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### LOCAL AUTHORITY NOTICE

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## LOCAL AUTHORITY NOTICE

### LOCAL AUTHORITY NOTICE 418

#### DITSOBOTLA LOCAL MUNICIPALITY

#### DECLARATION AS APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ditsobotla Local Municipality hereby declares Retiefspark Extension 3 to be an approved township subject to the conditions set out in the schedule hereto.

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER 111 (PART C) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON PORTION 109 (A PORTION OF PORTION 1) OF THE FARM LICHTENBURG TOWN AND TOWNLANDS 27-IP, NORTH WEST PROVINCE BY TRIFECTA TRADING 329 (PTY) LTD (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT (CONDITIONS WHICH WILL BE APPLICABLE TO THE APPROVED TOWNSHIP IN TERMS OF SECTION 103 OF ORDINANCE 15 OF 1986)

- 1.1 NAME

The name of the township shall be Retiefspark Extension 3.

- 1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on the General Plan L.G. No. 11557/2006.

- 1.3 REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING MUNICIPAL SERVICES, ESKOM POWER LINED OR TELKOM PLANT.

If by reason of the establishment of the township it should become necessary to remove, reposition, modify or replace any existing municipal services, Telkom plant or Eskom power lines, the cost thereof shall be borne by the township owner.

#### 1.4 ACCEPTANCE AND DISPOSAL OF STORMWATER

Internal roads and storm water design must comply with the guidelines for the provision of engineering services.

#### 1.5 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, including the reservations of rights to minerals (if any), but excluding the conditions/servitudes that do not influence the township:

1.5.1 The following servitudes in Title Deed T 39329/2006 does not affect the township:

- (a)
1. The right of ingress and egress from Portions 30,31 and 32 (Portions of Portion) of the farm LICHTENBURG TOWN AND TOWNLANDS No 313 and Portion 36 (a portion called Lovedale) of the farm Elandsfontein No 35 together with certain rights regarding boreholes and the construction and maintenance of tram lines as will more fully appear from the said Notarial Deed.
  2. A Water and Power Line Servitude 5,04 metres wide as indicated on Diagram S.G. No A3130/48 and A3131/48.
  3. A Servitude of Right of Way 10,08 metres wide as indicated on annexed diagram S.G. No A2262/2000 by the figure defghjvFmnpHJKLM.
  4. A Servitude of Sewerage Pipe, Pipe-Line and Water Line as indicated on Diagram S.8. No A2757/47 and being 4,04 metres wide.
  5. A Servitude of Railway Line on Siding 18,89 metres wide as indicated on Diagram S.8. No A5745/47.
  6. A Servitude of Pipe Line on Right of Way 10,08 metres wide as indicated on Diagram S.G. No A5742/47.
  7. A Servitude of Pipe Line on Right of Way 10,08 metres wide as indicated on Diagram S.G. No A5742/47.
  8. A Servitude of Pipe and Power Line 5,04 metres wide as indicated on Diagram S.8. No A4746/47.
  9. A Servitude for the purpose of a Railway Area 10,21 metres wide as indicated on Diagram S.8. No A9759/47.
  10. A Servitude of Right of Way, Track, Rope Way on Pipe Line 10,08 metres wide as indicated on annexed Diagram S.8. No 7762/2008 by the figure qrst which said servitude has been amended by Notarial Deed of Servitude K1666/66S dated 16 February 1966."

- C. Die voormalige Resterende Gedeelte van Gedeelte van voormelde plaas groot as sodanig 8037,5402 hektaar (waarvan die eiendom wat hiermee getranspoteer word 'n gedeelte uitmaak) is onderhewig aan die volgende naamlik:
1. Die reg ten gunste *van* ESKOM om elektrisiteit oor die eiendom te vervoer tesame met bykomende regte en onderhewig aan die voorwaardes soos meer ten *volle* sal blyk uit Notariele Akte *van* Serwituut Nr 568/1955-S geregistreer op 20 Junie 1955.
  2. 'n Reg *van* Weg vir doeleindes van 'n Spoorweglyn of bylyn ("siding") ten gunste *van* White's South African Portland Cement Company Limited soos meer ten volle sal blyk uit Notariele Akte van Serwituut Nr 780/1955-S gedateer 23 Junie 1955 en geregistreer op 17 September 1955, tesame met bykomende regte.
- D. Die voormalige Resterende Gedeelte van Gedeelte van voormelde piaas groot as sodanig 4527,8563 hektaar (waarvan die eiendom wat hiermee getranspoteer word 'n gedeelte uitmaak) is onderhewig aan 'n reg *van* weg vir 'n pyplyn en waterlyn bykomende regte ten gunste *van* White's South African Portland Cement Company Limited soos meer ten *volle* sal blyk uit Notariele Akte van Serwituut Nr 707/1962-S gedateer 8 Mei 1962 en geregistreer op 30 Julie 1962.
- E. A portion measuring 160,5998 hectares of the within property is subject to a Servitude in favour of the Administrator of Transvaal of the Right of Laying out and maintaining a Shooting of Rifle Range thereon as will more fully appear from Notarial Deed No 137/1909 registered the 10th August 1909, together with ancillary rights.
- F. The within mentioned Remaining Extent measuring 8648,0766 hectares is subject to a servitude to lay, keep and maintain a line of pipes for the purpose of conveying water from a Portion 65 R. to the Railway 8station Portion as held under T 7087/17 in favour of the Administrator of Transvaal (Department Railways and Harbour) as will more fully appear from Notarial Deed No 270/278 with Diagram amended, together with ancillary rights.
- G. By virtue of Notarial Deed No 1405/86 8 dated 17 June 1966 the Remaining Extent measuring 4515,0082 hectares of the property held hereunder is subject to the supply of water in favour of :
1. Portion of the consolidated farm Dudfield No 35 I.P., held under T7754/49 now known as the farm Dudfield No 57 J.P. held under Certificate of Consolidated Title 43514/1967.
  2. Remaining Extent of Portion 18 of the consolidated farm Dudfield No 35 I.P. held under Transfer T2279/55.
  3. Portion 23 (a portion of Portion 18) of the consolidated farm Dudfield No 35, I.P., held under Transfer 27574/57.

4. Portion 16 of the consolidated farm Dudfield No 35 I.P., held under Transfer 15741/51.
5. Portion 20 (a portion of Portion 1) of the farm Hibernia No 51, I.P. held under Transfer 32738/62.
6. Portion 13 (a portion of Portion 4) of the farm Kalkfontein No 77, 1.0. held under Transfer 7279/62, and
7. The Remaining Extent of Portion 4 of the farm Kalkfontein No 77, 1.0. held under Transfer 30759/60 with ancillary rights as will more fully appear from the said Notarial Deed.

By Notarial Deed No 972/72S dated 9th December 1971 clause 5(a) of Notarial Deed No 1405/68S has been amended to enable Anglo-Alpha Cement Limited to receive 64553,0800 kilolitres of water per month, as will more fully appear from the said Notarial Deed.

- H. By virtue of Notarial Deed No 409/708 dated 2nd May 1969 the Remaining Extent measuring 4515,0082 hectares of the property held hereunder is subject to a servitude for the purpose of a borehole, pumphouse, pipelines and power lines indicated by the figure ABCDEFGH on diagram S.G. No A3840/68 in favour of White's South African Portland Cement Company Limited as will more fully appear from the said Notarial Deed, together with ancillary rights.
- I. Kragtens Notariele Akte Nr K1396/1976S is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes soos meer volledig sal blyk uit gesegde Notariele Akte.
- J. Kragtens Notariele Akte van Serwituut Nr 2438/76S is 'n ewigdurende serwituut vir doeleindes van 'n Elektriese Distribusiestasie en alle bykomende regte daartoe, verleen aan ESKOM – op, oor en onder 'n gedeelte van binnegemelde eiendom, groot 34,5186 hektaar aangetoon deur die figuur ABCDEFGH op Kaart L.G. Nr A2438/72, soos meer ten volle sal blyk uit genoemde Notariele Akte.
- K. Kragtens Notariele Akte Nr K.995/1977S, gedateer 22 Maart 1977 is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderhewig aan die voorwaardes soos meer volledig sal blyk uit gesegde Notariele Akte.
- L. Kragtens Notariele Akte Nr K59/1978S gedateer 29 September 1977 is die hierinvermelde serwituut area vergroot soos aangetoon deur letters ABCD op Kaart L.G. Nr A117/77 en verder geregtig tot sekere bykornstighede soos meer volledig sal blyk uit gemelde Notariele Akte.
- M. Kragtens Notariele Akte Nr K2182/1980S gedateer 26 Augustus 1980, is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende

- regte, en onderworpe aan voorwaardes sods meer volledig sal blyk uit gesegde akte en kaart.
- N. Kragtens Notariele Akte Nr K1901/1980S gedateer 23 Junie 1980 is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte en onderworpe aan voorwaardes soos meer volledig sal blyk uit gesegde aktes en kaart.
- O. Kragtens Notariele Akte Nr K1981/1980S gedateer 4 Augustus 1980 is die hierinvermelde eiendom onderhewig aan 'n Skietbaanserwituut ten gunste van die Regering van die Republiek van Suid-Afrika gegee deur die Stadsraad van Lichtenburg soos meer volledig sal blyk uit gemelde Notariele Akte en kaart, tesame met bykomende regte.
- P. Kragtens Notariele Akte Nr K1931/1981S gedateer 16 Julie 1981, is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte en kaart.
- Q. Kragtens Notariele Akte Nr K1025/1983S gedateer 15 April 1983, is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes soos meer volledig sal blyk uit gesegde Akte en kaart.
- R. By Notarial Deed No 1548/69S dated 11th December 1969 the right has been granted to ESKOM 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, the centre lines of which servitude are indicated by the lines efg and hjk on the annexed diagram S.G. 3731/1995.

1.5.2 The following Rights will not be passed on to erven in the Township:

- A. Die voormalige Resterende Gedeelte van Gedeelte van voormelde plaas groot as sodanig 8037,5402 hektaar (waarvan die eiendom wat hiermee getranspoteer word 'n gedeelte uitmaak) is geregtig tesame met die eienare van gedeeltes 30, 31 en 32 van die plaas Lichtenburg Dorp en Dorpsgronde 27, Registrasie Afdeling J.P., distrik Lichtenburg gehou kragtens Sertifikaat van Geregistreerde Titel Nr 4981/1951 gedateer 28 Februarie 1951, om sekere restriksies teen handeldrywe op Gedeelte 28 af te dwing soos meer volledig sal blyk uit akte van Transport Nr 4983/1951.
- B. Die voormalige resterende gedeelte van die plaas Lichtenburg Town and Townlands 27, Registrasie Afdeling I.P., Provinsie Noordwes (waarvan die eiendom hiermee getranspoteer 'n deel uitmaak) is geregtig op 'n serwituut van watervoor 2 meter wyd langs die bestaande roete of sodanige ander roete as die

geregistreerde eienaars van tyd tot tyd mag ooreenkom oor Gedeelte 70 Cn gedeelte van gedeelte 1) van die gemelde plaas, soos meer ten volle sal blyk uit Akte van Transport T1444/84.

## 2, **CONDITIONS OF TITLE**

### 2.1 **THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, LAID DOWN BY THE LICHTENBURG/ITSOSENG TOWN PLANNING SCHEME, 2000 IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986).**

#### 2.1.1 **ALL ERVEN**

2.1.1.1 Where, in the opinion of the Local Authority it is impracticable for storm water to be drained from higher lying erven direct to a public street or stream the owner of the lower lying erf shall be obliged to accept and / or permit the passage over the erf of such storm water:- Provided that the owners of any higher lying erven, the storm water from which is discharged over any lower lying erf, shall negotiate point of discharge and shall be liable to pay a proportionate share of the cost of any pipeline of drain which the owner of such lower lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.

2.1.1.2 If a property is affected by a 1:50 year flood line no building may be erected below the elevation of such flood line unless the Local Authority has approved specific proposals relating to the manner of construction, siting of buildings, material used, alteration of flood line by raising the natural elevations of the land, etc.

2.1.1.3 The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with, before, the outbuildings.

2.1.1.4 Standard servitudes, unless indicated otherwise in this Scheme or the Property Title Deed, which is applicable on all erven:

- i. The erf is subject to a servitude, 2m wide, in favour of the local Authority, for sewerage and other municipal purposes, along the mid-block (back) boundary and at least one side boundary, depending on the location of municipal services on the property, except in a "Residential 4" use zone, where only one boundary (other than a street boundary), depending on the location of the municipal services on the property is subject to the 2m servitude. Properties in all Business, Industrial and Commercial use zones are not subjected to this proviso. In the case of a pan-handled erf, and additional servitude for municipal purposes, 2m wide, across the access portion of the erf is applicable, if and when required by the Local Authority: Provided that the Local Authority may dispense with any such servitude.

- ii. 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.
- iii. The Local Authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as 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.

L1CHTENBURG  
2740

RF BATSI  
ACTING MUNICIPAL MANAGER

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