

*THE PROVINCE OF
GAUTENG*

*DIE PROVINSIE
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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1067

EMFULENI LOCAL MUNICIPALITY DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the Emfuleni Local Municipality hereby declares Arcon Park Extension 10 Township 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 SECTION 69 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON PORTION 93 (A PORTION OF PORTION 69) OF THE FARM WALDRIFT 599-IQ, PROVINCE OF GAUTENG, BY CORDAAN PROPERTY DEVELOPMENT (PTY) LTD (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) TO ESTABLISH A TOWNSHIP ON SUCH LAND IN ITS OWN NAME, HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Arcon Park Extension 10.

(2) LAYOUT / DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 23/2007.

(3) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals and real rights, but excluding:

(a) the following which do not affect the township due to the location thereof:

B. *The former Remaining Extent of Portion called BEACONSFIELD of the said farm WALDRIFT 599, Registration Division IQ, district Vereeniging, measuring 1044,6355 hectares (whereof the property hereby transferred forms a portion) is:*

(ii) *Notarial Deed 614/1941S whereby the right was granted to the VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED to convey electricity over the said property together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed 614/1941S. By virtue of Notarial Deed 177/1963S dated 28th November 1952 and registered on the 28th February 1963, the aforesaid Notarial Deed 614/1941 has been varied as will more fully appear from the said Notarial Deed 177/1963S.*

(iii) *Notarial Deed 615/1941S whereby the right was granted to the ELECTRICITY SUPPLY COMMISSION to convey electricity over the said property together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed K615/1941S. By virtue of Notarial Deed 177/1963S dated the 28th November 1962k and registered on the 28th February 1963 the*

aforesaid Notarial Deed 615/1941S has been varied as will more fully appear from the said Notarial Deed 177/1963S.

- C. *The Remaining Extent of portion called BEACONSFIELD of the said farm WALDRIFT 599, Registration Division IQ, District Vereeniging, measuring as such 1018,9395 hectares (whereof the property hereby transferred forms a portion) is by virtue of Notarial Deed 1033/1955S dated 15th June 1955, and registered on 14th October 1955:*

- (i) *Subject to certain rights of joint control of underground water in favour of Springfield Collieries Limited, it's successors in Title or Assigns, and*
- (ii) *entitled to exercise joint control of the underground water under Portion 22 (a portion of the north western portion called SPRINGFIELD of the said farm KOOKFONTEIN 545, Registration Division IQ, district Vereeniging, measuring 96,3259 hectares and held under Deed of Transfer No 32811/1954 dated 10th December 1954*

As will more fully appear from the said Notarial Deed and which servitude is indicated by the figure lettered Abtp on Diagram SG No A1225/55 annexed to Deed of Servitude 1033/55S. By virtue of Notarial Deed 1048/1965S registered on the 27th February 1956, the said Notarial Deed 1033/1955S has been cancelled insofar as it affect the said property a portion thereof in extent 16,7659 hectares, as will more fully appear from Diagram SG No A5630/1956 annexed to the said Notarial Deed 1048/1956S.

- D. *The former Remaining Extent of Portion called BEACONSFIELD of the said farm WALDRIFT 599, Registration Division IQ, district Vereeniging, measuring 1044,6355 hectares (whereof the property hereby transferred forms a portion) is subject to the following:*

Notarial Deed of Lease No 1079/1937S registered on the 8th November 1937, whereby Portion L1 of the said farm measuring 11,8992 hectares was leased to the Electricity Supply Commission in perpetuity together with certain Ancillary Rights and Obligations.

(4) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING MUNICIPAL SERVICES

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

(5) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM SERVICES

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office Plan, the cost thereof shall be borne by the township applicant.

(6) TRANSFER OF ERVEN

Erven 1530 and 1607 to 1613 shall be transferred at the expense of the township owner to the home owners' association.

(7) CONSTITUTION OF A HOMEOWNERS' ASSOCIATION

- (a) The township owner shall provide written proof to the local authority that a Homeowners' Association has been properly and legally constituted in terms of a Section 21 of the Companies Act before the transfer of the first erf.
- (b) Erven 1611 (gate house), 1530 (refuse site), 1612 and 1613 (private streets) and 1607 to 1610 (private open spaces) shall be registered in the name of the Homeowners' Association. Such Homeowners' Association shall have full responsibility for these erven and the essential services serving the township contained therein.
- (c) Each and every owner of Erven 1531 to 1606 shall become members of the Homeowners' Association and be subjected to the Memorandum of Articles of Association upon transfer of the erf until such owner ceases to be owner of the erf.
- (d) The Home Owners' Association shall have full legal power to levy, from each and every member, the costs incurred in fulfilling its function, and shall have legal recourse to recover such fees in the event of a default in payments by any member.
- (e) The local authority shall not be liable for the malfunction of the surfacing of the access way and/or the stormwater drainage system, and/or any essential services in the township.
- (f) Access from all the erven in the township to a public road shall be across Erven 1611 to 1613.
- (g) The local authority shall have unrestricted access across Erven 1611 to 1613.

(8) INSTALLATION OF SERVICES

- (a) The township applicant shall be responsible for the installation and provision of internal engineering services.
- (b) Once water, sewer, electricity and street networks (including storm water) have been installed, same will be transferred to the home owners' association, free of cost, who shall maintain these networks.
- (c) The local authority shall install and provide external engineering services for the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.

(9) RESTRICTION ON THE ALIENATION OF ERVEN IN THE TOWNSHIP

The proposed township will be serviced in phases and transfer of erven will only be allowed after the local authority has issued a clearance certificate in respect of erven being serviced as provided for in the services agreement.

2. CONDITIONS OF TITLE

(1) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

All erven shall be made subject to the following conditions:

- (a) All erven are subject to a servitude, 2 metres 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 2 metre wide across the access portion of the erf, if and when

required by the local authority: Provided that the local authority may relax or grant exemption from the required servitudes.

- (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 2 metres thereof.
- (c) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude, such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

(2) ERVEN SUBJECT TO SPECIAL CONDITIONS:

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

- (a) Erven 1611 to 1613

The whole of the erven are subject to a right of way servitude as indicated on the General Plan in favour of the General Public.

- (b) Erven 1611 to 1613

The whole of the erven are subject to a servitude for municipal purposes as indicated on the General Plan in favour of the Local Authority.

Mr T W Moeti, Acting Municipal Manager
PO Box 3, VANDERBIJL PARK 1900

7/2/T190

LOCAL AUTHORITY NOTICE 1068

**VEREENIGING TOWN PLANNING SCHEME 1992
AMENDMENT SCHEME N573**

The Emfuleni Local Municipality hereby declares that it has approved an amendment scheme, being an amendment to the Vereeniging Town Planning Scheme of 1992, comprising the same land as included in the township of Arcon Park Extension 10, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3, Annexures and scheme clauses of the amendment scheme are filed with the Deputy Director-General: Gauteng Provincial Government: Department of Development Planning and Local Government, Marshalltown and the Deputy Municipal Manager, Development Planning, Emfuleni Local Municipality and are open for inspection at all reasonable times.

The amendment scheme is known as the Vereeniging Amendment Scheme N573 with Annexure 462 to the Scheme and shall come into operation on the date of the proclamation of this notice.

Mr T W Moeti, Acting Municipal Manager
PO Box 3, VANDERBIJL PARK 1900

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