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IMPORTANT NOTICE

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LOCAL AUTHORITY NOTICE 394

EKURHULENI METROPOLITAN MUNICIPALITY
(KEMPTON PARK CUSTOMER CARE CENTRE)
DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality, Kempton Park Customer Care Centre hereby declares Birch Acres Extension 44 township to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY BASIC AONE TRADE AND INVEST 17 (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 149 (A PORTION OF PORTION 9) OF THE FARM MOOIFONTEIN NO 14 IR HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Birch Acres Extension 44.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan No. 5611/2008.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

(i) The following servitude which does not affect the following township area:

"C Die resterende Gedeelte van Gedeelte 9 van die plaas MOOIFONTEIN Nr. 14, I.R., Groot 669,7146 hektaar, (waarvan die eiendom hieronder gehou in gedeelte is) is onderworpe aan 'n Reg ten gunste van ESKOM om elektrisiteit oor bovermelde eiendom te vervoer by wyse van boggrondse kraglyne met ondergrondse kables tesame met bykomende regte en onderhewig aan kondisies soos meer volledig sal blyk uit Notariële Akte Nr. K39/1955-S geregistreer op die 26ste dag van Januarie 1995.

D Die resterende Gedeelte van Gedeelte 9 van die gemelde plaas MOOIFONTEIN No. 14 IR, Groot 669,7146 hektaar ('n gedeelte waarvan hieronder gehou word) is onderworpe aan 'n reg ten gunste van ESKOM om elektrisiteit te vervoer by wyse van boggrondse kraglyne met ondergrondse kables tesame met bykomende regte en onderhewig aan kondisies soos meer volledig sal blyk uit Notariële Akte Nr. K411/1962-S geregistreer op die 10de dag van Mei 1962.

E Die Resterende Gedeelte van Gedeelte 9 van die gemelde plaas MOOIFONTEIN NR. 14, I.R., groot 615,6643 hektaar, ('n gedeelte waarvan hieronder gehou word) is onderworpe aan 'n reg ten gunste van ESKOM om elektrisiteit te vervoer by wyse van boggrondse kraglyne met ondergrondse kables tesame met bykomende regte en onderhewig aan kondisies soos meer volledig sal blyk uit Notariële Akte Nr. K775/1970-S geregistreer op die 22ste dag van September 1970."

1.4 ACCESS

No ingress from Road K117 and Road K60 to the township and no egress to Road K117 and Road K60 from the township shall be allowed.

1.5 LAND FOR MUNICIPAL PURPOSES

Erven 6903 and 6904 shall be transferred to the local authority by and at the expense of the township owner as public open space (park).

1.6 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the existing and planned road and stormwater infrastructure in the vicinity and for all stormwater running off or diverted from the road to be received and disposed of.

1.7 PRECAUTIONARY MEASURES

The township owner shall at his own expense, make arrangements with the local authority in order to ensure that the recommendations as laid down in the geological report of the township must be complied with and, when required, engineer certificates for the foundations of the structures must be submitted.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.

1.9 REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

1.10 REPOSITIONING OF SERVICES

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

2. CONDITIONS OF TITLE

- 2.1 All erven shall be subject to the following conditions, imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986.

All erven

- (a) The erf is subject to a servitude, 2m 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 2m wide across the access portion of 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 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 local authority.

2.2 Erf 6779

The erf is subject to stormwater servitude 3m wide, in favour of the Local Authority as indicated on General Plan.

LOCAL AUTHORITY NOTICE 395**EKURHULENI METROPOLITAN MUNICIPALITY
(KEMPTON PARK CUSTOMER CARE CENTRE)
KEMPTON PARK TOWN PLANNING SCHEME 1987: AMENDMENT SCHEME 1918**

The Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre) hereby, in terms of the provisions of Section 125(1) of the Town-planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of the Kempton Park Town Planning Scheme 1987, comprising the same land as included in the township of Birch Acres Extension 44 Township.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the office of the Head of Department, Department of Economic Development, Gauteng Provincial Government, 8th Floor, Corner House, 63 Fox Street, Johannesburg, 2000 as well as the Municipal Manager, Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre), 5th Floor, Civic Centre, c/o C R Swart Drive and Pretoria Road, Kempton Park.

This amendment is known as Kempton Park Amendment Scheme 1918.

Khaya Ngema - City Manager, Ekurhuleni Metropolitan Municipality, Private Bag X1069, Germiston, 1400.
Notice: DP 2 - 2010
