

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

**Provincial Gazette
Provinsiale Koerant**

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 421 OF 2019**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 3557T**

It is hereby notified in terms of the provisions of Section 125(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the City of Tshwane has approved an amendment scheme with regard to the land in the township of Louwladia Extension 78, being an amendment of the Tshwane Town-planning Scheme, 2008.

Map 3 and the scheme clauses of this amendment scheme are filed with the Strategic Executive Director: Group Legal Services, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 3557T.

(9/1/1/LWLx78 361 (3557T))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

__ FEBRUARY 2019
(Notice 206/2019)

CITY OF TSHWANE**DECLARATION OF LOUWLARDIA EXTENSION 78 AS APPROVED TOWNSHIP**

In terms of Section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), the City of Tshwane hereby declares the township of Louwladia Extension 78 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Louwladia x78 (3557T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY CENTURION VISION DEVELOPMENT PTY LTD REGISTRATION NUMBER 2004/010063/07, IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE REMAINING EXTENT OF PORTION 234 OF THE FARM BRAKFORTEIN 390JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Louwladia Extension 78.

1.2 DESIGN

The township shall consist of erven and streets as indicated on Layout Plan CPD LWL X78/3 and General Plan SG No 3853/2015.

1.3 LAND FOR MUNICIPAL PURPOSES

None.

1.4 PROVISION OF OPEN SPACE AND/OR ENDOWMENT

1.4.1 The applicant has agreed to the provision of the following areas on the erven to be developed and kept free of structures and must be indicated on the individual Landscape Development Plans:

Erf 2596, Louwladia Extension 76: 314m²

Erf 2595, Louwladia Extension 76: 3 780m²

Erven 2627 (7 688m²) and 2628 (6 879m²) Louwladia extension 77.

The applicant has agreed with the Environmental Management Services Department to the provision of Erf 2595 (3 780m²) as Private Open Space on which a clubhouse and related structures will be developed.

A Landscape Development plan drafted by a qualified Landscape Architect must be submitted to the Environmental Management Services Department for approval.

- 1.4.2 If at any time these areas are not available for open space purposes to the satisfaction of the Municipality, the developer or the successor in title will pay endowment as prescribed in Regulation 44 of the Ordinance.

An endowment will be payable to the City of Tshwane should the township developer not provide for sufficient open space areas as mentioned under condition 1.4.1 above. The township owner shall then pay endowment in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane. The amount of this area shall be used by the City of Tshwane for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of Section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

1.5 PRECAUTIONARY MEASURES

- 1.5.1 The township owner shall appoint a competent person(s) to compile:-
- (i) A CONSTRUCTION REPORT, which must include the mapping details of the trenches and the revised stability map, confirming the conditions on site and the positioning of structures and wet services. A table indicating the stand sizes, risk classification and designation for each stand within the township must be included. Certification on the method of backfilling of the boreholes must also be included.
 - (ii) A DOLOMITE RISK MANAGEMENT PLAN, specific to the development. The legal transfer of the responsibility for the management of the Risk Management Plan, to a representative Body Corporate or similar as applicable must be included.
- 1.5.2 The township owner is responsible to facilitate the procedure to transfer the responsibility for the management of the Dolomite Risk Management plan legally to a representative Body Corporate or similar entity, as applicable.
- 1.5.3 The township owner shall at its own expense make arrangements with the Municipality, in order to ensure that-
- 1.5.3.1 water will not accumulate to the effect that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen to the satisfaction of the Municipality; and
 - 1.5.3.2 trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained to the satisfaction of the Municipality.

1.6 RECEIVING AND DISPOSAL OF STORMWATER

The Applicant shall arrange for the drainage of the development area to fit in with that of Brakfontein Road and Olievenhoutbosch Road and for all stormwater running off or being diverted from the said road to be received and disposed of to the satisfaction of the Municipality.

The stormwater plan for the development area must be integrated with the greater stormwater master plan for the total relevant catchment area including adjoining areas.

The low points in roads and the accumulation of stormwater in crescents, cull-de sacs and lower lying erven must be drained to the satisfaction of the local authority.

1.7 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

Should it become necessary to move or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.9 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane, when required to do so by the Municipality.

1.10 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES

Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.11 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove and/or replace any existing TELKOM services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.12 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture and Rural Development including, if applicable, those by which exemption has been granted from compliance with Regulations No 1182 and 1183, promulgated in terms of Sections 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

This includes inter alia, the submission of the township lay-out plan in accordance with condition 3.2.17 of the original Environmental Authorisation dated 1 March 2005, as well as the most recent Composite Heritage Hill Master Plan.

1.13 NATIONAL HERITAGE RESOURCE ACT:

The township owner shall at his own expense comply with the provisions of the National Heritage Resource Act, 25 of 1999.

1.14 ACOUSTIC OR VIBRATION MITIGATION MEASURES

Where there are no acoustic or vibration mitigating measures provided for the Gautrain in compliance with the Environmental Record of Decision for the Gautrain project, or the acoustic or vibration mitigating measures provided are not appropriate to the development, the Applicant shall be responsible for the provision of any acoustic mitigating measures necessary to ensure compliance with the Standards prescribed by legal requirements. The Applicant shall be responsible for any costs associated with the provision of additional acoustic or vibration mitigating measures which may be required.

1.15 LAND TO BE TRANSFERRED TO THE NON PROFIT COMPANY (HOMEOWNERS' ASSOCIATION)

Erf 2666 shall be transferred to the Home Owners Association within a period of six months after proclamation of the township or when the first erven in the township becomes transferable whichever the sooner, by and at the expense of the township owner.

A servitude for access and municipal services shall be registered over Erf 2666 in favour of the Municipality.

The erf may not be transferred thereafter by the non profit Company before the consent of the City of Tshwane first been obtained.

1.16 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN

The township owner shall within such period as the Local Authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or transferred into the name of a purchaser prior to the Local Authority certifying that sufficient guarantees/ cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Local Authority.

1.17 NOTARIALLY TIE OF ERVEN

The township owner shall at his own expense have the proposed Erven 2597 and 2598, Louwlandia Extension 76 and Erven 2629 and 2630, Louwlandia extension 77 and Erf 2666, Louwlandia Extension 78 notarially tied for the exclusive use of members of the Non Profit company (home owner's association) incorporated in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008). The Township owner shall comply with this condition as and when the various townships are established.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of Section 82 of the Town-planning and Townships Ordinance (Ordinance 15 of 1986) must be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The Applicant shall install the internal and external engineering services and shall provide any necessary financial guarantees for the provision of services and shall pay the external services contributions to the Municipality and other services providers in respect of the applicable Extension as contained in the Services Agreement and/or any addenda thereto. The Applicant shall procure written confirmation of compliance in this regard from the Municipality and other services providers and file such with the Municipality.

2.2 RESTRICTIONS ON THE ALIENATION OF LAND

Regardless the issuing of a certificate as contemplated in Section 82(1)(b)(ii)(cc) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no erf in the township may be transferred or be dealt with otherwise until the City of Tshwane certifies that the developer has complied with the provisions of condition 2.3.

2.3 THE DEVELOPER'S OBLIGATIONS

2.3.1 ASSOCIATION AND STATUTES

A non-profit company (Home Owners Association) shall be registered by the Developer in terms of the provisions of Schedule 1 of the Companies Act (Act 71 of 2008). The company shall be committed to be extended to include the owners of erven in the proposed townships Louwlandia Extensions 77 and 78: as well as the establishment of a review committee that shall be responsible for the management and implementation of the Development Framework for Louwlandia Extensions 76, 77 and 78, or future phases thereof as well as other objectives as contained in the Memorandum of Incorporation.

All the owners of Erven in the township must become members of the Home Owners Association. A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of the non profit company's property and the internal engineering services of the development (i.e. roads and storm water sewers). The developer is deemed to be a member of the Home Owners Association, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

All buildings and structures to be erected shall be made subject to the provisions of the Development and Architectural Guidelines and any and all amendments to the said document as may be affected and approved by the owners association.

Building plans shall only be submitted to the local authority for final approval once the said plans have been evaluated and approved by the Trustees of the Association as specifically provided for in the Articles of Association.

2.3.2 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane complete engineering drawings in respect of internal sewers and sewer connection points and complete engineering drawings in respect of the internal road and storm water drainage as well as water and electricity services, prior to the commencement of the construction of the said services.

2.3.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water drainage, in which it is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The City of Tshwane may at its own discretion allow an exception in respect of the internal road and storm water drainage. If this is the case, the developer must give the City of Tshwane an undertaking that the developer will complete this service on or before a certain date and must provide the City of Tshwane with a guarantee issued by a recognized financial institution.

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Public Works and Infrastructure Development Department.

2.3.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences on the date on which the council has certified that the provisions of Section 82 (1)(b)(ii)(cc) of the Town-Planning and Townships Ordinance 15 of 1986 has been complied with and when the last of the internal engineering services (i.e. water, sewerage, electricity), and the road and stormwater have been completed.

A retention guarantee must be issued for a period of 12 months after takeover of the services or proclamation of the township by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services (water and sewerage), roads and stormwater and the electricity services, which guarantee must be issued in favour of the local authority for an amount that is equal to 10% of the contract cost, and proof of this must be submitted to the City of Tshwane.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

3.1 With reference to Certificate of Registered Title T107777/2000:

3.1.1 Excluding the following condition of Registered Title T107777/2000 which shall not be transferred to erven in the township due to location:

"3.(a) onderworpe aan 'n pyplyn serwituut ten gunste van Rand Water Raad 23,61 meter breed, die oostelike grens van welke serwituut aangedui word deur die lyn F G op aangehegte Kaart SG No 2062/2000, soos meer volledig sal blyk uit Notariële Akte van Serwituut K 590/1966-S"

“3.(c) onderworpe aan ‘n serwituut 3 meter wyd ten gunste van die Centurion Stadsraad vir munisipale doeleindes, die oostelike grens van welke serwituut deur die lyn b c op Kaart SG No 2062/2000 getoon word.”

- 3.1.2 Excluding the endorsement which appears on page 1 of Certificate of Registered Title T.107777/2000 which shall not be transferred to erven in the township due to location:

“By virtue of Notarial Deed of Servitude K4454/2000-S the within mentioned property is subject to a servitude of right of way and for general municipal purposes in favour of Centurion Town Council indicated by the figure ABCDEF GHJKLMNA on diagram SG 2063/2000 as will more fully appear from reference to the said Notarial Deed of Servitude.”

- 3.1.3 Excluding the endorsement which appears on page 4 of Certificate of Registered Title T.107777/2000 which shall not be transferred to erven in the township due to location:

“By Notarial Deed of Servitude K.1212/2003-S the within mentioned property is subject to a servitude of right of way and for general Municipal purposes 3,5466 hectares in extent, in favour of the City of Tshwane, indicated by the figure A B C D E F G A on diagram SG No 8137/2002, as will more fully appear from said Notarial Deed of Servitude.”

- 3.1.4 Excluding the endorsement which appears on page 5 of Certificate of Registered Title T.107777/2000 which shall not be transferred to erven in the township due to location:

“By Notarial Deed of Servitude K.1213/2003-S the within mentioned property is subject to a servitude of right of way, 2 420 square meters in extent, in favour of the Portion 47 (portion of Portion 1) of the farm Olifantsfontein 410JR indicated by the figure A B C D E A on diagram SG no 8136/2002, as will more fully appear from said Notarial Deed of Servitude.”

- 3.1.5 Excluding the following Entitlement in Certificate of Registered Title T107777/2000 which shall not be transferred to erven in the Township:

2. The former Remaining Extent of the farm Brakfontein 390, Registration Division JR, Gauteng Province, measuring 940,2815 hectares (whereof the property held hereunder forms a portion) is “geregtig tot ‘n reg van deurgang tussen die bakens gemerk P en Q op kaart SG no A3427/47, geheg aan Akte van Verdelingstransport No 3172/1948, langs die mees gerieflike roete, soos van tyd tot tyd ooreengekom sal word deur die partye, hiertoe betrokke; oor Gedeelte 2 van gemelde plaas, gehou onder gesegde Akte van Verdelingstransport”.

- 3.1.2 With reference to Certificate of Registered Title T162274/2004:

- 3.1.2.1 Excluding the following conditions in Certificate of Registered Title T162274/04 (Para 6) which shall not be transferred to erven in the township due to location:

“A B.2. Onderhewig aan ‘n Serwituut van Reg van Weg 9,45 meter wyd soos getoon op kaart LG No A 5624/1947 geheg aan Verdelingstransport T3173/1948 ten gunste van Gedeeltes 44, 45, 57 en die Resterende Gedeelte van Gedeelte C, groot 39,5977 hektaar van die plaas Olievenhoutbosch 552, distrik Pretoria, gehou respektiewelik onder Aktes van Verdelingstransporte T33693/1948, T33694/1948, T33696/1948 en T33697/1948.”

“A C. Die Resterende Gedeelte van die plaas Brakfontein 390, Registrasie Afdeling JR, Gauteng Provinsie, groot 884,8352 hektaar (waarvan die eiendom hieronder gehou ‘n gedeelte uitmaak) is:

Onderhewig aan ‘n serwituut vir die geleiding van elektrisiteit ten gunste van ESKOM tesame met bykomende regte, soos meer ten volle sal blyk uit Notariële Serwituut K762/1971S.”

"A D. Die Resterende Gedeelte van die plaas Brakfontein 390, Registrasie Afdeling JR, Gauteng Provinsie, groot 548,7774 hektaar (waarvan die eiendom hieronder gehou 'n gedeelte uitmaak) is:

Onderhewig aan 'n Serwituut van elektriese geleiding ten gunste van Verwoerdburg soos meer ten volle sal blyk uit Notariële Akte van Serwituut K2692/1990S."

A E "SKEDULE VAN VOORWAARDES opgelê kragtens die Wet op Nasionale Paaie 1971 (Wet 54 van 1971) geregistreer teen Akte van Transport T3173/1948, kragtens K2690/1990S:

1. Met die uitsondering van bestaande bouwerke mag geen bouwerk of enigiets anders hoegenaamd sonder die skriftelike goedkeuring van die Kommissie binne 'n afstand van 20 meter, gemeet vanaf die nasionale padreserwegrens, opgerig word nie.
2. Tensy die Kommissie skriftelik goedkeuring tot die teendeel verleen mag die grond slegs vir bona-fide-boerdery bedrywighede gebruik word en op die grond mag daar slegs daardie geboue of bouwerke opgerig word wat in direkte verband staan met bona-fide-boerderybedrywighede op die grond.
3. Indien die grond of enige gedeelte daarvan met enige ander grond wat ook binne die bouperkingsgebied geleë is, gekonsolideer word, gaan bovermelde voorwaardes oor op die gekonsolideerde titel van die grond.

"A F. Kragtens Notariële Akte van Serwituut K3443/1997 S gedateer 5 November 1996, is binnegemelde eiendom onderhewig aan:

- (a) 'n ewigdurende serwituut oor die eiendom vir die installering en oprigting van die Pyplyn en Werke en die reg om die Pyplyn en Werke van tyd tot tyd te patrolleer, inspekteer, in stand te hou, herstel, hernieu, verwyder en te verlê binne die Permanente Serwituutgebied.
- (b) Die EIENAAR verleen hiermee aan GASKOR 'n tydelike serwituut oor die EIENDOM vir die duur van die konstruksie van die Pyplyn en Werke binne die Tydelike Serwituutgebied met dien verstande dat GASKOR, alvorens GASKOR met die konstruksie 'n aanvang neem, die EIENAAR skriftelik van die aanvangsdatum in kennis sal stel en die verwagte datum van voltooiing daarvan."

3.2.2 Excluding the following entitlement which appears on page 7 of Certificate of Registered Title T.107777/2000 which shall not be transferred to erven in the township due to location:

B. Die Resterende Gedeelte van die plaas Brakfontein 390, Registrasie Afdeling JR, Gauteng Provinsie, groot 585,2815 hektaar (waarvan die eiendom hieronder gehou 'n gedeelte uitmaak) is:

Onderhewig aan 'n 3 meter wyd serwituut ten gunste van Centurion Stadsraad om elektrisiteit te voorsien, die oostelike grens van welke serwituut aangedui word deur die lyn a b op Kaart SG No 5879/1998 meer volledig sal blyk uit Notariële Akte van Serwituut K.828/1986-S.

3.2.3 Excluding the following endorsement which appears on page 8 of Certificate of Registered Title T162274/2004 which only affects Erf 2665:

"By virtue of Notarial Deed K342/2006-S the within mentioned property is subject to a servitude of right of way, indicated by the figure ABCDEFGHJKL MNPQRST on diagram SG No 1501/2004 in favour of Ptn 124 (Ptn of Ptn 2) of the farm Brakfontein 390-JR, in extent 20,5516 hectare, held by T129337/2003 as will more fully appear from said Notarial Deed."

- 3.2.4 Excluding the following endorsement which appears on page 9 of Certificate of Registered Title T162274/2004 which affects Erf 2665 in the township only:

“By virtue of Notarial Deed 3695/2006-S the within mentioned property is subject to a servitude of right of way, for municipal and public road purposes indicated by the figure ABCDEFGHJKLMNPQRSTQ on diagram SG No 1501/2004 as will more fully appear from said Notarial Deed.”

- 3.2.5 Excluding the following Entitlement in Certificate of Registered Title T162274/2004 which shall not be transferred to erven in the Township:

2. The former Remaining Extent of the farm Brakfontein 390, Registration Division JR, Gauteng Province, measuring 940,2815 hectares (whereof the property held hereunder forms a portion) is “geregtig tot ‘n reg van deurgang tussen die bakens gemerk P en Q op kaart SG no. A3427/47, geheg aan Akte van Verdelingstransport No 3172/1948, langs die mees gerieflike roete, soos van tyd tot tyd ooreengekom sal word deur die partye, hiertoe betrokke; oor Gedeelte 2 van gemelde plaas, gehou onder gesegde Akte van Verdelingstransport”.

4. CONDITIONS OF TITLE

- 4.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

4.1.1 ALL ERVEN

4.1.1.1 The erf shall be subject to a servitude, 3 m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 3 m wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority may waive any such servitude.

4.1.1.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 m thereof.

4.1.1.3 The Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

4.1.2 ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out in paragraph 4.1.1 above, the undermentioned erven shall be subject to the conditions as indicated:

4.1.2.1 ERF 2665

The erf is subject to a servitude 3m x 6m for municipal purposes (Electricity) in favour of the Municipality, as indicated on the General Plan.

4.1.2.2 ERVEN 2660 AND 2662

The erven is subject to a 3m servitude for municipal purposes (Storm-water) in favour of the Municipality, as indicated on the General Plan.

4.1.2.3 ERVEN 2660, 2661, 2662 AND 2665

The erven is subject to a 5m servitude for municipal purposes (Storm-water and Sewer) in favour of the Municipality, as indicated on the General Plan.

4.1.2.4 ERF 2666

Erf 2666 is subject to a servitude for engineering services and Right of Way in favour of the Local Authority.

4.1.2.5 ERVEN 2631-2637, 2652-2658 AND 2662-2663

The erven are subject to a 3m servitude for municipal purposes (sewer) in favour of the Municipality, as indicated on the General Plan.

4.2 CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/ CREATED ON FIRST REGISTRATION OF THE ERVEN CONCERNED

No erf in the township may be transferred unless the following requirements have been complied with and the following conditions and servitudes are registered:

4.2.1 ERVEN 2631 TO 2665

The erven are subject to the following conditions in favour of the non profit company to be created on transfer of the erven to any purchaser:

Upon transfer, each and every owner of an erf in the township shall on transfer automatically become a member of the Landowners' Association (non profit Company) for the development (hereinafter referred to as the 'Association') and the township owner shall procure that each erf be made subject to the following conditions in favour of the Association:

4.2.1.1 Every owner of the erf or owner of any sub-divided portion of an erf or owner of any unit thereon, shall on transfer automatically become and shall remain a member of the Association and shall be subject to its Constitution until he/she ceases to be an owner as aforesaid and the property may not be transferred without the consent in writing of the Association, which condition must be included in the title deed of the portion.

4.2.1.2 The erf is subject to a servitude, 3m wide, in favour of the Municipality for sewerage and other engineering services, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude, 2 m wide across the access portion of the erf, if and when required by the Municipality: Provided that the Municipality may dispense with any such servitude.

4.2.1.3 As the erf forms part of the area that is underlain by dolomite, the owner/developer shall make any prospective buyer/ tenant aware of the risk involved in developing on dolomite. The developer may make use of literature at the disposal of the investigator, together with a list of precautionary measures and monitoring schedules in order to ensure that the home owner understands how to manage dolomite stability risk responsibility.

4.2.2 ERVEN 2631 to 2665

4.2.2.1 The erven are entitled to a servitude of right of way and the use of engineering service over Erf 2597, Louwlandia Extension 76 except for figure d-c-f-e-d (representing the gatehouse).

4.2.2.2 The servitude must be notarially executed and registered prior or simultaneously with the first transfer of an erf in the township.

4.2.3 ERF 2666

4.2.3.1 The erf is subject to a servitude of right of way and the use of engineering service in favour of erven 2554 to 2596, Louwlandia Extension 76, Erven 2599 to 2628, Louwlandia Extension 77 and Erven 2631 to 2665, Louwlandia Extension 78;

4.2.3.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 metre there from.

4.2.3.3 The servitude must be notarially executed and registered prior or simultaneously with the first transfer of an erf in the township.

4.2.4 ERVEN 2631 to 2665

4.2.4.1 The erven are entitled to a servitude of right of way and the use of engineering service over Erf 2666.

4.2.4.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 metre there from.

4.2.4.3 The servitude must be notarially executed and registered prior or simultaneously with the first transfer of an erf in the township.

4.2.5 ERVEN 2631 to 2665

4.2.5.1 The erven are entitled to a servitude of right of way 3m wide over Erven 2625 and 2626, Louwlandia Extension 77.

4.2.5.2 The servitude must be notarially executed and registered prior or simultaneously with the first transfer of an erf in the township.

4.2.6 ERVEN 2631 to 2665

4.2.6.1 The erf is subject to a servitude of right of way and the use of engineering service in favour of Erf 2598, Louwlandia Extension 76.

4.2.6.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 metre there from.

4.2.6.3 The servitude must be notarially executed and registered prior or simultaneously with the first transfer of an erf in the township.

4.2.7 ERVEN 2631 to 2665

4.2.7.1 The erven are entitled to a servitude of right of way and the use of engineering service in favour of Erven 2629 and 2630, Louwlandia Extension 77.

4.2.7.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 metre there from.

4.2.7.3 The servitude must be notarially executed and registered prior or simultaneously with the first transfer of an erf in the township.