

**THE PROVINCE OF
GAUTENG**



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 700 OF 2022****CITY OF TSHWANE****PERI-URBAN AMENDMENT SCHEME 732PU**

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 regards to the land in the township of Mooikloof Manor Extension 2, being an amendment of the Peri-Urban Town-planning Scheme, 1975.

Map 3 and the scheme clauses of this amendment scheme are filed with the Group Head: Economic Development and Spatial Planning and are open to inspection during normal office hours.

This amendment is known as Peri-Urban Amendment Scheme 732PU.

(CPD 9/1/1/1-MKMx2 1263 (Item 33110))
(CPD 9/2/4/2-732PU)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

APRIL 2022
(Notice 110/2022)

CITY OF TSHWANE**DECLARATION OF MOOIKLOOF MANOR EXTENSION 2AS 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 Mooikloof Manor Extension 2 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-MKMx2 1263 (Item 33110))
(CPD 9/2/4/2-732PU)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BALWIN PROPERTIES LIMITED (REGISTRATION NUMBER 2003/028851/06), IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 1104 (A PORTION OF THE REMAINDER OF PORTION 62) OF THE FARM RIETFONTEIN 375JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Mooikloof Manor Extension 2.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 2020/2017.

1.3 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.

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

1.4 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.

1.5 PRECAUTIONARY MEASURES

The township owner shall at its own expense, make arrangements with the Municipality, in order to ensure that-

- 1.5.1 water will not dam up, 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
- 1.5.2 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 **CONDITIONS IMPOSED BY THE GAUTENG PROVINCIAL GOVERNMENT: DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT (GDARD)**
- The township owner shall at his own costs comply with and strictly adhere to all the conditions and/or requirements imposed by the Department of Agriculture and Rural Development including those by which exemption has been granted from compliance with regulations No 1182 and 1183 promulgated in terms of section 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Act, 1998 (Act 107 of 1998) as amended and the Regulations thereto, as the case may be for the development of this township.
- 1.7 **REMOVAL OF LITTER**
- 1.7.1 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.
- 1.7.2 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.
- 1.8 **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.
- 1.9 **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.
- 1.10 **COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS**
- The township owner shall at his own expense comply with the conditions as laid down by the Gauteng Department of Public Transport, Roads and Works as contained in their approval of the proposed township.
- 1.11 **ERECTION OF FENCE OR OTHER PHYSICAL BARRIER**
- The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.
- 1.12 **ACCESS**
- Ingress from Road K50 to the township and egress to Road K50 from the township shall be restricted to the intersection of 25m road with such road.
- 1.12.1 The township owner shall at his own expense arrange for a geometric lay-out design (scale 1:500) of the ingress and egress points referred to in 1.12 above and specifications for the construction of the junctions to be compiled and shall submit it to the Head of the Department: Gauteng Provincial Government: Department of Roads and Transport for approval. After the design and specifications have been approved, the township owner shall construct the entrances at his own expense to the satisfaction of the Head of the Department: Department of Roads and Transport.
- 1.12.2 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 CPD Mooikloof Manor Ext 2/6.
- 1.12.3 Access to or egress from the township shall be provided to the satisfaction of the local authority and the Provincial Department of Roads and Transport.

- 1.13 **ACOUSTIC SCREENING/ NOISE BARRIER**
- The applicant/Municipality shall be responsible for any costs involved in the erection of Acoustic Screening along Road K50, if and when the need arises to erect such screening.
- 1.14 **ERECTION OF FENCE OR OTHER PHYSICAL BARRIER**
- The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Head of the Department: Gauteng Provincial Government: Department of Roads and Transport, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.
- 1.15 **RECEIVING AND DISPOSAL OF STORMWATER**
- 1.15.1 The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Road K50 and he shall receive and dispose of the storm water running off or being diverted from the road.
- The Service Report containing the stormwater design proposal must be submitted to the Head of the Department: Department of Roads and Transport for approval at the time of the application, i.e. before Township Proclamation.
- 1.15.2 The stormwater plan for this township must be integrated with the greater stormwater master plan for the total relevant catchment area, including adjoining areas.
- 1.15.3 The low points in roads and the accumulation of stormwater in crescents and lower lying erven must be drained to the satisfaction of the Municipality.
- 1.16 **ELECTRICITY**
- The local authority is not the bulk supplier of electricity to or in the township. The township owner shall in terms of Section 118(2)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) make the necessary arrangements with ESKOM, the licensed supplier of electricity in the township for the provision of electricity to the township.
- 1.17 **ENDOWMENT**
- The township owner shall, in terms of the provisions of Section 98(2) read with Regulation 44 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) Regulations secure private open space of at least 20 388m².
- The township owner has further agreed to the provision of open space area of within the township to be developed and kept free of structures and shall be indicated on the Site Development Plan, such area shall be developed by the applicant.
- If at any time, the agreed upon area is not available for open space purposes, the developer/township owner or the successor in title shall pay endowment to the local authority in lieu of the provision of land for open space in terms of Section 98(2) of the Ordinance, 1986 read with Regulation 44(1) of the Town-planning and Townships Regulations an endowment amount to the City of Tshwane.
- 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).
- 1.18 **LAND TO BE TRANSFERRED TO THE RESIDENT ASSOCIATION OR OTHER ENTITY TO BE ESTABLISHED**
- Erf 324 shall be transferred to the Resident Association or other entity to be established within a period of 6 months after proclamation of the township or when the first erven in the township becomes transferable which ever the sooner, by and at the expense of the township owner.
- A servitude for access and municipal services shall be registered over Erf 324 in favour of the Municipality and Erven 312, 313, 314, 315, 316, 318 and 319.
- The erf may not be transferred thereafter by the Residents Association or other entity to be established before the consent of the City of Tshwane first been obtained.
- 1.19 **CONSOLIDATION OF ERVEN**
- The township owner shall, at its own costs, after proclamation of the township but prior to the development of any erf/unit in the township, consolidate Erven 312, 313, 314, 315, 316, 318, 319 and Erven 321, 322, 323 in the township to the satisfaction of the Municipality.

The Municipality hereby grants approval for the consolidation of Erven 312, 313, 314, 315, 316, 318, 319 and Erven 321, 322, 323 in terms of section 16(12)(d) of By-law read with section 15(6) of the By-law, which consolidation approval shall only come into operation on proclamation of the township and subject to the section 16(10) certification purposes of the consolidation in terms of the By-law by the City of Tshwane.

The Township Owner shall simultaneously with an application for a Section 82 certificate for the registration of erven in the township in terms of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), apply for certification in terms of section 16(10) of the By-law for the purpose of the consolidation.

There are no engineering conditions in relation to the section 16(10) certification for the purpose of the consolidation of Erven 312, 313, 314, 315, 316, 318, 319 and Erven 321, 322, 323 in terms of the By-law. The Township Owner shall comply with the conditions in relation to the all the erven in the township with a Section 82 certification in terms of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

1.20 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTION REGARDING THE TRANSFER 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 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.

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

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of section 82 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) must be lodged with the first transfer.

The township owner shall install and provide internal engineering services in the township as provided for in the services agreement.

The services agreement shall determine which external engineering services for the township shall be install and provided by the Local Authority.

A detailed Construction or Phase 2 Geotechnical Report, which must include the mapping details of the trenches and the revised geotechnical map, confirming the soil conditions on site and the positioning of structures and wet services. A table indicating the stand sizes and geotechnical soil class for each stand within the township must be included. Certification on the method of backfilling of the trenches must also be included.

2.2 RESTRICTIONS ON THE TRANSFER AND REGISTRATION OF ERVEN/ LAND:

In terms of section 82(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no Erf or Erven in the township may be transferred, until the City of Tshwane Municipality has certified that the township owner has complied with his obligations as contained in section 82 and the conditions of establishment have been complied with.

In terms of section 98(2) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) as a condition of approval of township establishment, the registration of a Certificate of Registered Title, the opening of a Sectional Title Scheme or registration or transfer of a sectional title unit, resulting from the approval of this township may be not be performed unless the Local Authority certifies that all the requirements and conditions for the registration thereof, have been complied with read with section 53 of the Spatial Planning and Land Use Management Act, 16 of 2013 where applicable.

2.3 THE DEVELOPER'S OBLIGATIONS

2.3.1 CONSTITUTION

The developer must at his own cost establish a Residents Association or other entity. All the owners of erven and/or units in the township must become members of the Residents Association or other entity. A copy of the signed Constitution must be submitted to the City of Tshwane.

The Constitution must clearly state that the main objective of the Residents Association or other entity is the maintenance of the Residents Association or other entity's property and the internal engineering services of the development (i.e. water, sewerage, electricity, roads and stormwater). The developer is deemed to be a member of the Residents Association or other entity, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

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 detail design engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

The detail design drawings will only be evaluated after the required Services Reports has been approved.

The Developer must obtain a way-leave from the Municipality prior to commencement of construction work, if such work will be done on Municipal property.

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 sewers, 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 sewers. 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, 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 Including the following which affect all the erven in the township:

The former South Eastern Portion (known as Portion 1) of the aforesaid farm, (whereof the property hereby registered forms a part) is specially subject to the following:

“Met recht tot en onderworpen aan het volgende servituut betrekkelijk water te weten: De eigenaar van dit Zuid Oostelyke gedeelte en de eigenaar van het restant van de gezegde plaats, groot als zoodanig 980,2195 hektaar, zoals gehouden by de Acte van Transport no 5016/1910, zal ieder gelyke recten hebben tot het water loopende in de waterloop of spruit dammen te leggen van wal tot wal en watervoren uit te halen op zyn gedeelte”

- 3.2 Excluding the following servitudes which do not affect the township due to locality:
- 3.2.1 ONDERWORPE aan die reg ten gunste van die elektrisiteitsvoorsieningskommissie verleen om elektrisiteit oor die bovermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes soos meer ten volle sal blyk uit Notariële Akte Nr 188/1950S die hartlyn van welke serwituut aangedui word deur die lyn a b c op die kaart Nr A5538/75 geheg aan Akte van Transport T2924/1976 gedateer 29 Januarie 1976. Kragtens Notariële Akte Nr 468/1960S, gedateer 16 Oktober 1959, en geregistreer op 16 Mei 1960, is die bepalinge van bovermelde Notariële Akte van Serwituut Nr 188/1950S gewysig soos meer ten volle sal blyk uit gesegde Notariële Akte.
- 3.2.2 ONDERWORPE aan die reg ten gunste van die Elektrisiteitsvoorsieningskommissie verleen om elektrisiteit oor die bovermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes soos meer ten volle sal blyk uit Notariële Akte No 467/1960S die middellyn van welke serwituut aangedui word deur die lyn d e op die Kaart Nr A5538/75S.
- 3.2.3 ONDERWORPE aan die reg ten gunste van die Elektrisiteitsvoorsieningskommissie verleen om elektrisiteit oor die bovermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes soos meer ten volle sal blyk uit Notariële Akte No 546/1972S geregistreer op 24 April 1972, aangedui deur figure S S2 op Kaart LG No A5538/1975 geheg aan Akte van Transport T2924/1976 gedateer 29 Januarie 1976 en soos volg gewysig deur Akte van Wysiging van Serwituut Nr K3140/78S geregistreer op 21 Desember 1978 die hartlyn van welke Serwituut aangedui word deur die lyn G B H en J E K op Serwituutkaart LG Nr A326/78 geheg aan gesegde Akte van wysiging van Serwituut Nr K3140/78S geregistreer op 21 Desember 1978.
- 3.3 Excluding the following servitude which affects ERVEN 316, 317, 318, 320 and IMPALA STREET only:
- Subject to a servitude for municipal services, indicated by the figure ABCDEFGH abcdefghA on diagram SG No 2017/2017, registered in favour of the City of Tshwane, as will more fully appear from Notarial Deed of Servitude K1410/2022S.
- 3.4 Excluding the following servitudes which affects ERVEN 320 to 323 only;
- 3.4.1 Subject to a servitude 3m wide for municipal services in favour of the City of Tshwane, indicated by the figure ABCDEFGHJKLMA on diagram SG No 49/2022 as will more fully appear from Notarial Deed of Servitude K1411/2022S.
- 3.4.2 Subject to a right of way and municipal services servitude in favour of the City of Tshwane, indicated by the figure ABCDEFGHJKLMNPQRSTUVWA on diagram SG No 45/2022, as will more fully appear from Notarial Deed of Servitude K1412/2022S.
- 3.5 Excluding the following servitude which affects Erf 318 only;
- Subject to a 3m wide stormwater servitude in favour of City of Tshwane, indicated by the figure ABCDEFA on diagram SG No 48/2022, as will more fully appear from Notarial Deed of Servitude K1413/2022S.
- 3.6 Excluding the following servitude which affects Erf 313 only;
- Subject to a right of way and municipal services servitude in favour of City of Tshwane, indicated by the figure ABCDA on diagram SG No 46/2022, as will more fully appear from Notarial Deed of Servitude K1412/2022S.
- 3.7 Excluding the following servitude which affects Erf 319 only;
- Subject to a right of way and municipal services servitude in favour of City of Tshwane, indicated by the figure ABCDA on diagram SG No 47/2022, as will more fully appear from Notarial Deed of Servitude K1412/2022S.
- 3.8 Excluding the following servitude which affects Erven 316 to 318 only;
- Subject to a 5m wide municipal services servitude in favour of City of Tshwane, indicated by the figure ABCDEFGHJA on diagram SG No 43/2022, as will more fully appear from Notarial Deed of Servitude K1411/2022S.
- 3.9 Excluding the following servitude which affects Erf 317 only;
- Subject to a 3m wide municipal services servitude in favour of City of Tshwane, indicated by the figure ABCDA on diagram SG No 44/2022, as will more fully appear from Notarial Deed of Servitude K1411/2022S.

- 3.10 Excluding the following condition which do affect the township, but will not be brought forward to the erven in the township.

Die binnegemelde eiendom is onderworpe aan die volgende voorwaarde opgelê deur die Minister kragtens sy toestemming Nr 4267 gedateer 14 Oktober 1974, naamlik:

- 3.10.1 Behalwe met die skriftelike goedkeuring van die Minister van Landbou mag die eiendom slegs vir doeleindes van 'n dorp gebruik word;
- 3.10.2 Tensy die skriftelike toestemming van die Administrateur verkry is mag-
- 3.10.2.1 Nie meer as een woonhuis opgerig word nie; en
- 3.10.2.2 Die grond net vir woon of landbou doeleindes gebruik word, welke toestemming geliaseer is by K212/1976S gedateer 29 Januarie 1976.

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, 2m 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 2m from it.

4.1.1.3 The City of Tshwane 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 City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

4.1.2 ERVEN 320, 321, 322 AND 323

4.1.2.1 The erven shall be subject to a municipal services servitude 3m wide along the south-eastern boundary of these erven in favour of the City of Tshwane, as indicated on General Plan SG No 2020/2017.

4.1.2.2 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 2m thereof.

4.1.2.3 The City of Tshwane 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 essential, and furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

4.1.3 ERF 324

The entire erf as indicated on General Plan SG No 2020/2017 is subject to a servitude for municipal purposes and right of way in favour of the City of Tshwane.

4.1.4 ERF 324

The entire erf as indicated on General Plan SG No 2020/2017 is subject to a servitude of right of way in favour of Erven 312 to 319.

4.1.5 ERF 312 TO 319

The erven as indicated on General Plan SG No 2020/2017 are entitled to a servitude of right of way over the entire Erf 324.

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 312 TO 319

4.2.1.1 Every owner of the Unit or any interest therein shall automatically become a Member of the Greenkloof Residents Association on date of transfer, and shall be subject to the Constitution of the Association, and all rules and guidelines issued in terms thereof until such owner ceases to be an owner.

4.2.1.2 The Unit shall not be transferred without the prior written consent of the Association, which consent shall be evidenced by a clearance certificate issued by the Association stating that –

4.2.1.2.1 the owner of the Unit has discharged all of its financial obligations to the Association in respect of the period up to and including the date specified in such certificate and the transfer takes place prior to or on the date specified in such certificate;

4.2.1.2.2 the owner of the Unit has complied with all of its obligations to the Association in terms of the Constitution of the Association and any rules and guidelines issued and resolutions passed by the Members and the trustees of the Association in terms of the Constitution of the Association; and

4.2.1.2.3 the Association consents to the transfer of the Unit.

4.2.2 ERVEN 313, 319, 320 AND 322

The erven are subject to a servitude for a mini sub-station in favour of Eskom as indicated on General Plan SG No 2020/2017.

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