

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE VAN
GAUTENG**

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 1801 OF 2017**JUKSKEI VIEW EXTENSION 128**

- I. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Jukskei View Extension 128** to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY WATERFALL FIELDS WUQF PROPRIETARY LIMITED (REGISTRATION NUMBER 2013/211395/07) (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 PORTION 837 (A PORTION OF PORTION 1) OF THE FARM WATERVAL 5 I.R., GAUTENG PROVINCE, HAS BEEN APPROVED.

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

The name of the township is **Jukskei View Extension 128**.

(2) DESIGN

The township consists of erven as indicated on General Plan S.G. No. 2342/2017.

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

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.

(4) ELECTRICITY

The local authority is not the bulk supplier of electricity to or in the township. The township owner shall in terms of Section 118(2)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) make the necessary arrangements with ESKOM, the licensed supplier of electricity for the provision of electricity.

(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)

Should the development of the township not be commenced with before 21 December 2021 the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for exemption/authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

(6) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)

(a) Should the development of the township not be completed before 8 February 2026 the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

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

(c) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township, No. 07-16070/01. The erection of such physical barrier and the maintenance thereof, shall be done to the satisfaction of the said Department.

(d) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 8 February 2016.

(7) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 2 August 2022 the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(8) 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 Roads and Transport.

(b) No access to or egress from the township shall be permitted via the line of no access as indicated on the approved layout plan of the township No. 07/16070/01.

(9) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

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

(10) 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.

(11) 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.

(12) 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.

(13) RESTRICTION ON THE DEVELOPMENT OF ERVEN

Erven 4496, 4497, 4498 and 4499 may only be developed jointly as a development scheme as provided for in terms of the Sectional Titles Act, Act 95 of 1986.

(14) ENDOWMENT

The township owner shall, if applicable, in terms of the provisions of Section 98(2) read with Regulation 44 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), pay a lump sum as endowment to the local authority for the shortfall in the provision of land for a park (public open space).

(15) 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 1.(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 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 1.(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.

(c) The township owner shall submit to the local authority, a certificate issued by ESKOM that acceptable financial arrangements with regard to the supply of electricity, have been made by the township owner to the local authority. Erven 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 such certificate had been issued by ESKOM.

(16) **OBLIGATIONS WITH REGARD TO THE PROTECTION OF ENGINEERING SERVICES**
The township owner shall, at its own costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the 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.

(17) **NOTARIAL TIE OF ERVEN**
The township owner shall, at its own costs, after proclamation of the township, submit an application for consent to notarially tie Erven 4496, 4497, 4498 and 4499, to the local authority for approval. The notarial tie 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 notarially tied, 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) Including the following which do affect the township and shall be made applicable to the individual erven in the township:

- 1) *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1128.9618 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K464/2014S, subject to a servitude, for a period of 40 years from date of registration, to lay fibre optic cable and to erect billboards, together with ancillary rights, in favour of Waterval Investment Company Proprietary Limited Registration Number 2006/001921/07, and as will appear more fully from the said notarial deed.*
- 2) *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1572.0108 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed in Restraint of Free Alienation of Property No K536/2010S, subject to the condition that the residential properties laid out in townships on the within mentioned Property may not be sold and only leased which leases are subject to the Standard Terms and Conditions set out in Annexure 1 to the said notarial deed and as will more fully appear from the said deed.*

(B) Including the lease agreement which affects the township and shall be made applicable to the individual erven in the township:

- 1) *By virtue on Notarial Deed of Lease K6120/2017L the withinmentioned property is subject to a lease for a period of 99 years in favour of Balwin Properties Limited Registration Number 2003/028851/06, as will more fully appear from the said deed.*

(C) Excluding the following condition which only affects Erven 4496, 4497 and 4499:

- 1) *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2083.2179 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed K300/2009S, subject to a servitude for electric power line purposes with ancillary rights, in favour of Eskom Holdings Limited, 6.00m wide the south western boundary of which is indicated by the line RS on diagram SG No 2341/2017, as will more fully appear from the said deed.*

(D) Excluding the following conditions which do not affect the township due to its location:

- A. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2350.9636 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K1293/1963S with Diagram SG No A576/1963 relating thereto, subject to a servitude (indicated by the lines ABCDE and FGHJK on the said diagram), in terms whereof, the right has been granted to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed, and*
- a. *partially amended by Notarial Deed K3212/1994S in so far as it affects the remaining extent of portion 1 Waterval 5 IR measuring 2249.8888 hectares by the partial cancellation of the servitude in so far as it affects the portion of the property along the lines ABC and DEF on diagram SG No A5428/1991, as will more fully appear from the said deed;*
 - b. *partially amended by Notarial Deed K4369/2008S so far as it affects the portion 716 (a portion of portion 1) Waterval 5 IR measuring 22.0288 hectares by the partial cancellation of the servitude in respect of the underground electric cables and to grant a new servitude for laying underground electric cables, 6.00 metres wide parallel to and along the entire length of the northern boundary of portion 716, as will more fully appear from the said deed.*
 - c. *partially amended by Notarial Deed K1004/2009S so far as it affects the portion 716 (a portion of portion 1) Waterval 5 IR measuring 22.0288 hectares by the partial amendment of the servitude to allow for the construction of a water attenuation pond within the underground cable servitude area, the partial cancellation of servitude 5 (five) feet wide either side of the line ABCD and FGHJK on diagram SG No A576/1963 and for the grant of a new servitude 6.00 metres wide parallel to and along the entire length of the northern boundary of portion 716, as will more fully appear from the said deed;*
 - d. *partially amended by Notarial Deed K6144/2014S so far as it affects Erf 3635 Jukskei View extension 88 township measuring 1.2563 hectares by the partial amendment of the servitude to allow for the construction of a fenced off parking area under the power lines, for use by the lessee of Erf 3635, subject thereto that the parking area a fenced and that no vehicles, structures or buildings higher than 2.5 m from the natural ground-level may be allowed with the servitude area, together with ancillary rights, as will appear more fully from the said deed.*
- B. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2253.3189 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K55/1973S, subject to a servitude granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed and diagram annexed thereto. The route of this servitude is indicated by the figure ABCDEFGHA on Diagram SG No A5191/1971.*
- C. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2250.6858 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K2514/1976S, subject to a servitude granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed. The Route of this servitude has been determined in respect of the remaining extent of portion 1 Waterval 5 IR measuring 2249.8888 hectares by Notarial Deed of Amendment of Servitude K3475/1981S by the line a B and b D on Diagram SG No A1392/1980 attached thereto.*

- D. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2249.8888 hectares (of which the property hereby transferred forms a part) is y virtue of Notarial Deed No K5028/1992S, subject to a servitude in terms whereof the right has been granted to ESKOM to convey electricity over the property together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed, the centre line of which has been determined by Notarial Deed of Route Description K3213/1994S by the line(s) ABCD and EFGH on diagram S.G No A5427/1991 attached thereto.*
- E. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2083.2179 hectares (of which the property hereby transferred forms a part) is:-*
- a. *By Virtue of Notarial Deed of Servitude K3366/1997S dated 19 November 1996 with diagram SG No.A7672/1989 relating thereto, subject to a servitude for municipal purposes 3m wide, the route of which is indicated by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A' B' C' D' E' F' G' H' J' K' L' M' N' P' Q' on diagram SG No A7672/1989, in favour of the Town Council of Midrand as will more full appear from the said Notarial Deed, together with ancillary rights, as amended:*
 - i. *in respect of a portion of the remaining extent of portion 1 measuring 1181.6867 hectares by Notarial Deed of Amendment of Servitude K3271/2013S by the partial cancellation of that portion of the servitude indicated by the centre line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 on diagram SG No 984/2013 and by the granting of the rerouted servitude along the line A B C D E F G H J K L M N P on diagram SG No 3200/2010 and the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 on diagram SG No 3199/2010; and*
 - ii. *in respect of a portion of the remaining extent of portion 1 measuring 1128.9618 hectares by Notarial Deed of Amendment of Servitude K470/2014S by the partial cancellation of the servitude along the route indicated by the line A B C D E on diagram SG no 2413/2013 and granting the servitude over that portion of the remaining extent of portion 1 Waterval 5 IR indicated by the centre line A B C D E F G H J on diagram SG No 2408/2013.*
 - b. *By virtue of Notarial Deed of Servitude No K4398/1999S dated 27th August 1999, subject to a servitude with ancillary rights in favour of ESKOM depicted by the figure ABCD on S.G No 6150/1997 as will more fully appear from reference to the said Notarial Deed;*
 - c. *By virtue of Notarial Deed of servitude K4394/1999S, subject to a sewer servitude line servitude in extent 2021 (two thousand and twenty one) square metres indicated by the figure ABCDEFGHJKL on diagram SG number 12040/1997, together with ancillary rights, in favour of portion 516 (a portion of portion 61) of the farm waterfall number 5, registration division IR, as amended by the partial cancellation thereof in terms of notarial deed of partial cancellation of servitude number K1366/2012S with diagram 3614/2011 attached thereto, and as will more fully appear from the said deed.*
 - d. *By virtue of Notarial Deed of Servitude No K3161/2000S dated 4 May 2000, subject to a perpetual servitude of electric power transmission to convey electricity, together with ancillary rights, in favour of ESKOM indicated by the line ABCD and HJK on S.G No 8801/1998, as will more fully appear from reference to the said Notarial Deed.*

- e. *By virtue of Notarial Deed of Servitude K3487/2009S subject to a servitude in favour of Eskom Holdings Limited with ancillary rights as will more fully appear from the said deed the area of which servitude has been determined by Notarial Deed of Route Description K2826/2011S by the figure ABCD on diagram SG 4110/2010 annexed thereto.*
- f. *By virtue of Notarial Deed K300/2009S, subject to a servitude with ancillary rights, in favour of Eskom Holdings Limited, a electric power line servitude 31.00 metres wide, the centre line of which is indicated by the line E F G H on diagram SG No 5392/2007, together with a servitude area measuring 6400m² indicated by the figure A B C D on diagram SG NO 5388/2007, a servitude area measuring 7271m² indicated by the figure A B C D E F G H on diagram SG No 3857/2008, and a servitude area measuring 390 m² indicated by the figure A B C D on diagram SG No 5392/2007, a right of way indicated by the line A B C D on diagram SG No 5389/2007 as will appear more fully from the said deed, and as further amended by:-*
- i. *Notarial Deed of Servitude of Amendment K3589/2011S, by the partial cancellation of the servitude in respect of the figure ABCDEFGH on diagram SG No 3857/2008, and the grant of a servitude area measuring 8471m² indicated by the figure ABCDEFA on diagram SG No 1435/2011 annexed thereto, as will more fully appear from the said deed; and*
- ii. *Notarial Deed of Amendment No. K4187/2012S in respect of the partial cancellation of the servitude in respect of the area indicated by the figure ABCD on Diagram SG No 5388/2007 and the grant of a replacement servitude in respect of the area ABCDA on diagram SG No 5067/2011 annexed thereto, as will more fully appear from the said deed.*
- g. *By virtue of Notarial Deed of Servitude No. K747/2010S, subject to a sewer servitude, together with ancillary rights, 2.00 metres with in favour of the City of Johannesburg as indicated by the line A B C D E F G H J K L M N P Q R S T U V W on Diagrams SG No 2212/2008 annexed thereto and as will more fully appear from the said deed.*
- h. *By virtue of Notarial Deed of Servitude K222/2011S, subject to a sewer servitude 5.00m wide, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality the centre line of which is indicated by the line ABCDEF on diagram SG No 12350/2004 attached thereto.*
- F. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1629.4804 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K2800/2007S, subject to a Servitude, together with ancillary rights, in favour of the Eskom Holdings Limited as will more fully appear from the said deed, the area of which servitude has been determined by K786/2009S as the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 Q1 on diagram SG No 628/2008 annexed to the said deed.*
- G. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1572.0108 hectares (of which the property hereby transferred forms a part) is:-*
- a. *By virtue of Notarial Deed of Servitude K537/2010S the withinmentioned property is subject to a sewer servitude, together with ancillary rights, in favour of the City of Johannesburg as depicted by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A' B' C' D' E' F' G' H' J' K' L' M' N' P' Q' R' S' T' U' V' W' X' Y' Z' A'' B'' C'' D'' E'' F'' G'' H'' J'' K'' L'' M'' N'' P'' Q'' R'' S'' T'' U'' V'' W'' X'' Y'' Z'' a b c d e f g h j k l m n p q r s t u v w x y z a' b' c' d' e' f' g' h' k' l' m' n' p' q' r' s' t' on Diagram S.G. A6302/1993.*

- b. *By Virtue of Notarial Deed of Servitude K1848/2010S, subject to a servitude, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality 2.00 metres wide along the line ABCDEFGHJ for sewer purposes and for storm water pipe line purposes 3.00 metres wide along the lines KLM and LN on diagram SG No 4143/2009 attached thereto.*
- c. *By Virtue of Notarial Deed of Servitude K1849/2010S, subject to a right of way servitude, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality in respect of the figure ABCDEFGJA on diagram SG No.1451/2009 and the figure ABCDEFGJKLMNPQRSTUVWXYZA on diagram SG No 2933/2009 attached thereto.*
- H. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1457.0601 hectares (of which the property hereby transferred forms a part) is:-*
- a. *By virtue of Notarial Deed of Servitude No K3772/2010S, subject to a sewer servitude of varying width, together with ancillary rights, in favour of the City of Johannesburg which is indicated by reference to the line ABCDEFGHJK with varying width as indicated on diagram SG No. 8021/1998 and an area measuring 3687 m² indicated by the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 Q1 R1 S1 T1 U1 V1 W1 X1 A on diagram SG. No 5362/2009 attached thereto and as will more fully appear from the said deed.*
- b. *By Virtue of Notarial Deed of Servitude No. K4218/2010S, subject to a 3.00m widesewer servitude, together with ancillary rights, in favour of the City of Johannesburg as indicated by the line ABCDEFGHJKLMNP on Diagram SG No.3199/2010 and by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 on diagram SG No 3200/2010 annexed thereto and as will more fully appear from the said deed.*
- c. *By Virtue of Notarial Deed of Servitude No. K4795/2010S, subject to a sewer servitude, 8.00 m wide, together with ancillary rights, in favour of the City of Johannesburg the northern boundary of which is indicated by the line LK on Diagram SG No.A4717/1985.*
- I. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1363.5549 hectares (of which the property hereby transferred forms a part) is, by virtue of Notarial Deed of Servitude No. K1107/2013S, subject to a substation servitude, together with ancillary rights, in favour of Eskom Holdings SOC Limited as indicated by the figure ABCDA on Diagram SG No 5861/2009 annexed thereto and as will more fully appear from the said deed.*
- J. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1318.0994 hectares (of which the property hereby transferred forms a part) is:-*
- a. *By virtue of Notarial Deed K3589/2011S subject to a servitude granted in favour of Eskom Holding SOC Limited in respect of that portion of the property measuring 8471m² indicated by the figure ABCDEFA on diagram SG 1435/2011 annexed thereto, as will more fully appear from the said notarial deed.*
- b. *By Virtue of Notarial Deed of Servitude No. K2206/2012S, subject to a right of way servitude, together with ancillary rights, indicated by the figure ABCDA on Diagram SG No 4560/2010 annexed thereto, in favour of the remainder of Portion 2 of the farm Bothasfontein 408 JR as will more fully appear from the said deed.*
- c. *By Virtue of Notarial Deed No. K3982/2012S, subject to a servitude of right of way and use for parking purposes, together with ancillary rights, in favour of Waterfall Hospital WUQF Proprietary Limited measuring 1656m²*

indicated by the figure ABCDA on Diagram SG No 14/2011 annexed thereto and as will more fully appear from the said deed.

- K. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring hectares (of which the property hereby transferred forms a part) is:-*
- a. *By Virtue of Notarial Deed of Servitude No K465/2014S, is subject to a right of way servitude, together with ancillary rights, in favour of Eskom indicated by the figure ABCDEF on diagram SG no 2411/2013 and by the figure ABCDE on diagram SG No 2412/2013 annexed thereto, and as will appear more fully from the said notarial deed.*
 - b. *By Virtue of Notarial Deed of Servitude No K466/2014S, subject to a substation servitude, together with ancillary rights, in favour of Eskom as indicated by the figure ABCD on diagram SG no 2409/2013 and by the figure ABCD on diagram SG No 2410/2013 annexed thereto, and as will appear more fully from the said notarial deed.*
 - c. *By Virtue of Notarial Deed of Servitude No K467/2014S, subject to a servitude, together with ancillary rights, in favour of the City of Johannesburg, stormwater purposes 3.00 m wide the centre line is indicated by the line ABCD on diagram SG No 3659/2013 and a sewer pipeline 2.50 m wide the centre line of which is indicated by the line AB on diagram SG No 3658/2013 and as will appear more fully from the said notarial deed.*
 - d. *By Virtue of Notarial Deed of Servitude No K468/2014S, subject to a servitude area measuring 2.2520 hectares, together with ancillary rights, in favour of the City of Johannesburg to use the Servitude Area in perpetuity as a roadway for use by the general public, and to convey water and sewerage over the servitude area indicated by the figure ABCDEFGHJKLMNPQRSTA on diagram SG no 4098/2013 annexed thereto, as will appear more fully from the said notarial deed.*
- L. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1028.5854 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K2624/2016S, subject to a substation servitude, together with ancillary rights, in favour of Eskom as indicated by the figure ABCDA on diagram SG no 5862/2009 annexed hereto, and as will appear more fully from the said notarial deed.*
- M. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1023.2580 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K4751/2016S, subject to a right of way servitude, in favour of Portion 796 (a portion of portion 1) of farm Waterval 5 IR as indicated by the figure ABCDEA on diagram SG no 4813/2015 annexed thereto, and as will appear more fully from the said notarial deed.*
- N. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1000.2888 hectares (of which the property hereby transferred forms a part) is:-*
- (a) *by virtue of Notarial Deed of Servitude No K1957/2017S, entitled to a right of way servitude over that portion of Erf 3544 Jukskei View Extension 78 township 10.5 wide as indicated on General Plan SG no 4102/2013, and as will appear more fully from the said notarial deed.*
 - (b) *by virtue of Notarial Deed of Servitude No K3907/2017S subject to a sewer servitude 3.00 metres wide the centre line of which is indicated by the line ABCDEFGHJKLMNPQRSTUVW on diagram SG No 13349/1996, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality as will more fully appear from the said notarial deed.*

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) The erven lie in an area with soil conditions that can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of the buildings and structures must be designed by a competent professional engineer and erected under his supervision unless it can be 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) 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.

(3) ERF 4496

(a) The erf is subject to a water pipeline servitude in favour of the local authority as indicated on the General Plan.

(b) No building of any nature shall be erected within those portions of the erf which are likely to be inundated by the floodwaters of a public stream on an average every 100 years.

(4) ERF 4498

(a) The erf is subject to a water pipeline servitude in favour of the local authority as indicated on the General Plan.

(b) No building of any nature shall be erected within those portions of the erf which are likely to be inundated by the floodwaters of a public stream on an average every 100 years.

(5) ERF 4499

(a) No building of any nature shall be erected within those portions of the erf which are likely to be inundated by the floodwaters of a public stream on an average every 100 years.

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

No erf in the township shall be transferred nor shall a Certificate of Registered Title be registered, unless the following conditions and/or servitude have been registered:

(1) Erf 4496

(a) The erf is subject to a mini electrical substation servitude in favour of ESKOM as indicated on the General Plan.

C. Conditions of Title imposed by the Department of Mineral Resources in terms of Section 68 (1) of the Mineral Act, 1991 (Act 50 of 1991) as amended:

(1) ALL ERVEN

As each erf forms part of land which is, or may be, undermined and may be liable to subsidence, settlement, shock or cracking due to mining operations past, present or future, the registered owner of each erf accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking.

- II. 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 Halfway House and Clayville Town Planning Scheme, 1976, comprising the same land as included in the township of **Jukskei View Extension 128**. 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 07-16070.

PLAASLIKE OWERHEID KENNISGEWING 1801 VAN 2017**JUKSKEI VIEW UITBREIDING 128**

- III. Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Stad van Johannesburg Metropolitaanse Munisipaliteit hiermee die dorp **Jukskei View Uitbreiding 128** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

BYLAE

VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR WATERFALL FIELDS WUQF EIENDOMS BEPERK (REGISTRASIENOMMER 2013/211395/07) (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 837 ('N GEDEELTE VAN GEDEELTE 1) VAN DIE PLAAS WATERVAL 5 I.R., GAUTENG PROVINSIE, GOEDGEKEUR IS.

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is **Jukskei View Uitbreiding 128**.

(2) ONTWERP

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG Nr 2342/2017.

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

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

(4) ELEKTRISITEIT

Die plaaslike bestuur is nie die grootmaatverskaffer van elektrisiteit aan of in die dorp nie. Die dorpseienaar moet ingevolge Artikel 118(2)(b) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, (Ordonnansie 15 van 1986), die nodige reëlings tref met ESKOM, die gelisensieërde verskaffer, vir die voorsiening van elektrisiteit.

(5) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN LANDBOU EN LANDELIKE ONTWIKKELING)

Indien die ontwikkeling van die dorp nie voor 21 Desember 2021 in aanvang neem, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou en Landelike Ontwikkeling vir vrystelling/ magtiging ingevolge die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998), soos gewysig.

(6) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)

(a) Indien die ontwikkeling van die dorp nie voor 8 Februarie 2026 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer vir heroorweging.

(b) Indien omstandighede egter, voor die vervaldatum vermeld in (a) hierbo, tot so 'n mate verander dat paaie en/of PWV roetes onder die beheer van die betrokke Departement deur die beoogde uitleg van die dorp geraak word, moet die dorpseienaar die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beherende liggaam in gevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).

(c) Die dorpseienaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die gemelde Departement, langs die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 07-16070/01, oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(d) Die dorpseienaar moet voldoen aan die voorwaardes van die Departement soos uiteengesit in die Departement se skrywe gedateer 8 Februarie 2016.

(7) **NASIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)**

Indien die ontwikkeling van die dorp nie voor 2 Augustus 2022 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir heroorweging.

(8) **TOEGANG**

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Paaie 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 07/16070/01.

(9) **ONTVANGS EN VERSORGING VAN STORMWATERDREINERING**

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

(10) **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.

(11) **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.

(12) **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.

(13) **BEPERKING OP DIE ONTWIKKELING VAN ERWE**

Erwe 4496, 4497, 4498 en 4499 mag slegs gesamentlik ontwikkel word as een ontwikkelingskema soos voorsien in terme van die Wet op Deeltitels, Wet 95 van 1986.

(14) **BEGIFTIGING**

Die dorpseienaar moet ingevolge die bepalinge van Artikel 98(2) saamgelees met Regulasie 44 van die Dorpsbeplanning en Dorpe Ordonnansie, 1986 (Ordonnansie 15 van 1986) 'n globale bedrag as begiftiging aan die plaaslike bestuur betaal vir die tekort aan die voorsiening van grond vir 'n park (openbare oop ruimte).

(15) VERPLIGTINGE TEN OPSIGTE VAN DIE KONSTRUKSIE EN INSTALLASIE VAN INGENIEURSDIENSTE EN BEPERKINGS BETREFFENDE DIE VERVREEMDING OF OORDRAG VAN ERWE

(a) Die dorpseienaar moet na voldoening aan klousule 1.(3) hierbo, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, oprig en installeer, insluitend die 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 geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste opgerig en geïnstalleer is.

(b) Die dorpseienaar moet sy verpligtinge met betrekking tot die installing van water en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerings en die installing van die stelsels daarvoor, nakom soos ooreengekom tussen die dorpseienaar en die plaaslike bestuur ingevolge klousule 1.(3) hierbo. 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 geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die ingenieursdienste, aan die plaaslike bestuur gelewer of betaal is.

(c) Die dorpseienaar moet 'n sertifikaat uitgereik deur ESKOM wat bevestig dat aanvaarbare finansiële reëlings met betrekking tot die voorsiening van elektrisiteit, getref is, by die plaaslike bestuur indien. 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 sodanige sertifikaat deur ESKOM uitgereik is.

(16) VERPLIGTINGE MET BETREKKING TOT DIE BESKERMING VAN INGENIEURSDIENSTE
Die dorpseienaar moet op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en registreer om die geboude en/of geïnstalleerde dienste 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 geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste tot tevredenheid van die plaaslike bestuur, beskerm is of sal word.

(17) NOTARIËLE VERBINDING VAN ERWE

Die dorpseienaar moet op sy eie koste, na proklamasie van die dorp, 'n aansoek vir toestemming om Erwe 4496, 4497, 4498 EN 4499 notarieël te verbind, by die plaaslike bestuur indien vir goedkeuring. Die notariële verbinding mag nie geregistreer word, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste aan die dorp en die erwe wat notarieël verbind gaan word, aan die plaaslike bestuur gelewer of betaal is.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

(A) Insluitend die volgende wat die dorp raak en van toepassing gemaak sal word op die individuele erwe in die dorp:

- 1) *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1128.9618 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K464/2014S, subject to a servitude, for a period of 40 years from date of registration, to lay fibre optic cable and to erect billboards, together with ancillary rights, in favour of Waterval Investment Company Proprietary Limited Registration Number 2006/001921/07, and as will appear more fully from the said notarial deed.*

- 2) *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1572.0108 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed in Restraint of Free Alienation of Property No K536/2010S, subject to the condition that the residential properties laid out in townships on the within mentioned Property may not be sold and only leased which leases are subject to the Standard Terms and Conditions set out in Annexure 1 to the said notarial deed and as will more fully appear from the said deed.*

(B) Insluitend die huurooreenkoms wat die dorp raak en van toepassing gemaak sal word op die individuele erwe in die dorp:

- 1) *By virtue on Notarial Deed of Lease K6120/2017L the withinmentioned property is subject to a lease for a period of 99 years in favour of Balwin Properties Limited Registration Number 2003/028851/06, as will more fully appear from the said deed.*

(C) Uitgesonderd die volgende voorwaarde wat slegs Erwe 4496, 4497 en 4499 raak:

- 1) *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2083.2179 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed K300/2009S, subject to a servitude for electric power line purposes with ancillary rights, in favour of Eskom Holdings Limited, 6.00m wide the south western boundary of which is indicated by the line RS on diagram SG No 2341/2017, as will more fully appear from the said deed.*

(D) Uitgesonderd die volgende voorwaardes wat nie die dorp raak nie as gevolg van hulle ligging:

- A. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2350.9636 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K1293/1963S with Diagram SG No A576/1963 relating thereto, subject to a servitude (indicated by the lines ABCDE and FGHJK on the said diagram), in terms whereof, the right has been granted to the Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed, and*
- a. *partially amended by Notarial Deed K3212/1994S in so far as it affects the remaining extent of portion 1 Waterval 5 IR measuring 2249.8888 hectares by the partial cancellation of the servitude in so far as it affects the portion of the property along the lines ABC and DEF on diagram SG No A5428/1991, as will more fully appear from the said deed;*
- b. *partially amended by Notarial Deed K4369/2008S so far as it affects the portion 716 (a portion of portion 1) Waterval 5 IR measuring 22.0288 hectares by the partial cancellation of the servitude in respect of the underground electric cables and to grant a new servitude for laying underground electric cables, 6.00 metres wide parallel to and along the entire length of the northern boundary of portion 716, as will more fully appear from the said deed.*
- c. *partially amended by Notarial Deed K1004/2009S so far as it affects the portion 716 (a portion of portion 1) Waterval 5 IR measuring 22.0288 hectares by the partial amendment of the servitude to allow for the construction of a water attenuation pond within the underground cable servitude area, the partial cancellation of servitude 5 (five) feet wide either side of the line ABCD and FGHJK on diagram SG No A576/1963 and for the grant of a new servitude 6.00 metres wide parallel to and along the entire length of the northern boundary of portion 716, as will more fully appear from the said deed;*

- d. *partially amended by Notarial Deed K6144/2014S so far as it affects Erf 3635 Jukskei View extension 88 township measuring 1.2563 hectares by the partial amendment of the servitude to allow for the construction of a fenced off parking area under the power lines, for use by the lessee of Erf 3635, subject thereto that the parking area a fenced and that no vehicles, structures or buildings higher than 2.5 m from the natural ground-level may be allowed with the servitude area, together with ancillary rights, as will appear more fully from the said deed.*
- B. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2253.3189 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K55/1973S, subject to a servitude granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to said Notarial Deed and diagram annexed thereto. The route of this servitude is indicated by the figure ABCDEFGHA on Diagram SG No A5191/1971.*
- C. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2250.6858 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed No K2514/1976S, subject to a servitude granted to Electricity Supply Commission to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed. The Route of this servitude has been determined in respect of the remaining extent of portion 1 Waterval 5 IR measuring 2249.8888 hectares by Notarial Deed of Amendment of Servitude K3475/1981S by the line a B and b D on Diagram SG No A1392/1980 attached thereto.*
- D. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2249.8888 hectares (of which the property hereby transferred forms a part) is y virtue of Notarial Deed No K5028/1992S, subject to a servitude in terms whereof the right has been granted to ESKOM to convey electricity over the property together with ancillary rights, and subject to conditions as will more fully appear on reference to said Notarial Deed, the centre line of which has been determined by Notarial Deed of Route Description K3213/1994S by the line(s) ABCD and EFGH on diagram S.G No A5427/1991 attached thereto.*
- E. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 2083.2179 hectares (of which the property hereby transferred forms a part) is:-*
- a. *By Virtue of Notarial Deed of Servitude K3366/1997S dated 19 November 1996 with diagram SG No.A7672/1989 relating thereto, subject to a servitude for municipal purposes 3m wide, the route of which is indicated by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A' B' C' D' E' F' G' H' J' K' L' M' N' P' Q' on diagram SG No A7672/1989, in favour of the Town Council of Midrand as will more full appear from the said Notarial Deed, together with ancillary rights, as amended:*
- i. *in respect of a portion of the remaining extent of portion 1 measuring 1181.6867 hectares by Notarial Deed of Amendment of Servitude K3271/2013S by the partial cancellation of that portion of the servitude indicated by the centre line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 on diagram SG No 984/2013 and by the granting of the rerouted servitude along the line A B C D E F G H J K L M N P on diagram SG No 3200/2010 and the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 B1 C1 D1 E1 F1 on diagram SG No 3199/2010; and*

- ii. *in respect of a portion of the remaining extent of portion 1 measuring 1128.9618 hectares by Notarial Deed of Amendment of Servitude K470/2014S by the partial cancellation of the servitude along the route indicated by the line A B C D E on diagram SG no 2413/2013 and granting the servitude over that portion of the remaining extent of portion 1 Waterval 5 IR indicated by the centre line A B C D E F G H J on diagram SG No 2408/2013.*
- b. *By virtue of Notarial Deed of Servitude No K4398/1999S dated 27th August 1999, subject to a servitude with ancillary rights in favour of ESKOM depicted by the figure ABCD on S.G No 6150/1997 as will more fully appear from reference to the said Notarial Deed;*
- c. *By virtue of Notarial Deed of servitude K4394/1999S, subject to a sewer servitude line servitude in extent 2021 (two thousand and twenty one) square metres indicated by the figure ABCDEFGHJKL on diagram SG number 12040/1997, together with ancillary rights, in favour of portion 516 (a portion of portion 61) of the farm waterfall number 5, registration division IR, as amended by the partial cancellation thereof in terms of notarial deed of partial cancellation of servitude number K1366/2012S with diagram 3614/2011 attached thereto, and as will more fully appear from the said deed.*
- d. *By virtue of Notarial Deed of Servitude No K3161/2000S dated 4 May 2000, subject to a perpetual servitude of electric power transmission to convey electricity, together with ancillary rights, in favour of ESKOM indicated by the line ABCD and HJK on S.G No 8801/1998, as will more fully appear from reference to the said Notarial Deed.*
- e. *By virtue of Notarial Deed of Servitude K3487/2009S subject to a servitude in favour of Eskom Holdings Limited with ancillary rights as will more fully appear from the said deed the area of which servitude has been determined by Notarial Deed of Route Description K2826/2011S by the figure ABCD on diagram SG 4110/2010 annexed thereto.*
- f. *By virtue of Notarial Deed K300/2009S, subject to a servitude with ancillary rights, in favour of Eskom Holdings Limited, a electric power line servitude 31.00 metres wide, the centre line of which is indicated by the line E F G H on diagram SG No 5392/2007, together with a servitude area measuring 6400m² indicated by the figure A B C D on diagram SG NO 5388/2007, a servitude area measuring 7271m² indicated by the figure A B C D E F G H on diagram SG No 3857/2008, and a servitude area measuring 390 m² indicated by the figure A B C D on diagram SG No 5392/2007, a right of way indicated by the line A B C D on diagram SG No 5389/2007 as will appear more fully from the said deed, and as further amended by:-*
- i. *Notarial Deed of Servitude of Amendment K3589/2011S, by the partial cancellation of the servitude in respect of the figure ABCDEFGH on diagram SG No 3857/2008, and the grant of a servitude area measuring 8471m² indicated by the figure ABCDEFA on diagram SG No 1435/2011 annexed thereto, as will more fully appear from the said deed; and*
- ii. *Notarial Deed of Amendment No. K4187/2012S in respect of the partial cancellation of the servitude in respect of the area indicated by the figure ABCD on Diagram SG No 5388/2007 and the grant of a replacement servitude in respect of the area ABCDA on diagram SG No 5067/2011 annexed thereto, as will more fully appear from the said deed.*
- g. *By virtue of Notarial Deed of Servitude No. K747/2010S, subject to a sewer servitude, together with ancillary rights, 2.00 metres with in favour of the City of Johannesburg as indicated by the line A B C D E F G H J K L M N P*

Q R S T U V W on Diagrams SG No 2212/2008 annexed thereto and as will more fully appear from the said deed.

- h. By virtue of Notarial Deed of Servitude K222/2011S, subject to a sewer servitude 5.00m wide, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality the centre line of which is indicated by the line ABCDEF on diagram SG No 12350/2004 attached thereto.
- F. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1629.4804 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K2800/2007S, subject to a Servitude, together with ancillary rights, in favour of the Eskom Holdings Limited as will more fully appear from the said deed, the area of which servitude has been determined by K786/2009S as the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A 1 B 1 C 1 D 1 E 1 F 1 G 1 H 1 J 1 K 1 L 1 M 1 N 1 P 1 Q 1 on diagram SG No 628/2008 annexed to the said deed.
- G. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1572.0108 hectares (of which the property hereby transferred forms a part) is:-
- a. By virtue of Notarial Deed of Servitude K537/2010S the withinmentioned property is subject to a sewer servitude, together with ancillary rights, in favour of the City of Johannesburg as depicted by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A' B' C' D' E' F' G' H' J' K' L' M' N' P' Q' R' S' T' U' V' W' X' Y' Z' A'' B'' C'' D'' E'' F'' G'' H'' J'' K'' L'' M'' N'' P'' Q'' R'' S'' T'' U'' V'' W'' X'' Y'' Z'' a b c d e f g h j k l m n p q r s t u v w x y z a' b' c' d' e' f' g' h' k' l' m' n' p' q' r' s' t' on Diagram S.G. A6302/1993.
- b. By Virtue of Notarial Deed of Servitude K1848/2010S, subject to a servitude, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality 2.00 metres wide along the line ABCDEFGHJ for sewer purposes and for storm water pipe line purposes 3.00 metres wide along the lines KLM and LN on diagram SG No 4143/2009 attached thereto.
- c. By Virtue of Notarial Deed of Servitude K1849/2010S, subject to a right of way servitude, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality in respect of the figure ABCDEFGJA on diagram SG No.1451/2009 and the figure ABCDEFGJKLMNPQRSTUVWXYA on diagram SG No 2933/2009 attached thereto.
- H. The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1457.0601 hectares (of which the property hereby transferred forms a part) is:-
- a. By virtue of Notarial Deed of Servitude No K3772/2010S, subject to a sewer servitude of varying width, together with ancillary rights, in favour of the City of Johannesburg which is indicated by reference to the line ABCDEFGHJK with varying width as indicated on diagram SG No. 8021/1998 and an area measuring 3687 m² indicated by the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A 1 B 1 C 1 D 1 E 1 F 1 G 1 H 1 J 1 K 1 L 1 M 1 N 1 P 1 Q 1 R 1 S 1 T 1 U 1 V 1 W 1 X 1 A on diagram SG. No 5362/2009 attached thereto and as will more fully appear from the said deed.
- b. By Virtue of Notarial Deed of Servitude No. K4218/2010S, subject to a 3.00m widesewer servitude, together with ancillary rights, in favour of the City of Johannesburg as indicated by the line ABCDEFGHJKLMNP on Diagram SG No.3199/2010 and by the line A B C D E F G H J K L M N P Q R S T U V W X Y Z A 1 B 1 C 1 D 1 E 1 F 1 on diagram SG No 3200/2010 annexed thereto and as will more fully appear from the said deed.

- c. *By Virtue of Notarial Deed of Servitude No. K4795/2010S, subject to a sewer servitude, 8.00 m wide, together with ancillary rights, in favour of the City of Johannesburg the northern boundary of which is indicated by the line LK on Diagram SG No.A4717/1985.*
- I. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1363.5549 hectares (of which the property hereby transferred forms a part) is, by virtue of Notarial Deed of Servitude No. K1107/2013S, subject to a substation servitude, together with ancillary rights, in favour of Eskom Holdings SOC Limited as indicated by the figure ABCDA on Diagram SG No 5861/2009 annexed thereto and as will more fully appear from the said deed.*
- J. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1318.0994 hectares (of which the property hereby transferred forms a part) is:-*
- a. *By virtue of Notarial Deed K3589/2011S subject to a servitude granted in favour of Eskom Holding SOC Limited in respect of that portion of the property measuring 8471m² indicated by the figure ABCDEFA on diagram SG 1435/2011 annexed thereto, as will more fully appear from the said notarial deed.*
- b. *By Virtue of Notarial Deed of Servitude No. K2206/2012S, subject to a right of way servitude, together with ancillary rights, indicated by the figure ABCDA on Diagram SG No 4560/2010 annexed thereto, in favour of the remainder of Portion 2 of the farm Bothasfontein 408 JR as will more fully appear from the said deed.*
- c. *By Virtue of Notarial Deed No. K3982/2012S, subject to a servitude of right of way and use for parking purposes, together with ancillary rights, in favour of Waterfall Hospital WUQF Proprietary Limited measuring 1656m² indicated by the figure ABCDA on Diagram SG No 14/2011 annexed thereto and as will more fully appear from the said deed.*
- K. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring hectares (of which the property hereby transferred forms a part) is:-*
- a. *By Virtue of Notarial Deed of Servitude No K465/2014S, is subject to a right of way servitude, together with ancillary rights, in favour of Eskom indicated by the figure ABCDEF on diagram SG no 2411/2013 and by the figure ABCDE on diagram SG No 2412/2013 annexed thereto, and as will appear more fully from the said notarial deed.*
- b. *By Virtue of Notarial Deed of Servitude No K466/2014S, subject to a substation servitude, together with ancillary rights, in favour of Eskom as indicated by the figure ABCD on diagram SG no 2409/2013 and by the figure ABCD on diagram SG No 2410/2013 annexed thereto, and as will appear more fully from the said notarial deed.*
- c. *By Virtue of Notarial Deed of Servitude No K467/2014S, subject to a servitude, together with ancillary rights, in favour of the City of Johannesburg, stormwater purposes 3.00 m wide the centre line is indicated by the line ABCD on diagram SG No 3659/2013 and a sewer pipeline 2.50 m wide the centre line of which is indicated by the line AB on diagram SG No 3658/2013 and as will appear more fully from the said notarial deed.*
- d. *By Virtue of Notarial Deed of Servitude No K468/2014S, subject to a servitude area measuring 2.2520 hectares, together with ancillary rights, in favour of the City of Johannesburg to use the Servitude Area in perpetuity as a roadway for use by the general public, and to convey water and sewerage over the servitude area indicated by the figure ABCDEFGHJKLMNPQRSTA on diagram SG no 4098/2013 annexed thereto, as will appear more fully from the said notarial deed.*

- L. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1028.5854 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K2624/2016S, subject to a substation servitude, together with ancillary rights, in favour of Eskom as indicated by the figure ABCDA on diagram SG no 5862/2009 annexed hereto, and as will appear more fully from the said notarial deed.*
- M. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1023.2580 hectares (of which the property hereby transferred forms a part) is by virtue of Notarial Deed of Servitude No K4751/2016S, subject to a right of way servitude, in favour of Portion 796 (a portion of portion 1) of farm Waterval 5 IR as indicated by the figure ABCDEA on diagram SG no 4813/2015 annexed thereto, and as will appear more fully from the said notarial deed.*
- N. *The former remaining extent of portion 1 of the farm Waterval 5 IR measuring 1000.2888 hectares (of which the property hereby transferred forms a part) is:-*
- (a) *by virtue of Notarial Deed of Servitude No K1957/2017S, entitled to a right of way servitude over that portion of Erf 3544 Jukskei View Extension 78 township 10.5 wide as indicated on General Plan SG no 4102/2013, and as will appear more fully from the said notarial deed.*
- (b) *by virtue of Notarial Deed of Servitude No K3907/2017S subject to a sewer servitude 3.00 metres wide the centre line of which is indicated by the line ABCDEFGHJKLMNPQRSTUVWXYZ on diagram SG No 13349/1996, together with ancillary rights, in favour of the City of Johannesburg Metropolitan Municipality as will more fully appear from the said 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) Die erwe is geleë in 'n area waar grondtoestande ernstige skade aan geboue en structure kan aanrig. Ten einde sulke skade te beperk, moet fundamente en strukturele elemente van die geboue en strukture deur 'n bevoegde professionele ingenieur ontwerp en onder sy toesig opgerig word, tensy aan die plaaslike bestuur bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(2) 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 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 rioolhoofpyleiding en ander werke veroorsaak word.

(3) ERF 4496

(a) Die erf is onderworpe aan 'n waterpyplynserwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(b) Geen gebou van enige aard, mag binne daardie gedeeltes van die erf wat waarskynlik gemiddeld elke 100 jaar deur vloedwaters van 'n publieke stroom, oorstrom sal word, opgerig word nie.

(4) ERF 4498

(a) Die erf is onderworpe aan 'n waterpyplynserwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(b) Geen gebou van enige aard, mag binne daardie gedeeltes van die erf wat waarskynlik gemiddeld elke 100 jaar deur vloedwaters van 'n publieke stroom, oorstrom sal word, opgerig word nie.

(5) ERF 4499

(a) Geen gebou van enige aard, mag binne daardie gedeeltes van die erf wat waarskynlik gemiddeld elke 100 jaar deur vloedwaters van 'n publieke stroom, oorstrom sal word, opgerig word nie.

B. Titellovoorwaardes opgelê ten gunste van derde partye wat geregistreer / geskep moet word op die eerste registrasie van die betrokke erwe.

Geen erf in die dorp mag oorgedra word, ook mag 'n Sertifikaat van Geregisteerde Titel nie geregistreer word nie, tensy die volgende voorwaardes en/of serwitute geregistreer is:

(1) ERF 4496

(a) Die erf is onderworpe aan 'n mini elektriese substasieserwituut ten gunste van die Eskom soos aangedui op die Algemene Plan.

C. Titellovoorwaardes opgelê deur die Departement: Minerale Hulpbronne ingevolge die bepalings van Artikel 68(1) van die Wet op Minerale, 1991 (Wet 50 van 1991) soos gewysig:

(1) ALLE ERWE

Aangesien elke erf deel vorm van grond wat ondermyn is of mag word en wat vatbaar mag wees vir insinking, grondversakking, skok of kraging as gevolg van vorige, huidige of toekomstige mynbedrywighede, aanvaar die geregisteerde eienaar van elke erf alle aanspreeklikheid vir enige skade daaraan en aan enige struktuur daarop, wat mag voortspruit uit sodanige insinking, grondversakking, skok of kraging.

IV. 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 dit 'n wysigingskema synde 'n wysiging van die Halfway House en Clayville Dorpsbeplanningskema, 1976 wat uit dieselfde grond as die dorp **Jukskei View Uitbreiding 128** 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 07-16070.

Hector Bheki Makhubo
Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie
City of Johannesburg Metropolitan Municipality /
Stad van Johannesburg Metropolitaanse Munisipaliteit
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