van weg en munisipale doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

LOCAL AUTHORITY NOTICE 2369

LOCAL AUTHORITY NOTICE 930 VAN 2005

CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY

DECLARATION AS 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 hereby declares Ormonde Extension 37 Township to be an approved township subject to the conditions set out in the schedule hereto.

ANNEXURE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY INDUSTRIAL ZONE LIMITED 71/08146/06 (HEREIN AFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 98(1) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 142 (A PORTION OF PORTION 6) OF THE FARM VIERFONTEIN 321, REGISTRATION DIVISION I.Q., PROVINCE OF GAUTENG HAS BEEN GRANTED.

1 Conditions of establishment

1.1 Name

The name of the township shall be Ormonde Extension 37.

1.2 Design

The township shall consist of erven and streets as indicated on General Plan S.G. No. 10359/2003.

1.3 Engineering services

1.3.1 The township owner shall be responsible for the installation and provision of engineering services including streets and storm-water drainage and a contribution towards bulk sewerage services; and

1.3.2 the local authority concerned shall be responsible for the installation and provision of external engineering services;

The township owner shall when he intends to provide the township with engineering and essential services:

1.3.3 by agreement with the local authority classify every engineering service to be

provided for the township in terms of section 116 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as an internal or external engineering service and in accordance with the guidelines; and

- 1.3.4 install or provide all internal and essential services to the satisfaction of the local authority and for this purpose shall lodge reports, diagrams and specifications as the local authority may require.

1.4 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:

- 1.4.1 the servitude in favour of the City Council of Johannesburg to convey electricity with ancillary rights registered in terms of Notarial Deed of Servitude No K751/65S which does not affect the township area;
- 1.4.2 the servitude in favour of Eskom for the erection of an electrical substation with ancillary rights registered in terms of Notarial Deed of Servitude No K338/67S and depicted on diagram SG No A 3676/82 which does not affect the township area;
- 1.4.3 the servitude in favour of Gaskor to convey gas over the property with ancillary rights registered in terms of Notarial Deed of Servitude No K632/71S which does not affect the township area;
- 1.4.4 the servitude in favour of the City Council of Johannesburg in perpetuity to convey water over the property with ancillary rights over an area indicated by the figures ABCD registered in terms of Notarial Deed of Servitude No K1199/80S and depicted on diagram SG No A88/79 which does not affect the township area;
- 1.4.5 the servitude for sewer purposes together with ancillary rights in favour of the City Council of Johannesburg over an area indicated by the figures ABCDE registered in terms of Notarial Deed of Servitude No K1786/86S and depicted on diagram SG No A4730/85 AND THE FIGURE abcd DEPICTED ON DIAGRAM sg No A4731/85 which does not affect the township area;
- 1.4.6 the servitude to convey electricity with ancillary rights in favour of Eskom registered in terms of Notarial Deed of Servitude No K558/89S and the exact rout determined by Notarial Deed K1398/1991S on diagram SG No. A6909/88 which does not affect the township area;
- 1.4.7 the servitude to convey electricity with ancillary rights in favour of Eskom registered in terms of Notarial Deed of Servitude No K559/89S and the exact rout determined by Notarial Deed K1069/1993S on diagram SG No. A5575/88 which does not affect the township area;
- 1.4.8 the servitude to convey electricity with ancillary rights in favour of Eskom registered in terms of Notarial Deed of Servitude No K561/89 and the exact rout determined by Notarial Deed K6346/1992S the center line of which servitude is indicated by lines abc and def on diagram SG No. A11208/1996 extending 11metres on both sides of the lines which does not affect the township area;
- 1.4.9 The following condition which shall not be passed on to the erven in the township:

Title Deed T 4103/98 condition:

6. Subject to Expropriation Notice EX 190/95 in favou of the Department of

Planning Environment and Works in terms of Act 63 of 1975.

1.5 Demolition of buildings and structures

The township owner shall at his 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.

1.6 Removal of litter

The township owner shall at his 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.

1.7 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.

1.8 Repositioning of circuits

If, by any reason of the establishment of the township, it should become necessary to reposition any existing circuits of ESKOM or Telkom, the cost thereof shall be borne by the township owner.

1.9 Formation and duties of Resident's Association

1.9.1 The applicant shall properly and legally constitute a Resident's association to the satisfaction of the local authority prior to or simultaneous with the sale of the first erf in the township.

1.9.2 Erf 1353 (Access) and erf 1354 (Private Open Space) shall be registered in the name of the Resident's Association.

1.9.3 Each and every owner of Erven 1329 - 1352 shall become a member of the Resident's Association upon transfer of the erven. Such Association shall have full responsibility for Erf 1354 and Erf 1353 for the essential services (excluding services taken over by the local authority) contained herein.

1.9.4 The Resident's Association shall have full legal power to levy from each and every member the costs incurred in fulfilling its function and shall have legal recourse to recover such fees in the event of a default by any member.

1.9.5 The local authority shall not be liable for the malfunction of the surfacing of the access way and/or any services with the exception of services taken over by the local authority.

1.9.6 Access from Erven 1329 - 1352 to a public road shall be across Erf 1353.

1.9.7 The local authority shall have unrestricted access to Erf 1353 at all times.

1.10 Restriction on the transfer of erven

Erf 1353 (Access) and Erf 1354 (Private Open Space) shall be transferred only to the Residents Association established in respect of the township, which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the essential services with the said erven.

1.11 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, electricity and sanitary services as well

as the construction of roads and storm water drainage and the installation of systems therefore as previously agreed upon between the township owner and the local authority. Erven shall not be alienated or be transferred into the name of a purchaser prior to the local authority verifying 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

2.1 Conditions imposed by the Regional Director: Mineral and Energy Affairs in terms of the Minerals Act, 1991 (Act 50 of 1991)

All erven shall be subject to the following conditions:

- 2.1.1 As this erf (stand, land etc) forms part of land which is, or may be, undermined and may be liable to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking.
- 2.1.2 As this erf forms part of an area which may be subject to dust pollution and noise as a result of re-cycling activities past, present or future in the vicinity thereof, the owner thereof accepts that inconvenience with regard to dust pollution and noise as a result thereof, may be experienced.

Erven 1329, 1330, 1352 and 1354 situated in Zone 1 as indicated on the General Plan shall be subject to the following condition:

- 2.1.3 As this erf (stand, land etc) forms part of land which is shallowly under mined and which may be liable to subsidence, settlement, shock or cracking due to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking provided the State and/or its employees are hereby indemnified from any liability in this regard.
- 2.1.4 Buildings shall not exceed three storeys with a maximum wall height of 12 metres, measured from floor to eaves, with one basement level.
- 2.1.5 All buildings/structures to be erected within zone 1 of the proposed are shall be designed by and erected under the supervision of a professional structural engineer or qualified architect and the plans of any such building/structure shall bear the following certificate signed by a professional structural engineer or qualified architect:

The plans and specifications of this buildings/structure have been drawn up in the knowledge that the ground on which the buildings/structure is to be erected may be liable to subsidence, settlement and shock due to undermining. Thos building/structure has been designed in a manner which will, as far as possible, ensure the safety of its occupants in the event of subsidence, settlement and shock taking place.

2.2 Conditions imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

The erven mentioned hereunder shall be subject to the conditions as indicated:

- 2.2.1 The erven are subject to a servitude, 2 metres 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 metres wide across the access portion of the erf, if an when required by the local authority: Provided that the local authority may dispense with any such servitude.

- 2.2.2 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 (two) metres thereof.
- 2.2.3 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 work 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.
- 2.2.4 Erven 1347 and 1348
- The erven are subject to a 5m x 2,5m servitude for transformer/ substation purposes in favour of the local authority, as indicated on the general plan.
- 2.2.5 Erf 1353
- The entire erf is subject to a servitude of right of way and municipal purposes in favour of the local authority as indicated on the General Plan.
-

LOCAL AUTHORITY NOTICE 2370

LOCAL AUTHORITY NOTICE 930 OF 2005

JOHANNESBURG TOWN PLANNING SCHEME, 1987: AMENDMENT SCHEME 492037

The City of Johannesburg, hereby declares that it has approved an amendment scheme, being an amendment of the Johannesburg Town Planning Scheme, 1979, comprising the same land as included in the township of Ormonde Extension 37, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3 and scheme clauses of the amendment scheme are filed with the Deputy Director-General, Gauteng Provincial Government: Department Housing and Local Government, Marshalltown and the Assistant Director: Development Planning, Transportation and Environment, Johannesburg, Room 8100, 8th Floor, A-Block, Metropolitan Centre, Braamfontein and are open for inspection at all reasonable times.

The date this scheme will come into operation is 30 September 2005.

This amendment is known as the Johannesburg Amendment Scheme 492037.

A NAIR: EXECUTIVE DIRECTOR, DEVELOPMENT PLANNING, TRANSPORTATION AND ENVIRONMENT, CITY OF JOHANNESBURG

PLAASLIKE BESTUURSKENNISGEWING 2370**PLAASLIKE BESTUURSKENNISGEWING 930 VAN 2005****JOHANNESBURG DORPSBEPLANNINGSKEMA, 1987: WYSIGINGSKEMA 492037**

Johannesburg Stad, verklaar hierby ingevolge die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) dat hy 'n wysigingskema synde 'n wysiging van die Johannesburgse Dorpsbeplanningskema, 1979, wat uit die selfde grond as die dorp Ormonde Uitbreiding 37 bestaan, goedgekeur het.

Kaart 3 en skemaklousules van die wysigingskema word in bewaring gehou deur die Adjunk-Direkteur Generaal, Departement Behuising en Plaaslike Regering, Marshalltown en is by die Assistent Direkteur : Ontwikkelingsbeplanning, Vervoer en Omgewing, Johannesburg, Kamer 8100, 8 ste Verdieping, A-Blok, Metropolitaanse Sentrum, Braamfontein beskikbaar vir inspeksie te alle redelike tye.

Die datum van die inwerkingtreding van die skema is 30 September 2005.

Hierdie wysiging staan bekend as die Johannesburg Wysigingskema 492037.

**A NAIR: UITVOERENDE DIREKTEUR, ONTWIKELINGSBESTUUR, VERVOER EN OMGEWING
JOHANNESBURG STAD**

PLAASLIKE BESTUURSKENNISGEWING 2371
PLAASLIKE BESTUURSKENNISGEWING 931 VAN 2005
JOHANNESBURG STAD, METROPOLITAANSE MUNISIPALITEIT
VERKLARING TOT 'N GOEDGEKEURDE DORP

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar Johannesburg Stad, Metropolitaanse Munisipaliteit hierby Ormonde uitbreiding 39 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR INDUSTRIAL ZONE BEPERK 71/08146/06 (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN ARTIKEL 98(1) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 143 VAN DIE PLAAS VIERFONTEIN 321, REGISTRASIE AFDELING I.Q., PROVINSIE VAN GAUTENG, TOEGESTAAN IS.

1. Stigtingsvoorwaardes

1.1 Naam

Die naam van die dorp is Ormonde uitbreiding 39.

1.2 Ontwerp

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 10357/2003.

1.3 Ingenieursdienste

1.3.1 Die dorpseienaar is verantwoordelik vir die installering en voorsiening van ingenieursdienste insluitende strate en stormwater dreinerings en om 'n bydrae vir eksterne dienste te betaal; en

1.3.2 die plaaslike bestuur is verantwoordelik vir die installering en voorsiening van eksterne ingenieursdienste.

Die dorpseienaar sal, wanneer hy van voorneme is om die dorp van ingenieurs- en noodsaaklike dienste te voorsien :

1.3.3 elke ingenieursdiens wat vir die dorp voorsien moet word, ingevolge artikel 116 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) by ooreenkoms met die plaaslike bestuur klassifiseer as interne en eksterne ingenieursdienste; en

1.3.4 alle interne ingenieursdienste en noodsaaklike dienste installeer en voorsien tot bevrediging van die plaaslike bestuur en vir hierdie doel moet die verslae, planne en spesifikasies soos vereis deur die plaaslike owerheid ingedien word.

1.4 Beskikking oor bestaande titel voorwaardes

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

1.4.1 Die serwituut vir 'n waterpyplyn met bykomende regte ten gunste van die Peri -

Urban Raad wat geregistreer is in terme van Notarële Akte van Serwituut No 1041/62S en aangedui word op SG diagram SG No. A 3273/60 wat nie die dorpsgebied raak nie;

- 1.4.2 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K1233/62S en aangedui word op diagram SG No. A 441/61 wat nie die dorpsgebied raak nie;
- 1.4.3 Die serwituut vir riool doeleindes met bykomende regte ten gunste van Erf 163 Baragwanath Uitbreiding 1 Johannesburg wat geregistreer is in terme van Notarële Akte van Serwituut No 1077/63S gedateer 29 November 1962 wat nie die dorpsgebied raak nie;
- 1.4.4 Die serwituut ten gunste van Johannesburg Stadsraad on elektrisiteit te gelei met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K751/65S wat nie die dorpsgebied raak nie;
- 1.4.5 Die serwituut ten gunste van Eskom vir die oprigting van 'n elektriese substasie met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K338/67S en aangedui word op diagram SG No A 3676/82 wat nie die dorpsgebied raak nie;
- 1.4.6 Die serwituut ten gunste van Gaskor om gas te gelei oor die eiendom met bykomende regte wat geregistreer is in terme van Notarële Akte van Serwituut No K591/71S en aangedui word op diagram SG No. A 4187/67 wat nie die dorpsgebied raak nie;
- 1.4.7 Die ewigdurende serwituut vir riool doeleindes met bykomende regte ten gunste van Johannesburg Stadsraad wat geregistreer is in terme van Notarële Akte van Serwituut No K2504/75S wat nie die dorpsgebied raak nie;
- 1.4.8 Die ewigdurende serwituut ten gunste van Johannesburg Stadsraad om water te gelei oor die eiendom met bykomende regte oor 'n area wat aangedui word deur die figure ABCD en EFGHJK wat geregistreer is in terme van Notarële Akte van Serwituut No K1199/80S en aangedui word op diagram SG No. A 87/79 wat nie die dorpsgebied raak nie;
- 1.4.9 Die pyplyn serwituut wat oorgedra is tengunste van die Republiek van Suid Afrika wat gedeeltelik gekanseller is in terme van Notarële Akte K 2235/1998S wat nie die dorpsgebied raak nie;
- 1.4.10 Die ewigdurende serwituut ten gunste van Gaskor om gas te gelei oor die eiendom met bykomende regte oor 'n area wat aangedui word deur die figure ABCDEF en geregistreer is in terme van Notarële Akte van Serwituut No K2172/85S en aangedui word op diagram SG No. A 9088/1983 wat nie die dorpsgebied raak nie;
- 1.4.11 Die serwituut vir riooldoeleindes met bykomende regte ten gunste van Johannesburg Stadsraad oor 'n area wat aangedui word deur die figure ABCDEFGHJKLMNPQRSTU wat geregistreer is in terme van Notarële Akte van Serwituut No K824/86S en aangedui word op diagram SG No. A 9489/84 wat nie die dorpsgebied raak nie;
- 1.4.12 Die ewigdurende serwituut vir waterdoeleindes met bykomende regte ten gunste van Rand Water Raad oor 'n area wat aangedui word deur die figuur ABCDE op diagram SG No A8780/84 en die gedeelte wat 3,2331 hektaar groot is wat aangedui word deur die figuur ABCDEFGHJ op diagram SG No A8781/84 wat

geregistreer is in terme van Notarële Akte van Serwituut No K77/87S wat nie die dorpsgebied raak nie;

- 1.4.13 Die serwituut ten gunste van Eskom om elektrisiteit te gelei met bykomende regte deur middel van geleidingslyne waarvan die middellyn van die serwituut aangedui word deur die lyn aBCb en Bed op diagram SG No A11405/83 en SG A11406/83 wat geregistreer is in terme van Notarële Akte van Serwituut No K3491/87S wat nie die dorpsgebied raak nie;
- 1.4.14 Die serwituut van reg van weg met bykomende regte wat toegestaan is aan RMP en aangedui word deur die figuur ABCDEF in terme van Notarële Akte van Serwituut No K2911/90S en aangedui word op diagram SG No. A 6653/89 wat nie die dorpsgebied raak nie;
- 1.4.15 Die serwituut van reg van weg vir paddoeleindes ten gunste van Johannesburg Stadsraad met bykomende regte wat aangedui word deur die figuur ABCDEFG in terme van Notarële Akte van Serwituut No K4460/90S en aangedui word op diagram SG No. A 6090/90 wat nie die dorpsgebied raak nie;
- 1.4.16 Die serwituut van reg van weg met bykomende regte wat toegestaan is aan RMP Bestuursdienste BPK wat aangedui word deur die figuur ABCDEFGHJKLM in terme van Notarële Akte van Serwituut No K4461/90S en aangedui word op diagram SG No. A 4401/90 wat nie die dorpsgebied raak nie;
- 1.4.17 Die serwituut vir konstruksie en instandhouding en elektriese substasie ten gunste van Johannesburg Stadsraad met bykomende regte wat aangedui word deur die figuur ABCD in terme van Notarële Akte van Serwituut No K2133/91S en aangedui word op diagram SG No. A 6678/90 wat nie die dorpsgebied raak nie;
- 1.4.18 Die ewigdurende pyplyn serwituut met bykomende regte ten gunste van Rand Water Raad soos aangedui deur die figuur ABC en geregistreer is in terme van Notarële Akte van Serwituut No K909/92S en aangedui word op diagram SG No. A 2147/91 wat nie die dorpsgebied raak nie;
- 1.4.19 Die pyplyn serwituut ten gunste van Johannesburg Stadsraad om water te gelei oor die eiendom met bykomende regte wat aangedui word deur die figuur ABC in terme van Notarële Akte van Serwituut No K2957/93S en aangedui word op diagram SG No. A 1123/87 wat nie die dorpsgebied raak nie;
- 1.4.20 Die ewigdurende serwituut ten gunste van AECI vir doeleindes om 'n gas pyplyn te konstrueer, te lê en te onderhou wat aangedui word deur die figuur ABCDEFGHJKLM in terme van Notarële Akte van Serwituut No K2956/93S en aangedui word op diagram SG No. A 5502/90 wat nie die dorpsgebied raak nie;
- 1.4.21 Die serwituut ten gunste van Johannesburg Stadsraad vir die oprigting en onderhoud van elektriese geleidingslyne en aanverwante doeleindes wat aangedui word deur die figuur ABCDEFGHJKLMN in terme van Notarële Akte van Serwituut No K2961/93S en aangedui word op diagram SG No. A 103/93 wat nie die dorpsgebied raak nie;
- 1.4.22 Die serwituut ten gunste van Johannesburg Stadsraad vir die onderhoud van elektriese geleidingslyne en aanverwante doeleindes wat aangedui word deur die figuur ABCDEFGHJK in terme van Notarële Akte van Serwituut No K5528/93S en aangedui word op diagram SG No. A 3625/1993 wat nie die dorpsgebied raak nie;
- 1.4.23 Die serwituut ten gunste van Suidelike Metropolitaanse Substruktuur vir die

Groter Johannesburg Metropolitaanse Oorgangsraad met bykomende regte wat aangedui word deur die figuur ABCDA in terme van Notarële Akte van Serwituut No K6286/97S en aangedui word op diagram SG No. A 10606/1993 wat nie die dorpsgebied raak nie;

1.4.24 Die ewigdurende reg van weg serwituut ten gunste van Crown Consolidated Gold Recoveries Beperk wat geregistreer is in terme van Notarële Akte van Serwituut No K1936/99S wat nie die dorpsgebied raak nie;

1.4.25 Die volgende voorwaardes wat nie aan die erwe in die dorp oorgedra moet word nie:

Titel Akte T44808/98 voorwaardes:

A.2. Entitled to a right of way together with ancillary rights over Erf 4 Baragwanath Extension 1 held under Certificate of Registered Title T 27397/61 as will more fully appear from reference to Notarial Deed K1538/61.

"C.3. A portion measuring approximately 5,7600 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(a) of Act 54/1971 vide EX79/1978."

D. The former Remaining Extent of Portion 5 of the farm Vierfontein 321, Registration Division I.Q. Transvaal, measuring 619,8247 (SIX HUNDRED AND NINETEEN comma EIGHT TWO FOUR SEVEN) hectares, whereof the property held hereunder forms a portion, is subject to the following conditions:

A portion measuring approximately + 20,3200 hectares has been expropriated by the National Transport Commission in terms of Section 8(1)(a) of Act 54/1971 vide notice of Expropriation EX 695/1981.

E.3. A portion measuring approximately + 3,800 hectares has been expropriated by the Department of Transport in terms of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX 253/1982.

4. A portion measuring approximately 20,3200 hectares has been expropriated by the National Transport Commission in favour of Section 8(1) (a) of Act 54/1971 vide EX 645/1981.

5. A portion measuring approximately + 2,5300 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(b) of Act 54/1971 vide Expropriation Notice 342/1982, which has been partially cancelled by EX413/89 in respect of portion measuring 4100 square metres, 500 square metres and 3100 square metres.

6. A portion measuring approximately +1,704 hectares has been expropriated by the Department of Transport in favour of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX622/1982.

7. A portion measuring approximately + 3,2100 hectares has been expropriated by the South African Railways and Harbours Administration in terms of Section 8(1)(a) of Act 54/1971 vide Expropriation Notice EX 275/1983.

F The former Remaining Extent of Portion 5 of the farm Vierfontein 321, registration Division I.Q. Transvaal, measuring 396,5256 (THREE HUNDRED AND NINETY SIX comma FIVE TWO FIVE SIX) hectares, whereof the property held hereunder forms a portion, is subject to:

A portion measuring + 6,3 metres wide has been expropriated by the South

African railways and Harbours Administration in terms of Section 32(5) of Act 37/1955 vide Expropriation Notice EX177/1984.

- G.5. A portion measuring + 1,7749 hectares has been expropriated by the Department of Development Planning Environment and Works vide EX294/1987;
- K.2. A portion measuring approximately +6,5133 hectares has been expropriated by the City Council of Johannesburg in terms of Section 5 of Act 63/1975 vide Expropriation Notice EX349/1991.
- O.2. A portion measuring approximately +5,7600 hectares has been expropriated by the Department of Transport in terms of Section 891)(a) of Act 56/1971 vide expropriation Notice EX79/1971.
- P The former Remaining Extent of the farm Vierfontein 321, registration Division I.Q. Transvaal; measuring 235,2586 (TOW HUNDRED AND THIRTY FIVE comma TWO FIVE EIGHT SIX) hectares subject to the Expropriation of a servitude for overhead transmission lines and underground electricity cables measuring 4,3885 hectares in favour of Greater Johannesburg Transitional Metropolitan Council in terms of Section 79(24) of Ordinance 17139 by Notice of Expropriation EX62/96.
- 1.4.26 Die serwituit ten gunste van Telkom wat slegs erwe 1405, 1406 en 1473 in die dorp raak.

1.5 Sloping van geboue en structure

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne die boulynreserwes, kant ruimtes en oor gemeenskaplike grense gelee is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

1.6 Verwydering van rommel

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

1.7 Verskuiwing of 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 dorpseienaar gedra word.

1.8 Verskuiwing van kraglyne

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kraglyne van ESKOM of Telkom te verskuif, moet die koste daarvan deur die dorpseienaar gedra word.

1.9 Samestelling en pligte van die Huiseienaars Assosiasie

- 1.9.1 Die applikant sal 'n Huiseienaars Assosiasie, oordentelik en wettig saamstel tot bevrediging van die plaaslike bestuur, voor of gelyktydig met die verkoop van die eerste erf in die dorp.
- 1.9.2 Erwe 1474 - 1479 (Privaat Oop Ruimste) sowel as Erf 1473 (Toegang) moet in die naam van die Huiseienaars Assosiasie geregistreer word.
- 1.9.3 Een en elke eienaar van erwe 1396 tot 1472 moet lid word van die Huiseienaars Assosiasie op oordrag van die erwe. Hierdie huiseienaars Assosiasie sal volle

- verantwoordelikheid van alle essensiele dienste (uitgesluit die dienste wat deur die Raad oorgeneem word) wat binne Erwe 1474 - 1479 en Erf 1473 geleë is oorneem.
- 1.9.4 Die Huiseienaars Assosiasie sal volle wetlike mag hê om van een en elke lid die koste te verhaal wat nodig is om sy werk te verrig en sal wetlike regte hê om sodanige kostes van enige lid te verhaal indien die lid nie sy verantwoordelikhede nakom nie.
- 1.9.5 Die plaaslike bestuur kan nie verantwoordelik gehou word indien die oppervlakte van die toegangs erf onklaar raak nie en/of enige ander dienste, met die uitsondering van dienste wat deur die Raad oorgeneem is.
- 1.9.6 Toegang van erwe 1396 - 1472 na 'n publieke straat moet oor Erf 1473 geskied.
- 1.9.7 Die plaaslike bestuur moet ten alle tye tot onbepaalde toegang oor Erf 1473 beskik.

1.10 Beperking op die vervreemding van erwe 1473 en 1474 - 1479

Erf 1473 (Toegang) en Erwe 1474 - 1479 mag slegs aan die huiseienaarsvereniging van die dorp oorgedra word en die huiseienaarsvereniging sal volle verantwoordelikheid neem vir die funksionering en onderhoud van die genoemde erf en vir die noodsaaklike dienste op die erf.

1.11 Verantwoordelikheid ten opsigte van dienste en beperking op die vervreemding van erwe.

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

2. TITELVOORWAARDES

2.1 Voorwaardes opgelê deur die Streeks Direkteur: Meneraal en Energie Sake in terme van die Minerale Wet, 1991 (Wet 50 van 1991)

Alle erwe sal aan die volgende voorwaardes onderworpe wees:

- 2.1.1 "Aangesien hierdie erwe (grond, standplaas ens) deel vorm van grond wat ondermyn is of ondermyn mag word in die verlede, hede en toekoms aanvaar die eienaar daarvan alle verantwoordelikheid vir enige skade aan die grond of geboue daarop as gevolg van sodanige versakking, vassaking, skokke of krake."
- 2.1.2 Aangesien hierdie erwe deel vorm van 'n area wat onderworpe is aan stofbesoedeling en geraas besoedeling as gevolg van herwinnings aktiwiteite in die verlede, hede of toekoms in die nabyheid daarvan, moet die eienaar aanvaar dat ongerief met betrekking tot stof, besoedeling en/of geraas as 'n gevolg daarvan, ondervind mag word.

2.2 Voorwaardes opgelê deur die Plaaslike Bestuur kragtens die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986)

Alle erwe is onderworpe aan die voorwaardes soos aangedui :

- 2.2.1 Die erwe is onderworpe aan 'n serwituut 2 meter breed vir riolerings- en ander munisipale doeleindes en 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 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike

bestuur : Met dien verstande dat die plaaslike bestuur van sodanige serwituut mag afsien.

2.2.2 Geen geboue of ander strukture mag binne die voorgenoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 (two) meter daarvan geplant word nie.

2.2.3 Die plaaslike bestuur is geregtig om enige materiaal wat deur hom 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 voorgenoemde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voorgenoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rioolhoofpyleidings en ander werke veroorsaak word.

2.2.4 Erwe 1434, 1476 en 1422

Die erwe is onderworpe aan 'n 5m x 2,5m serwituut vir substasie doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

2.2.5 Erf 1473

Die totale erf is onderworpe aan 'n serwituut van reg van weg en munisipale doeleindes ten gunste van die plaaslike bestuur, soos op die algemene plan aangedui.

LOCAL AUTHORITY NOTICE 2371

LOCAL AUTHORITY NOTICE 931 VAN 2005

CITY OF JOHANNESBURG, METROPOLITAN MUNICIPALITY

DECLARATION AS 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 hereby declares Ormonde Extension 39 Township to be an approved township subject to the conditions set out in the schedule hereto.

ANNEXURE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY INDUSTRIAL ZONE LIMITED 71/08146/06 (HEREIN AFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 98(1) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 143 OF THE FARM VIERFONTEIN 321, REGISTRATION DIVISION I.Q., PROVINCE OF GAUTENG HAS BEEN GRANTED.

1 Conditions of establishment

1.1 Name

The name of the township shall be Ormonde Extension 39.

1.2 Design

The township shall consist of erven and streets as indicated on General Plan S.G. No 10357/2003.

1.3 Engineering services

1.3.1 The township owner shall be responsible for the installation and provision of engineering services including streets and storm-water drainage and a contribution towards bulk sewerage services; and

1.3.2 the local authority concerned shall be responsible for the installation and provision of external engineering services;

The township owner shall when he intends to provide the township with engineering and essential services:

1.3.3 by agreement with the local authority classify every engineering service to be provided for the township in terms of section 116 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as an internal or external engineering service and in accordance with the guidelines; and

1.3.4 install or provide all internal and essential services to the satisfaction of the local authority and for this purpose shall lodge reports, diagrams and specifications as the local authority may require.

1.4 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:

1.4.1 the servitude for a water pipeline together with ancillary rights in favour of Peri-Urban Board registered in terms of Notarial Deed of Servitude No K1041/62S and indicated on SG diagram SG No A 3273/60 which does not affect the township area;

1.4.2 the servitude in favour of Eskom to convey electricity with ancillary rights registered in terms of Notarial Deed of Servitude No K1233/62S and depicted on diagram SG No A 441/61 which does not affect the township area;

1.4.3 the servitude for sewer purposes together with ancillary rights in favour of Erf 163 Baragwanath Extension 1 Johannesburg registered in terms of Notarial Deed of Servitude No 1077/63S dated 29th November 1962 which does not affect the township area;

1.4.4 the servitude in favour of the City Council of Johannesburg to convey electricity with ancillary rights registered in terms of Notarial Deed of Servitude No K751/65S which does not affect the township area;

1.4.5 the servitude in favour of Eskom for the erection of an electrical substation with ancillary rights registered in terms of Notarial Deed of Servitude No K338/67S and depicted on diagram SG No A 3676/82 which does not affect the township area;

1.4.6 the servitude in favour of Gaskor to convey gas over the property with ancillary rights registered in terms of Notarial Deed of Servitude No K591/71S and depicted on diagram SG No. A4187/67 which does not affect the township area;

1.4.7 the perpetual right of servitude for sewerage purposes together with ancillary rights in favour of the City Council of Johannesburg registered in terms of Notarial Deed of Servitude K2504/75S which does not affect the township area;

1.4.8 the servitude in favour of the City Council of Johannesburg in perpetuity to convey water over the property with ancillary rights over an area indicated by the figures ABCD and EFGHJK registered in terms of Notarial Deed of Servitude No

- K1199/80S and depicted on diagram SG No A87/79 which does not affect the township area;
- 1.4.9 the pipeline servitude which has been ceded in favour of the Republic of South Africa which was partially cancelled by virtue of Notarial Deed K 2235/1998S which does not affect the township area;
- 1.4.10 the servitude in favour of Gaskor to convey gas over the property in perpetuity with ancillary rights over an area indicated by the figures ABCDEF registered in terms of Notarial Deed of Servitude No K2172/85S and depicted on diagram SG No A9088/1983 which does not affect the township area;
- 1.4.11 the servitude for sewer purposes together with ancillary rights in favour of the City Council of Johannesburg over an area indicated by the figures ABCDEFGHJKLMNPQRSTU registered in terms of Notarial Deed of Servitude No K824/86S and depicted on diagram SG No A9489/84 which does not affect the township area;
- 1.4.12 the perpetual servitude for water purposes together with ancillary rights in favour of the Rand Water Board over an area indicated by the figures ABCDE on diagram SG No A8780/84 and that portion measuring 3,2331 hectares represented by the figure ABCDEFGHJ on diagram SG No A8781/84 registered in terms of Notarial Deed of Servitude No K77/87S which does not affect the township area;
- 1.4.13 the servitude in favour of Eskom to convey electricity with ancillary rights by means of transmission lines the center of which servitude is indicated by the line aBCb and Bed on diagram SG No A11405/83 and SG A11406/83 registered in terms of Notarial Deed of Servitude No K3491/87S which does not affect the township area;
- 1.4.14 the servitude of right of way together with ancillary rights granted to RMP as indicated by the figures ABCDEF in terms of Notarial Deed of Servitude No K2911/90S and depicted on diagram SG No. A6653/89 which does not affect the township area;
- 1.4.15 the servitude of right of way for road purposes in favour of the City Council of Johannesburg with ancillary rights as indicated by the figures ABCDEFG in terms of Notarial Deed of Servitude No K4460/90S and depicted on diagram SG No. A6090/90 which does not affect the township area;
- 1.4.16 the servitude of right of way together with ancillary rights granted to RMP Management Services Limited with ancillary rights as indicated by the figure ABCDEFGHJKLM in terms of Notarial Deed of Servitude No K4461/90S and depicted on diagram SG No. A4401/90 which does not affect the township area;
- 1.4.17 the servitude for construction and maintaining and electricity transformer substation in favour of the City Council of Johannesburg together with ancillary rights as indicated by the figure ABCD in terms of Notarial Deed of Servitude No K2133/91S and depicted on diagram SG No. A6678/90 which does not affect the township area;
- 1.4.18 the pipeline servitude in perpetuity with ancillary rights in favour of the Rand Water Board as indicated by the figure ABC registered in terms of Notarial Deed of Servitude K909/92 and depicted on diagram SG No. A2147/91 which does not affect the township area;
- 1.4.19 the pipeline servitude in favour of the City Council of Johannesburg to convey

water over the property together with ancillary rights as indicated by the figure ABC in terms of Notarial Deed of Servitude No K2957/93S and depicted on diagram SG No. A1123/87 which does not affect the township area;

- 1.4.20 the servitude in perpetuity in favour of AECI for the purposes of constructing, laying and maintaining a gas pipeline with ancillary rights as indicated by the figure ABCDEFGHJKLM in terms of Notarial Deed of Servitude No K2956/93S and depicted on diagram SG No. A5502/90 which does not affect the township area;
- 1.4.21 the servitude in favour of THE city Council of Johannesburg for the erection and maintenance of electrical transmission lines and purposes ancillary thereto as indicated by the figure ABCDEFGHJKLMN in terms of Notarial Deed of Servitude No K2961/93S and depicted on diagram SG No. A103/93 which does not affect the township area;
- 1.4.22 the servitude in favour of the City Council of Johannesburg for the maintenance of electrical transmitter lines and purposes ancillary thereto as indicated by the figure ABCDEFGHJK in terms of Notarial Deed of Servitude No K5528/93S and depicted on diagram SG No. A3625/1993 which does not affect the township area;
- 1.4.23 the servitude of right of way in favour of the Southern Metropolitan Substructure of the Greater Johannesburg Transitional Metropolitan Council together with ancillary rights thereto as indicated by the figure ABCDA in terms of Notarial Deed of Servitude No K6286/97S and depicted on diagram SG No. A10606/1993 which does not affect the township area;
- 1.4.24 the servitude of right of way in perpetuity in favour of the Crown Consolidated Gold Recoveries Limited registered in terms of Notarial Deed of Servitude No K1936/99S which does not affect the township area;
- 1.4.25 the following conditions which shall not be passed on to the erven in the township:

Title Deed T 44808/98 conditions

- A.2. Entitled to a right of way together with ancillary rights over Erf 4 Baragwanath Extension 1 held under Certificate of Registered Title T 27397/61 as will more fully appear from reference to Notarial Deed K1538/61.
- "C.3. A portion measuring approximately 5,7600 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(a) of Act 54/1971 vide EX79/1978."
- D. The former Remaining Extent of Portion 5 of the farm Vierfontein 321, Registration Division I.Q. Transvaal, measuring 619,8247 (SIX HUNDRED AND NINETEEN comma EIGHT TWO FOUR SEVEN) hectares, whereof the property held hereunder forms a portion, is subject to the following conditions:
- A portion measuring approximately +_ 20,3200 hectares has been expropriated by the National Transport Commission in terms of Section 8(1)(a) of Act 54/1971 vide notice of Expropriation EX 695/1981.
- E.3. A portion measuring approximately + 3,800 hectares has been expropriated by the Department of Transport in terms of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX 253/1982.

4. A portion measuring approximately 20,3200 hectares has been expropriated by the National Transport Commission in favour of Section 8(1) (a) of Act 54/1971 vide EX 645/1981.
 5. A portion measuring approximately + 2,5300 hectares has been expropriated by the Department of Transport in terms of Section 8(1)(b) of Act54/1971 vide Expropriation Notice 342/1982, which has been partially cancelled by EX413/89 in respect of portion measuring 4100 square metres, 500 square metres and 3100 square metres.
 6. A portion measuring approximately +1,704 hectares has been expropriated by the Department of Transport in favour of Section 8(1) (c) of Act 54/1971 vide Expropriation Notice EX622/1982.
 7. A portion measuring approximately + 3,2100 hectares has been expropriated by the South African Railways and Harbours Administration in terms of Section 8(1)(a) of Act 54/1971 vide Expropriation Notice EX 275/1983.
- F The former Remaining Extent of Portion 5 of the farm Vierfontein 321, registration Division I.Q. Transvaal, measuring 396,5256 (THREE HUNDRED AND NINETY SIX comma FIVE TWO FIVE SIX) hectares, whereof the property held hereunder forms a portion, is subject to:
- A portion measuring + 6,3 metres wide has been expropriated by the South African railways and Harbours Administration in terms of Section 32(5) of Act 37/1955 vide Expropriation Notice EX177/1984.
- G.5. A portion measuring + 1,7749 hectares has been expropriated by the Department of Development Planning Environment and Works vide EX294/1987;
 - K.2. A portion measuring approximately +6,5133 hectares has been expropriated by the City Council of Johannesburg in terms of Section 5 of Act 63/1975 vide Expropriation Notice EX349/1991.
 - O.2. A portion measuring approximately +5,7600 hectares has been expropriated by the Department of Transport in terms of Section 891)(a) of Act 56/1971 vide expropriation Notice EX79/1971.
- P The former Remaining Extent of the farm Vierfontein 321, registration Division I.Q. Transvaal; measuring 235,2586 (TOW HUNDRED AND THIRTY FIVE comma TWO FIVE EIGHT SIX) hectares subject to the Expropriation of a servitude for overhead transmission lines and underground electricity cables measuring 4,3885 hectares in favour of Greater Johannesburg Transitional Metropolitan Council in terms of Section 79(24) of Ordinance 17139 by Notice of Expropriation EX62/96.
- 1.4.26 the servitude in favour of Telkom which affects erven 1405, 1406 and 1473 in the township only.

1.5 Demolition of buildings and structures

The township owner shall at his 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.

1.6 Removal of litter

The township owner shall at his 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.

1.7 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.

1.8 Repositioning of circuits

If, by any reason of the establishment of the township, it should become necessary to reposition any existing circuits of ESKOM or Telkom, the cost thereof shall be borne by the township owner.

1.9 Formation and duties of Resident's Association

1.9.1 The applicant shall properly and legally constitute a Resident's association to the satisfaction of the local authority prior to or simultaneous with the sale of the first erf in the township.

1.9.2 Erf 1473 (Access) and erven 1474 - 1479 (Private Open Space) shall be registered in the name of the Resident's Association.

1.9.3 Each and every owner of Erven 1396 to 1472 shall become a member of the Resident's Association upon transfer of the erven. Such Association shall have full responsibility for Erven 1474 - 1479 and Erf 1473 for the essential services (excluding services taken over by the local authority) contained herein.

1.9.4 The Resident's Association shall have full legal power to levy from each and every member the costs incurred in fulfilling its function and shall have legal recourse to recover such fees in the event of a default by any member.

1.9.5 The local authority shall not be liable for the malfunction of the surfacing of the access way and/or any services with the exception of services taken over by the local authority.

1.9.6 Access from Erven 1396 - 1472 to a public road shall be across Erf 1473.

1.9.7 The local authority shall have unrestricted access to Erf 1473 at all times.

1.10 Restriction on the transfer of erven

Erf 1473 (Access) and Erven 1474 - 1479 shall be transferred only to the Residents Association established in respect of the township, which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the essential services with the said erven.

1.11 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, electricity and sanitary services as well as the construction of roads and storm water drainage and the installation of systems therefore as previously agreed upon between the township owner and the local authority. Erven shall not be alienated or be transferred into the name of a purchaser prior to the local authority verifying 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

2.1 Conditions imposed by the Regional Director: Mineral and Energy Affairs in terms of the Minerals Act, 1991 (Act 50 of 1991)

All erven shall be subject to the following conditions:

- 2.1.1 As this erf (stand, land etc) forms part of land which is, or may be, undermined and may be liable to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking.
- 2.1.2 As this erf forms part of an area which may be subject to dust pollution and noise as a result of re-cycling activities past, present or future in the vicinity thereof, the owner thereof accepts that inconvenience with regard to dust pollution and noise as a result thereof, may be experienced.

2.2 Conditions imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

The erven mentioned hereunder shall be subject to the conditions as indicated:

- 2.2.1 The erven are subject to a servitude, 2 metres 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 metres 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.

- 2.2.2 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 (two) metres thereof.

- 2.2.3 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 work 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.

- 2.2.4 Erven 1434, 1476 and 1422

The erven are subject to a 5m x 2,5m servitude for transformer/ substation purposes in favour of the local authority, as indicated on the general plan.

- 2.2.5 Erf 1473

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

LOCAL AUTHORITY NOTICE 2372**LOCAL AUTHORITY NOTICE 931 OF 2005****JOHANNESBURG TOWN PLANNING SCHEME, 1987: AMENDMENT SCHEME 492039**

The City of Johannesburg, hereby declares that it has approved an amendment scheme, being an amendment of the Johannesburg Town Planning Scheme, 1979, comprising the same land as included in the township of Ormonde Extension 39, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3 and scheme clauses of the amendment scheme are filed with the Deputy Director-General, Gauteng Provincial Government: Department Housing and Local Government, Marshalltown and the Assistant Director: Development Planning, Transportation and Environment, Johannesburg, Room 8100, 8th Floor, A-Block, Metropolitan Centre, Braamfontein and are open for inspection at all reasonable times.

The date this scheme will come into operation is 30 September 2005.

This amendment is known as the Johannesburg Amendment Scheme 492039.

A NAIR: EXECUTIVE DIRECTOR, DEVELOPMENT PLANNING, TRANSPORTATION AND ENVIRONMENT, CITY OF JOHANNESBURG

PLAASLIKE BESTUURSKENNISGEWING 2372**PLAASLIKE BESTUURSKENNISGEWING 931 VAN 2005****JOHANNESBURG DORPSBEPLANNINGSKEMA, 1987: WYSIGINGSKEMA 492039**

Johannesburg Stad, verklaar hierby ingevolge die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) dat hy 'n wysigingskema synde 'n wysiging van die Johannesburgse Dorpsbeplanningskema, 1979, wat uit die selfde grond as die dorp Ormonde Uitbreiding 39 bestaan, goedgekeur het.

Kaart 3 en skemaklousules van die wysigingskema word in bewaring gehou deur die Adjunk-Direkteur Generaal, Departement Behuising en Plaaslike Regering, Marshalltown en is by die Assistent Direkteur : Ontwikkelingsbeplanning, Vervoer en Omgewing, Johannesburg, Kamer 8100, 8 ste Verdieping, A-Blok, Metropolitaanse Sentrum, Braamfontein beskikbaar vir inspeksie te alle redelike tye.

Die datum van die inwerkingtreding van die skema is 30 September 2005.

Hierdie wysiging staan bekend as die Johannesburg Wysigingskema 492039.

**A NAIR: UITVOERENDE DIREKTEUR, ONTWIKELINGSBESTUUR, VERVOER EN OMGEWING
JOHANNESBURG STAD**

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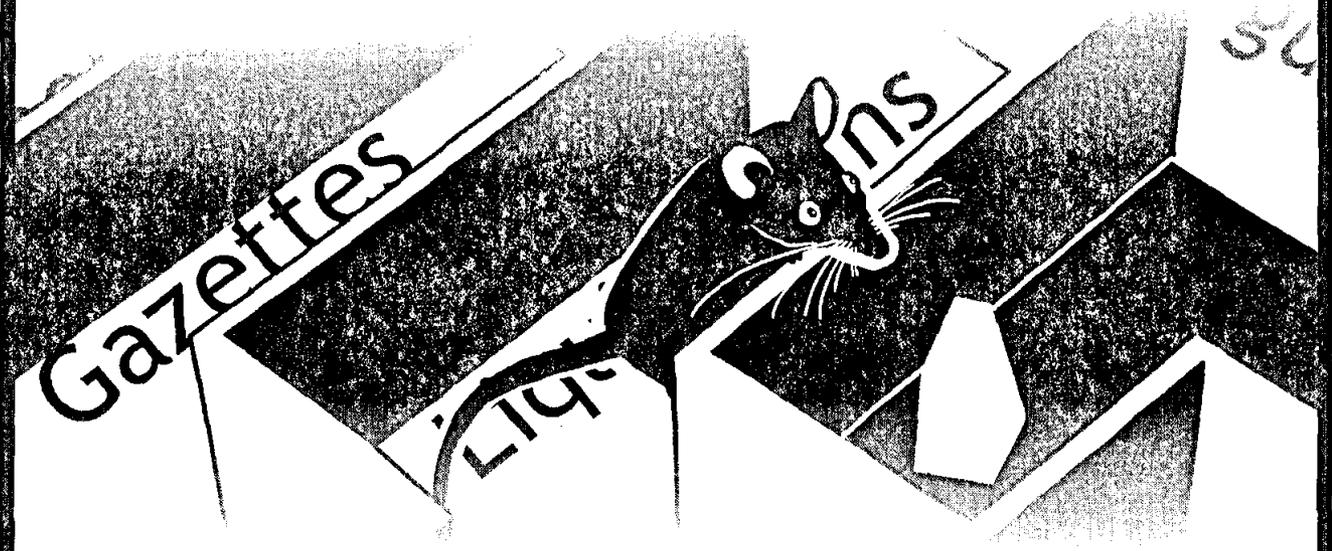
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