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IMPORTANT NOTICE

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 712

**CITY OF JOHANNESBURG
AMENDMENT SCHEME 07-5833/5**

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 55**.

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 07-5833/5

**Tiaan Ehlers: Acting Executive Director : Development Planning
and Urban Management**
Notice No.379/2011
_____2011

PLAASLIKE BESTUURSKENNISGEWING 712

**STAD VAN JOHANNESBURG
WYSIGINGSKEMA 07-5833/5**

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe Nr 15 van 1986, dat hy 'n wysigingskema synde 'n wysiging van die Halfway House en Clayville Dorpsbeplanning Skema, 1976, wat uit dieselfde grond as die dorp **Jukskei View Uitbreiding 55** 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 07-5833/5

**Tiaan Ehlers: Waarnemende Uitvoerende Direkteur : Ontwikkelingsbeplanning
en Stedelike Bestuur**
Kennissgewing Nr.379/2011
_____2011

LOCAL AUTHORITY NOTICE 713

**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 55** 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 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 740 OF THE FARM WATERVAL NO. 5 I.R. HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT**(1) NAME**

The name of the township shall be Jukskei View Extension 55.

(2) DESIGN

The township shall consist of erven as indicated on General Plan S.G. No.4904/2010.

(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 the necessary arrangements with ESKOM, the licensed supplier in the township for the provision of electricity to the township.

(5) GAUTENG PROVINCIAL GOVERNMENT

- (a) Should the development of the township not been commenced with, within a period of 2/5 years from the date of authorization or exemption, the application to establish the township, shall be resubmitted to the Department of Agriculture, Conservation, and Environment for exemption/ authorization in terms of the Environment Conservation Act, 1989 (Act 107 of 1998), as amended.

- (b) (i) Should the development of the township not been completed within a period of **ten years** from the date of their letter, the application to establish the township shall be resubmitted to the Department of Public Transport, Roads and Works (Gauteng Provincial Government) for re-consideration.
- (ii) If however, before the expiry date mentioned in (i) 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).
- (iii) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township, LA/01/2010. The erection of such physical barrier and the maintenance thereof, shall be done to the satisfaction of the said Department.
- (iv) The township owner shall comply with the conditions of the Department as set out in the Departments' letter.

(6) DEPARTMENT: MINERALS AND ENERGY

Should the development of the township not been completed within a period of five years from the date of their letter, the application to establish the township, shall be resubmitted to the Department: Minerals and Energy for re-consideration.

(7) ACCESS

- (a) Access to and from the township shall be to the satisfaction of the local authority and Johannesburg Roads Agency (Pty) Ltd.
- (b) No access to or egress from the township shall be permitted along the lines of no access as indicated on the approved layout plan of the township JVx55/P1/2010.

(8) 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.

(9) REFUSE REMOVAL

The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the local authority for the removal of all refuse.

- (10) **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.
- (11) **DEMOLITION OF BUILDINGS AND STRUCTURES**
 The township owner shall at its own cost cause all existing buildings and structures, if any, 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.
- (12) **ENDOWMENT**
 The township owner shall, in terms of the provisions of Section 98(2) and Regulation 44 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) pay a lump sum as endowment to the local authority for the provision of land for a park (public open space).
- (13) **OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN**
- (a) The township owner shall submit to the local authority, a certificate issued by ESKOM that acceptable financial arrangements with regard to the supply of electricity, have been made by the township owner to the local authority. Erven in the township may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that such certificate had been issued by ESKOM; and
- (b) The township owner shall, at its own costs and to the satisfaction of the local authority, design, provide and construct all engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been provided and installed; and
- (c) 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 and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services by the township owner have been submitted or paid to the said local authority; and
- (d) Notwithstanding the provisions of clause 4.A.(a), (b) and (c) hereunder, the township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the engineering services provided, constructed and/or installed as contemplated in (a), (b) and (c) above. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been or will be protected to the satisfaction of the local authority.
- (14) **SERVITUDE IN FAVOUR OF OCCUPANTS**
 In terms of the Conditions of Establishment in respect of the township known as Jukskei View Extension 55, Erven 2348 and 2349 Jukskei View Extension 55 shall be subject to a right of way servitude for access purposes in favour of the Waterfall Country Estate Home Owners Association (Association incorporated under Section 21) Registration No 2009/012628/08, its members occupants, all lessees of properties situated in the herein aforementioned township, their families, visitors, friends, employees, contractors and invitees.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any.

- (a) **THE FOLLOWING CONDITION IS APPLICABLE TO ERVEN 2230, 2348 AND 2349 IN THE PROPOSED TOWNSHIP**
- (aa) By virtue of Notarial Deed of Servitude K537/2010S the within mentioned property is subject to a servitude 7m wide in favour of the City of Johannesburg Metropolitan Municipality the centre line of which is indicated by the line abcdefghjkmnpqrstu on Diagram S.G. No. 4903/2010.

(b) THE FOLLOWING CONDITION IS APPLICABLE TO ERF 2348 IN THE PROPOSED TOWNSHIP

- (aa) The above-mentioned property is subject to a lease in favour of the ATTERBURY WATERFALL INVESTMENT COMPANY (PROPRIETARY) LIMITED by virtue of Notarial Deed of Lease No K6270/2010L which lease area is indicated by the figure N1,v,w,x,M1,N1 on Diagram S.G. No. 4903/2010 relating thereto.

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

- (aa) By Notarial Deed No. K1293/1963S, the rights has been granted to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed.
- (bb) By Notarial Deed No. K55/1973S, the right has been granted to EVKOM to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed and diagram annexed hereto.
- (cc) By Notarial Deed No. K2514/1976S, the rights has been granted to ESKOM to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed and diagram annexed hereto and amended by Notarial Deed of Amendment of Servitude K3475/1981S with Diagram A1392/1980 attached hereto.
- (dd) By Notarial Deed No. K5028/1992, the right has been granted to ESKOM to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed, as amended by Notarial Deed of Route Description K3213/1994S with Diagram S.G. No. 5427/1991 attached hereto.
- (ee) By virtue of Notarial Deed of Servitude K3366/1997S the within mentioned property is subject to a servitude for municipal purposes 3m wide, the centre line of which is defined by the letters ABCDEFGHJKLMNPQRSTUVWXYZAA'B'C'D'E'F'G'H'I'J'K'L'M'N'P'Q' on Diagram S.G. No. A7672/1989 in favour of the Town Council of Midrand as will more fully appear from the said Notarial Deed, together with ancillary rights.
- (ff) By Notarial Deed No. K4394/1999S dated 8th May 1999, the within mentioned property is subject to a servitude of sewer 2021m² indicated on S.G. No. 12040/1997 in favour of Portion 516 (a portion of Portion 61) of the farm Waterval No 5 I.R. with ancillary rights, as will more fully appear from reference to the said Notarial Deed.
- (gg) By Notarial Deed No. K4398/1999S dated 27th August 1999, the within mentioned property is subject to a servitude in favour of ESKOM depicted on Diagram S.G. No. 6150/1997 with ancillary rights as will more fully appear from reference to the said Notarial Deed.
- (hh) By Notarial Deed No 3161/2000S dated 4th May 2000, the within mentioned property is subject to a perpetual servitude of electric power transmission to convey electricity in favour of ESKOM indicated by the line ABCD and HJK on S.G. No. 8801/1998, as will more fully appear from reference to the said Notarial Deed.
- (ii) The within mentioned property is subject to a power line servitude in favour of ESKOM HOLDINGS LIMITED with ancillary rights as will more fully appear from Notarial Deed of Servitude K2800/2007S the route of which servitude has been determined by Deed of Servitude K786/2009S with Diagram S.G. No. 682/2008 relating thereto.
- (jj) By Notarial Deed of Servitude K3487/2009S the within mentioned property is subject to a servitude in favour of ESKOM HOLDINGS LIMITED to erect a substation together with ancillary rights as will more fully appear on Diagram S.G. No. 4110/2010.

4. CONDITIONS OF TITLE**A. Conditions of Title imposed in favour of the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).****(1) ALL ERVEN (EXCEPT ERF 2349)**

- (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 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 2m thereof.

- (c) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the 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 2348 AND 2349
- (a) The entire erven as indicated on the General Plan, are subject to a servitude for municipal purposes and right of way in favour of the local authority.
- (b) The erven shall not be alienated or transferred into the name of any purchaser other than the Residents Association, without the consent of the local authority first having been obtained.
- (3) ERVEN 2103 - 2104, 2108 - 2115, 2117, 2123 - 2128, 2136, 2157 - 2194, 2200 - 2213, 2216, 2225 - 2226, 2231 - 2252, 2254 - 2269, 2273 - 2277, 2282 - 2284, 2294 - 2302, 2312 - 2321, 2326, 2231 - 2339, 2342, 2345 - 2347 AND 2349
- (a) The above erven are subject to a sewer servitude in favour of the local authority as indicated on the General Plan.

B. Conditions of Title imposed in favour of third parties to be registered on the first registration of the erven concerned

- (1) ERVEN 2348 AND 2349
- (a) The above erven are subject to a servitude of right of way in favour of the Residents Association, its member's occupants, all lessees of properties situated in the herein afore-mentioned township, their families, visitors, friends, employees, contractors and invitees.
- (2) ERVEN 2277, 2284, 2313 AND 2314
- The above erven is subject to a 3m x 3m servitude for electrical purposes in favour of ESKOM.
- (3) ERF 2230
- The above erf is subject to a 12m x 3m servitude for electrical purposes in favour of ESKOM.

**Tiaan Ehlers: Acting Executive Director: Development Planning
and Urban Management**
Notice No. 379/2011
_____ 2011

PLAASLIKE BESTUURSKENNISGEWING 713

**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 55** 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 740 VAN DIE PLAAS

WATERVAL NR 5- I.R. TOEGESTAAN IS**1. STIGTINGSVOORWAARDES****(1) NAAM**

Die naam van die dorp is Jukskei View Uitbreiding 55.

(2) ONTWERP

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 4904/2010.

(3) VOORSIENING EN INSTALLERING VAN DIENSTE

Die dorpseniener 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

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

(5) GAUTENG PROVINSIALE REGERING

(a) Indien die ontwikkeling van die dorp nie 'n aanvang neem voor of binne 'n periode van 2/5 jaar vanaf datum wat toestemming of vrystelling gegee is, 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 107 van 1998), soos gewysig.

(b) (i) Indien die ontwikkeling van die dorp nie voltooi is binne 'n periode van 10 jaar vanaf die datum van hul skrywe nie, moet die aansoek heringedien word by die Departement van Openbare Vervoer, Paaie en Werke vir heroorweging.

(ii) Indien omstandighede egter, voor die verstryking van die tydperk vermeld in (i) 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 dorpseniener 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).

(iii) Die dorpseniener sal, voor of gedurende die ontwikkeling van die dorp, 'n fisiese muur oprig volgens die voorwaardes en vereistes van die betrokke departement, langs die lyn van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, LA/01/2010. Die oprigting van genoemde fisiese muur en die onderhoud daarvan, sal gedoen moet word tot die goedkeuring van die betrokke departement.

(iv) Die dorpseniener sal moet voldoen aan die voorwaardes van die Departement soos uiteengesit in die Departement se skrywe.

(6) DEPARTEMENT VAN MINERALE EN ENERGIE

Indien die ontwikkeling van die dorp nie voor of binne 'n tydperk van 5 (vyf) jaar vanaf die datum van die Departement se brief voltooi is nie, moet die aansoek om die dorp te stig heringedien word by die Departement van Minerale en Energie vir heroorweging.

(7) TOEGANG

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

(b) Geen toegang tot of uitgang vanuit die dorp sal toegelaat word teen die lyne van geen toegang, soos aangedui op die goedgekeurde uitlegplan, JVx55/P1/2010.

(8) ONTVANGS EN VERSORGING VAN STORMWATER

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

- (9) **VULLISVERWYDERING**
Die dorpseienaar moet toesien dat daar genoegsame vullisverwyderingspunte in die dorp voorsien word en moet ook reëlings tref vir die verwydering van alle vullis tot die tevredenheid van die plaaslike bestuur.
- (10) **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.
- (11) **SLOPING VAN GEBOUE EN STRUKTURE**
Die dorpseienaar moet op sy eie koste, alle bestaande geboue en structure, indien enige, 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.
- (12) **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).
- (13) **VERPLIGTINGE TEN OPSIGTE VAN DIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING VAN ERWE**
- (a) Die dorpseienaar moet 'n sertifikaat van ESKOM indien by die plaaslike bestuur wat bevestig dat aanvaarbare finansiële reëlings ten opsigte van die voorsiening van elektrisiteit aan die dorp getref is met die plaaslike bestuur. Erwe in die dorp mag nie vervreem of oorgedra word in die naam van die koper, 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 sertifikaat deur ESKOM uitgereik is; en
- (b) 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 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
- (c) 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) Desnieteenstaande die bepalings van klousule 2.(1) hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opneem 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.
- (13) **SERWITUUT TEN GUNSTE VAN DIE INWONERS**
In terme van die Stigtingsvoorwaardes ten opsigte van die dorp bekend as Jukskei View Uitbreiding 55, sal Erwe 2348 tot 2349 onderworpe wees aan 'n reg van weg serwitute vir toegangsdoeleindes ten gunste van die Waterfall Country Estate Huiseienaarsvereniging (vereniging geïnkorporeer onder Artikel 21) Registrasie Nr 2009/012628/08, sy lede inwoners, alle huurders van eiendomme geleë in die hierin voorgenome dorp, hulle familie, besoekers, vriende, werknemers, kontrakteurs en genooide gaste.
- (3) **BESKIKKING OOR BESTAANDE TITELVOORWAARDES**
Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien van toepassing.

- (a) **DIE VOLGENDE VOORWAARDE IS VAN TOEPASSING OP ERWE 2230, 2348 EN 2349 IN DIE VOORGESTELDE DORP**
- (aa) Ooreenkomstig Notariële Akte van Serwituut K537/2010S is die hieringenoemde eiendom onderworpe aan 'n 7m wye serwituut ten gunste van die Stad van Johannesburg Metropolitaanse Munisipaliteit, die middellyn waarvan aangedui word met die lyn abcdefghjkmnpqrstu op L.G. Diagram 4903.2010.
- (b) **DIE VOLGENDE VOORWAARDE IS VAN TOEPASSING OP ERF 2348 IN DIE VOORGESTELDE DORP**
- (aa) Die bogenoemde eiendom is onderworpe aan 'n verhuringsooreenkoms ten gunste van die ATTERBURY INVESTMENT COMPANY (EIENDOMS) BEPERK ooreenkomstig Notariële Akte van Verhuringsooreenkoms Nr K6270/2010L, watse verhuringarea aangedui is deur figuur N1,v,w,x,M1,N1 op diagram L.G. Nr 4903/2010 wat daarna verwys.
- (c) **UITGESLUIT DIE VOLGENDE SERWITUTE WAT NIE DIE DORP AFFEKTEER NIE**
- (aa) Per Notarieële Akte Nr K1293/1963S, die reg is toegestaan deur die Elektriese Voorsieningskommissie om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderworpe aan voorwaardes wat meer volledig verskyn in verwysing tot genoemde Notarieële Akte.
- (bb) Per Notarieële Akte Nr. K55/1973S, die reg is toegestaan aan EVKOM om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderworpe aan voorwaardes wat meer volledig verskyn in verwysing tot genoemde Notarieële Akte en aangehegte diagram.
- (cc) Per Notariële Akte Nr K2514/1976S, die reg is toegestaan aan ESKOM om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderworpe aan voorwaardes wat meer volledig verskyn in verwysing tot genoemde Notarieële Akte en aangehegte diagram, en gewysig deur Notarieële Akte van Wysiging van Serwituut K3475/1981S met diagram Nr A1392/1980 hierby aangeheg.
- (dd) Per Notariële Akte Nr K5028/1992, die reg is toegestaan aan ESKOM om elektrisiteit te transporteer oor die eiendom, hiermee getransporteer met aanverwante regte en onderworpe aan voorwaardes wat meer volledig verskyn in verwysing tot genoemde Notarieële Akte, soos gewysig deur Notariële Akte van Roetebeskrywing K3213/1994 met diagram L.G. Nr 5427/1991 hierby aangeheg.
- (ee) Ooreenkomstig Notarieële Akte van Serwituut Nr K3366/1997S die hierin-genoemde eiendom is onderworpe aan 'n 3m wye serwituut vir munisipale doeleindes, die middellyn waarvan gedefinieer word deur die letters ABCDEFGHJKLMNPQRSTUVWXYZAA'B'C'D'E'F'G'H'J'K'L'M'N'P'Q' op Diagram L.G. Nr A7672/1989 ten gunste van die Stadsraad van Midrand, soos meer volledig verskyn op die genoemde Notarieële Akte, tesame met aanverwante regte.
- (ff) Per Notariële Akte Nr K4394/1999S gedateer 8 Mei 1999, die hierin-vermelde eiendom is onderworpe aan 'n rioolserwituut van 2021m², aangedui op L.G. Nr 12040/1997 ten gunste van gedeelte 516 (gedeelte van gedeelte 61) van die plaas Waterval Nr 5 I.R.met aanverwante regte, wat meer volledig sal verskyn na verwysing van die genoemde Notariële Akte.
- (gg) Per Notariële Akte Nr K4398/1999S gedateer 27 Augustus 1999, die hierin-vermelde eiendom is onderworpe aan 'n serwituut ten gunste van ESKOM aangedui deur diagram L.G. Nr 6150/1997 met aanverwante regte, wat meer volledig sal verskyn na verwysing van die genoemde Notariële Akte.
- (hh) Per Notariële Akte Nr K3161/2000S gedateer 4 Mei 2000, die hierin-vermelde eiendom is onderworpe aan 'n lewenslange serwituut om elektriese kragtoevoer te transporter ten gunste van ESKOM aangedui deur die lyn ABCD en HJK deur diagram L.G. Nr 8801/1998, wat meer volledig sal verskyn na verwysing van die genoemde Notariële Akte.
- (jj) Die hierin-gemelde eiendom is onderworpe aan 'n kraglynserwituut ten gunste van ESKOM HOLDINGS BEPERK met aanverwante regte wat meer volledig sal verskyn vanaf Notariële Akte van Serwituut K2800/2007S, die roete van hierdie serwituut is bepaal deur Akte van Serwituut K786/2009S deur diagram L.G. Nr 682/2008 wat daarna verwys.
- (kk) Per Notariële Akte van Serwituut K3487/2009S die hierin-gemelde eiendom is onderworpe aan 'n serwituut ten gunste van ESKOM HOLDING BEPERK om 'n substasie op te rig, tesame met aanverwante regte wat meer volledig sal verskyn op diagram L.G. Nr 4110/2010.

4. TITELVOORWAARDES**A. Titelvoorwaardes opgelê ten gunste van die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).**

- (1) ALLE ERWE (UITGESLUIT ERF 2349)
- (a) Elke erf is onderworpe aan 'n serwituut 2 m breed, ten gunste van die plaaslike bestuur, vir rioolerings- 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 goeiddunke 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 2348 EN 2349

- (a) Die totale erwe soos aangedui op die Algemene Plan, is onderworpe aan 'n serwituut vir munisipale doeleindes en reg van weg ten gunste van die plaaslike bestuur.
- (b) Die erwe mag nie onteien of getranspoteer word in die naam van enige koper dan die Huisseienaars-vereniging alvorens die plaaslike bestuur se toestemming verkry is nie.
- (3) ERWE 2103-2104, 2108-2115, 2117, 2123-2128, 2136, 2157-2194, 2200-2213, 2216, 2225-2226, 2231-2252, 2254-2269, 2273-2277, 2282-2284, 2294-2302, 2312-2321, 2326, 2231-2339, 2342, 2345-2347 EN 2349

- (a) Die bogenoemde erwe is onderworpe aan 'n rioolserwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

B. Titelvoorwaardes opgelê ten gunste van derde partye wat geregistreer gaan word met die eerste registrasies van die geaffekteerde erwe

(1) ERWE 2348 EN 2349

- (a) Die bogenoemde erf is onderworpe aan 'n serwituut vir parkdoeleindes ten gunste van die Huisseienaars-vereniging se lede inwoners, alle huurders van eiendom geleë binne die voorafgenoemde dorp, hulle familie, besoekers, vriende, werknemers, kontrakteurs en genooide gaste.

(2) ERWE 2277, 2284, 2313 EN 2314

- (a) Die bogenoemde erwe is onderworpe aan 'n 3m x 3m serwituut vir elektriese doeleindes ten gunste van ESKOM.

(3) ERF 2230

- (a) Die bogenoemde erf is onderworpe aan 'n 12m x 3m serwituut vir elektriese doeleindes ten gunste van ESKOM.