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PROCLAMATION • PROKLAMASIE**PROCLAMATION 61 OF 2017****LONGLAKE EXTENSION/UITBREIDING 23**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares Longlake extension 23 to be an approved township subject to the conditions set out in the Schedule hereunder.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY ZENDAI DEVELOPMENT (SOUTH AFRICA) PTY LTD REGISTRATION NO 2013/127568/07 (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 A PORTION 20 OF FARM LONGLAKE 710 IR HAS BEEN APPROVED.

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

The name of the township is Longlake extension 23.

(2) DESIGN

The township consists of erven and streets as indicated on general plan SG No. 3093/2015

(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 all engineering services of which the local authority is the supplier, as well as the construction of roads and stormwater drainage in and for the township, to the satisfaction of the local authority.

(4) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 28 August 2021 the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(5) ACCESS

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and Johannesburg Roads Agency (Pty) Ltd and the Department of Public Transport, Roads and Works.

(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 No. 11 – 7916/9/2/01.

(6) ACCEPTANCE AND DISPOSAL OF STORMWATER

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

(7) 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.

(8) REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner.

(9) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs 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.

(10) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) 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 nor 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

(b) The township owner shall, within such period as the local authority may determine, fulfil its obligations in respect of the provision of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, 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 nor 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

(c) Notwithstanding the provisions of clause 4.A 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 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.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

A Excluding the following conditions which do not affect the township due to its locality

B(c) By Notarial deed K 1729/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property, the centre line of which is indicated by the line nn, pp, qq, rr on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title T 13877/2013.

C(c) By Notarial Deed K 1728/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property the centre line of which is indicated by the line d,e,f,g and h,j,k,l,mx,m,n,p,q,r,nn on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

B Excluding the following entitlements which shall not be passed on to the erven or the streets in the township:

A(b) By Notarial Deed K 1177/1960 S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7897/1950, as will more fully appear from reference to the said Notarial Deed and diagrams annexed thereto, which servitude has by virtue of Notarial Deed K 871/1974 S dated 4 December 1973 been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein 33 I.R., held under Certificates of Registered Title T 38773/1972 – T 38776/1972 and amended and added to in respect of Portion 223 of the farm Zuurfontein 33 I.R., held under Certificate of Registered Title T 38777/1972 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

A(c) By Notarial Deed K 1181/1960 S dated 27 August 1959 the within mentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/1951 with diagram S.G. Number A 2174/1953 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

A(d) By virtue of Notarial Deed K 242/1963 S dated 19 February 1960 the withinmentioned property is entitled to a right of way over –

(a) Portion M of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 159,9274 (One Hundred and Fifty Nine Comma Nine Two Seven Four) Hectares;

(b) Portion 1 of Portion C of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 12,0786 (Twelve Comma Nought Seven Eight Six) Hectares;

as will more fully appear from reference to the said Notarial Deed.

A(e) By virtue of Notarial Deed of Servitude K 1702/1976 S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over –

(a) Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 dated 19 December 1972; and

(b) Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title T 23100/1976 dated 16 June 1976

as will more fully appear from reference to the said Notarial Deed.

A(f) By Notarial Deed K 580/1981 S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein 33 I.R., measuring 47,6634 hectares, held under T 7064/1975 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on diagram S.G. Number 4111/1976 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

C Including the following conditions which affect the township and to which the individual erven and streets in the township shall be made subject:

A(a) By Notarial Deed K 344/1940 S, the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed indicated by the line s,t on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013 together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.

A(g) By Notarial Deed K2135/1978 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions as will more fully appear on the reference to the said Notarial Deed, 47 (forty seven) metres wide, the centre lines of which are aa,bb,cc,dd,ee and ff,gg,hh,jj,kk on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3409/1997 S, and which servitude was partially cancelled by Notarial Deed K5567/2000S with Diagram SG Number 8764/1999 annexed thereto.

A(h) By Notarial Deed K3965/1988 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions, 22 (twenty two) metres wide, the centre line which is indicated by the line u,v,w on Diagram SG Number SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3362/1990 S

B(a) By Notarial Deed K 4426/2001 S registered on 22 August 2010 the right as been granted with ancillary rights to Eskom to convey electricity over the property, 15 (fifteen) metres wide on both sides of the line the centre line of the servitude which is indicated by the line A B C on diagram S.G. Number A 7982/1999 as will more fully appear from the said deed.

B(b) By Notarial Deed K 3435/2009 S registered on 14 August 2009 a servitude to a perpetual servitude for overhead power lines and telecommunication purposes and electric power transmission has been granted with ancillary rights to Eskom as will more fully appear from the said deed.

B(d) The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By Notarial Deed K6470/2001 S registered on 14 November 2001 a perpetual servitude of electric power transmission area represented by the figure H2, x, y, z, zz, F2, G2, H2 on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

C(b) By Notarial Deed K5575/2000S registered on 23 October 2000 the right has been granted with ancillary rights to Eskom to convey electricity over the property, the centre lines of the overhead transmission line with underground cables traversing the property, the centre lines of which are indicated by the lines ee, mm, and kk, ll on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, which servitude is 47 (forty seven) metres wide.

C(d) The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By virtue of Notarial Deed of Servitude K 1303/2014 S registered on 20 March 2014, the withinmentioned property is subject to a servitude in favour of AEL Mining Services Limited (Registration Number 1973/008610/06) for electrical power transmission purposes in general terms over that part of the property that is traversed by the electricity infrastructure referred to in Paragraph 2.1 of the said Notarial Deed, together with any right to convey electricity across the property by means of overhead power lines and/or underground cables, as will more fully appear in the aforesaid Notarial Deed.

C(b) By virtue of Notarial Deed of Servitude K 1304/2014 S registered on 20 March 2014, the withinmentioned property is subject to

(i) a right of way and access in general terms over the property in favour of AEL Mining Services Limited (Registration number 1973/008610/06) ("AEL") to enable AEL to gain access to existing water and Bio Monitoring points and existing boreholes on the property;

(ii) a servitude in general terms over the property in favour of AEL for the protection of existing water and Bio Monitoring points and boreholes used by AEL for water testing purposes in compliance with the requirement of its water use license.

as will more fully appear in the aforesaid Notarial Deed.

C(c) By virtue of Notarial Deed of Servitude K 1305/2014 S registered on 20 March 2014, the withinmentioned is subject to the following conditions in favour of AECI Limited (Registration Number 1924/002590/06) –

(i) No boreholes may be sunk on the property, without the prior written consent of AECI Limited (Registration Number 1924/002590/06);

(ii) Zendai Development (South Africa) (Proprietary) Limited (Registration Number 2013/127568/07 shall, should it proceed to develop the property or any portion thereof by the Establishment of a Township thereon or, by subdivision of existing erven and the sale of portions of such subdivided erven, be obliged to establish a property owners association or a home owners association, in respect of such township, which shall have jurisdiction over the entire township and which all property owners in the township shall be obliged to belong.

(iii) Such Association shall, unless otherwise agreed between the parties, be established notwithstanding that it might not be a requirement of any township establishment condition laid down by the relevant authority granting consent to the township establishment.

(iv) Such Association shall have as one of its objects, a requirement that it become a member of the Greater Modderfontein Property Umbrella Association NPC, Registration Number 2011/008635/08.

(v) Any party to whom the owner wishes to sell the property, or any portion thereof, must agree to be bound by the conditions contained in paragraphs (ii) to (iv) above.

as will more fully appear in the aforesaid Notarial Deed.

3. 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

(a) Each 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 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 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.

(d) The erven in the township lie in an area where soil conditions can affect and damage buildings and structures. Building plans submitted to the local authority for approval shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. These measures shall be in accordance with the recommendation contained in the Geo-technical report for the township, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(2) ALL ERVEN

(a) The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erven to 1500 kVA and should the registered owners of the erven exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner/s to the local authority.

(3) ERF 154

The erf is subject to a 5m electrical servitude in favour of the local authority as indicated on the general plan.

4. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it has approved an amendment scheme being an amendment of the Modderfontein Town Planning Scheme, 1994, comprising the same land as included in the township of Longlake Extension 23. Map 3 and the scheme clauses of the amendment schemes are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 11-7916/9/2.

PROKLAMASIE 61 VAN 2017

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 Longlake Uitbreiding 23 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

BYLAE

VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ZENDAI DEVELOPMENT (SUID AFRIKA) EIENDOMS BEPERK REGISTRASIENOMMER 2013/127568/07 (HIERNA DIE 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 20 VAN DIE PLAAS LONGLAKE 710 IR GOEDGEKEUR IS.

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is Longlake Uitbreiding 23.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG Nr 3893/2015

(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE

Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is, asook die konstruksie van strate en stormwaterdreinerings in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

(4) NASIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)

Indien die ontwikkeling van die dorp nie voor 28 Augustus 2021 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir herooringing.

(5) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Roads Agentskap (Edms) Bpk en/of die Departement van Paaie en Vervoer

(b) Geen toegang tot of uitgang vanuit die dorp sal toegelaat word via die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 11-7916/9/2/01.

(6) ONTVANGS EN VERSORING VAN STORMWATERDREINERING

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

(7) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredeheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(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 die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(9) 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 die tevredeheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(10) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING, OORDRAG, KONSOLIDASIE EN/OF NOTARIËLE VERBINDING VAN ERWE

(a) Die dorpseienaar moet op sy/haar eie koste en tot tevredeheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, insluitend alle interne paaie en die stormwaterretikulasie. Erwe en/of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste 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 ingenieursdienste asook die konstruksie van paaie en stormwaterdreinerings 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, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborg/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is; en

(c) Nieteenstaande die bepalinge van klousule 4.A.hieronder, moet die dorpseienaar op sy/haar eie koste en tot tevredeheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die ingenieursdienste wat voorsien, gebou en/of geïnstalleer is soos beoog in (e) en/of (f) hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie vervreem of oorgedra word in die naam van 'n koper, ook mag 'n Sertifikaat van Geregistreerde Titel nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste beskerm is of sal word, tot tevredeheid van die plaaslike bestuur.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige:-

A Uitgesonderd die volgende wat nie die dorp raak nie weens die ligging daarvan

B(c) "By Notarial deed K 1729/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property, the centre line of which is indicated by the line nn, pp, qq, rr on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title T 13877/2013".

C(c) “By Notarial Deed K 1728/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property the centre line of which is indicated by the line d,e,f,g and h,j,k,l,mx,m,n,p,q,r,nn on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013”.

B. Uitsluiting van die volgende regte wat nie aan die erwe of die strate in die dorp oorgedra mag word nie:

A(b) “By Notarial Deed K 1177/1960 S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7897/1950, as will more fully appear from reference to the said Notarial Deed and diagrams annexed thereto, which servitude has by virtue of Notarial Deed K 871/1974 S dated 4 December 1973 been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein 33 I.R., held under Certificates of Registered Title T 38773/1972 – T 38776/1972 and amended and added to in respect of Portion 223 of the farm Zuurfontein 33 I.R., held under Certificate of Registered Title T 38777/1972 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

A(c) By Notarial Deed K 1181/1960 S dated 27 August 1959 the within mentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/1951 with diagram S.G. Number A 2174/1953 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

A(d) By virtue of Notarial Deed K 242/1963 S dated 19 February 1960 the withinmentioned property is entitled to a right of way over –

(a) Portion M of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 159,9274 (One Hundred and Fifty Nine Comma Nine Two Seven Four) Hectares;

(b) Portion 1 of Portion C of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 12,0786 (Twelve Comma Nought Seven Eight Six) Hectares”;

as will more fully appear from reference to the said Notarial Deed.

A(e) “By virtue of Notarial Deed of Servitude K 1702/1976 S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over –

(a) Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 dated 19 December 1972; and

(b) Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title T 23100/1976 dated 16 June 1976”

“as will more fully appear from reference to the said Notarial Deed”.

A(f) “By Notarial Deed K 580/1981 S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein 33 I.R., measuring 47,6634 hectares, held under T 7064/1975 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on diagram S.G. Number 4111/1976 as will more fully appear from reference to the said Notarial Deed with diagram annexed”.

C Insluitende die volgende voorwaardes wat die dorp raak en waarop die individuele erwe en strate in die dorp onderworpe sal wees:

A(a) “By Notarial Deed K 344/1940 S, the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed indicated by the line s,t on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.

A(g) By Notarial Deed K2135/1978 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions as will more fully appear on the reference to the said Notarial Deed, 47 (forty seven) metres wide, the centre lines of which are aa,bb,cc,dd,ee and ff,gg,hh,jj,kk on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3409/1997 S, and which servitude was partially cancelled by Notarial Deed K5567/2000S with Diagram SG Number 8764/1999 annexed thereto”.

A(h) “By Notarial Deed K3965/1988 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions, 22 (twenty two) metres wide, the centre line which is indicated by the line u,v,w on Diagram SG Number SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3362/1990 S

B(a) By Notarial Deed K 4426/2001 S registered on 22 August 2010 the right as been granted with ancillary rights to Eskom to convey electricity over the property, 15 (fifteen) metres wide on both sides of the line the centre line of the servitude which is indicated by the line A B C on diagram S.G. Number A 7982/1999 as will more fully appear from the said deed.

B(b) By Notarial Deed K 3435/2009 S registered on 14 August 2009 a servitude to a perpetual servitude for overhead power lines and telecommunication purposes and electric power transmission has been granted with ancillary rights to Eskom as will more fully appear from the said deed”.

B(d) “The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By Notarial Deed K6470/2001 S registered on 14 November 2001 a perpetual servitude of electric power transmission area represented by the figure H2, x, y, z, zz, F2, G2, H2 on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

C(b) By Notarial Deed K5575/2000S registered on 23 October 2000 the right has been granted with ancillary rights to Eskom to convey electricity over the property, the centre lines of the overhead transmission line with underground cables traversing the property, the centre lines of which are indicated by the lines ee, mm, and kk, ll on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, which servitude is 47 (forty seven) metres wide”.

C(d) “The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By virtue of Notarial Deed of Servitude K 1303/2014 S registered on 20 March 2014, the withinmentioned property is subject to a servitude in favour of AEL Mining Services Limited (Registration Number 1973/008610/06) for electrical power transmission purposes in general terms over that part of the property that is traversed by the electricity infrastructure referred to in Paragraph 2.1 of the said Notarial Deed, together with any right to convey electricity across the property by means of overhead power lines and/or underground cables, as will more fully appear in the aforesaid Notarial Deed”.

C(b) By virtue of Notarial Deed of Servitude K 1304/20014 S registered on 20 March 2014, the withinmentioned property is subject to

(i) "a right of way and access in general terms over the property in favour of AEL Mining Services Limited (Registration number 1973/008610/06) ("AEL") to enable AEL to gain access to existing water and Bio Monitoring points and existing boreholes on the property;

(ii) a servitude in general terms over the property in favour of AEL for the protection of existing water and Bio Monitoring points and boreholes used by AEL for water testing purposes in compliance with the requirement of its water use license.

as will more fully appear in the aforesaid Notarial Deed".

C(c) By virtue of Notarial Deed of Servitude K 1305/2014 S registered on 20 March 2014, the withinmentioned is subject to the following conditions in favour of AECI Limited (Registration Number 1924/002590/06) –

(i) No boreholes may be sunk on the property, without the prior written consent of AECI Limited (Registration Number 1924/002590/06)";

(ii) "Zendai Development (South Africa) (Proprietary) Limited (Registration Number 2013/127568/07 shall, should it proceed to develop the property or any portion thereof by the Establishment of a Township thereon or, by subdivision of existing erven and the sale of portions of such subdivided erven, be obliged to establish a property owners association or a home owners association, in respect of such township, which shall have jurisdiction over the entire township and which all property owners in the township shall be obliged to belong.

(iii) Such Association shall, unless otherwise agreed between the parties, be established notwithstanding that it might not be a requirement of any township establishment condition laid down by the relevant authority granting consent to the township establishment.

(iv) Such Association shall have as one of its objects, a requirement that it become a member of the Greater Modderfontein Property Umbrella Association NPC, Registration Number 2011/008635/08.

(v) Any party to whom the owner wishes to sell the property, or any portion thereof, must agree to be bound by the conditions contained in paragraphs (ii) to (iv) above.

as will more fully appear in the aforesaid Notarial Deed".

3. TITELVOORWAARDES

A. Titelvoorwaardes 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 2m 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 2m 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 2m 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 rioolhoofpypleiding, en ander werke wat hy volgens goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(d) Die erwe is geleë in 'n gebied waar grondtoestande geboue en strukture kan affekteer en skade kan aanrig. Bouplanne wat by die plaaslike bestuur ingedien word vir oorweging, moet maatreëls aandui wat geneem sal word om moontlike skade aan geboue en strukture as gevolg van die nadelige fundamente toestande, te beperk. Hierdie maatreëls moet in ooreenstemming wees met die aanbeveling vervat in die Geotegniese verslag van die dorp, tensy bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(2) ALLE ERWE

Die erf sal nie oorgedra word sonder die skriftelike toestemming van die plaaslike owerheid wat eers verkry is nie en die plaaslike owerheid sal die absolute diskresie hê om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike owerheid het die elektrisiteitsvoorsiening aan die Erf tot 1500 kVA en indien die geregistreerde eienaar van die erf die aanbod oorskry of indien 'n aansoek om sodanige aanbod oorskry moet word, moet die plaaslike owerheid bykomende elektriese bydraes soos deur die plaaslike owerheid bepaal, verskuldig en betaalbaar wees deur die eienaar aan die Plaaslike owerheid.

(3) ERF 154

The erf is onderworpe aan 'n 5m elektriese serwituit ten gunste van die plaaslike bestuur soos Aangedui op die Algemene Plan

4. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Modderfontein Dorpsbeplanningskema, 1994 wat uit dieselfde grond as die dorp Longlake Uitbreiding 23 bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 11-7916/9/2.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr T87/2017

PROCLAMATION 62 OF 2017**LOGLAKE EXTENSION 5**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares Longlake extension 5 to be an approved township subject to the conditions set out in the Schedule hereunder.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY ZENDAI DEVELOPMENT (SOUTH AFRICA) (PROPRIETARY) LIMITED REGISTRATION NO 2013/127568/07 (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 A PORTION 5 OF THE FARM LOGLAKE 710 IR HAS BEEN APPROVED.

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

The name of the township is Longlake extension 5.

(2) DESIGN

The township consists of erven (or erven and a road/street/thoroughfare or roads/streets/thoroughfares) as indicated on General plan SG No 3846/2012

(3) DESIGN AND PROVISION OF ENGINEERING SERVICES IN AND FOR THE TOWNSHIP

- (a) The township owner shall, to the satisfaction of the local authority, make the necessary arrangements for the design and provision of all engineering services of which the local authority is the supplier.
- (b) The township owner shall not install or construct any engineering services unless the necessary written agreement has been entered into with the local authority, after proclamation of the township.
- (c) Failure by the township owner to enter into the agreement contemplated in (b) above, shall result in the forfeiture of the off-setting of external contributions payable and any claims against the local authority, resulting from the installation of the bulk infrastructure.

(4) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 11 November 2017. The application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(5) ACCESS

- (a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd and/or the Department of Public Transport, Roads and Works.

(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.

(6) ACCEPTANCE AND DISPOSAL OF STORMWATER

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

(7) 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.

(8) REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner.

(9) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs 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.

(10) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) The township owner shall, after compliance with clause 2.(3) above, at its own costs and to the satisfaction of the local authority, construct and install 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 nor shall a Certificate of Registered Title be registered, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been constructed and installed.

(b) The township owner shall fulfil its obligations in respect of the installation of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as agreed between the township owner and the local authority in terms of clause 2.(3) above. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the engineering services have been submitted or paid to the said local authority.

(11) OBLIGATIONS WITH REGARD TO THE PROTECTION OF ENGINEERING SERVICES

The township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the constructed/installed services. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered, 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.

(12) CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to consolidate Erven 66 to 76 and 193, to the local authority for approval. The consolidation may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and the erven to be consolidated, have been submitted or paid to the said local authority.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

A Excluding the following conditions which do not affect the township due to its locality

B(c) By Notarial deed K 1729/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property, the centre line of which is indicated by the line nn, pp, qq, rr on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title T 13877/2013.

C(c) By Notarial Deed K 1728/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property the centre line of which is indicated by the line d,e,f,g and h,j,k,l,mx,m,n,p,q,r,nn on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

B Excluding the following entitlements which shall not be passed on to the erven or the streets in the township:

A(b) By Notarial Deed K 1177/1960 S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7897/1950, as will more fully appear from reference to the said Notarial Deed and diagrams annexed thereto, which servitude has by virtue of Notarial Deed K 871/1974 S dated 4 December 1973 been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein 33 I.R., held under Certificates of Registered Title T 38773/1972 – T 38776/1972 and amended and added to in respect of Portion 223 of the farm Zuurfontein 33 I.R., held under Certificate of Registered Title T 38777/1972 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

A(c) By Notarial Deed K 1181/1960 S dated 27 August 1959 the within mentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/1951 with diagram S.G. Number A 2174/1953 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

A(d) By virtue of Notarial Deed K 242/1963 S dated 19 February 1960 the withinmentioned property is entitled to a right of way over –

(a) Portion M of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 159,9274 (One Hundred and Fifty Nine Comma Nine Two Seven Four) Hectares;

(b) Portion 1 of Portion C of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 12,0786 (Twelve Comma Nought Seven Eight Six) Hectares;

as will more fully appear from reference to the said Notarial Deed.

A(e) By virtue of Notarial Deed of Servitude K 1702/1976 S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over –

(a) Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 dated 19 December 1972; and

(b) Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title T 23100/1976 dated 16 June 1976

as will more fully appear from reference to the said Notarial Deed.

A(f) By Notarial Deed K 580/1981 S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein 33 I.R., measuring 47,6634 hectares, held under T 7064/1975 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on diagram S.G. Number 4111/1976 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

C Including the following conditions which affect the township and to which the individual erven and streets in the township shall be made subject:

A(a) By Notarial Deed K 344/1940 S, the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed indicated by the line s,t on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013 together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.

A(g) By Notarial Deed K2135/1978 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions as will more fully appear on the reference to the said Notarial Deed, 47 (forty seven) metres wide, the centre lines of which are aa,bb,cc,dd,ee and ff,gg,hh,jj,kk on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3409/1997 S, and which servitude was partially cancelled by Notarial Deed K5567/2000S with Diagram SG Number 8764/1999 annexed thereto.

A(h) By Notarial Deed K3965/1988 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions, 22 (twenty two) metres wide, the centre line which is indicated by the line u,v,w on Diagram SG Number SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3362/1990 S

B(a) By Notarial Deed K 4426/2001 S registered on 22 August 2010 the right as been granted with ancillary rights to Eskom to convey electricity over the property, 15 (fifteen) metres wide on both sides of the line the centre line of the servitude which is indicated by the line A B C on diagram S.G. Number A 7982/1999 as will more fully appear from the said deed.

B(b) By Notarial Deed K 3435/2009 S registered on 14 August 2009 a servitude to a perpetual servitude for overhead power lines and telecommunication purposes and electric power transmission has been granted with ancillary rights to Eskom as will more fully appear from the said deed.

B(d) The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By Notarial Deed K6470/2001 S registered on 14 November 2001 a perpetual servitude of electric power transmission area represented by the figure H2, x, y, z, zz, F2, G2, H2 on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

C(b) By Notarial Deed K5575/2000S registered on 23 October 2000 the right has been granted with ancillary rights to Eskom to convey electricity over the property, the centre lines of the overhead transmission line with underground cables traversing the property, the centre lines of which are indicated by the lines ee, mm, and kk, ll on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, which servitude is 47 (forty seven) metres wide.

C(d) The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By virtue of Notarial Deed of Servitude K 1303/2014 S registered on 20 March 2014, the withinmentioned property is subject to a servitude in favour of AEL Mining Services Limited (Registration Number 1973/008610/06) for electrical power transmission purposes in general terms over that part of the property that is traversed by the electricity infrastructure referred to in Paragraph 2.1 of the said Notarial Deed, together with any right to convey electricity across the property by means of overhead power lines and/or underground cables, as will more fully appear in the aforesaid Notarial Deed.

C(b) By virtue of Notarial Deed of Servitude K 1304/2014 S registered on 20 March 2014, the withinmentioned property is subject to

(i) a right of way and access in general terms over the property in favour of AEL Mining Services Limited (Registration number 1973/008610/06) ("AEL") to enable AEL to gain access to existing water and Bio Monitoring points and existing boreholes on the property;

(ii) a servitude in general terms over the property in favour of AEL for the protection of existing water and Bio Monitoring points and boreholes used by AEL for water testing purposes in compliance with the requirement of its water use license.

as will more fully appear in the aforesaid Notarial Deed.

C(c) By virtue of Notarial Deed of Servitude K 1305/2014 S registered on 20 March 2014, the withinmentioned is subject to the following conditions in favour of AECI Limited (Registration Number 1924/002590/06) –

(i) No boreholes may be sunk on the property, without the prior written consent of AECI Limited (Registration Number 1924/002590/06);

(ii) Zendai Development (South Africa) (Proprietary) Limited (Registration Number 2013/127568/07 shall, should it proceed to develop the property or any portion thereof by the Establishment of a Township thereon or, by subdivision of existing erven and the sale of portions of such subdivided erven, be obliged to establish a property owners association or a home owners association, in respect of such township, which shall have jurisdiction over the entire township and which all property owners in the township shall be obliged to belong.

(iii) Such Association shall, unless otherwise agreed between the parties, be established notwithstanding that it might not be a requirement of any township establishment condition laid down by the relevant authority granting consent to the township establishment.

(iv) Such Association shall have as one of its objects, a requirement that it become a member of the Greater Modderfontein Property Umbrella Association NPC, Registration Number 2011/008635/08.

(v) Any party to whom the owner wishes to sell the property, or any portion thereof, must agree to be bound by the conditions contained in paragraphs (ii) to (iv) above.

as will more fully appear in the aforesaid Notarial Deed.

3. 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

(a) Each 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 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 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.

(d) The erven in the township lie in an area where soil conditions can affect and damage buildings and structures. Building plans submitted to the local authority for approval shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. These measures shall be in accordance with the recommendation contained in the Geo-technical report for the township, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(2) ALL ERVEN

The erf shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erf to 1600 kVA and should the registered owner of the erf exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner to the local authority.

4. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it has approved an amendment scheme being an amendment of the Modderfontein Town Planning Scheme, 1994, comprising the same land as included in the township of Longlake Extension 5. Map 3 and the scheme clauses of the amendment schemes are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 11-7916/5.

PROKLAMASIE 62 VAN 2017**LONGLAKE-UITBREIDING 5**

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 Longlake Uitbreiding 5 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

BYLAE

VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ZENDAI DEVELOPMENT (SUID AFRIKA) EIENDOMS BEPERK REGISTRASIENOMMER 2013/127568/07 (HIERNA DIE 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 4 VAN DIE PLAAS LONGLAKE 710 IR GOEDGEKEUR IS.

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is Longlake Uitbreiding 5.

(2) ONTWERP

Die dorp bestaan uit erwe en 'n pad/ 'n straat/ 'n deurpad/paaie/strate/deurpaaie soos aangedui op Algemene Plan LG Nr 3846/2012

(3) ONTWERP EN VOORSIENING VAN INGENIEURSDIENSTE IN EN VIR DIE DORP

Die dorpseienaar moet tot die bevrediging van die plaaslike bestuur die nodige reëlings tref vir die ontwerp en voorsiening van alle ingenieursdienste waarvan die plaaslike owerheid die verskaffer is.

Die dorpseienaar mag geen ingenieursdienste installeer of bou nie, tensy die nodige skriftelike ooreenkoms met die plaaslike owerheid aangegaan is na die proklamasie van die dorp.

Versuim deur die dorpseienaar om die ooreenkoms beoog in (b) hierbo aangaan, sal lei tot die verbeuring van die afskrywing van eksterne bydraes betaalbaar en enige eise teen die plaaslike owerheid, wat voortspruit uit die installering van die grootmaatinfrastruktuur.

(4) NASIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)

Indien die ontwikkeling van die dorp nie voor 11 November 2017 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir herooringing.

(5) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Roads Agentskap (Edms) Bpk en/of die Departement van Paaie en Vervoer

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

(6) ONTVANGS EN VERSORGING VAN STORMWATERDREINERING

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

(7) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(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 die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(9) 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 die tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(10) VERPLIGTINGE MET BETREKKING TOT DIE KONSTRUKSIE EN INSTALLERING VAN INGENIEURSDIENSTE EN BEPERKINGS MET BETREKKING TOT DIE VERVREEMDING OF OORDRAG VAN ERWE

(a) Die dorpseienaar moet, na die nakoming van klousule 2. (3) hierbo, op eie koste en tot bevrediging van die plaaslike bestuur alle ingenieursdienste insluitend die interne paaie en die stormwater retikulاسie binne die grense van die dorp . Erwe en / of eenhede in die dorp mag nie in die naam van 'n koper vervreem of oorgedra word nie, of 'n Sertifikaat van Geregistreeerde Titel sal geregistreer word voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat hierdie ingenieursdienste opgerig is en geïnstalleer

(b) Die dorpseienaar moet sy verpligtinge nakom ten opsigte van die installering van elektrisiteit, water en sanitêre dienste asook die konstruksie van paaie en stormwater dreinering en die installering van stelsels daarvoor, soos ooreengekom tussen die dorpseienaar en die plaaslike owerheid ingevolge klousule 2. (3) hierbo. Erwe en / of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper of 'n Sertifikaat van Geregistreeerde Titel geregistreer word voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat voldoende waarborge / kontantbydraes ten opsigte van Van die ingenieursdienste is aan genoemde plaaslike owerheid voorgelê of betaal.

(11) VERPLIGTINGE MET BETREKKING TOT DIE BESKERMING VAN INGENIEURSDIENSTE

Die dorpseienaar moet, op sy koste en tot bevrediging van die plaaslike bestuur, alle serwitute ondersoek en registreer wat nodig is om die geboue / geïnstalleerde dienste te beskerm. Erwe en / of eenhede in die dorp mag nie in die naam van 'n koper vervreem of oorgedra word nie, of 'n Sertifikaat van Geregistreeerde Titel word geregistreer voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat hierdie ingenieursdienste was of sal wees Beskerm word tot bevrediging van die plaaslike owerheid.

(12) KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste, na die proklamasie van die dorp, 'n aansoek om toestemming indien om Erwe 66 tot 76 en 193 te konsolideer, vir goedkeuring aan die plaaslike bestuur. Die konsolidasie mag nie geregistreer word voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat voldoende waarborge / kontantbydraes ten opsigte van die voorsiening van ingenieursdienste aan die dorp en die erwe wat gekonsolideer moet word, aan genoemde plaaslike owerheid voorgelê of betaal is nie. gesag.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige:-

A Uitgesonderd die volgende wat nie die dorp raak nie weens die ligging daarvan

B(c) "By Notarial deed K 1729/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property, the centre line of which is indicated by the line nn, pp, qq, rr on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title T 13877/2013".

C(c) "By Notarial Deed K 1728/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property the centre line of which is indicated by the line d,e,f,g and h,j,k,l,mx,m,n,p,q,r,nn on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013".

B. Uitsluiting van die volgende regte wat nie aan die erwe of die strate in die dorp oorgedra mag word nie:

A(b) "By Notarial Deed K 1177/1960 S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7897/1950, as will more fully appear from reference to the said Notarial Deed and diagrams annexed thereto, which servitude has by virtue of Notarial Deed K 871/1974 S dated 4 December 1973 been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein 33 I.R., held under Certificates of Registered Title T 38773/1972 – T 38776/1972 and amended and added to in respect of Portion 223 of the farm Zuurfontein 33 I.R., held under Certificate of Registered Title T 38777/1972 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

A(c) By Notarial Deed K 1181/1960 S dated 27 August 1959 the within mentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/1951 with diagram S.G. Number A 2174/1953 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

A(d) By virtue of Notarial Deed K 242/1963 S dated 19 February 1960 the withinmentioned property is entitled to a right of way over –

(a) Portion M of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 159,9274 (One Hundred and Fifty Nine Comma Nine Two Seven Four) Hectares;

(b) Portion 1 of Portion C of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 12,0786 (Twelve Comma Nought Seven Eight Six) Hectares";

as will more fully appear from reference to the said Notarial Deed.

A(e) "By virtue of Notarial Deed of Servitude K 1702/1976 S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over –

(a) *Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 dated 19 December 1972; and*

(b) *Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title T 23100/1976 dated 16 June 1976”*

“as will more fully appear from reference to the said Notarial Deed”.

A(f) *“By Notarial Deed K 580/1981 S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein 33 I.R., measuring 47,6634 hectares, held under T 7064/1975 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on diagram S.G. Number 4111/1976 as will more fully appear from reference to the said Notarial Deed with diagram annexed”.*

C Insluitende die volgende voorwaardes wat die dorp raak en waarop die individuele erwe en strate in die dorp onderworpe sal wees:

A(a) *“By Notarial Deed K 344/1940 S, the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed indicated by the line s,t on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013 together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.*

A(g) *By Notarial Deed K2135/1978 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions as will more fully appear on the reference to the said Notarial Deed, 47 (forty seven) metres wide, the centre lines of which are aa,bb,cc,dd,ee and ff,gg,hh,jj,kk on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3409/1997 S, and which servitude was partially cancelled by Notarial Deed K5567/2000S with Diagram SG Number 8764/1999 annexed thereto”.*

A(h) *“By Notarial Deed K3965/1988 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions, 22 (twenty two) metres wide, the centre line which is indicated by the line u,v,w on Diagram SG Number SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3362/1990 S*

B(a) *By Notarial Deed K 4426/2001 S registered on 22 August 2010 the right as been granted with ancillary rights to Eskom to convey electricity over the property, 15 (fifteen) metres wide on both sides of the line the centre line of the servitude which is indicated by the line A B C on diagram S.G. Number A 7982/1999 as will more fully appear from the said deed.*

B(b) *By Notarial Deed K 3435/2009 S registered on 14 August 2009 a servitude to a perpetual servitude for overhead power lines and telecommunication purposes and electric power transmission has been granted with ancillary rights to Eskom as will more fully appear from the said deed”.*

B(d) *“The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.*

C(a) *By Notarial Deed K6470/2001 S registered on 14 November 2001 a perpetual servitude of electric power transmission area represented by the figure H2, x, y, z, zz, F2, G2, H2 on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.*

C(b) *By Notarial Deed K5575/2000S registered on 23 October 2000 the right has been granted with ancillary rights to Eskom to convey electricity over the property, the centre lines of the overhead transmission line with underground cables traversing the property, the centre lines of which are indicated by the lines ee, mm, and kk, II on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, which servitude is 47 (forty seven) metres wide”.*

C(d) *“The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.*

C(a) *By virtue of Notarial Deed of Servitude K 1303/2014 S registered on 20 March 2014, the withinmentioned property is subject to a servitude in favour of AEL Mining Services Limited (Registration Number 1973/008610/06) for electrical power transmission purposes in general terms over that part of the property that is traversed by the electricity infrastructure referred to in Paragraph 2.1 of the said Notarial Deed, together with any right to convey electricity across the property by means of overhead power lines and/or underground cables, as will more fully appear in the aforesaid Notarial Deed”.*

C(b) *By virtue of Notarial Deed of Servitude K 1304/20014 S registered on 20 March 2014, the withinmentioned property is subject to*

(i) *“a right of way and access in general terms over the property in favour of AEL Mining Services Limited (Registration number 1973/008610/06) (“AEL”) to enable AEL to gain access to existing water and Bio Monitoring points and existing boreholes on the property;*

(ii) *a servitude in general terms over the property in favour of AEL for the protection of existing water and Bio Monitoring points and boreholes used by AEL for water testing purposes in compliance with the requirement of its water use license.*

as will more fully appear in the aforesaid Notarial Deed”.

C(c) *By virtue of Notarial Deed of Servitude K 1305/2014 S registered on 20 March 2014, the withinmentioned is subject to the following conditions in favour of AECI Limited (Registration Number 1924/002590/06) –*

(i) *No boreholes may be sunk on the property, without the prior written consent of AECI Limited (Registration Number 1924/002590/06);*

(ii) *“Zendai Development (South Africa) (Proprietary) Limited (Registration Number 2013/127568/07 shall, should it proceed to develop the property or any portion thereof by the Establishment of a Township thereon or, by subdivision of existing erven and the sale of portions of such subdivided erven, be obliged to establish a property owners association or a home owners association, in respect of such township, which shall have jurisdiction over the entire township and which all property owners in the township shall be obliged to belong.*

(iii) *Such Association shall, unless otherwise agreed between the parties, be established notwithstanding that it might not be a requirement of any township establishment condition laid down by the relevant authority granting consent to the township establishment.*

(iv) *Such Association shall have as one of its objects, a requirement that it become a member of the Greater Modderfontein Property Umbrella Association NPC, Registration Number 2011/008635/08.*

(v) *Any party to whom the owner wishes to sell the property, or any portion thereof, must agree to be bound by the conditions contained in paragraphs (ii) to (iv) above.*

as will more fully appear in the aforesaid Notarial Deed”.

3. TITELVOORWAARDES**A. Titelvoorwaardes 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 2m 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 2m 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 2m 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 goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde 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.

(d) Die erwe is geleë in 'n gebied waar grondtoestande geboue en strukture kan affekteer en skade kan aanrig. Bouplanne wat by die plaaslike bestuur ingedien word vir oorweging, moet maatreëls aandui wat geneem sal word om moontlike skade aan geboue en strukture as gevolg van die nadelige fundamente toestande, te beperk. Hierdie maatreëls moet in ooreenstemming wees met die aanbeveling vervat in die Geotegniese verslag van die dorp, tensy bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(2) ALLE ERWE

Die erf sal nie oorgedra word sonder die skriftelike toestemming van die plaaslike owerheid wat eers verkry is nie en die plaaslike owerheid sal die absolute diskresie hê om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike owerheid het die elektrisiteitsvoorsiening aan die Erf tot 1600 kVA en indien die geregistreerde eienaar van die erf die aanbod oorskry of indien 'n aansoek om sodanige aanbod oorskry moet word, moet die plaaslike owerheid bykomende elektriese bydraes soos deur die plaaslike owerheid bepaal, verskuldig en betaalbaar wees deur die eienaar aan die Plaaslike owerheid.

4. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Modderfontein Dorpsbeplanningskema, 1994 wat uit dieselfde grond as die dorp Longlake Uitbreiding 5 bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 11-7916/5.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr T86/2017

PROCLAMATION 63 OF 2017**LONGLAKE EXTENSION 4**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares Longlake extension 4 to be an approved township subject to the conditions set out in the Schedule hereunder.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY ZENDAI DEVELOPMENT (SOUTH AFRICA) (PROPRIETARY) LIMITED REGISTRATION NO 2013/127568/07 (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 A PORTION 4 OF THE FARM LONGLAKE 710 IR HAS BEEN APPROVED.

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

The name of the township is Longlake extension 4.

(2) DESIGN

The township consists of erven (or erven and a road/street/thoroughfare or roads/streets/thoroughfares) as indicated on General Plan SG no. 3841/2012.

(3) DESIGN AND PROVISION OF ENGINEERING SERVICES IN AND FOR THE TOWNSHIP

- (a) The township owner shall, to the satisfaction of the local authority, make the necessary arrangements for the design and provision of all engineering services of which the local authority is the supplier.
- (b) The township owner shall not install or construct any engineering services unless the necessary written agreement has been entered into with the local authority, after proclamation of the township.
- (c) Failure by the township owner to enter into the agreement contemplated in (b) above, shall result in the forfeiture of the off-setting of external contributions payable and any claims against the local authority, resulting from the installation of the bulk infrastructure.

(4) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 11 November 2017. The application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(5) ACCESS

- (a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd and/or the Department of Public Transport, Roads and Works.
- (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.

(6) ACCEPTANCE AND DISPOSAL OF STORMWATER

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

(7) 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.

(8) REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner.

(9) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs 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.

(10) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) The township owner shall, after compliance with clause 2.(3) above, at its own costs and to the satisfaction of the local authority, construct and install 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 nor shall a Certificate of Registered Title be registered, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been constructed and installed.

(b) The township owner shall fulfil its obligations in respect of the installation of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as agreed between the township owner and the local authority in terms of clause 2.(3) above. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the engineering services have been submitted or paid to the said local authority.

(11) OBLIGATIONS WITH REGARD TO THE PROTECTION OF ENGINEERING SERVICES

The township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the constructed/installed services. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered, 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.

(12) CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to consolidate Erven 57 to 65 and 192, to the local authority for approval. The consolidation may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and the erven to be consolidated, have been submitted or paid to the said local authority.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

A Excluding the following conditions which do not affect the township due to its locality

B(c) By Notarial deed K 1729/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property, the centre line of which is indicated by the line nn, pp, qq, rr on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title T 13877/2013.

C(c) By Notarial Deed K 1728/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property the centre line of which is indicated by the line d,e,f,g and h,j,k,l,mx,m,n,p,q,r,nn on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

B Excluding the following entitlements which shall not be passed on to the erven or the streets in the township:

A(b) By Notarial Deed K 1177/1960 S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7897/1950, as will more fully appear from reference to the said Notarial Deed and diagrams annexed thereto, which servitude has by virtue of Notarial Deed K 871/1974 S dated 4 December 1973 been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein 33 I.R., held under Certificates of Registered Title T 38773/1972 – T 38776/1972 and amended and added to in respect of Portion 223 of the farm Zuurfontein 33 I.R., held under Certificate of Registered Title T 38777/1972 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

A(c) By Notarial Deed K 1181/1960 S dated 27 August 1959 the within mentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/1951 with diagram S.G. Number A 2174/1953 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

A(d) By virtue of Notarial Deed K 242/1963 S dated 19 February 1960 the withinmentioned property is entitled to a right of way over –

(a) Portion M of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 159,9274 (One Hundred and Fifty Nine Comma Nine Two Seven Four) Hectares;

(b) Portion 1 of Portion C of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 12,0786 (Twelve Comma Nought Seven Eight Six) Hectares;

as will more fully appear from reference to the said Notarial Deed.

A(e) By virtue of Notarial Deed of Servitude K 1702/1976 S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over –

(a) Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 dated 19 December 1972; and

(b) Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title T 23100/1976 dated 16 June 1976

as will more fully appear from reference to the said Notarial Deed.

A(f) By Notarial Deed K 580/1981 S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein 33 I.R., measuring 47,6634 hectares, held under T 7064/1975 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on diagram S.G. Number 4111/1976 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

C Including the following conditions which affect the township and to which the individual erven and streets in the township shall be made subject:

A(a) By Notarial Deed K 344/1940 S, the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed indicated by the line s,t on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013 together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.

A(g) By Notarial Deed K2135/1978 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions as will more fully appear on the reference to the said Notarial Deed, 47 (forty seven) metres wide, the centre lines of which are aa,bb,cc,dd,ee and ff,gg,hh,jj,kk on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3409/1997 S, and which servitude was partially cancelled by Notarial Deed K5567/2000S with Diagram SG Number 8764/1999 annexed thereto.

A(h) By Notarial Deed K3965/1988 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions, 22 (twenty two) metres wide, the centre line which is indicated by the line u,v,w on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3362/1990 S

B(a) By Notarial Deed K 4426/2001 S registered on 22 August 2010 the right as been granted with ancillary rights to Eskom to convey electricity over the property, 15 (fifteen) metres wide on both sides of the line the centre line of the servitude which is indicated by the line A B C on diagram S.G. Number A 7982/1999 as will more fully appear from the said deed.

B(b) By Notarial Deed K 3435/2009 S registered on 14 August 2009 a servitude to a perpetual servitude for overhead power lines and telecommunication purposes and electric power transmission has been granted with ancillary rights to Eskom as will more fully appear from the said deed.

B(d) The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By Notarial Deed K6470/2001 S registered on 14 November 2001 a perpetual servitude of electric power transmission area represented by the figure H2, x, y, z, zz, F2, G2, H2 on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

C(b) By Notarial Deed K5575/2000S registered on 23 October 2000 the right has been granted with ancillary rights to Eskom to convey electricity over the property, the centre lines of the overhead transmission line with underground cables traversing the property, the centre lines of which are indicated by the lines ee, mm, and kk, ll on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, which servitude is 47 (forty seven) metres wide.

C(d) The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By virtue of Notarial Deed of Servitude K 1303/2014 S registered on 20 March 2014, the withinmentioned property is subject to a servitude in favour of AEL Mining Services Limited (Registration Number 1973/008610/06) for electrical power transmission purposes in general terms over that part of the property that is traversed by the electricity infrastructure referred to in Paragraph 2.1 of the said Notarial Deed, together with any right to convey electricity across the property by means of overhead power lines and/or underground cables, as will more fully appear in the aforesaid Notarial Deed.

C(b) By virtue of Notarial Deed of Servitude K 1304/2014 S registered on 20 March 2014, the withinmentioned property is subject to

- (i) a right of way and access in general terms over the property in favour of AEL Mining Services Limited (Registration number 1973/008610/06) ("AEL") to enable AEL to gain access to existing water and Bio Monitoring points and existing boreholes on the property;
- (ii) a servitude in general terms over the property in favour of AEL for the protection of existing water and Bio Monitoring points and boreholes used by AEL for water testing purposes in compliance with the requirement of its water use license.

as will more fully appear in the aforesaid Notarial Deed.

C(c) By virtue of Notarial Deed of Servitude K 1305/2014 S registered on 20 March 2014, the withinmentioned is subject to the following conditions in favour of AECL Limited (Registration Number 1924/002590/06) –

- (i) No boreholes may be sunk on the property, without the prior written consent of AECL Limited (Registration Number 1924/002590/06);
- (ii) Zendai Development (South Africa) (Proprietary) Limited (Registration Number 2013/127568/07 shall, should it proceed to develop the property or any portion thereof by the Establishment of a Township thereon or, by subdivision of existing erven and the sale of portions of such subdivided erven, be obliged to establish a property owners association or a home owners association, in respect of such township, which shall have jurisdiction over the entire township and which all property owners in the township shall be obliged to belong.
- (iii) Such Association shall, unless otherwise agreed between the parties, be established notwithstanding that it might not be a requirement of any township establishment condition laid down by the relevant authority granting consent to the township establishment.
- (iv) Such Association shall have as one of its objects, a requirement that it become a member of the Greater Modderfontein Property Umbrella Association NPC, Registration Number 2011/008635/08.
- (v) Any party to whom the owner wishes to sell the property, or any portion thereof, must agree to be bound by the conditions contained in paragraphs (ii) to (iv) above.

as will more fully appear in the aforesaid Notarial Deed.

3. 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

- (a) Each 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 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 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.

(d) The erven in the township lie in an area where soil conditions can affect and damage buildings and structures. Building plans submitted to the local authority for approval shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. These measures shall be in accordance with the recommendation contained in the Geo-technical report for the township, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(2) ALL ERVEN

The erf shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erf to 1500 kVA and should the registered owner of the erf exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner to the local authority.

4. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it has approved an amendment scheme being an amendment of the Modderfontein Town Planning Scheme, 1994, comprising the same land as included in the township of Longlake Extension 4. Map 3 and the scheme clauses of the amendment schemes are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 11-7916/4.

PROKLAMASIE 63 VAN 2017**LONGLAKE-UITBREIDING 4**

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 Longlake Uitbreiding 4 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

BYLAE

VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ZENDAI DEVELOPMENT (SUID AFRIKA) EIENDOMS BEPERK REGISTRASIENOMMER 2013/127568/07 (HIERNA DIE 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 4 VAN DIE PLAAS LONGLAKE 710 IR GOEDGEKEUR IS.

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is Longlake Uitbreiding 4.

(2) ONTWERP

Die dorp bestaan uit erwe en 'n pad/ 'n straat/ 'n deurpad/paaie/strate/deurpaaie soos aangedui op Algemene Plan LG Nr 3841/2012

(3) ONTWERP EN VOORSIENING VAN INGENIEURSDIENSTE IN EN VIR DIE DORP

Die dorpseienaar moet tot die bevrediging van die plaaslike bestuur die nodige reëlings tref vir die ontwerp en voorsiening van alle ingenieursdienste waarvan die plaaslike owerheid die verskaffer is.

Die dorpseienaar mag geen ingenieursdienste installeer of bou nie, tensy die nodige skriftelike ooreenkoms met die plaaslike owerheid aangegaan is na die proklamasie van die dorp.

Versuim deur die dorpseienaar om die ooreenkoms beoog in (b) hierbo aangaan, sal lei tot die verbeuring van die afskrywing van eksterne bydraes betaalbaar en enige eise teen die plaaslike owerheid, wat voortspruit uit die installering van die grootmaatinfrastruktuur.

(4) NASIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)

Indien die ontwikkeling van die dorp nie voor 11 November 2017 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir herooringing.

(5) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Roads Agentskap (Edms) Bpk en/of die Departement van Paaie en Vervoer

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

(6) ONTVANGS EN VERSORGING VAN STORMWATERDREINERING

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

(7) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(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 die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(9) 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 die tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(10) VERPLIGTINGE MET BETREKKING TOT DIE KONSTRUKSIE EN INSTALLERING VAN INGENIEURSDIENSTE EN BEPERKINGS MET BETREKKING TOT DIE VERVREEMDING OF OORDRAG VAN ERWE

(a) Die dorpseienaar moet, na die nakoming van klousule 2. (3) hierbo, op eie koste en tot bevrediging van die plaaslike bestuur alle ingenieursdienste insluitend die interne paaie en die stormwater retikulasie binne die grense van die dorp . Erwe en / of eenhede in die dorp mag nie in die naam van 'n koper vervreem of oorgedra word nie, of 'n Sertifikaat van Geregisteerde Titel sal geregistreer word voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat hierdie ingenieursdienste opgerig is en geïnstalleer

(b) Die dorpseienaar moet sy verpligtinge nakom ten opsigte van die installering van elektrisiteit, water en sanitêre dienste asook die konstruksie van paaie en stormwater dreinering en die installering van stelsels daarvoor, soos ooreengekom tussen die dorpseienaar en die plaaslike owerheid ingevolge klousule 2. (3) hierbo. Erwe en / of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper of 'n Sertifikaat van Geregisteerde Titel geregistreer word voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat voldoende waarborge / kontantbydraes ten opsigte van Van die ingenieursdienste is aan genoemde plaaslike owerheid voorgelê of betaal.

(11) VERPLIGTINGE MET BETREKKING TOT DIE BESKERMING VAN INGENIEURSDIENSTE

Die dorpseienaar moet, op sy koste en tot bevrediging van die plaaslike bestuur, alle serwitute ondersoek en registreer wat nodig is om die geboue / geïnstalleerde dienste te beskerm. Erwe en / of eenhede in die dorp mag nie in die naam van 'n koper vervreem of oorgedra word nie, of 'n Sertifikaat van Geregisteerde Titel word geregistreer voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat hierdie ingenieursdienste was of sal wees Beskerm word tot bevrediging van die plaaslike owerheid.

(12) KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste, na die proklamasie van die dorp, 'n aansoek om toestemming indien om Erwe 57 tot 65 en 192 te konsolideer, vir goedkeuring aan die plaaslike bestuur. Die konsolidasie mag nie geregistreer word voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat voldoende waarborge / kontantbydraes ten opsigte van die voorsiening van ingenieursdienste aan die dorp en die erwe wat gekonsolideer moet word, aan genoemde plaaslike owerheid voorgelê of betaal is nie. gesag.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige:-

A Uitgesonderd die volgende wat nie die dorp raak nie weens die ligging daarvan

B(c) *“By Notarial deed K 1729/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property, the centre line of which is indicated by the line nn, pp, qq, rr on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title T 13877/2013”.*

C(c) *“By Notarial Deed K 1728/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property the centre line of which is indicated by the line d,e,f,g and h,j,k,l,mx,m,n,p,q,r,nn on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013”.*

B. Uitsluiting van die volgende regte wat nie aan die erwe of die strate in die dorp oorgedra mag word nie:

A(b) *“By Notarial Deed K 1177/1960 S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7897/1950, as will more fully appear from reference to the said Notarial Deed and diagrams annexed thereto, which servitude has by virtue of Notarial Deed K 871/1974 S dated 4 December 1973 been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein 33 I.R., held under Certificates of Registered Title T 38773/1972 – T 38776/1972 and amended and added to in respect of Portion 223 of the farm Zuurfontein 33 I.R., held under Certificate of Registered Title T 38777/1972 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.*

A(c) *By Notarial Deed K 1181/1960 S dated 27 August 1959 the within mentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/1951 with diagram S.G. Number A 2174/1953 annexed thereto, as will more fully appear from reference to the said Notarial Deed.*

A(d) *By virtue of Notarial Deed K 242/1963 S dated 19 February 1960 the withinmentioned property is entitled to a right of way over –*

(a) *Portion M of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 159,9274 (One Hundred and Fifty Nine Comma Nine Two Seven Four) Hectares;*

(b) *Portion 1 of Portion C of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 12,0786 (Twelve Comma Nought Seven Eight Six) Hectares”;*

as will more fully appear from reference to the said Notarial Deed.

A(e) *“By virtue of Notarial Deed of Servitude K 1702/1976 S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over –*

(a) *Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 dated 19 December 1972; and*

(b) *Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title T 23100/1976 dated 16 June 1976”*

“as will more fully appear from reference to the said Notarial Deed”.

A(f) “By Notarial Deed K 580/1981 S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein 33 I.R., measuring 47,6634 hectares, held under T 7064/1975 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on diagram S.G. Number 4111/1976 as will more fully appear from reference to the said Notarial Deed with diagram annexed”.

C Insluitende die volgende voorwaardes wat die dorp raak en waarop die individuele erwe en strate in die dorp onderworpe sal wees:

A(a) “By Notarial Deed K 344/1940 S, the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed indicated by the line s,t on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013 together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.

A(g) By Notarial Deed K2135/1978 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions as will more fully appear on the reference to the said Notarial Deed, 47 (forty seven) metres wide, the centre lines of which are aa,bb,cc,dd,ee and ff,gg,hh,jj,kk on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3409/1997 S, and which servitude was partially cancelled by Notarial Deed K5567/2000S with Diagram SG Number 8764/1999 annexed thereto”.

A(h) “By Notarial Deed K3965/1988 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions, 22 (twenty two) metres wide, the centre line which is indicated by the line u,v,w on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3362/1990 S

B(a) By Notarial Deed K 4426/2001 S registered on 22 August 2010 the right as been granted with ancillary rights to Eskom to convey electricity over the property, 15 (fifteen) metres wide on both sides of the line the centre line of the servitude which is indicated by the line A B C on diagram S.G. Number A 7982/1999 as will more fully appear from the said deed.

B(b) By Notarial Deed K 3435/2009 S registered on 14 August 2009 a servitude to a perpetual servitude for overhead power lines and telecommunication purposes and electric power transmission has been granted with ancillary rights to Eskom as will more fully appear from the said deed”.

B(d) “The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By Notarial Deed K6470/2001 S registered on 14 November 2001 a perpetual servitude of electric power transmission area represented by the figure H2, x, y, z, zz, F2, G2, H2 on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

C(b) By Notarial Deed K5575/2000S registered on 23 October 2000 the right has been granted with ancillary rights to Eskom to convey electricity over the property, the centre lines of the overhead transmission line with underground cables traversing the property, the centre lines of which are indicated by the lines ee, mm, and kk, ll on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, which servitude is 47 (forty seven) metres wide”.

C(d) *“The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.*

C(a) *By virtue of Notarial Deed of Servitude K 1303/2014 S registered on 20 March 2014, the withinmentioned property is subject to a servitude in favour of AEL Mining Services Limited (Registration Number 1973/008610/06) for electrical power transmission purposes in general terms over that part of the property that is traversed by the electricity infrastructure referred to in Paragraph 2.1 of the said Notarial Deed, together with any right to convey electricity across the property by means of overhead power lines and/or underground cables, as will more fully appear in the aforesaid Notarial Deed”.*

C(b) *By virtue of Notarial Deed of Servitude K 1304/20014 S registered on 20 March 2014, the withinmentioned property is subject to*

(i) *“a right of way and access in general terms over the property in favour of AEL Mining Services Limited (Registration number 1973/008610/06) (“AEL”) to enable AEL to gain access to existing water and Bio Monitoring points and existing boreholes on the property;*

(ii) *a servitude in general terms over the property in favour of AEL for the protection of existing water and Bio Monitoring points and boreholes used by AEL for water testing purposes in compliance with the requirement of its water use license.*

as will more fully appear in the aforesaid Notarial Deed”.

C(c) *By virtue of Notarial Deed of Servitude K 1305/2014 S registered on 20 March 2014, the withinmentioned is subject to the following conditions in favour of AECI Limited (Registration Number 1924/002590/06) –*

(i) *No boreholes may be sunk on the property, without the prior written consent of AECI Limited (Registration Number 1924/002590/06);*

(ii) *“Zendai Development (South Africa) (Proprietary) Limited (Registration Number 2013/127568/07 shall, should it proceed to develop the property or any portion thereof by the Establishment of a Township thereon or, by subdivision of existing erven and the sale of portions of such subdivided erven, be obliged to establish a property owners association or a home owners association, in respect of such township, which shall have jurisdiction over the entire township and which all property owners in the township shall be obliged to belong.*

(iii) *Such Association shall, unless otherwise agreed between the parties, be established notwithstanding that it might not be a requirement of any township establishment condition laid down by the relevant authority granting consent to the township establishment.*

(iv) *Such Association shall have as one of its objects, a requirement that it become a member of the Greater Modderfontein Property Umbrella Association NPC, Registration Number 2011/008635/08.*

(v) *Any party to whom the owner wishes to sell the property, or any portion thereof, must agree to be bound by the conditions contained in paragraphs (ii) to (iv) above.*

as will more fully appear in the aforesaid Notarial Deed”.

3. TITELVOORWAARDES

A. Titelvoorwaardes 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 2m 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 2m 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 2m 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 rioolhoofpypleidings, en ander werke wat hy volgens goeie doedunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(d) Die erwe is geleë in 'n gebied waar grondtoestande geboue en strukture kan affekteer en skade kan aanrig. Bouplanne wat by die plaaslike bestuur ingedien word vir oorweging, moet maatreëls aandui wat geneem sal word om moontlike skade aan geboue en strukture as gevolg van die nadelige fundamente toestande, te beperk. Hierdie maatreëls moet in ooreenstemming wees met die aanbeveling vervat in die Geotegniese verslag van die dorp, tensy bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(2) ALLE ERWE

Die erf sal nie oorgedra word sonder die skriftelike toestemming van die plaaslike owerheid wat eers verkry is nie en die plaaslike owerheid sal die absolute diskresie hê om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike owerheid het die elektrisiteitsvoorsiening aan die Erf tot 1500 kVA en indien die geregistreerde eienaar van die erf die aanbod oorskry of indien 'n aansoek om sodanige aanbod oorskry moet word, moet die plaaslike owerheid bykomende elektriese bydraes soos deur die plaaslike owerheid bepaal, verskuldig en betaalbaar wees deur die eienaar aan die Plaaslike owerheid.

4. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Modderfontein Dorpsbeplanningskema, 1994 wat uit dieselfde grond as die dorp Longlake Uitbreiding 4 bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 11-7916/4.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

Notice No. / Kennisgewing Nr T85/2017

PROCLAMATION 64 OF 2017**LOGLAKE EXTENSION 2**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares Longlake extension 2 to be an approved township subject to the conditions set out in the Schedule hereunder.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY ZENDAI DEVELOPMENT (SOUTH AFRICA) (PTY) LTD REGISTRATION NUMBER 2013/127568/07 (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 A PORTION 2 OF THE FARM LONGLAKE 710 IR HAS BEEN APPROVED.

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

The name of the township is Longlake extension 2.

(2) DESIGN

The township consists of erven and streets as indicated on General Plan SG No. 3837/2012

(3) DESIGN AND PROVISION OF ENGINEERING SERVICES IN AND FOR THE TOWNSHIP

(a) The township owner shall, to the satisfaction of the local authority, make the necessary arrangements for the design and provision of all engineering services of which the local authority is the supplier.

(b) The township owner shall not install or construct any engineering services unless the necessary written agreement has been entered into with the local authority, after proclamation of the township.

(c) Failure by the township owner to enter into the agreement contemplated in (b) above, shall result in the forfeiture of the off-setting of external contributions payable and any claims against the local authority, resulting from the installation of the bulk infrastructure.

(4) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 11 November 2017 the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(5) ACCESS

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or 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.

(c) Access to or egress from Erven 31 to 41 in Longlake extension 2 and 43 to 54 and 56 in Longlake extension 3 shall only be permitted via the servitude of right of way to be registered over Erf 42.

(6) ACCEPTANCE AND DISPOSAL OF STORMWATER

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

(7) 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.

(8) REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner.

(9) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs 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.

(10) OBLIGATIONS WITH REGARD TO THE CONSTRUCTION AND INSTALLATION OF ENGINEERING SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OR TRANSFER OF ERVEN

(a) The township owner shall, after compliance with clause 2.(3) above, at its own costs and to the satisfaction of the local authority, construct and install 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 nor shall a Certificate of Registered Title be registered, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been constructed and installed.

(b) The township owner shall fulfil its obligations in respect of the installation of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as agreed between the township owner and the local authority in terms of clause 2.(3) above. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the engineering services have been submitted or paid to the said local authority.

(11) OBLIGATIONS WITH REGARD TO THE PROTECTION OF ENGINEERING SERVICES

The township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the constructed/installed services. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered, 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.

(12) CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to consolidate Erven 31 to 42, to the local authority for approval. The consolidation may not be registered prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services to the township and the erven to be consolidated, have been submitted or paid to the said local authority.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

A Excluding the following conditions which do not affect the township due to its locality

B(c) By Notarial deed K 1729/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property, the centre line of which is indicated by the line nn, pp, qq, rr on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title T 13877/2013.

C(c) By Notarial Deed K 1728/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property the centre line of which is indicated by the line d,e,f,g and h,j,k,l,mx,m,n,p,q,r,nn on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

B Excluding the following entitlements which shall not be passed on to the erven or the streets in the township:

A(b) By Notarial Deed K 1177/1960 S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7897/1950, as will more fully appear from reference to the said Notarial Deed and diagrams annexed thereto, which servitude has by virtue of Notarial Deed K 871/1974 S dated 4 December 1973 been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein 33 I.R., held under Certificates of Registered Title T 38773/1972 – T 38776/1972 and amended and added to in respect of Portion 223 of the farm Zuurfontein 33 I.R., held under Certificate of Registered Title T 38777/1972 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

A(c) By Notarial Deed K 1181/1960 S dated 27 August 1959 the within mentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/1951 with diagram S.G. Number A 2174/1953 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

A(d) By virtue of Notarial Deed K 242/1963 S dated 19 February 1960 the withinmentioned property is entitled to a right of way over –

(a) Portion M of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 159,9274 (One Hundred and Fifty Nine Comma Nine Two Seven Four) Hectares;

(b) Portion 1 of Portion C of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 12,0786 (Twelve Comma Nought Seven Eight Six) Hectares;

as will more fully appear from reference to the said Notarial Deed.

A(e) By virtue of Notarial Deed of Servitude K 1702/1976 S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over –

(a) Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 dated 19 December 1972; and

(b) Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title T 23100/1976 dated 16 June 1976

as will more fully appear from reference to the said Notarial Deed.

A(f) By Notarial Deed K 580/1981 S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein 33 I.R., measuring 47,6634 hectares, held under T 7064/1975 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on diagram S.G. Number 4111/1976 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

C Including the following conditions which affect the township and to which the individual erven and streets in the township shall be made subject:

A(a) By Notarial Deed K 344/1940 S, the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed indicated by the line s,t on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013 together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.

A(g) By Notarial Deed K2135/1978 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions as will more fully appear on the reference to the said Notarial Deed, 47 (forty seven) metres wide, the centre lines of which are aa,bb,cc,dd,ee and ff,gg,hh,jj,kk on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3409/1997 S, and which servitude was partially cancelled by Notarial Deed K5567/2000S with Diagram SG Number 8764/1999 annexed thereto.

A(h) By Notarial Deed K3965/1988 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions, 22 (twenty two) metres wide, the centre line which is indicated by the line u,v,w on Diagram SG Number SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3362/1990 S

B(a) By Notarial Deed K 4426/2001 S registered on 22 August 2010 the right as been granted with ancillary rights to Eskom to convey electricity over the property, 15 (fifteen) metres wide on both sides of the line the centre line of the servitude which is indicated by the line A B C on diagram S.G. Number A 7982/1999 as will more fully appear from the said deed.

B(b) By Notarial Deed K 3435/2009 S registered on 14 August 2009 a servitude to a perpetual servitude for overhead power lines and telecommunication purposes and electric power transmission has been granted with ancillary rights to Eskom as will more fully appear from the said deed.

B(d) The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By Notarial Deed K6470/2001 S registered on 14 November 2001 a perpetual servitude of electric power transmission area represented by the figure H2, x, y, z, zz, F2, G2, H2 on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

C(b) By Notarial Deed K5575/2000S registered on 23 October 2000 the right has been granted with ancillary rights to Eskom to convey electricity over the property, the centre lines of the overhead transmission line with underground cables traversing the property, the centre lines of which are indicated by the lines ee, mm, and kk, ll on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, which servitude is 47 (forty seven) metres wide.

C(d) The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By virtue of Notarial Deed of Servitude K 1303/2014 S registered on 20 March 2014, the withinmentioned property is subject to a servitude in favour of AEL Mining Services Limited (Registration Number 1973/008610/06) for electrical power transmission purposes in general terms over that part of the property that is traversed by the electricity infrastructure referred to in Paragraph 2.1 of the said Notarial Deed, together with any right to convey electricity across the property by means of overhead power lines and/or underground cables, as will more fully appear in the aforesaid Notarial Deed.

C(b) By virtue of Notarial Deed of Servitude K 1304/2014 S registered on 20 March 2014, the withinmentioned property is subject to

(i) a right of way and access in general terms over the property in favour of AEL Mining Services Limited (Registration number 1973/008610/06) ("AEL") to enable AEL to gain access to existing water and Bio Monitoring points and existing boreholes on the property;

(ii) a servitude in general terms over the property in favour of AEL for the protection of existing water and Bio Monitoring points and boreholes used by AEL for water testing purposes in compliance with the requirement of its water use license.

as will more fully appear in the aforesaid Notarial Deed.

C(c) By virtue of Notarial Deed of Servitude K 1305/2014 S registered on 20 March 2014, the withinmentioned is subject to the following conditions in favour of AECI Limited (Registration Number 1924/002590/06) –

(i) No boreholes may be sunk on the property, without the prior written consent of AECI Limited (Registration Number 1924/002590/06);

(ii) Zendai Development (South Africa) (Proprietary) Limited (Registration Number 2013/127568/07 shall, should it proceed to develop the property or any portion thereof by the Establishment of a Township thereon or, by subdivision of existing erven and the sale of portions of such subdivided erven, be obliged to establish a property owners association or a home owners association, in respect of such township, which shall have jurisdiction over the entire township and which all property owners in the township shall be obliged to belong.

(iii) Such Association shall, unless otherwise agreed between the parties, be established notwithstanding that it might not be a requirement of any township establishment condition laid down by the relevant authority granting consent to the township establishment.

(iv) Such Association shall have as one of its objects, a requirement that it become a member of the Greater Modderfontein Property Umbrella Association NPC, Registration Number 2011/008635/08.

(v) Any party to whom the owner wishes to sell the property, or any portion thereof, must agree to be bound by the conditions contained in paragraphs (ii) to (iv) above.

as will more fully appear in the aforesaid Notarial Deed.

D Excluding the following condition which only affects Erf 41

By Notarial Deed of Servitude K about to be registered, the erf is subject to a servitude of right of way in favour of LONGLAKE RIDGE WEST OWNERS ASSOCIATION RF NPC Registration Number 2016/199996/08, as indicated by the figure a b c A a on Diagram SG No. SG Diagram 3836 / 2012 as will more fully appear from reference to the said Notarial Deed of Servitude.

3. CONDITIONS OF TITLE

A. Conditions of Title imposed by the local authority in terms of the provisions of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

(1) ALL ERVEN

(a) Each 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 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 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.

(d) The erven in the township lie in an area where soil conditions can affect and damage buildings and structures. Building plans submitted to the local authority for approval shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. These measures shall be in accordance with the recommendation contained in the Geo-technical report for the township, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(2) ALL ERVEN

The erf shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erf to 2800 kVA and should the registered owner of the erf exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner to the local authority.

(3) Erf 42

(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 erf is subject to a servitude of right of way in favour of Erven 31 to 41 and erven 43 to 54 and 56 in Longlake extension 3 for access purposes, as indicated on the General Plan:

(4) ERVEN 37 TO 40

The erven are subject to a 5m wide stormwater and sewer servitude in favour of the local authority as indicated on the general plan.

(6) ERVEN 31 TO 41 AND ERVEN 43 TO 54 AND 56 IN LONGLAKE EXTENSION 3

The erven are entitled to a servitude of right of way over Erf 42 for access purposes.

B. Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001), as amended.

Erven 36 to 40 are subject to the following conditions:

(a) No buildings or structures may be erected within 6 metres from the rail reserve boundary of the Gautrain Rapid Rail Link.

(b) Section 46 of the GTIA will be applicable in respect of any structure and other works on, over or below the railway line and Province will not be held responsible for any losses the owner may incur as result of limitations to the exercising of such rights which are now being applied for.

(c) Should the owner wish to erect a physical barrier between the Site and the rail reserve boundary, it shall be erected at the cost of the owner. All designs shall be submitted to the Department of Roads and Transport for approval.

(d) All metallic structures in close proximity to the rail reserve boundary must be earthed in an approved manner. This includes fences, electrical wiring and reinforcing concrete.

(e) The owner shall ensure that the nature of the development does not impact on the electromagnetic receptivity or emissivity of the Gautrain Rapid Rail Link. Should the owner wish to embark on such a development, the owner /local authority shall submit to the Department of Public Transport Roads and Works an engineering report which clearly describes the impact of such a development on the Gautrain Rapid Rail Link, how immunization would be achieved and what the related costs would be. These arrangements would have to be approved by the Gauteng Department of Public Transport Roads and Works in consultation with the Gautrain Rapid Rail Link Concessionaire. All costs related to the immunisation would be the responsibility of the owner.

(f) Where no acoustic or vibration mitigating measures are provided for in the Environmental Management Plan or Record of Decision for the Gautrain Project, or should the acoustic or vibration mitigating measures provided not be appropriate for the development under consideration, the owner shall be responsible for the provision of all acoustic mitigating measures necessary to ensure compliance with the Standards prescribed by legal requirements. The owner shall be responsible for any costs associated with the provision of any additional acoustic or vibration mitigating measures which may be required.

(g) In terms of the Gauteng Transport Infrastructure Act, Act Number 8 of 2001, the owner shall engage the drainage of the Site by constructing a stormwater drainage system to accommodate run off from the Gautrain rail reserve, and the owner shall be responsible for the cost of installing such a drainage system.

(h) The owner shall provide the MEC with a Site Development Plan for the township portraying the above requirements, together with the comments of the Gautrain Management Agency and the owner's written acceptance of all the above-mentioned requirements.

4. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it has approved an amendment scheme being an amendment of the Modderfontein Town Planning Scheme, 1994, comprising the same land as included in the township of Longlake Extension 2. Map 3 and the scheme clauses of the amendment schemes are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 11-7916/2.

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 Longlake Uitbreiding 2 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

PROKLAMASIE 64 VAN 2017**LONGLAKE UITBREIDING 2****BYLAE**

VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ZENDAI DEVELOPMENT (SUID AFRIKA) EIENDOMS BEPERK REGISTRASIENOMMER 2013/127568/07 (HIERNA DIE 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 2 VAN DIE PLAAS LONGLAKE 710 IR GOEDGEKEUR IS.

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is Longlake Uitbreiding 2.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG Nr 3837/2012

(3) ONTWERP EN VOORSIENING VAN INGENIEURSDIENSTE IN EN VIR DIE DORP

Die dorpseienaar moet tot die bevrediging van die plaaslike bestuur die nodige reëlings tref vir die ontwerp en voorsiening van alle ingenieursdienste waarvan die plaaslike owerheid die verskaffer is.

Die dorpseienaar mag geen ingenieursdienste installeer of bou nie, tensy die nodige skriftelike ooreenkoms met die plaaslike owerheid aangegaan is na die proklamasie van die dorp.

Versuim deur die dorpseienaar om die ooreenkoms beoog in (b) hierbo aangaan, sal lei tot die verbeuring van die afskrywing van eksterne bydraes betaalbaar en enige eise teen die plaaslike owerheid, wat voortspruit uit die installering van die grootmaatinfrastruktuur.

(4) NASIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)

Indien die ontwikkeling van die dorp nie voor 11 November 2017 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir herooringing.

(5) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en Johannesburg Padagentskap (Edms) Bpk.

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

(c) Toegang tot of uitgang vanuit Erwe 31 tot 41 Longlake uitbreiding 2 en 43 tot 54 en 56 in Longlake uitbreiding 3 sal slegs toegelaat word via die serwituut van reg-van-weg wat oor Erf 42 registreer is;

(6) ONTVANGS EN VERSORGING VAN STORMWATERDREINERING

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

(7) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(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 die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(9) 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 die tevreedenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(10) VERPLIGTINGE MET BETREKKING TOT DIE KONSTRUKSIE EN INSTALLERING VAN INGENIEURSDIENSTE EN BEPERKINGS MET BETREKKING TOT DIE VERVREEMDING OF OORDRAG VAN ERWE

(a) Die dorpseienaar moet, na die nakoming van klousule 2. (3) hierbo, op eie koste en tot bevrediging van die plaaslike bestuur alle ingenieursdienste insluitend die interne paaie en die stormwater retikulasie binne die grense van die dorp. Erwe en / of eenhede in die dorp mag nie in die naam van 'n koper vervreem of oorgedra word nie, of 'n Sertifikaat van Geregistreeerde Titel sal geregistreer word voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat hierdie ingenieursdienste opgerig is en geïnstalleer

(b) Die dorpseienaar moet sy verpligtinge nakom ten opsigte van die installering van elektrisiteit, water en sanitêre dienste asook die konstruksie van paaie en stormwater dreinerings en die installering van stelsels daarvoor, soos ooreengekom tussen die dorpseienaar en die plaaslike owerheid ingevolge klousule 2. (3) hierbo. Erwe en / of eenhede in die dorp mag nie vervreem of oorgedra word in die naam van 'n koper of 'n Sertifikaat van Geregistreeerde Titel geregistreer word voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat voldoende waarborge / kontantbydraes ten opsigte van Van die ingenieursdienste is aan genoemde plaaslike owerheid voorgelê of betaal.

(11) VERPLIGTINGE MET BETREKKING TOT DIE BESKERMING VAN INGENIEURSDIENSTE

Die dorpseienaar moet, op sy koste en tot bevrediging van die plaaslike bestuur, alle serwitute ondersoek en registreer wat nodig is om die geboue / geïnstalleerde dienste te beskerm. Erwe en / of eenhede in die dorp mag nie in die naam van 'n koper vervreem of oorgedra word nie, of 'n Sertifikaat van Geregistreeerde Titel word geregistreer voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat hierdie ingenieursdienste was of sal wees Beskerm word tot bevrediging van die plaaslike owerheid.

(12) KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste, na die proklamasie van die dorp, 'n aansoek om toestemming indien om Erwe 31 tot 42 te konsolideer, vir goedkeuring aan die plaaslike bestuur. Die konsolidasie mag nie geregistreer word voordat die plaaslike owerheid aan die Registrateur van Aktes sertifiseer dat voldoende waarborge / kontantbydraes ten opsigte van die voorsiening van ingenieursdienste aan die dorp en die erwe wat gekonsolideer moet word, aan genoemde plaaslike owerheid voorgelê of betaal is nie. gesag.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige:-

A Uitgesonderd die volgende wat nie die dorp raak nie weens die ligging daarvan

B(c) "By Notarial deed K 1729/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property, the centre line of which is indicated by the line nn, pp, qq, rr on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title T 13877/2013".

C(c) “By Notarial Deed K 1728/2008 S registered on 18 March 2008 the right was granted to the City of Johannesburg Metropolitan Municipality to use in perpetuity for sewer purposes an area of land 5 (five) metres wide over the property the centre line of which is indicated by the line d,e,f,g and h,j,k,l,mx,m,n,p,q,r,nn on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013”.

B. Uitsluiting van die volgende regte wat nie aan die erwe of die strate in die dorp oorgedra mag word nie:

A(b) “By Notarial Deed K 1177/1960 S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T 7897/1950, as will more fully appear from reference to the said Notarial Deed and diagrams annexed thereto, which servitude has by virtue of Notarial Deed K 871/1974 S dated 4 December 1973 been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein 33 I.R., held under Certificates of Registered Title T 38773/1972 – T 38776/1972 and amended and added to in respect of Portion 223 of the farm Zuurfontein 33 I.R., held under Certificate of Registered Title T 38777/1972 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

A(c) By Notarial Deed K 1181/1960 S dated 27 August 1959 the within mentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T 28762/1951 with diagram S.G. Number A 2174/1953 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

A(d) By virtue of Notarial Deed K 242/1963 S dated 19 February 1960 the withinmentioned property is entitled to a right of way over –

(a) Portion M of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 159,9274 (One Hundred and Fifty Nine Comma Nine Two Seven Four) Hectares;

(b) Portion 1 of Portion C of the Farm Zuurfontein 33 I.R., Kempton Park, measuring 12,0786 (Twelve Comma Nought Seven Eight Six) Hectares”;

as will more fully appear from reference to the said Notarial Deed.

A(e) “By virtue of Notarial Deed of Servitude K 1702/1976 S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over –

(a) Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title T 38772/1972 dated 19 December 1972; and

(b) Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title T 23100/1976 dated 16 June 1976”

“as will more fully appear from reference to the said Notarial Deed”.

A(f) “By Notarial Deed K 580/1981 S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein 33 I.R., measuring 47,6634 hectares, held under T 7064/1975 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on diagram S.G. Number 4111/1976 as will more fully appear from reference to the said Notarial Deed with diagram annexed”.

C Insluitende die volgende voorwaardes wat die dorp raak en waarop die individuele erwe en strate in die dorp onderworpe sal wees:

A(a) “By Notarial Deed K 344/1940 S, the right has been granted to Electricity Supply Commission to convey electricity over the property hereby conveyed indicated by the line s,t on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013together with ancillary rights and subject to conditions as will more fully appear on

reference to the said Notarial Deed.

A(g) By Notarial Deed K2135/1978 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions as will more fully appear on the reference to the said Notarial Deed, 47 (forty seven) metres wide, the centre lines of which are aa,bb,cc,dd,ee and ff,gg,hh,jj,kk on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3409/1997 S, and which servitude was partially cancelled by Notarial Deed K5567/2000S with Diagram SG Number 8764/1999 annexed thereto”.

A(h) “By Notarial Deed K3965/1988 S the right has been granted to Eskom to convey electricity over the property hereby registered together with ancillary rights and subject to conditions, 22 (twenty two) metres wide, the centre line which is indicated by the line u,v,w on Diagram SG Number SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, as will more fully appear from the said deed and Notarial Deed of Route Description K3362/1990 S

B(a) By Notarial Deed K 4426/2001 S registered on 22 August 2010 the right as been granted with ancillary rights to Eskom to convey electricity over the property, 15 (fifteen) metres wide on both sides of the line the centre line of the servitude which is indicated by the line A B C on diagram S.G. Number A 7982/1999 as will more fully appear from the said deed.

B(b) By Notarial Deed K 3435/2009 S registered on 14 August 2009 a servitude to a perpetual servitude for overhead power lines and telecommunication purposes and electric power transmission has been granted with ancillary rights to Eskom as will more fully appear from the said deed”.

B(d) “The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By Notarial Deed K6470/2001 S registered on 14 November 2001 a perpetual servitude of electric power transmission area represented by the figure H2, x, y, z, zz, F2, G2, H2 on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013.

C(b) By Notarial Deed K5575/2000S registered on 23 October 2000 the right has been granted with ancillary rights to Eskom to convey electricity over the property, the centre lines of the overhead transmission line with underground cables traversing the property, the centre lines of which are indicated by the lines ee, mm, and kk, ll on Diagram SG Number 669/2012 annexed to Certificate of Consolidated Title Number T13877/2013, which servitude is 47 (forty seven) metres wide”.

C(d) “The Member of the Executive Council of the Province responsible for provincial roads and railways has in terms of Section 11(1)(b) of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001) proclaimed a provincial railway line at varying depths below the land as described and indicated by the figures on the sketch plans forming part of the said notice which show the horizontal alignment of the railway line on the land as will more fully appear from Caveat I 7347/2011C noted against the property.

C(a) By virtue of Notarial Deed of Servitude K 1303/2014 S registered on 20 March 2014, the withinmentioned property is subject to a servitude in favour of AEL Mining Services Limited (Registration Number 1973/008610/06) for electrical power transmission purposes in general terms over that part of the property that is traversed by the electricity infrastructure referred to in Paragraph 2.1 of the said Notarial Deed, together with any right to convey electricity across the property by means of overhead power lines and/or underground cables, as will more fully appear in the aforesaid Notarial Deed”.

C(b) *By virtue of Notarial Deed of Servitude K 1304/20014 S registered on 20 March 2014, the withinmentioned property is subject to*

(i) *“a right of way and access in general terms over the property in favour of AEL Mining Services Limited (Registration number 1973/008610/06) (“AEL”) to enable AEL to gain access to existing water and Bio Monitoring points and existing boreholes on the property;*

(ii) *a servitude in general terms over the property in favour of AEL for the protection of existing water and Bio Monitoring points and boreholes used by AEL for water testing purposes in compliance with the requirement of its water use license.*

as will more fully appear in the aforesaid Notarial Deed”.

C(c) *By virtue of Notarial Deed of Servitude K 1305/2014 S registered on 20 March 2014, the withinmentioned is subject to the following conditions in favour of AECI Limited (Registration Number 1924/002590/06) –*

(i) *No boreholes may be sunk on the property, without the prior written consent of AECI Limited (Registration Number 1924/002590/06)”;*

(ii) *“Zendai Development (South Africa) (Proprietary) Limited (Registration Number 2013/127568/07 shall, should it proceed to develop the property or any portion thereof by the Establishment of a Township thereon or, by subdivision of existing erven and the sale of portions of such subdivided erven, be obliged to establish a property owners association or a home owners association, in respect of such township, which shall have jurisdiction over the entire township and which all property owners in the township shall be obliged to belong.*

(iii) *Such Association shall, unless otherwise agreed between the parties, be established notwithstanding that it might not be a requirement of any township establishment condition laid down by the relevant authority granting consent to the township establishment.*

(iv) *Such Association shall have as one of its objects, a requirement that it become a member of the Greater Modderfontein Property Umbrella Association NPC, Registration Number 2011/008635/08.*

(v) *Any party to whom the owner wishes to sell the property, or any portion thereof, must agree to be bound by the conditions contained in paragraphs (ii) to (iv) above.*

as will more fully appear in the aforesaid Notarial Deed”.

D. Met uitsluiting van die volgende voorwaarde wat slegs Erf 41 raak

Deur Notariële Akte van Serwituut K om geregistreer te word, is die erf onderworpe aan 'n serwituut van reg van weg ten gunste van LONGLAKE RIDGE WES-EIENAARSVERENIGING RF NPC Registrasienuommer 2016/199996/08, soos aangedui deur die figuur aa A a op Diagram SG No. SG Diagram 3836/2012 soos meer volledig van verwysing na die genoemde notariële akte van serwituut

3. TITELVOORWAARDES

A. Titellovoorwaardes opgelê deur die plaaslike bestuur ingevolge die bepaling van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

(1) ALLE ERWE

(a) Elke erf is onderworpe aan 'n serwituut 2m 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 2m 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 2m 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 rioolhoofpypleidings, en ander werke wat hy volgens goeie goeie noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(d) Die erwe is geleë in 'n gebied waar grondtoestande geboue en strukture kan affekteer en skade kan aanrig. Bouplanne wat by die plaaslike bestuur ingedien word vir oorweging, moet maatreëls aandui wat geneem sal word om moontlike skade aan geboue en strukture as gevolg van die nadelige fundamente toestande, te beperk. Hierdie maatreëls moet in ooreenstemming wees met die aanbeveling vervat in die Geotegniese verslag van die dorp, tensy bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(2) ALLE ERWE

Die erf sal nie oorgedra word sonder die skriftelike toestemming van die plaaslike owerheid wat eers verkry is nie en die plaaslike owerheid sal die absolute diskresie hê om sodanige toestemming te weerhou, tensy die oordragener die volgende voorwaarde aanvaar: Die plaaslike owerheid het die elektrisiteitsvoorsiening aan die Erf tot 2800 kVA en indien die geregistreerde eienaar van die erf die aanbod oorskry of indien 'n aansoek om sodanige aanbod oorskry moet word, moet die plaaslike owerheid bykomende elektriese bydraes soos deur die plaaslike owerheid bepaal, verskuldig en betaalbaar wees deur die eienaar aan die Plaaslike owerheid.

(3) ERF 42

(a) Die hele erf 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 erf is onderworpe aan 'n serwituut van reg-van-weg ten gunste van Erwe 31 tot 41 Longlake uitbreiding 2 en 43 tot 54 en 56 in Longlake uitbreiding 3 sal slegs toegelaat word via die serwituut van reg-van-weg wat oor Erf 42 soos aangedui op die Algemene Plan.

(4) ERWE 37 TOT 40

Die erwe is onderworpe aan 'n 5m wye stormwater en riool serwituut ten gunste van die plaaslike bestuur soos aangedui op die algemene plan.

(5) ERWE 31 TOT 41 EN ERWE 43 TOT 54 EN 56 IN LONGLAKE UITBREIDING 3

Die erf is geregtig op 'n serwituut van reg-van-weg oor Erf 42 vir toegangsdoeleindes.

B. Titelvoorwaardes opgelê deur die Departement van Paaie en Vervoer (Gauteng Provinsiale Regering) ingevolge die bepalings van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001), soos gewysig.

(1) ERWE 36 tot 40 is onderworpe aan die volgende voorwaardes

(a) *“No buildings or structures may be erected within 6 metres from the rail reserve boundary of the Gautrain Rapid Rail Link.*

(b) *Section 46 of the GTIA will be applicable in respect of any structure and other works on, over or below the railway line and Province will not be held responsible for any losses the owner may incur as result of limitations to the exercising of such rights which are now being applied for.*

(c) *Should the owner wish to erect a physical barrier between the Site and the rail reserve boundary, it shall be erected at the cost of the owner. All designs shall be submitted to the Department of Roads and Transport for approval.*

(d) *All metallic structures in close proximity to the rail reserve boundary must be earthed in an approved manner. This includes fences, electrical wiring and reinforcing concrete.*

(e) *The owner shall ensure that the nature of the development does not impact on the electromagnetic receptivity or emissivity of the Gautrain Rapid Rail Link. Should the owner wish to embark on such a development, the owner /local authority shall submit to the Department of Public Transport Roads and Works an engineering report which clearly describes the impact of such a development on the Gautrain Rapid Rail Link, how immunization would be achieved and what the related costs would be. These arrangements would have to be approved by the Gauteng Department of Public Transport Roads and Works in consultation with the Gautrain Rapid Rail Link Concessionaire. All costs related to the immunisation would be the responsibility of the owner.*

(f) *Where no acoustic or vibration mitigating measures are provided for in the Environmental Management Plan or Record of Decision for the Gautrain Project, or should the acoustic or vibration mitigating measures provided not be appropriate for the development under consideration, the owner shall be responsible for the provision of all acoustic mitigating measures necessary to ensure compliance with the Standards prescribed by legal requirements. The owner shall be responsible for any costs associated with the provision of any additional acoustic or vibration mitigating measures which may be required.*

(g) *In terms of the Gauteng Transport Infrastructure Act, Act Number 8 of 2001, the owner shall engage the drainage of the Site by constructing a stormwater drainage system to accommodate run off from the Gautrain rail reserve, and the owner shall be responsible for the cost of installing such a drainage system.*

(h) *The owner shall provide the MEC with a Site Development Plan for the township portraying the above requirements, together with the comments of the Gautrain Management Agency and the owner's written acceptance of all the above-mentioned requirements".*

4. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Modderfontein Dorpsbeplanningkema, 1994 wat uit dieselfde grond as die dorp Longlake Uitbreiding 2 bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 11-7916/2.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

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Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
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