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IMPORTANT NOTICE

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 130

CITY OF JOHANNESBURG AMENDMENT SCHEME 07-5833

The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Halfway House and Clayville Town Planning Scheme, 1976, comprising the same land as included in the township of **Jukskei View Extension 19**.

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

This amendment is known as Amendment Scheme 07-5833

**Tiaan Ehlers: Acting Executive Director : Development Planning
and Urban Management**

Notice No. 103/2010
16 February 2010

PLAASLIKE BESTUURSKENNISGEWING 130

STAD VAN JOHANNESBURG WYSIGINGSKEMA 07-5833

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepaling van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe Nr 15 van 1986, dat hy 'n wysigingskema synde 'n wysiging van die Halfway House en Clayville Dorpsbeplanning Skema, 1976, wat uit dieselfde grond as die dorp **Jukskei View Uitbreiding 19** bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning en Stedelike Bestuur: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 07-5833

**Tiaan Ehlers: Waarnemende Uitvoerende Direkteur : Ontwikkelingsbeplanning
en Stedelike Bestuur**

Kennisgewing Nr 103/2010
16 Februarie 2010

LOCAL AUTHORITY NOTICE 131

CITY OF JOHANNESBURG DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Jukskei View Extension 19** to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY WATERFALL COUNTRY ESTATE WUQF (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 732 (A PORTION OF PORTION 1) OF THE FARM WATERVALALLANDALE NO. 5 I.R. HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Jukskei View Extension 19.

(2) DESIGN

The township shall consist of erven as indicated on General Plan S.G. No. 2583/2009.

(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

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

(4) ELECTRICITY

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

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

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

(5) GAUTENG PROVINCIAL GOVERNMENT

(a) Should the development of the township not be commenced with by 16 September 2013, the application to establish the township, shall be resubmitted to the Department of Agriculture, Conservation, and Environment for exemption/ authorisation in terms of the Environment Conservation Act, 1989 (Act 73 of 1989), as amended.

(b) Should the development of the township not be completed on or before 21 November 2016 the application to establish the township shall be resubmitted to the Department of Public Transport, Roads and Works (Gauteng Provincial Government) for re-consideration.

(c) If however, before the expiry date mentioned in (b) above, circumstances change in such a way that roads and/or PWV routes under the control of the said Department are affected by the proposed layout of the township, the township owner shall resubmit the application for the purpose of fulfilment of the requirements of the controlling authority in terms of the provisions of Section 48 of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).

(6) DEPARTMENT: MINERALS AND ENERGY

Should the development of the township not be completed on or before 12 December 2011 the application to establish the township, shall be resubmitted to the Department: Minerals and Energy for re-consideration.

(7) ACCESS

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

(b) Temporary access to and from the Remainder of Portion 1 of the farm Watervall No 5-I.R. shall be provided along Maxwell Drive.

(c) The temporary access referred to above, shall only be until the Remainder of Portion 1 of the farm Watervall No 5-I.R. is developed as a township, after which each township shall have stipulated access.

(d) Access to or egress from the township shall be to the satisfaction of the local authority and Johannesburg Roads Agency (Pty) Ltd.

(8) REMOVAL OR REPLACEMENT OF EXISTING SERVICES

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

(9) ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the adjacent roads and for all stormwater running off or being diverted from the road to be received and disposed of.

(10) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own cost cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when requested thereto by the local authority.

(11) FORMATION AND DUTIES OF SECTION 21 COMPANY OR SIMILAR LEGAL ENTITIES

The applicant shall properly and legally constitute a Residents Association to the satisfaction of the local authority before the sale of the first erf, *which association shall not be de-registered without the consent of the local authority).

- (a) The access erven (Erven 1185 and 1186) shall be subject to a perpetual servitude registered in favour of the Waterfall Country Estate Home Owners Association (Association incorporated under Section 21) Registration No. 2009/012918/08 and said road portions may not be sold or in any way disposed of without prior consent of the local authority.
- (b) The park erven (Erven 1187 to 1192) shall be subject to a perpetual servitude in favour of the Residents Association and the said park portions may not be sold or in any way be disposed of without prior written consent of the local authority.
- (c) Each and every lessee of Erven 834 to 1184 shall become a member of the Residents Association, upon registration of the Certificate of Registered Title in respect of the erf. Should the owner dispose of the leasehold rights to the erven by means of a registrable leases then the owner shall ensure the membership of each lessee of the residents association.
- (d) The Residents 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 payments by any member.
- (e) The local authority shall not be liable for the malfunction of the surfacing of the access way and/or the stormwater drainage system, and/or any essential services, with the exception of the sewerage system.
- (f) A servitude for municipal purposes shall be registered over Erven 1185 and 1186 in favour of and to the satisfaction of the local authority.
- (g) The local authority shall have unrestricted access to Erven 1185 and 1186 at all times.
- (h) Street names and numbers shall be allocated in consultation with the local authority.

(12) SERVITUDE IN FAVOUR OF OCCUPANTS

In terms of the Conditions of Establishment in respect of the township known as Jukskei View Extension 19, Erven 1185 and 1186 Jukskei View Extension 19 shall be subject to a right of way servitude for access purposes in favour of the Remaining Extent of Portion 1 of the farm Waterval No 5-I.R. and the Waterfall Country Estate Home Owners Association (Association incorporated under Section 21) Registration No 2009/012918/2009, its members occupants, all lessees of properties situated in the herein aforementioned township, their families, visitors, friends, employees, contractors and invitees.

(13) 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 and the following:

(a) EXCLUDING THE FOLLOWING SERVITUDE WHICH ONLY AFFECTS MAXWELL DRIVE:

- (aa) The servitude to convey electricity over the property, registered in terms of K1293/1963S, in favour of the Electricity Supply Commission, vide diagram S.G. No. A7672/1963S.

(bb) The 3metre wide servitude for municipal purposes registered in terms of Notarial Deed of Servitude K3366/1997S in favour of the Council of Midrand vide S.G. No. A7672/1989.

(b) EXCLUDING THE FOLLOWING SERVITUDE WHICH AFFECTS ERVEN 1155, 1185, 1186, 1187, 1188 AND 1192 IN THE TOWNSHIP AS WELL AS MAXWELL DRIVE AND COUNTRY ESTATE DRIVE

(aa) The 7metre wide servitude in favour of the local authority in terms of Diagram S.G. No. A6302/1993.

(c) EXCLUDING THE FOLLOWING THAT DOES NOT AFFECT THE TOWNSHIP

(aa)The servitude to convey electricity over the property registered in terms of Notarial Deed No. K55/1973S in favour of EVKOM vide diagram S.G. No. A5191/1971.

(bb)The servitude to convey electricity over the property registered in terms of Notarial Deed No. K2514/1976S in favour of ESKOM as amended by K3475/1981S vide diagram S.G. No. A1392/1980.

(cc)The lease agreement registered in terms of Notarial Deed of Lease No. K3589/1985L vide diagram S.G. No. A4717/1985, in favour of the Town Council of Midrand.

(dd)The servitude to convey electricity over the property, registered in terms of Notarial Deed of Route description K3213/1994S in favour of ESKOM vide diagram S.G. No. 5427/1991.

(ee)The sewer servitude measuring 2021m² registered in terms of Notarial Deed No. K4394/1999S in favour of Portion 576 (a portion of Portion 61) of the farm Waterval No 5-I.R. vide diagram S.G. No. 12040/1997.

(ff)The servitude registered in terms of Notarial Deed No. K4398/1999S, in favour of ESKOM vide diagram S.G. No. 6150/1997.

(gg)The servitude to convey electricity registered in terms of Notarial Deed No. K3161/2000S in favour of ESKOM vide diagram S.G. No. 8801/1998.

(hh)The sub-lease agreement registered in terms of Notarial Deed of Servitude K7434/2002S in favour of Livingstones Lifestyle Centre (Proprietary) Limited.

(ii) The lease agreement registered in terms of Notarial Deed of Lease K849/1983L in favour of Waterval Islamic Institute.

(jj)The servitude to convey electricity registered in terms of Notarial Deed of Servitude K2800/2007S in favour of ESKOM which route has been determined by K786/2009S vide diagram S.G. No. 628/2008.

(kk)The servitude for overhead powerlines, underground cables and telecommunications and 3 substations, and a right of way registered in terms of Notarial Deed of Servitude K300/2009S in favour of ESKOM vide diagram S.G. No. 5392/2007, S.G. No. 5388/2007, S.G. No. 5357/2008, S.G. No. 5390/2007 and S.G. No. 5389/2007.

(ll)The servitude to erect a substation servitude in terms of Notarial Deed of Servitude K3487/2009S in favour of ESKOM.

(d) ALL ERVEN EXCEPT FOR ERVEN 1185, 1186 AND 1187 TO 1191 (INCLUSIVE) SHALL BE SUBJECT TO –

“By virtue of Notarial Deed No K536/2010S the within mentioned property may not be sold but only leased and such lease shall be with reference to the Standard Terms and Conditions as set out in Annexure 1 to the said Notarial Deed and that no deviation there-from or amendment to such Standard Terms and Conditions will be valid or effective unless consented to in writing by all Mortgage Financiers as provided for in “the Standard Terms and Conditions.”

(e) ALL ERVEN SHALL BE SUBJECT TO

By Notarial Deed of Servitude No. K539/2010L the within-mentioned property shall be subject to a lease in perpetuity in favour of Waterfall Golf Estate (Proprietary) Limited”.

(14) ENDOWMENT

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

(15) OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN

(a) The township owner shall, at its own costs and to the satisfaction of the local authority, design, provide and construct all services including the internal roads, **Maxwell Drive, a Part of Jukskei Drive and a Part of Country Estate Drive**, and the stormwater reticulation, within the boundaries of the township. Erven or units in the township, may not be

alienated or transferred into the name of a purchaser prior to the local authority certifying to the Registrar of Deeds that these services had been provided and installed; and

(b) The Township Owner shall, within such period as the local authority may determine, fulfil its obligations in respect of the provision of water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefore, as previously agreed upon between the township owner and the local authority. Erven or units in the township, may not be alienated or transferred into the name of a purchaser, prior to the local authority certifying to the Registrar of Deeds 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; and

(c) Notwithstanding the provisions of clause 2 hereunder, the township owner shall, at its own costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the services provided, constructed and/or installed as contemplated in (a) and/or (b) above. Erven or units in the township may not be alienated or transferred into the name of a purchaser prior to the local authority certifying to the Registrar of Deeds that these services had been or will be protected to the satisfaction of the local authority.

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) Each erf is subject to a servitude, 2 m wide, in favour of the local authority, for sewerage and other Municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2 m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.

(b) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2 m thereof.

(c) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the process of construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority

(2) ERVEN 849,850, 899, 904, 905, 915, 963, 971, 1007, 1040, 1118, 1119, 1177 AND 1189

The erven above are subject to an electrical substation in favour of ESKOM as depicted on the General Plan.

(3) ERVEN 1185 AND 1186

(a) The above erven are subject to a servitude for right of way and municipal purposes in favour of the local authority.

(b) The above erven are subject to a servitude of right of way in favour of the Residents Association, its members occupants, all lessees of properties situated in the herein afore-mentioned township, their families, visitors, friends, employees, contractors and invitees.

(4) ERVEN 1186, 1187, 1188, 1189 AND 1192

No building of any nature shall be erected within that the above erven which are likely to be inundated by the floodwaters of a public stream on an average every 100 years.

(5) ERVEN 1187 TO 1192

The above erven are subject to a servitude for park purposes in favour of the Residents Associations, its members occupants, all lessees of properties situated in the herein afore-mentioned township, their families, visitors, friends, employees, contractors and invitees.

**Tiaan Ehlers: Acting Executive Director: Development Planning
and Urban Management**

Notice No. 102/2010

16 February 2010

PLAASLIKE BESTUURSKENNISGEWING 131**STAD VAN JOHANNESBURG
VERKLARING TOT 'N GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Stad van Johannesburg Metropolitaanse Munisipaliteit hiermee die dorp **Jukskei View Uitbreiding 19** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR WATERFALL COUNTRY ESTATE WUQF (EIENDOMS) BEPERK (HIERNA DIE AANSOEKDOENER/ DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 732 ('N GEDEELTE VAN GEDEELTE 1) VAN DIE PLAAS WATERVAL NR 5- I.R. TOEGESTAAN IS

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is Jukskei View Uitbreiding 19.

(2) ONTWERP

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 2583/2009.

(3) VOORSIENING EN INSTALLERING VAN DIENSTE

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

(4) ELEKTRISITEIT

Die plaaslike bestuur is nie die grootmaat verskaffer van elektrisiteit aan die dorp nie. Die dorpsseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie 15 van 1986) die nodige reëlings tref met ESKOM, die gelisensieëerde verskaffer van elektrisiteit in die dorp.

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

(1) 'n Gesertifiseerde afskrif van die ooreenkoms aangegaan met ESKOM rakende die voorsiening van elektrisiteit en/of;

(2) 'n Sertifikaat uitgereik deur die gelisensieëerde verskaffer van elektrisiteit dat aanvaarbare finansiële reëlings met betrekking tot (1) hierbo, deur die dorpsseienaar getref is.

(5) GAUTENG PROVINSIALE REGERING

(a) Indien die ontwikkeling van die dorp nie 'n aanvang neem voor 16 September 2013 nie, moet die aansoek om die dorp te stig, heringedien word by Gauteng Departement van Landbou, Bewaring en Omgewing (Gauteng Provinsiale Regering) vir goedkeuring ingevolge Artikel 28A van die Omgewingsbewaringwet, 1989 (Wet 73 van 1989), soos gewysig.

(b) Indien die ontwikkeling van die dorp nie voor of op 21 November 2016 voltooi word nie, moet die aansoek heringedien word by die Departement van Openbare Vervoer, Paaie en Werke vir heroorweging.

(c) Indien omstandighede egter, voor die verstryking van die tydperk vermeld in (b) hierbo, tot so 'n mate verander dat paaie en/of PWV roetes onder die beheer van die betrokke Departement deur die beoogde uitleg van die dorp geraak

word, moet die dorpseienaar die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beheerende liggaam ingevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

(6) DEPARTEMENT VAN MINERALE EN ENERGIE

Indien die ontwikkeling van die dorp nie voor 12 Desember 2011 voltooi word nie, moet die aansoek om die dorp te stig heringedien word by die Departement van Minerale en Energie vir heroorweging.

(7) TOEGANG

(a) Geen toegang tot of uitgang vanuit die dorp sal toegelaat word teen die lyne van geen toegang, soos aangedui op die goedgekeurde uitlegplan.

(b) Tydelike toegang tot en vanaf die Restant van Gedeelte 1 van die plaas Waterval Nr 5-I.R. sal voorsien word vanaf Maxwell Rylaan.

(c) Die tydelike toegang soos verwys word in (b) hierbo, sal slegs geskied totdat die Restant van Gedeelte 1 van die plaas Waterval Nr 5-I.R. ontwikkel is tot 'n dorp, waarna elke dorp sy eie spesifieke toegang sal voorsien.

(d) Toegang tot of uitgang vanuit die dorp sal voorsien word, tot die tevredenheid van die plaaslike bestuur en Johannesburg Roads Agency (Edms) Bpk.

(8) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE

Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, TELKOM en/of ESKOM dienste te verwyder of te vervang, moet sodanige verwydering of vervanging op koste van die dorpseienaar gedoen word.

(9) ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpseienaar moet die dreinerings van die dorp so reël dat dit inpas by dié van die aangrensende paaie en alle stormwater wat van die paaie afloop of afgelei word, moet ontvang en versorg word.

(10) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op sy eie koste, alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(11) STIGTING EN VERPLIGTINGE VAN DIE ARTIKEL 21 MAATSKAPPY OF SOORTGELYKE REGSENTITEITE

Die applikant moet wettiglik en volgens voorskrif die Huisseienaarsvereniging tot tevredenheid van die plaaslike bestuur saamstel, voor die verkoop van die eerste erf in die dorp, (waarvan huiseienaars-vereniging nie mag ontbind sonder die toestemming van die plaaslike bestuur nie).

(a) Die toegangserwe (Erwe 1185 en 1186) sal onderworpe wees aan 'n wederkerige serwituut geregistreer ten gunste van die Waterfall Country Estate Huisseienaarsvereniging (vereniging geïnkorporeer onder Artikel 21) Registrasiennr. 2009/012918/08 en genoemde padgedeeltes mag nie verkoop of enige manier weggedoen mee word sonder vooraf geskrewe toestemming van die plaaslike bestuur nie.

(b) Die parkerwe (Erwe 1187 tot 1192) sal onderworpe wees aan 'n wederkerige serwituut ten gunste van die Huisseienaarsvereniging en die genoemde parkgedeeltes mag nie verkoop of enige manier weggedoen mee word sonder die vooraf geskrewe toestemming van die plaaslike bestuur nie.

(c) Ieder en elke huurder van Gedeeltes 834 tot 1164 sal 'n lid word van die Huisseienaars- vereniging by registrasie van die Sertifikaat van Geregistreerde Titel ten opsigte van die erf. Sou die eienaar wegdoen met die huurkoopregte tot die erwe deur middle van 'n geregistreerde huurkoop- ooreenkoms, moet die eienaar toesien tot die lidmaatskap van elke huurder tot die huiseienaars- vereniging.

(d) Die huiseienaarsvereniging sal die wettige reg hê om die kostes aangegaan ter uitvoering van sy pligte van ieder en elke lid te hef en sal toegang hê tot regshulp ter verhaling van sodanige fooi in die geval van die wanbetaling deur enige lid.

(e) Die plaaslike bestuur sal nie aanspreeklik wees vir die gebrekkigheid van die oppervlak van die toegangsweg en of die stormwater dreineringsstelsel en of enige noodsaaklike dienste, met die uitsondering van die riooleringstelsel.

(f) 'n Serwituut vir munisipale doeleindes sal geregistreer word oor Erwe 1185 en 1186 ten gunste, en tot bevrediging van die plaaslike bestuur.

(g) Die plaaslike bestuur sal vrye toegang hê tot Erwe 1185 en 1186 te alle tye.

(h) Straatname en straatnommers sal in oorleg met die plaaslike bestuur toegeken word.

(12) SERWITUUT TEN GUNSTE VAN DIE INWONERS

In terme van die Stigtingsvoorwaardes ten opsigte van die dorp bekend as Jukskei View Uitbreiding 19, sal Erwe 1185 en 1186 onderworpe wees aan 'n reg van weg serwituut vir toegangsdoeleindes ten gunste van die Resterende Gedeelte van Gedeelte 1 van die plaas Waterval Nr 5-I.R. en die Waterfall Country Estate Huiseienaarsvereniging (vereniging geïnkorporeer onder Artikel 21) Registrasie Nr 2009/012918/08, sy lede inwoners, alle huurders van eiendomme geleë in die hierin voorgename dorp, hulle familie, besoekers, vriende, werknemers, kontrakteurs en genooide gaste.

(13) BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien van toepassing, insluitende die reserwing van die mineraalregte en die volgende:

(a) UITGESLUIT DIE VOLGENDE SERWITUTE WAT SLEGS MAXWELL RYLAAN AFFEKTEER

(aa) 'n Serwituut vir die transporter van elektrisiteit oor die eiendom, geregistreer in terme van K1293/1963S, ten gunste van die Elektrisiteitsvoorsieningskommissie, vide diagram L.G. Nr A576/1963S.

(bb) 'n 3 meter serwituut vir munisipale doeleindes geregistreer in terme van Notarieële Akte van Serwituut K3366/1997S ten gunste van die Stadsraad van Midrand vide diagram L.G. Nr A7672/1989.

(b) UITGESLUIT DIE VOLGENDE SERWITUUT WAT ERWE 1155, 1185, 1186, 1187, 1188 EN 1192 IN DIE DORP, SOWEL AS MAXWELL RYLAAN EN COUNTRY ESTATE RYLAAN AFFEKTEER

(aa) 'n 7 meter serwituut ten gunste van die plaaslike bestuur in terme van diagram L.G. Nr. A6302/1993.

(c) UITGESLUIT DIE VOLGENDE WAT NIE DIE DORP AFFEKTEER NIE

(aa) 'n Serwituut vir die transporter van elektrisiteit oor die eiendom geregistreer in terme van Notarieële Akte Nr. K55/1973S ten gunste van EVKOM vide diagram L.G. Nr A5191/1971.

(bb) 'n Serwituut vir die transporter van elektrisiteit oor die eiendom geregistreer in terme van Notarieële Akte Nr. K2514/1976S ten gunste van ESKOM soos gewysig met K3475/1981S vide diagram L.G. Nr A1392/1980.

(cc) 'n Koopoooreenkoms geregistreer in terme van Notarieële Akte van Verhuring Nr. K3589/1985L vide diagram L.G. Nr. A4717/1985 ten gunste van die Stadsraad van Midrand.

(dd) 'n Serwituut vir die transporter van elektrisiteit oor die eiendom geregistreer in terme van Notarieële Akte van Roetebeskrywing Nr. K3213/1994S ten gunste van ESKOM vide diagram L.G. Nr A5427/1991.

(ee) 'n Rioolserwituut 2021m² gemeet, geregistreer in terme van Notarieële Akte Nr. K4394/1999S ten gunste van Gedeelte 576 ('n gedeelte van Gedeelte 61) van die plaas Waterval Nr 5-I.R. vide diagram L.G. Nr 12040/1997.

(ff) 'n Serwituut geregistreer in terme van Notarieële Akte Nr. K4398/1999S ten gunste van ESKOM vide diagram L.G. Nr 6150/1997.

(gg) 'n Serwituut vir die transporter van elektrisiteit oor die eiendom geregistreer in terme van Notarieële Akte Nr. K3161/2000S ten gunste van ESKOM vide diagram L.G. Nr 8801/1998.

(hh) 'n Onderverhuringsooreenkoms geregistreer in terme van Notarieële Akte Nr. K55/1973S ten gunste van EVKOM vide diagram L.G. Nr A5191/1971.

(ii) Die huurooreenkoms geregistreer in terme van Notarieële Huurakte Nr. K849/1983L ten gunste van Waterval Islamic Institute.

(jj) 'n Serwituut vir die transporter van elektrisiteit geregistreer in terme van Notarieële Akte van Serwituut K2800/2007S ten gunste van ESKOM waarvan die roete bepaal is met K786/2009S vide diagram L.G. Nr 628/2008.

(kk) 'n Serwituut vir oorhoofse kraglyne, ondergrondse kables en telekommunikasie en 3 substasies en 'n reg van weg geregistreer in terme van Notarieële Akte van Serwituut Nr. 5357/2008, L.G. Nr. 5388/2007, L.G. Nr. 300/2009S, L.G. Nr. 5390/2007 en L.G. Nr. 5389/2007.

(ll) 'n Serwituut vir die oprigting van 'n substasie serwituut in terme van Notarieële Akte van Serwituut Nr. K3487/2009S ten gunste van ESKOM.

(d) **ALLE ERWE BEHALWE VIR ERWE 1185, 1186 EN 1187 TOT 1191 (INGESLUIT) SAL ONDERWORPE WEES AAN –**

"Kragtens Notarieële Akte Nr. K536/2010S die genoemde eiendom mag nie verkoop, maar slegs verhuur word en verhuring sal wees soos verwys in die Standaard Terme en Voorwaardes en uiteengesit in Aanhangsel 1 tot die genoemde Notarieële akte en dat geen afwyking daarvan of wysiging tot hierdie Standaard Terme en Voorwaardes sal van krag of doeltreffend wees tensy geskrewe toestemming deur alle Verbandhoudende Finansiërs soos voorsien word in die Standaard Terme en Voorwaardes, gegee word.

(e) **ALLE ERWE SAL ONDERWORPE WEES AAN**

Notarieële Akte van Serwituut Nr K539/2010L genoemde eiendom sal onderworpe wees aan 'n lewenslange huurooreenkoms ten gunste van Waterfall Golf Estate (Eiendoms) Beperk.

(14) **BEGIFTIGING**

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

(15) **VERPLIGTINGE TEN OPSIGTE VAN DIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING VAN ERWE**

(a) Die dorpseienaar moet, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle dienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, asook alle interne paaie, **MAXWELL RYLAAN EN 'N GEDEELTE VAN JUJSKEI RYLAAN EN 'N GEDEELTE VAN COUNTRY ESTATE RYLAAN** en die stormwaterretikulasie binne die grense van die dorp. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste voorsien en geïnstalleer is; en

(b) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van elektrisiteit, water en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerig en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge, kontantbydraes ten opsigte van die voorsiening van die dienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is nie; en

(c) Nieteenstaande die bepalings van klousule 2.(1) hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die dienste wat voorsien, gekonstrueer en/of geïnstalleer is beoog in (a) to (b) hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper nie, ook mag 'n Sertifikaat van Geregistreerde Titel nie in die naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie dienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

2. TITELVOORWAARDES

Die erwe hieronder genoem is onderworpe aan die voorwaardes soos aangedui, opgelê deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986):

(1) **ALLE ERWE**

(a) Elke erf is onderworpe aan 'n serwituut 2 m breed, ten gunste van die plaaslike bestuur, vir riolerings- en ander munisipale doeleindes, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.

(b) Geen gebou of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 2 m daarvan, geplant word nie.

(c) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings, en ander werke wat hy volgens goeie noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees 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 verwydering van sodanige rioolhoofpyleiding en ander werke veroorsaak word.

(2) ERWE 849, 850, 899, 904, 905, 915, 963, 971, 1007, 1040, 1118, 1119, 1177 en 1189

Die bogenoemde erwe is onderworpe aan 'n elektriese substasie ten gunste van ESKOM soos aangedui op die Algemene Plan.

(3) ERWE 1185 EN 1186

(a) Die bogenoemde erwe is onderworpe aan 'n serwituut vir reg van weg en munisipale doeleindes ten gunste van die plaaslike bestuur;

(b) Die bogenoemde erwe is onderworpe aan 'n serwituut vir reg van weg ten gunste van die Huiseienaarsvereniging se lede inwoners, alle huurder van eiendom geleë binne die voorafgenoemde dorp, hulle familie, besoekers, vriende, werknemers, kontrakteurs en genooide gaste.

(4) ERWE 1186, 1187, 1188, 1189 EN 1192

Geen gebou van enige vorm mag opgerig word op die bogenoemde erwe wat in alle waarskynlikheid oorstroom sal word deur vloedwaters of 'n publieke stroom gemiddeld elke 100 jaar.

(5) ERWE 1187 TOT 1192

Die bogenoemde erwe is onderworpe aan 'n serwituut vir parkdoeleindes ten gunste van die Huiseienaarsvereniging se lede inwoners, alle huurders van eiendom geleë binne die voorafgenoemde dorp, hulle familie, besoekers, vriende, werknemers, kontrakteurs en genooide gaste.

**Tiaan Ehlers : Waarnemende Uitvoerende Direkteur : Ontwikkelingsbeplanning
en Stedelike Bestuur**
Kenningsgewing Nr 102/2010
16 Februarie 2010
