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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 1366 OF 2017**DECLARATION APPROVED TOWNSHIP**

In terms of section 69 of the Town Planning and Townships Ordinance, 1965 (Ordinance 25 of 1965), the Administrator hereby declares Beyerspark Extension 118 Township to be an approved township subject to the conditions set out in the Schedule hereto.

DPLG 11/3/9/1/B/44

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY EASTMOOR PROPERTIES (PTY) LTD (REGISTRATION NUMBER 2005/032370/07) UNDER THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1965 (ORDINANCE 25 OF 1965), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 1067 (A PORTION OF PORTION 249) OF THE FARM KLIPFONTEIN NUMBER 83 IR HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Beyerspark Extension 118.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan S.G. No. 5433/2013.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitude's, if any:

- (1) **Excluding the following Entitlements / Rights which do not affect the township area due to the locality thereof and shall not be passed on to erven in the township:**
 - (a) ENTITLED to a servitude of right of way for Railway purposes over Erf 5 in the township of Anderbolt in extent 1,5282 hectares held under Deed of Transfer T34890/1958, as will more fully appear from Notarial Deed K202/1968S;
 - (b) ENTITLED to a servitude of right of way for Railway purposes over the Remaining Extent of Erf 3 in the township Anderbolt in extent 1,8351 hectares held under Certificate of Registered Title T3990/1962 as will more fully appear from Notarial Deed K203/1968S; and
 - (c) ENTITLED to a 3 (three) meter stormwater servitude along the entire Eastern Boundary of the property as will more fully appear from Notarial Deed of Servitude No. K1730/2017S as granted by Epilite 375 CC, Registration Number 2011/095865/23 over Erf 2104 Beyerspark Extension 119 Township.
- (2) **Including the following Entitlements / Rights which affects Erven 2032 and 2033 in the township:**
 - (c) (i) ENTITLED to a right of way servitude for access purposes over portion 1064 of THE FARM KLIPFONTEIN NUMBER 83, REGISTRATION DIVISION I.R, which servitude area is indicated by the figures LMNKL on Diagram SG No. 4780/2013 as will more fully appear from Notarial Deed K5819/2014S; and

(ii) ENTITLED to a right of way servitude for access purposes over portion 1065 of THE FARM KLIPFONTEIN NUMBER 83, REGISTRATION DIVISION I.R, 12 (twelve) metres wide along the entire North Western side of the property indicated by the line NA on Diagram SG No. 4781/2013 as will more fully appear from Notarial Deed of Servitude K5819/2014S.

(3) **Including the following servitude which affects Erven 2032 and 2033 in the township as indicated on the general plan:**

(a) Subject to a right of way servitude for access purposes in favour of portions 1064 and 1065 of THE FARM KLIPFONTEIN NUMBER, 83 REGISTRATION DIVISION I.R, which servitude area is indicated by the Figure A F G H A on Diagram SG No 4783/2013 as will more fully appear from Notarial Deed of Servitude K5819/2014S.

1.4 ACCESS

No ingress from Provincial Road PWV 15 to the township and no egress to Provincial PWV 15 from the township shall be allowed. No access shall be permitted along Davidson Road save and accept the demarcated point of ingress and egress on the lay-out plan.

1.5 CONSOLIDATION OF ERVEN

The township owner shall at their own expense cause the following erven in the township to be consolidated.

Erven 2032 and 2033

1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, within a period of six (6) months from the date of publication of this notice.

1.7 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owners.

1.8 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the local authority may determine, fulfil their obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owners and the local authority.

1.9 FORMATION AND DUTIES OF RESIDENTS ASSOCIATION

- (a) The applicant shall properly and legally constitute a Property Owners or Residents' Association (the Association) under Section 21 of the Companies Act 61 of 1973 to the satisfaction of the local authority before the sale of the first erf (which association shall not be de-registered without the consent of the local authority).
- (b) Each and every owner of Erven 2032 to 2033 shall become a member of the Residents' Association upon transfer of the erf.
- (c) The Residents' Association shall have full legal power to levy from each and every member the costs incurred in fulfilling its function, and shall have legal recourse to recover such fees in the event of a default in payment by any member.

- (d) The local authority shall not be liable for the malfunction of the surfacing of the access ways and/or the stormwater drainage system, and/or any essential services, with the exception of the sewerage system.
- (e) The local authority shall be indemnified from any responsibility for the cost of repairs to the access roadway in the event of it having to gain access or provide underground services in the future.
- (f) Access to Erven 2032 to 2033 (or consolidated erven as detailed in paragraph 2.5 above) to Davidson Road shall be via a right of way servitude to be registered over the Remainder of Portion 249 of the farm Klipfontein 83 IR.

2. CONDITIONS OF TITLE

The erven shall be subject to the following conditions, imposed by the Administrator in terms of the provisions of the Town Planning and Townships Ordinance, 1965.

(1) ALL ERVEN

- (a) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of 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 course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

(2) ERVEN 2032 and 2033

The erf is subject to a right of way servitude in favour of the local authority as indicated on the general plan.

EKURHULENI AMENDMENT SCHEME

The Administrator hereby, in terms of the provisions of Section 89 of the Town-planning and Townships Ordinance, 1965, declares that he approved an amendment scheme, being an amendment of Ekurhuleni Town-planning Scheme 2014, comprising the same land as included in the township of Beyerspark Extension 118.

Map 3 and the scheme clauses of the amendment scheme are filed with the Gauteng Provincial Government, (Department of Economic Development), Johannesburg, and the Town Clerk Ekurhuleni Metropolitan Municipality, Boksburg Customer Care Centre, and are open for inspection at all reasonable times.

The amendment is known as Ekurhuleni Amendment Scheme F0270

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Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065