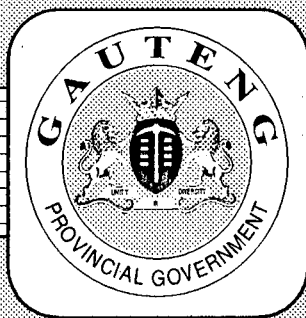


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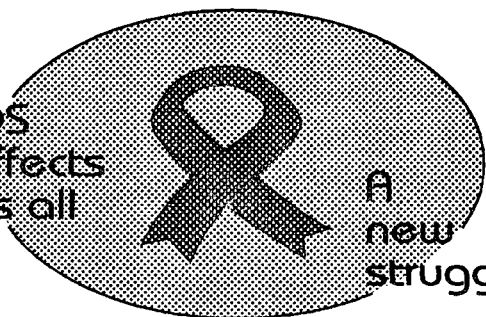
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PRETORIA, 16 FEBRUARY 2005
FEBRUARIE 2005

No. 61

We all have the power to prevent AIDS

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affects
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CONTENTS • INHOUD

| <i>No.</i> | | <i>Page No.</i> | <i>Gazette No.</i> |
|--------------------------------|---|---------------------|------------------------|
| LOCAL AUTHORITY NOTICES | | | |
| 344 | Town-planning and Townships Ordinance (15/1986): City of Johannesburg Metropolitan Municipality: Sandton Amendment Scheme 02-0892 | 3 | 61 |
| 345 | do.: do.: Declaration as approved township: Frankenwald Extension 28..... | 3 | 61 |
| 346 | do. : do.: Sandton Amendment Scheme 02-0888 | 10 | 61 |
| 347 | do.: do.: Declaration as approved township: Frankenwald Extension 5..... | 10 | 61 |

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 344

LOCAL AUTHORITY NOTICE 1244 CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY SANDTON AMENDMENT SCHEME 02-0892

The City of Johannesburg, hereby declares that it has approved an amendment scheme, being an amendment of the Sandton Town Planning Scheme, 1980, comprising the same land as included the township of **Frankenwald Extension 28**, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3, annexure 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.

This amendment is known as the Sandton Amendment Scheme **02-0892**

EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING TRANSPORTATION AND ENVIRONMENT

PLAASLIKE BESTUURSKENNISGEWING 344

PLAASLIKE BESTUURSKENNISGEWING 1244 STAD VAN JOHANNESBURG METROPOLITAANSE MUNISIPALITEIT SANDTON WYSIGINGSKEMA 02-0892

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 Sandton Dorpsbeplanningskema, 1980, wat uit dieselfde grond as die dorp **Frankenwald Uitbreiding 28** bestaan, goedgekeur het.

Kaart 3, bylae 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, 8ste Verdieping, A-Blok, Metropolitaanse Sentrum, Braamfontein beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as die Sandton Wysigingskema **02-0892**

UITVOERENDE DIREKTEUR, ONTWIKKELINGSBEPLANNING, VERVOER EN OMGEWING

LOCAL AUTHORITY NOTICE 345

LOCAL AUTHORITY NOTICE 1245 CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY DECLARATION AS APPROVED TOWNSHIP

In terms of section 103(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) the CITY OF JOHANNESBURG declares **FRANKENWALD EXTENSION 28** to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY MAIN STREET 100 (PTY) LTD IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE NO 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 70 (A PORTION OF PORTION 42) OF THE FARM BERGVALEI NO. 37 – I.R.

1. CONDITIONS OF ESTABLISHMENT

(1) **Name**

The name of the township shall be **FRANKENWALD EXTENSION 28**

(2) **Design**

The township shall consist of erven, as indicated on the General Plan, SG No. 9427/2003.

(3) **Provision and installation of engineering services**

The township owner shall provide engineering services in the township, subject to the approval of the Council and / or Eskom / City Power.

(4) **Obligations in respect of services and limitations in respect of the alienation of erven**

The township owner shall, in terms of prior agreement with the Council, fulfil its obligations with regard to the provision of engineering services in and for the township in terms of Chapter 5 of Ordinance 15 of 1986.

In terms of the Town Planning and Townships Ordinance, 1986, a contribution towards the provision of external engineering services and bulk sewer shall be payable.

No erven may be alienated or transferred in the name of a purchaser prior to the Council having confirmed that sufficient guarantees/cash contributions have been furnished in respect of the provision of services by the township owner to the Council.

(5) **Formation and Duties of Property Owners Association**

(a) The owners of Erven 100 to 102 in the township and subsequent owners of subdivided / consolidated portions of such erven shall become members of a Property Owners Association upon transfer of these erven or portions thereof and be subject to its rules and regulations until they cease to be owners as aforesaid.

(b) The Property Owners 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 in payment by any member.

(6) **Removal or replacement of municipal or other services**

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

(7) **Disposal of Existing Conditions of Title**

All erven shall be made subject to existing conditions and servitudes including the reservation of mineral rights and the following servitudes:

(a) A 4 metre wide servitude in favour of the local authority for municipal services as indicated on diagram S.G. No. A5695/1990 that effects Erf 100.

(b) A servitude in favour of Eskom as depicted on Diagram S.G. No A9884/1999 that affects Erf 102.

- (c) A servitude in favour of Eskom for electric power transmission as depicted on Diagram S.G. No A573/1990 that affects Erf 102.
- (d) A servitude for overhead electric power lines and underground cable as indicated on diagram S.G. No A4016/1938.
- (e) A servitude for overhead electric powerlines with underground cables as indicated on diagram S.G. No A5628/1953.

but excluding the following servitudes that do not affect the township:

- (a) A servitude in favour of Eskom to convey electricity with ancillary rights and subject to conditions as will more fully appear from Notarial Deed of Servitude K3108/79S.
- (b) Servitudes, the centre lines of which are indicated on Diagram S.G. No A8349/1996, as will more fully appear from Notarial Deed of Servitude K1092/94S.
- (c) A servitude in favour of Eskom to convey electricity with ancillary rights, the centre line of which is indicated on Diagram S.G. No A8349/1996 as will more fully appear from Notarial Deed of Servitude K883/1995S.
- (d) A servitude in favour of the City Council of Johannesburg for sewerage purposes together with ancillary rights as will more fully appear from Notarial Deed of Servitude K205/57S.
- (e) A servitude of right of way in favour of the City Council of Johannesburg for sewer purposes together with ancillary rights as depicted on Diagram S.G. No A3375/60 as will more fully appear from Notarial Deed of Servitude K1251/61S.
- (f) A servitude in favour of the Town Council of Sandton for the laying of water, gas, electricity and drainage mains together with ancillary rights indicated on Diagram S.G. No A1900/91 as will more fully appear from Notarial Deed of Servitude K2220/78S.
- (g) A servitude in favour of the Town Council of Sandton for municipal purposes together with ancillary rights over a portion indicated on Diagram S.G. No A807/1993 as will more fully appear from Notarial Deed No. K1836/1978S.
- (h) A servitude in favour of the Town Council of Sandton for municipal purposes together with ancillary rights as indicated on Diagram S.G. No A807/1993 as will more fully appear from Notarial Deed of Servitude K1474/94S.
- (i) A power line servitude in favour of ESKOM together with ancillary rights as will more fully appear from Notarial Deed of Servitude K6466/2001S.
- (j) A servitude in favour of the City Council of Johannesburg Metropolitan Municipality for sewerage purposes as indicated on Diagram S.G. No A563/2000 as will more fully appear from Notarial Deed of Servitude K6467/2001S.
- (k) A servitude of right of way in favour of the Council as indicated on Diagram S.G. No. A9412/2003 that affects Saturn Crescent.

2. CONDITIONS OF TITLE

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

(1) All Erven

- (a) The erf is subject to a servitude, 2m wide, in favour of the Council for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide across the access portion of the erf, if and when required by the Council: Provided that the Council may dispense with any such servitude.
- (b) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.
- (c) The Council shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for 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 Council.

EXECUTIVE DIRECTOR, DEVELOPMENT PLANNING TRANSPORTATION AND ENVIRONMENT

PLAASLIKE BESTUURSKENNISGEWING 345

PLAASLIKE BESTUURSKENNISGEWING 1245 STAD VAN JOHANNESBURG METROPOLITAANSE MUNISIPALITEIT VERKLARING TOT GOEDGEKEURDE DORP

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 an 1986) verklaar die STAD VAN JOHANNESBURG hierby die dorp **FRANKENWALD UITBREIDING 28** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR MAIN STREET 100 (PTY) LTD INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 70 ('N GEDEELTE VAN GEDEELTE 42) VAN DIE PLAAS BERGVALEI NR. 37 - I.R. TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

- (1) **Naam**
Die naam van die dorp is **FRANKENWALD UITBREIDING 28**
- (2) **Ontwerp**
Die dorp bestaan uit erwe soos aangedui op Algemeen Plan L.G. Nr. 9427/2003.
- (3) **Voorsiening en installering van ingenieursdienste**

Die dorpseienaar moet die nodige reëlings met die Raad tref vir die voorsiening en installering van ingenieursdienste in die dorp, tot bevrediging van die Raad en/ of Eskom / City Power.

(4) Verpligtinge ten opsigte van noodsaaklike dienste asook die beperking ten opsigte van vervreemding of oordragte van erwe

- Die dorpseienaar sal in terme van 'n vooraf gereëelde ooreenkoms met die Raad, sy verpligtinge rakende die voorsiening van ingenieursdienste in en vir die dorp in terme van Hoofstuk 5 van die Ordonnansie 15 van 1986.
- Ingevolge die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, is 'n bydrae tot die voorsiening van eksterne ingenieursdienste en grootmaatriool betaalbaar.
- Geen erwe mag vervreem of oorgedra word in die naam van 'n koper alvorens die Raad bevestig het dat voldoende waarborge / kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar van die Stadsraad gelewer is nie.

(5) Vorming en Pligte van die Eiendomseienaarsassosiasie

- (a) Die eienaar van erwe 100 tot 102 in die dorp en die daaropvolgende eienaars van die onderverdeelde / gekonsolideerde gedeeltes van sulke erwe, sal lede word van 'n Eiendomseienaarsassosiasie wanneer oorplasing van die erwe of gedeeltes plaasvind, en sal onderhewig wees aan die reëls en regulasies, tot en met die lede hulle eienaarskap eindig.
- (b) Die eiendomseienaarsassosiasie sal volmag hê tot die heffing van elke lid se kostes om hulle funksie te verrig en sal regstappe neem om die uitstaande foie van die lede te in.

(6) Verskuiwing of die vervanging van munisipale of ander dienste

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

(7) Beskikking oor bestaande Titelvoorwaardes

Alle erwe sal onderhewig wees aan bestaande voorwaardes en serwitute, insluitende die voorbehoud van minerale regte en die volgende serwitute:

- (a) 'n 4 meter wye serwituut ten gunste van die Plaaslike Owerheid vir munisipale dienste soos aangedui op Diagram L.G. Nr. A 5695/1990 wat erf 100 affekteer..
- (b) 'n Serwituut ten gunste van Eskom soos aangedui op Diagram L.G. Nr. A9884/1999 wat Erf 102 affekteer.
- (c) 'n Serwituut ten gunste van Eskom vir elektriese krag deurbrenging soos aangedui op Diagram L.G. Nr. A573/1990 wat Erf 102 affekteer.
- (d) 'n Serwituut vir oorhoofse elektriese kraglyne en ondergrondse kables soos aangedui op Diagram L.G. Nr. A4016/1938.
- (e) 'n Serwituut vir oorhoofse elektriese kraglyne met ondergrondse kables soos aangedui op Diagram L.G. Nr. A5628/1953.

Uitsluitende die volgende serwitute wat nie die dorp affekteer nie:

- (a) 'n Serwituut ten gunste van Eskom vir die vervoer van elektrisiteit met diensbare regte en onderhewig aan voorwaardes wat meer volledig voorkom in Notariële Serwituut Akte K3108/79S.
- (b) Serwitute, die middellyn van wat aangetoon word op Diagram L.G. Nr. A8349/1996, wat meer volledig voorkom in Notariële Serwituut Akte K1092/94S.
- (c) 'n Serwituut ten gunste van Eskom vir die vervoer van elektrisiteit met diensbare regte, die middellyn wat aangetoon word op Diagram L.G. Nr. A8349/1996, wat meer volledig voorkom in Notariële Serwituut Akte K883/1995S.
- (d) 'n Serwituut ten gunste van die Stadsraad van Johannesburg vir riool doeleindes tesame met diensbare regte, wat meer volledig voorkom in Notariële Serwituut Akte K205/57S.
- (e) 'n Reg van weg serwituut ten gunste van die Stadsraad van Johannesburg vir 'n riool doeleindes tesame met diensbare regte soos uitgebeeld op Diagram L.G. Nr. A3375/60, wat meer volledig voorkom in Notariële Serwituut Akte K1251/61S.
- (f) 'n Serwituut ten gunste van die Stadsraad van Sandton vir die aanlê van water, gas, elektrisiteit en riool hoofleidings tesame met diensbare regte wat aangetoon word op Diagram L. G. Nr. A1900/91, wat meer volledig voorkom in Notariële Serwituut Akte K2220/78S.
- (g) 'n Serwituut ten gunste van die Stadsraad van Sandton vir munisipale doeleindes tesame met diensbare regte oor 'n gedeelte wat aangetoon word op Diagram L.G. Nr. A 807/1993, wat meer volledig voorkom in Notariële Serwituut Akte K1836/1978S.
- (h) 'n Serwituut ten gunste van die Stadsraad van Sandton vir munisipale doeleindes tesame met diensbare regte soos aangedui op Diagram L.G. Nr. A807/1993, wat meer volledig voorkom in Notariële Serwituut Akte K1474/94S.
- (i) 'n Kraglyn serwituut ten gunste van Eskom tesame met diensbare regte, wat meer volledig voorkom in Notariële Serwituut Akte K6466/2001S.
- (j) 'n Serwituut ten gunste van die Stadsraad van Johannesburg Metropolitaanse Munisipaliteit vir riool doeleindes, soos aangedui op Diagram L.G. Nr. A563/2000, wat meer volledig voorkom in Notariële Serwituut Akte K6467/2001S.
- (k) 'n Reg van weg serwituut ten gunste van die Raad, soos aangedui op Diagram L.G. Nr. A9412/2003 wat Saturn Crescent affekteer.

2. TITELVOORWAARDES

Die erwe hieronder genoem sal onderworpe wees aan die voorwaardes, soos aangedui, opgelê deur die Raad kragtens die bepaling van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

(1) ALLE ERWE

- (a) Die erf is onderworpe aan 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Raad. Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
- (b) Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
- (c) Die Raad is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke wat hy volgens goëddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke veroorsaak word.

UITVOERENDE DIREKTEUR, ONTWIKKELINGSBEPLANNING, VERVOER EN OMGEWING

LOCAL AUTHORITY NOTICE 346**LOCAL AUTHORITY NOTICE 1240
CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY
SANDTON AMENDMENT SCHEME 02-0888**

The City of Johannesburg, hereby declares that it has approved an amendment scheme, being an amendment of the Sandton Town Planning Scheme, 1980, comprising the same land as included in the township of **Frankenwald Extension 5**, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3, annexure 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.

This amendment is known as the Sandton Amendment Scheme **02-0888**

EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING TRANSPORTATION AND ENVIRONMENT

PLAASLIKE BESTUURSKENNISGEWING 346**PLAASLIKE BESTUURSKENNISGEWING 1240
STAD VAN JOHANNESBURG METROPOLITAANSE MUNISIPALITEIT
SANDTON WYSIGINGSKEMA 02-0888**

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 Sandton Dorpsbeplanningskema, 1980, wat uit dieselfde grond as die dorp **Frankenwald Extension 5** bestaan, goedgekeur het.

Kaart 3, bylae 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, 8ste Verdieping, A-Blok, Metropolitaanse Sentrum, Braamfontein beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as die Sandton Wysigingskema **02-0888**.

UITVOERENDE DIREKTEUR, ONTWIKKELINGSBEPLANNING VERVOER EN OMGEWING

LOCAL AUTHORITY NOTICE 347**LOCAL AUTHORITY NOTICE 1241
CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY
DECLARATION AS APPROVED TOWNSHIP**

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) the CITY OF JOHANNESBURG declares **FRANKENWALD EXTENSION 5** to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY MAIN STREET 100 (PTY) LTD IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE NO 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 66 (A PORTION OF PORTION 42) OF THE FARM BERGVALEI NO. 37 - I.R., HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

- (1) **Name**
The name of the township shall be **FRANKENWALD EXTENSION 5**
- (2) **Design**
The township shall consist of erven and streets, as indicated on the General Plan, SG No. 9423/2003.
- (3) **Provision and installation of engineering services**
The township owner shall provide engineering services in the township, subject to the approval of the Council and Eskom / City Power.

- (4) **Obligations in respect of services and limitations in respect of the alienation of erven**
- (a) The Township owner shall, in terms of a prior agreement with the Council, fulfil its obligations with regard to the provision of engineering services in and for the township in terms of Chapter 5 of Ordinance 15 of 1986.
 - (b) In terms of the Town Planning and Townships Ordinance, 15 of 1986, a contribution towards the provision of external engineering services and bulk sewer shall be payable.
 - (c) No erven may be alienated or be transferred into the name of a purchaser prior to the Council having confirmed that sufficient guarantees / cash contributions have been furnished in respect of the provision of services by the township owner to the Council.
- (5) **Formation and Duties of Property Owners Association**
- (a) Erf 81 shall be registered in the name of a Property Owners' Association.
 - (b) The owners of Erven 79 and 80 and subsequent owners of subdivided / consolidated portions of such erven shall become members of a Property Owners Association upon transfer of these erven or portions thereof and be subject to its rules and regulations until they cease to be owners as aforesaid. Such Association shall have full responsibility for the access security control erf and the essential services (excluding services to be taken over by the Council) contained herein.
 - (c) The Property Owners 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 in payment by any members.
 - (d) The Council shall not be liable for the malfunction of the surfacing of the access way and / or stormwater drainage system.
- (6) **Removal or replacement of municipal or other services**
- If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal, Telkom or Eskom services, the cost thereof shall be borne by the township owner.
- (7) **Disposal of Existing Conditions of Title**
- All erven shall be made subject to existing conditions and servitudes, including the reservation of mineral rights, a servitude in favour of the Council that affects Erf 81, Milky Way and Saturn Crescent as depicted on Diagram SG No. 9412/2003 and a servitude in favour of the Eastern Metropolitan Substructure for water, sewerage mains and / or drainage purposes as depicted on Diagram S.G. No A5695/1990 that affects Erf 79, but excluding the following servitudes that do not affect the township:
- (a) A servitude in favour of Eskom to convey electricity with ancillary rights and subject to conditions as will more fully appear from Notarial Deed of servitude K3108/79S.
 - (b) Servitudes, the centre lines of which are indicated on Diagram S.G. No A8349/1996, as will more fully appear from Notarial Deed of Servitude K1092/94S.
 - (c) A servitude in favour of Eskom to convey electricity with ancillary rights, the centre line of which is indicated on Diagram S.G. No A8349/1996 as will more fully appear from Notarial Deed of Servitude K883/1995S.
 - (d) A servitude in favour of the City Council of Johannesburg for sewerage purposes together with ancillary rights as will more fully appear from Notarial Deed of Servitude K205/57S.
 - (e) A servitude of right of way in favour of the City Council of Johannesburg for sewer purposes together with ancillary rights as depicted on Diagram S.G. No A3375/60 as will more fully appear from Notarial Deed of Servitude K1251/61S.
 - (f) A servitude in favour of the Town Council of Sandton for the laying of water, gas, electricity and drainage mains together with ancillary rights indicated on Diagram S.G. No A1900/91 as will more fully appear from Notarial Deed of Servitude K2220/78S.
 - (g) A servitude in favour of the Town Council of Sandton for municipal purposes together with ancillary rights over a portion indicated on Diagram S.G. No. A807/1993 as will more fully appear from Notarial Deed No. K1836/1978S.

- (h) A servitude in favour of the Town Council of Sandton for municipal purposes together with ancillary rights as indicated on Diagram S.G. No A807/1993 as will more fully appear from Notarial Deed of Servitude K1474/94S.
- (i) A power line servitude in favour of ESKOM together with ancillary rights as will more fully appear from Notarial Deed of Servitude K6466/2001S.
- (j) A servitude in favour of the City Council of Johannesburg Metropolitan Municipality for sewerage purposes as indicated on Diagram S.G. No A563/2000 as will more fully appear from Notarial Deed of Servitude K6467/2001S.

2. CONDITIONS OF TITLE

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

(1) ALL ERVEN

- (a) The erf is subject to a servitude, 2m wide, in favour of the Council for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide across the access portion of the erf, if and when required by the Council: Provided that the Council may dispense with any such servitude.
- (b) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.
- (c) The Council shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for 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 Council.

(2) ERVEN 79 AND 80

The erf is subject to a servitude for road purposes and municipal services in favour of the Council as indicated on the general plan. On submission of a certificate from the Council to the Registrar of Deeds stating that the servitude is no longer required this condition shall lapse.

(3) ERF 81

- (a) The erf is subject to a servitude for municipal purposes in favour of the Council.
- (b) In order to provide access for vehicular traffic a right-of-way servitude shall be registered over the erf in favour of the Council, by and at the cost of the owner without any compensation, before or simultaneously with the registration of such erf in the name of the Property Owners Association.

(4) ERF 79

- (a) The erf is subject to a 5,5m wide servitude for essential services in favour of the Council, as indicated on the general plan.
- (b) The erf is also subject to a 3m wide servitude for essential services in favour of the Council, as indicated on the general plan.

(5) CONDITIONS IMPOSED BY THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED IN TERMS OF THE NATIONAL ROADS ACT NO. 7 OF 1998

Erf 79 is subject to the following condition:

"Except for any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance of 20 metres from the reserve boundary of National Road N3".

EXECUTIVE DIRECTOR, DEVELOPMENT PLANNING TRANSPORTATION AND ENVIRONMENT

PLAASLIKE BESTUURSKENNISGEWING 347

**PLAASLIKE BESTUURSKENNISGEWING 1241
STAD VAN JOHANNESBURG METROPOLITAANSE MUNISIPALITEIT
VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) verklaar die STAD VAN JOHANNESBURG hierby die dorp **FRANKENWALD UITBREIDING 5** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR MAIN STREET 100 (PTY) LTD INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 66 ('N GEDEELTE VAN GEDEELTE 42) VAN DIE PLAAS BERGVALEI NR. 37 - I.R.), TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

- (1) **Naam**
Die naam van die dorp is **FRANKENWALD UITBREIDING 5**
- (2) **Ontwerp**
Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG No. 9423/2003
- (3) **Voorsiening en installing van Dienste**
Die dorpseienaar moet die nodige reëlings met die Raad tref vir die voorsiening en installing van ingenieursdienste in die dorp, tot bevrediging van die Raad en/of Eskom / City Power.
- (4) **Verpligtinge ten opsigte van noodsaaklike dienste asook die beperking ten opsigte van vervoer van oordragte van erwe**
 - Die dorpseienaar sal, in terme van 'n vooraf gereëelde ooreenkoms met die Raad, sy verpligtinge rakende die voorsiening van ingenieursdienste in en vir die dorp in terme van Hoofstuk 5 van die Ordonnansie 15 van 1986.
 - Ingevolge die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986, is 'n bydrae tot die voorsiening van ingenieursdienste en grootmaatriool betaalbaar.
 - Geen erwe mag vervoer of oorgedra word in die naam van 'n koper alvorens die Raad bevestig het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die Stadsraad gelewer is nie.
- (5) **Vorming van Pligte van die Eiendomseienarsassosiasie**
 - (a) Erf 81 sal geregistreer word in the naam van 'n Eiendomseienarsassosiasie.
 - (b) Die eienaar van erwe 79 tot 80 in die dorp en die daaropvolgende eienaars van die onderverdeelde / gekonsolideerde gedeeltes van sulke erwe, sal lede word van 'n Eiendomseienarsassosiasie wanneer oorpasing van die erwe of gedeeltes plaasvind, en sal onderhewig wees aan die reëls en regulasies, tot in met die lede hulle eienaarskap eindig.
 - (c) Die Eiendomseienarsassosiasie sal volmag hê tot die heffing van elke lid se kostes om hulle funksie te verrig, en sal regstappe neem om die uitstaande fooie van die lede te in.
 - (d) Die Raad sal nie verantwoordelik wees vir die "malfunction", opduiking van die toegangsweg en / of die stormwater riool sisteem nie.
- (6) **Verskuiwing of die vervanging van munisipale of ander dienste**
Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale, Telkom of Eskom dienste te verskuif of te vervang moet die koste daarvan deur die dorpseienaar

gedra word.

(7) **Beskikking oor bestaande Titelvoorwaardes**

Alle erwe sal onderhewig wees aan bestaande voorwaardes en serwitute, insluitende die voorbehoud van minerale regte, 'n serwituut ten gunste van die Raad wat Erf 81 affekteer, Milky Way en Saturn Crescent soos aangedui op Diagram L.G. Nr. 9412/2003 en 'n serwituut ten gunste van die Oostelike Metropolitaanse Substrukture van water, riool en/of dreinerings doeleindes soos aangedui op Diagram L.G. Nr. A5695/1990, wat Erf 79 affekteer maar uitsluitende die volgende serwitute wat nie die dorp affekteer nie:

- (a) 'n Serwituut ten gunste van Eskom vir die vervoer van elektrisiteit met diensbare regte en onderwig aan voorwaardes wat meer volledig voorkom in Notariële Serwituut Akte K3108/79S.
- (b) Serwitute, die middellyn van wat aangetoon word op Diagram L.G. Nr. A8349/1996, wat meer volledig voorkom in Notariële Serwituut Akte K1092/94S.
- (c) 'n Serwituut ten gunste van Eskom vir die vervoer van elektrisiteit met diensbare regte, die middellyn wat aangetoon word op Diagram L. G. Nr. A8349/1996, wat meer volledig voorkom in Notariële Serwituut Akte K883/1995S.
- (d) 'n Serwituut ten gunste van die Stadsraad van Johannesburg vir riool doeleindes tesame met diensbare regte, wat meer volledig voorkom in Notariële Serwituut Akte K205/57S.
- (e) 'n Reg van weg serwituut ten gunste van die Stadsraad van Johannesburg vir riool doeleindes tesame met diensbare regte soos uitgebeeld op Diagram L.G. Nr. A3375/60, wat meer volledig voorkom in Notariële Serwituut Akte K1251/61S.
- (f) 'n Serwituut ten gunste van die Stadsraad van Sandton vir die aanlê van water, gas, elektrisiteit en riool hoofleidings tesame met diensbare regte wat aangetoon word op Diagram L.G. Nr. A1900/91, wat meer volledig voorkom in Notariële Serwituut Akte K2220/78S.
- (g) 'n Serwituut ten gunste van die Stadsraad van Sandton vir munisipale doeleindes tesame met diensbare regte oor 'n gedeelte wat aangetoon word op Diagram L.G. Nr. A807/1993, wat meer volledig voorkom in Notariële Serwituut Akte K1836/1978S.
- (h) 'n Serwituut ten gunste van die Stadsraad van Sandton vir munisipale doeleindes tesame met diensbare regte soos aangedui op Diagram L.G. Nr. A807/1993 wat meer volledig voorkom in Notariële Serwituut Akte K1474/94S.
- (i) 'n Kraglyn serwituut ten gunste van Eskom tesame met diensbare regte, wat meer volledig voorkom in Notariële Serwituut Akte K6466/2001S.
- (j) 'n Serwituut ten gunste van die Stadsraad van Johannesburg Metropolitaanse Munisipaliteit vir riool doeleindes soos aangedui op Diagram L.G. Nr. A563/2000, wat meer volledig voorkom in Notariële Serwituut Akte K6467/2001S.

TITELVOORWAARDES

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

(1) **ALLE ERWE**

- (a) Die erf is onderworpe aan 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Raad: Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
- (b) Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n

- afstand van 2 meter daarvan geplant word nie.
- (c) Die Raad is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke wat hy volgens goeie goeie noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde servituut grens en is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke veroorsaak word.

(2) **ERWE 79 EN 80**

Die erwe is onderworpe aan 'n servituut vir pad doeleindes en munisipale dienste ten gunste van die Raad soos aangedui op die algemene plan. Met indiening van 'n sertifikaat van die Raad na die Registrateur van Aktes, bevestig dat die servituut nie langer benodig word nie, sal die voorwaarde verval.

(3) **ERF 81**

- (a) Die erf is onderworpe aan 'n servituut vir munisipale doeleindes ten gunste van die Raad.
- (b) Om toegang te verskaf vir motor verkeer, sal 'n reg van weg servituut geregistreer moet word oor die erf ten gunste van die Raad, teen die koste van die eienaar sonder enige kompensasie, voor of gelyktydig met die registrasie van so 'n erf in die naam van die Eiendomseienaarsassosiasie.

(4) **ERF 79**

- (a) Die erf is onderworpe aan 'n 5,5m wye servituut vir essentiële dienste ten gunste van die Raad, soos aangedui op die algemene plan.
- (b) Die erf is ook onderworpe aan 'n 3m wye servituut vir essensiele dienste ten gunste van die Raad, soos aangedui op die algemene plan.

(5) **Voorwaardes ingestel deur die "South African National Roads Agency Limited" in terme van die "National Roads Act No. 7 of 1998".**

Erf 79 is onderworpe aan die volgende voorwaarde:

"Except for any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance of 20 metres from the reserve boundary of National Road N3".

UITVOERENDE DIREKTEUR: ONTWIKKELINGSBEPLANNING, VERVOER EN OMGEWING

