

***THE PROVINCE OF
GAUTENG***



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 1565 OF 2017**DECLARATION AS AN APPROVED TOWNSHIP**

- A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Fleurhof Extension 31** 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 FLEURHOF EXTENSION 2 PROPRIETARY LIMITED NUMBER 2005/027248/07 (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 203 OF THE FARM VOGELSTRUISFONTEIN, 231 –I.Q. HAS BEEN APPROVED.

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

The name of the township is Fleurhof Extension 31.

(2) DESIGN

The township consists of erven and roads/streets/thoroughfares as indicated on General Plan S.G. No. 2772/2016.

(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall make the necessary arrangements with the local authority for the provision and installation of all engineering services of which the local authority is the supplier, as well as the construction of roads and stormwater drainage in and for the township, to the satisfaction of the local authority.

(4) GAUTENG PROVINCIAL GOVERNMENT

- (a) Should the development of the township not been commenced with before 11 May 2019 application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for exemption/authorisation in terms of the Environment Conservation Act, 1989 (Act 73 of 1989), as amended.

- (b) (i) Should the development of the township not been completed before 5 November 2018 the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

- (ii) If however, before the expiry date mentioned in (i) 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).

- (iii) 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. 05-9001/3/1. The erection of such physical barrier and the maintenance thereof, shall be done to the satisfaction of the said Department.

- (iv) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 5 November 2008.

(5) DEPARTMENT OF MINERAL RESOURCES

Should the development of the township not been completed before 4 November 2021 the application to establish the township, shall be resubmitted to the Department of Mineral Resources for reconsideration.

(6) 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 along the lines of no access as indicated on the approved layout plan of the township No. 05-16066/1.

(7) ACCEPTANCE AND DISPOSAL OF STORMWATER

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

(8) SAFEGUARDING OF UNDERGROUND WORKINGS

The township owner shall at its own costs, make adequate provision to the satisfaction of the Inspector of Mines (Gauteng Region), to prevent any water from entering underground workings through outcrop workings or shaft openings and if applicable, the existing stormwater drains shall be properly maintained and protected.

(9) 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.

(10) 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.

(11) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his 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.

(12) ENDOWMENT

The township owner shall, in terms of the provisions of Section 98(2) and 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).

(13) ERF FOR MUNICIPAL PURPOSES

Erf 2976 shall, prior to or simultaneously with registration of transfer of the first erf or unit in the township and at the cost of the township owner, be transferred to the City of Johannesburg Metropolitan Municipality, for municipal purposes (public open space). All refuse, building rubble and/or other materials shall be removed from the erf/erven prior to the transfer thereof to the City of Johannesburg Metropolitan Municipality.

(14) 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, at its own costs and to the satisfaction of the local authority, design, provide and construct 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 in the name of the township owner, prior to the local authority certifying to the

Registrar of Deeds that these engineering services had been provided and installed; and

(b) The township owner shall, within such period as the local authority may determine, fulfil its obligations in respect of the provision of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and 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 sufficient guarantees/cash contributions in respect of the supply of engineering services by the township owner, have been submitted or paid to the said local authority; and

(c) Notwithstanding the provisions of clause 3.A.(1)(c) hereunder, 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 engineering services provided, constructed and/or installed as contemplated in (a) and (b) above. 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 these engineering services had been or will be protected to the satisfaction of the local authority.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

A. Excluding the following which do not affect the township due to their locality:

- a. *Notarial Deed of Servitude K957/1983s: Servitude for electrical power lines in favour of ESCOM vide diagram S.G. no. A 89/1979 and S.G. no. A 1847/1979.*
- b. *Notarial Deed of Servitude K1558/1985S: Servitude for sewerage, 2 metres wide in favour of the City Council of Roodepoort vide diagram S.G. No. A2152/1984.*
- c. *Notarial Deed of Servitude K1559/1985S: Servitude to transmit water in favour of Rand Water Board vide diagram S.G. No 2151/1984.*
- d. *Notarial Deed of Servitude K1017/1986S: Subject to a right of way to operate a railway line or lines, a railway siding and rail services.*
- e. *Notarial Deed of Servitude K3090/1993S: Servitude for sewerage purposes, 4 metres wide in favour of the City Council of Roodepoort vide diagram S.G. No. A4580/1992.*
- f. *Notarial Deed of Servitude K5371/1996S: Servitude for sewer purposes, 2 metres wide in favour of the Western Metropolitan Substructure vide diagram S.G. No 13822/1995.*
- g. *Notarial Deed of Servitude K872/2003S: Pipeline servitude along a strip of ground in favour of Rand Water vide diagram S.G. No. 4284/2001.*

B. Excluding the following which only affects Fleurhof Drive:

- a. *Notarial Deed of Servitude K5895/2012S: Right of Way Servitude in favour of City of Johannesburg, vide diagram S.G. No. 1608/2012.*

C. Excluding the following which only affects Erf 2976 (Park):

- a. *Notarial Deed of Servitude K5896/2012S: Pipeline servitude along a strip of ground in favour of Rand Water vide diagram S.G. No. 3714/2010.*

D. Including the following which affects all the erven in the township:

- a. The Consolidated Mine Reef Mines and Estate Limited, or its Successors in Title shall not in any way be held liable or responsible for any loss or damage that may be caused by subsidence as the result of mining operations carried on under, over of in the vicinity of the land hereby transferred.

3. CONDITIONS OF TITLE

A. Conditions of Title imposed in favour of 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 where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority must indicate the measures to be taken in accordance with recommendations contained in the Geo-technical report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(b) Noting that the erven lie in an area where soil conditions can affect building and structures and result in damage to them, the Local Authority will not bear liability for any damage to buildings or structures which may arise as a result of changes to the hydrology which may result from the development on the site.

- (c) (i) 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.
- (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 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.

(2) Erf 2971

(a) The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erven to 800kVA and should the registered owners of the erven exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner/s to the local authority.

(b) The erf is subject to a 3m wide servitude for storm water in favour of the local authority, as indicated on the General Plan.

(c) The erf is subject to a 3m wide servitude for sewer purposes in favour of the local authority, as indicated on the General Plan.

(3) Erf 2972

(a) The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erven to 500kVA and should the registered owners of the erven exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such

owner/s to the local authority.

(b) The erf is subject to a 3m wide servitude for storm water in favour of the local authority, as indicated on the General Plan.

(c) The erf is subject to a 3m wide servitude for sewer purposes in favour of the local authority, as indicated on the General Plan.

(4) Erf 2973

(a) The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erven to 630kVA and should the registered owners of the erven exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner/s to the local authority.

(b) The erf is subject to a 3m wide servitude for storm water in favour of the local authority, as indicated on the General Plan.

(c) The erf is subject to a 3m wide servitude for sewer purposes in favour of the local authority, as indicated on the General Plan.

(5) Erf 2974

(a) The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erven to 1500kVA and should the registered owners of the erven exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner/s to the local authority.

(6) Erf 2975

(a) The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the erven to 800kVA and should the registered owners of the erven exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner/s to the local authority.

(b) No building of any nature shall be erected within that portion of land which is likely to be inundated by the floodwaters of a public stream on an average every 100 years

B. 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

(a) 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.

- B. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Roodepoort Town Planning Scheme, 1987, comprising the same land as included in the township of **Fleurhof Extension 31**. Map 3 and the scheme clauses of the amendment scheme 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 05-16066.

PLAASLIKE OWERHEID KENNISGEWING 1565 VAN 2017

- C. 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 **Fleurhof Uitbreiding 31** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR FLEURHOF EXTENSION 2 (EDMS) BEPERK NR. 2005/027248/07 (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 203 VAN DIE PLAAS VOGELSTRUISFONTEIN, 231 - I.Q., TOEGESTAAN IS

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is **Fleurhof Uitbreiding 31**.

(2) ONTWERP

Die dorp bestaan uit erwe en deurpaaie soos aangedui op Algemene Plan LG Nr 2772/2016.

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

(a) Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is, asook die konstruksie van strate en stormwaterdreinerings in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

(4) GAUTENG PROVINSIALE REGERING

(a) Indien die ontwikkeling van die dorp nie 'n aanvang neem voor 11 Mei 2019 nie, moet die aansoek om die dorp te stig, heringedien word by Gauteng Departement van Landbou en Landelike Ontwikkeling vir vrystelling/goedkeuring ingevolge die Omgewingsbewaringwet, 1989 (Wet 73 van 1989), soos gewysig.

(b) (i) Indien die ontwikkeling van die dorp nie voor 5 November 2018 in aanvang neem, moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer vir heroorweging.

(ii) Indien omstandighede egter, voor die vervaldatum vermeld in (i) 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).

(iii) Die dorpseienaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement, langs die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp, Nr 05-9001/3/1, oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(iv) Die dorpseienaar moet voldoen aan die vereistes van die Departement soos uiteengesit in die Departement se skrywe gedateer 5 November 2008.

(5) DEPARTEMENT VAN MINERALE HULPBRONNE

Indien die ontwikkeling van die dorp nie voor 4 November 2021 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir heroorweging.

(6) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp sal voorsien word, tot die tevredenheid van die plaaslike bestuur en/of Johannesburg Roads Agency (Edms) Bpk en/of die Departement van Paaie en Vervoer.

(b) Geen toegang tot of uitgang vanuit die dorp sal teen die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan Nr. 05-16066/1 van die dorp nie.

(7) ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpseienaar moet die dreinerings van die dorp so reël dat dit inpas by dié van die aangrensende paaie en alle stormwater wat van die paaie afloop of afgelei word, moet ontvang en versorg word.

(8) BEVEILIGING VAN ONDERGRONDSE WERKE

Die dorpseienaar moet op sy eie koste, voldoende voorsiening maak tot die tevredenheid van die Inspekteur van Myne (Gauteng Streek), om te voorkom dat enige water die ondergrondse werke deur klipriwwe of die skagopenings binnedring en indien van toepassing, moet die bestaande stormwaterriole behoorlik in stand gehou en beveilig word.

(9) 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

(10) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE

Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, ESKOM TELKOM en/of dienste te verwyder of te vervang, moet sodanige verwydering of vervanging op koste van die dorpseienaar gedoen word.

(11) 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 tevredenheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.

(12) BEGIFTIGING

Die dorpseienaar moet ingevolge die bepalings van Artikel 98(2) en 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 (publieke oop ruimte).

(13) ERF VIR MUNISIPALE DOELEINDES

Erf 2976 moet, voor of gelyktydig met registrasie van oordrag van die eerste erf in die dorp en op koste van die dorpseienaar, aan die Stad van Johannesburg Metropolitaanse Munisipaliteit oorgedra word, vir munisipale doeleindes (openbare oop ruimte). Alle vullis, bourommel en/of ander materiale moet vanaf Erf 2976 verwyder word, voor die oordrag daarvan in die naam van Stad van Johannesburg Metropolitaanse Munisipaliteit.

(14) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING OF OORDRAG VAN ERWE

(a) Die dorpseienaar moet, op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, ontwerp, voorsien en konstrueer, insluitend alle 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 in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste voorsien en geïnstalleer is; en

(b) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die installasie van elektrisiteit, water en sanitêre ingenieursdienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur. 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 voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is.

(c) Nieteenstaande die bepalings van klousule 3.A.(1)(c) hieronder, moet die dorpseienaar op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle servitude opmeet en registreer om die ingenieursdienste wat voorsien, gebou en/of geïnstalleer is soos beoog in (a) en (b) hierbo, 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 nie in naam van die dorpseienaar geregistreer word nie, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

A. Uitsluitend die volgende wat nie die dorp raak nie as gevolg van die ligging:

- a. *Notarial Deed of Servitude K957/1983s: Servitude for electrical power lines in favour of ESCOM vide diagram S.G. no. A 89/1979 and S.G. no. A 1847/1979.*
- b. *Notarial Deed of Servitude K1558/1985S: Servitude for sewerage, 2 metres wide in favour of the City Council of Roodepoort vide diagram S.G. No. A2152/1984.*
- c. *Notarial Deed of Servitude K1559/1985S: Servitude to transmit water in favour of Rand Water Board vide diagram S.G. No 2151/1984.*
- d. *Notarial Deed of Servitude K1017/1986S: Subject to a right of way to operate a railway line or lines, a railway siding and rail services.*
- e. *Notarial Deed of Servitude K3090/1993S: Servitude for sewerage purposes, 4 metres wide in favour of the City Council of Roodepoort vide diagram S.G. No. A4580/1992.*
- f. *Notarial Deed of Servitude K5371/1996S: Servitude for sewer purposes, 2 metres wide in favour of the Western Metropolitan Substructure vide diagram S.G. No 13822/1995.*
- g. *Notarial Deed of Servitude K872/2003S: Pipeline servitude along a strip of ground in favour of Rand Water vide diagram S.G. No. 4284/2001.*

B. Uitsluitend die volgende wat slegs Fleurhofrylaan raak:

- a. *Notarial Deed of Servitude K5895/2012S: Right of Way Servitude in favour of City of Johannesburg, vide diagram S.G. No. 1608/2012.*

C. Uitsluitend die volgende wat slegs Erf 2976 (Park) raak:

- a. *Notarial Deed of Servitude K5896/2012S: Pipeline servitude along a strip of ground in favour of Rand Water vide diagram S.G. No. 3714/2010.*

D. Insluitend die volgende wat wat al die erwe in die dorp raak:

- a. Die gekonsolideerde Mine Reef Mines and Estate Limited, of sy opvolgers sal op geen manier aanspreeklik of verantwoordelik gehou word vir enige verlies of skade wat moontlik veroorsaak is deur insakking as gevolg van mynbou bedrywighede wat onder, bo of in die omgewing plaasvind van die grond wat hierby oorgedra word.

3. TITELVOORWAARDES

A. Titelvoorwaardes opgelê ten gunste van die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordinansie 15 van 1986).

(1) ALLE ERWE

(a) Die erwe is geleë in 'n gebied waar grondtoestande geboue en strukture kan affekteer en skade kan aanrig. Bouplanne wat by die plaaslike bestuur ingedien word vir oorweging, moet maatreëls aandui wat geneem sal word om moontlike skade aan geboue en strukture as gevolg van die nadelige fundamente toestande, te beperk. Hierdie maatreëls moet in ooreenstemming wees met die aanbeveling vervat in die Geotegniese verslag van die dorp, tensy bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(b) Aangesien elke erf deel vorm van 'n gebied waar grondtoestande die geboue en strukture kan affekteer en tot die beskadiging daarvan kan lei, aanvaar die plaaslike owerheid geen aanspreeklikheid vir enige skade aan geboue of strukture as gevolg van die veranderinge aan die hidrologie van die terrein as 'n resultaat van die ontwikkeling nie.

(c) (i) Elke erf is onderworpe aan 'n serwituut 2 m 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 2 m 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.

(ii) 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 2 m daarvan, geplant word nie.

(iii) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings, en ander werke wat hy volgens goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voorgenoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.

(2) ERF 2971

(a) Die erf mag nie oorgedra word sonder die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike owerheid het 'n absolute diskresie om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike owerheid het die voorsiening van elektrisiteit aan die erwe in die dorp tot 800 kVA beperk. Indien die geregistreerde eienaar/s van 'n erf of erwe in die dorp die aanbod oorskry, of sou 'n aansoek om die sodanige toevoer te oorskry ingedien word by die plaaslike owerheid, sal addisionele elektriese bydraes soos bepaal deur die plaaslike owerheid, verskuldig en betaalbaar word deur sodanige eienaar/s aan die plaaslike owerheid.

(b) Die erf is onderworpe aan 'n 3m breë stormwater serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(c) Die erf is onderworpe aan 'n 3m breë riool serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(3) ERF 2972

(a) Die erf mag nie oorgedra word sonder die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike owerheid het 'n absolute diskresie om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike

owerheid het die voorsiening van elektrisiteit aan die erwe in die dorp tot 500 kVA beperk. Indien die geregistreerde eienaar/s van 'n erf of erwe in die dorp die aanbod oorskry, of sou 'n aansoek om die sodanige toevoer te oorskry ingedien word by die plaaslike owerheid, sal addisionele elektriese bydraes soos bepaal deur die plaaslike owerheid, verskuldig en betaalbaar word deur sodanige eienaar/s aan die plaaslike owerheid.

(b) Die erf is onderworpe aan 'n 3m breë stormwater serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(c) Die erf is onderworpe aan 'n 3m breë riool serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(4) ERF 2973

(a) Die erf mag nie oorgedra word sonder die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike owerheid het 'n absolute diskresie om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike owerheid het die voorsiening van elektrisiteit aan die erwe in die dorp tot 630kVA beperk. Indien die geregistreerde eienaar/s van 'n erf of erwe in die dorp die aanbod oorskry, of sou 'n aansoek om die sodanige toevoer te oorskry ingedien word by die plaaslike owerheid, sal addisionele elektriese bydraes soos bepaal deur die plaaslike owerheid, verskuldig en betaalbaar word deur sodanige eienaar/s aan die plaaslike owerheid.

(b) Die erf is onderworpe aan 'n 3m breë stormwater serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(c) Die erf is onderworpe aan 'n 3m breë riool serwituut ten gunste van die plaaslike bestuur soos aangedui op die Algemene Plan.

(5) ERF 2974

(a) Die erf mag nie oorgedra word sonder die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike owerheid het 'n absolute diskresie om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike owerheid het die voorsiening van elektrisiteit aan die erwe in die dorp tot 1500 kVA beperk. Indien die geregistreerde eienaar/s van 'n erf of erwe in die dorp die aanbod oorskry, of sou 'n aansoek om die sodanige toevoer te oorskry ingedien word by die plaaslike owerheid, sal addisionele elektriese bydraes soos bepaal deur die plaaslike owerheid, verskuldig en betaalbaar word deur sodanige eienaar/s aan die plaaslike owerheid.

(6) ERF 2975

(a) Die erf mag nie oorgedra word sonder die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike owerheid het 'n absolute diskresie om sodanige toestemming te weerhou, tensy die oordragnemer die volgende voorwaarde aanvaar: Die plaaslike owerheid het die voorsiening van elektrisiteit aan die erwe in die dorp tot 800 kVA beperk. Indien die geregistreerde eienaar/s van 'n erf of erwe in die dorp die aanbod oorskry, of sou 'n aansoek om die sodanige toevoer te oorskry ingedien word by die plaaslike owerheid, sal addisionele elektriese bydraes soos bepaal deur die plaaslike owerheid, verskuldig en betaalbaar word deur sodanige eienaar/s aan die plaaslike owerheid.

(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 100 years.

B. Titelloosheid opgelê deur die Departement: Mineraalbronne ingevolge die bepalinge van Artikel 68(1) van die Wet op Minerale, 1991 (Wet 50 van 1991) soos gewysig

(1) ALLE ERWE

(a) Aangesien elke erf deel vorm van 'n gebied 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 geregistreerde eienaar van elke erf alle

aanspreeklikheid van enige skade daaraan of aan enige struktuur daarop, wat mag voortspruit uit sodanige insinking, grondversakking, skok of kraking.

- D. 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 hy 'n wysigingskema synde 'n wysiging van die Roodepoort Dorpsbeplanningskema, 1987 wat uit dieselfde grond as die dorp **Fleurhof Uitbreiding 31** bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word n 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 05-16066.

Hector Makhubo

Deputy Director : Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

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