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829678

Prepared by me,

CONVEYANCER  
M.A. BOAG

STANDARD
EXEMPT
CS

OPERATOR DATA CAPTURE
OPERATOR
6.10.99

T 101317/99

**DEED OF TRANSFER**

By virtue of Section 31 of the Deeds

Registries Act No. 47 of 1937

BE IT HEREBY MADE KNOWN

THAT WHEREAS the undermentioned land has been expropriated by The Blaauwberg Municipality in terms of Ordinance 20 of 1974, as amended, read with the Expropriation Act 63 of 1975, which land is presently registered in the Deeds Registry at Cape Town in the name of

**THE MILNERTON ESTATES LIMITED**  
(Cape Co. No. 04/00196/06)

VIR VERDERE ENDOSEMMENTE SITTENLYSY  
FOR FURTHER ENDORSEMENT SEE PAGE

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(17)

PAR 2018 10, 12-15

T 101312/97

10, 12-15

## Endorsement

By virtue of Notarial Agreement No  
K 000000387/2018<sup>(25)</sup>S, dated 14<sup>th</sup> June 2016, the  
within mentioned property has been declared a  
Nature Reserve in terms of section 23(3) of The  
National Environment Management: Protected  
Areas Act No 57/2003, with ancillary rights.


As will more fully appear from said Notarial  
Deed.

08 MAY 2018

08 MAY 2018

Deeds Registry

Cape Town



Registrar of Deeds

UNDER Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17), Deed of Grant dated 18th August 1906 (Cape Quitrents Volume 42, No. 13), Deeds of Transfer No's T8316/1972 and T39849/1973, Deed of Transfer No. T885/1973.

AND WHEREAS a Certificate has been furnished to me in terms of Section 31(4)(a) of Act No. 47 of 1937 by The Blaauwberg Municipality to the effect that the provisions of any law in connection with the change of ownership of the undermentioned land in consequence of the aforesaid expropriation have been complied with:

NOW THEREFORE by virtue of the authority vested in me by the said Act, I, the Registrar of Deeds at Cape Town, do by these presents cede and transfer in full and free property to and in favour of

**THE BLAAUWBERG MUNICIPALITY**

or its Assigns,

1. ERF 22981, PORTION OF ERF 3 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 1 447 (One Thousand Four Hundred and Forty Seven) Square Metres

AS WILL APPEAR from Diagram SG No. 8414/93

HELD BY Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17)

A. SUBJECT to the conditions referred to in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17)

B. SUBJECT FURTHER to the condition contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"The Land thus granted being further subject to all such duties and Regulations as either are already, or shall in future be, established respecting Lands granted on similar tenure."

C. SUBJECT FURTHER to the terms of the endorsement dated 3rd September 1985 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

**REMAINDER**

By Deed of Transfer T32436/85 the remainder of the within property, held hereunder is subject to the following conditions imposed by the Administrator in terms of Section 9 of Ordinance No. 33 of 1934 when approving the subdivision of Erf 3 Milnerton:

1. The owner of this erf shall without compensation, be obliged to allow gas mains, electricity, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, and surface installations, meter kiosks and service pillars to be installed thereon if deemed necessary by the Local Authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."

D. NOT SUBJECT to the terms of the servitude endorsement dated 15 June 1936 and the servitude endorsement dated 9 October 1924 on Deed of Grant Cape Quitrents Volume 38 Folio 17 dated 3 September 1898 by reason of situation.

2. ERF 22982, PORTION OF ERF 3 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 3 112 (Three Thousand One Hundred and Twelve) Square Metres

AS WILL APPEAR from Diagram SG No. 8415/93

HELD BY Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17)

A. SUBJECT to the conditions referred to in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17)

B. SUBJECT FURTHER to the condition contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"The Land thus granted being further subject to all such duties and Regulations as either are already, or shall in future be, established respecting Lands granted on similar tenure."

C. SUBJECT FURTHER to the terms of the endorsement dated 3rd September 1985 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

"REMAINDER

By Deed of Transfer T32436/85 the remainder of the within property, held hereunder is subject to the following conditions imposed by the Administrator in terms of Section 9 of Ordinance No. 33 of 1934 when approving the subdivision of Erf 3 Milnerton:

1. The owner of this erf shall without compensation, be obliged to allow gas mains, electricity-, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, and surface installations, meter kiosks and service pillars to be installed thereon if deemed necessary by the Local Authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.

2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."

D. NOT SUBJECT to the terms of the servitude endorsement dated 15 June 1936 and the servitude endorsement dated 9 October 1924 on Deed of Grant Cape Quitrents Volume 38 Folio 17 dated 3 September 1898 by reason of situation.

3. ERF 22983, PORTION OF ERF 3 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 1 885 (One Thousand Eight Hundred and Eighty Five) Square Metres

AS WILL APPEAR from Diagram SG No. 8416/93

HELD BY Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17)

A. SUBJECT to the conditions referred to in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17)

B. SUBJECT FURTHER to the condition contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"The Land thus granted being further subject to all such duties and Regulations as either are already, or shall in future be, established respecting Lands granted on similar tenure."

C. SUBJECT FURTHER to the terms of the endorsement dated 6th June 1966 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17), reading as follows:-

"By Notarial Deed No. 382/1966 dated 12th April 1966 the Remainder of Erf 3 Milnerton measuring 7 morgen held hereby is subject to a servitude of pipe line 30 feet wide in favour of the Remainder of Potsdam Railway Reserve measuring 211,3713 morgen held by Grant 31/1964 as shown by

- (i) figure NBCDP Eastern Bank of Diep River on Servitude diagram 5714/1965
- (ii) figure XWZf Eastern Bank of Diep River on Servitude diagram 5715/1965,

which servitude includes the right to lay down, inspect, maintain and renew piping and free access for such purposes.

Subject to conditions as are more fully set out in the said notarial deed with the said servitude diagram thereunto annexed.

(The figure xFG on said Diagram SG No. 8416/93 represents the above servitude area)

D. SUBJECT FURTHER to the terms of the endorsement dated 3rd September 1985 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

**"REMAINDER**

By Deed of Transfer T32436/85 the remainder of the within property, held hereunder is subject to the following conditions imposed by the Administrator in terms of Section 9 of Ordinance No. 33 of 1934 when approving the subdivision of Erf 3 Milnerton:

1. The owner of this erf shall without compensation, be obliged to allow gas mains, electricity-, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, and surface installations, meter kiosks and service pillars to be installed thereon if deemed necessary by the Local Authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."

E. NOT SUBJECT to the terms of the servitude endorsement dated 15 June 1936 and the servitude endorsement dated 9 October 1924 on Deed of Grant Cape Quitrents Volume 38 Folio 17 dated 3 September 1898 by reason of situation.

C

4. ERF 22984, PORTION OF ERF 3 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 1 140 (One Thousand One Hundred and Forty) Square Metres

AS WILL APPEAR from Diagram SG No. 8417/93

HELD BY Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17)

A. SUBJECT to the conditions referred to in Deed of Grant dated 3<sup>rd</sup> September 1898 (Cape Quitrents Volume 38, No. 17)

B. SUBJECT FURTHER to the condition contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"The Land thus granted being further subject to all such duties and Regulations as either are already, or shall in future be, established respecting Lands granted on similar tenure."

C. SUBJECT FURTHER to the terms of the endorsement dated 3rd September 1985 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

"REMAINDER

By Deed of Transfer T32436/85 the remainder of the within property, held hereunder is subject to the following conditions imposed by the Administrator in terms of Section 9 of Ordinance No. 33 of 1934 when approving the subdivision of Erf 3 Milnerton:

1. The owner of this erf shall without compensation, be obliged to allow gas mains, electricity-, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, and surface installations, meter kiosks and service pillars to be installed thereon if deemed necessary by the Local Authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.

2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."

D. NOT SUBJECT to the terms of the servitude endorsement dated 15 June 1936 and the servitude endorsement dated 9 October 1924 on Deed of Grant Cape Quitrents Volume 38 Folio 17 dated 3 September 1898 by reason of situation.

5. ERF 22985, PORTION OF ERF 3 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 41,6013 (Forty One Comma Six Nought One Three) Hectares

AS WILL APPEAR from Diagram SG No. 8418/93

HELD BY Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17)

A. SUBJECT to the conditions referred to in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17)

B. SUBJECT FURTHER to the condition contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"The Land thus granted being further subject to all such duties and Regulations as either are already, or shall in future be, established respecting Lands granted on similar tenure."

C. SUBJECT FURTHER to the terms of the endorsement dated 28th April 1971 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

"By Not. Deed No. 160/1971 dd 2-12-1970 the Rem. of Erf 3 Milnerton held hereunder, is subject to a servitude of pipeline within a Servitude area 4,72 m wide, the South-Eastern and South-Western boundaries of which are represented by the lines A B b and C D E F G H J K L M N on servitude diagram 8349/68 annexed thereto in favour of

- (a) Erf 6139 Milnerton, meas. 2,1414 ha,
- (b) Erf 6138 Milnerton, meas. 17,2845 ha,
- (c) Erf 6142 Milnerton, meas. 12,3740 ha, and
- (d) Rem of Erf 6135 Milnerton, meas. 11,2507 ha,

held under T2987/1965.

with ancillary rights and subject to conditions as will more fully appear from the said Not. Deed."

(The line xyz on aforesaid Diagram SG No. 8418/93 represents the southern boundary of a pipeline servitude 4,72 metres wide)

D. SUBJECT FURTHER to the terms of the endorsement dated 3rd September 1985 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

"REMAINDER

By Deed of Transfer T32436/85 the remainder of the within property, held hereunder is subject to the following conditions imposed by the Administrator in terms of Section 9 of Ordinance No. 33 of 1934 when approving the subdivision of Erf 3 Milnerton:

1. The owner of this erf shall without compensation, be obliged to allow gas mains, electricity-, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, and surface installations, meter kiosks and service pillars to be installed thereon if deemed necessary by the Local Authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."

E. NOT SUBJECT to the terms of the servitude endorsement dated 15 June 1936 and the servitude endorsement dated 9 October 1924 on Deed of Grant Cape Quitrents Volume 38 Folio 17 dated 3 September 1898 by reason of situation.

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6.

ERF 22986, PORTION OF ERF 2 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 25,8196 (Twenty Five Comma Eight One Nine Six) Hectares

AS WILL APPEAR from Diagram SG No. 8419/93

HELD BY Deed of Grant dated 18th August 1906 (Cape Quitrents Volume 42, No. 13)

A. SUBJECT to the following conditions contained in Deed of Grant, Cape Quitrents Volume 42 Folio 13 dated 18 August 1906, reading as follows:-

- I. That all roads and thoroughfares being or existing on the said land, described in the plan or diagram of the same, shall remain free and uninterrupted, unless the same be closed or altered by competent authority.
- II. That if at any time it should appear to the Governor upon petition of any adjacent or neighbouring proprietor that such adjacent or neighbouring proprietor requires a way or road of necessity, to or from the land of such adjacent or neighbouring proprietor, the owner of the land hereby granted shall be bound to grant such way or road of necessity, and to point out the direction and width thereof: Provided that in the case of a dispute or difference regarding such road, or its sufficiency, the direction and width of the road shall be decided upon by the Divisional Council of the Division in which the land is situated, Provided further, that the said owner shall not be bound to allow such road or thoroughfare across the land which shall at the time be in a state of cultivation or improvement and that compensation for the right of way and any damage done shall be paid for by the person or persons for whose benefit and upon whose application the said road is made according to determination by arbitration.
- III. That the Governor shall at all times have the right to make roads, railways, dams, aqueducts, drains and to conduct telegraphs over the said land for the benefit of the public and to take materials for these purposes, also to establish convenient outspans for the use of travellers, on payment to the proprietor of said sum of money as may be determined by arbitration: Provided that the arbitrators may set off against the loss or damage caused to the Proprietor, the benefit, instant or prospective, which he shall or may derive in consequence of the construction of any of the works.
- IV. That the Governor shall at all times have the right of resuming the whole or a portion of the said land if required for public purposes, on payment to the proprietor of such sum of money as may be mutually agreed upon by the parties concerned, or, failing such agreement, as may be determined by arbitration.
- V. That all rights to gold, silver and precious stones found or discovered at any time on or in the said land, shall be reserved to the Crown, together with a right of ingress to and egress from any mines or works undertaken for mining or prospecting purposes by any person or persons authorised by the Minister; but subject always to the provisions of any law for the time being regulating the prospecting and mining for precious stones and minerals."

B. SUBJECT FURTHER to the terms of the endorsement dated 6th June 1966 on said Deed of Grant dated 18th August 1906 (Cape Quitrents Volume 42, No. 13), reading as follows:-

"By Notarial Deed No. 382/1966 dated 12/4/1966 the Remainder of Erf 2 Milnerton measuring 33 morgen 4411 square feet held hereby is subject to a servitude of pipeline 30 feet wide in favour of the Remainder of Potsdam Railway Reserve measuring 211.3718 morgen held by Grant 31/1964 as shown by



- (a) figure AN Eastern Bank of Diep River PEFG inner edge of Diep River HJKLM on servitude diagram 5714/1965 annexed to the said Notarial Deed
- (b) figure abg Eastern Bank of Diep River f on servitude diagram 5715/1965 annexed to the said Notarial Deed,

which servitude includes the right to lay down, inspect, maintain and renew piping and free access for such purposes.

Subject to conditions as are more fully appear from the said notarial deed.

(The figure sf se Eastern Bank of Diep River QRS sg represents the servitude area referred to in (b) above)

- C SUBJECT FURTHER to the terms of the endorsement dated 6th June 1966 on said Deed of Grant dated 18th August 1906 (Cape Quitrents Volume 42, No. 13), reading as follows:-

"Remainder

Endorsement in terms of Section 13(3) of Act 28/1969 (National Monuments Act)

In terms of Section 10(1) of Act 28/1969, the Old Wooden Bridge situated on portion of the property has been proclaimed a monument by Proclamation No.1555/87 dated 17/7/1987 as published in Government Gazette No.10826/1987.

For further particulars refer to said proclamation from the Director N.M.C on File 24/4/6/16"

- 7. ERF 22987, PORTION OF ERF 3 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 31 (Thirty One) Square Metres

AS WILL APPEAR from Diagram SG No. 8420/93

HELD BY Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17)

- A. SUBJECT to the conditions referred to in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17)
- B. SUBJECT FURTHER to the condition contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"The Land thus granted being further subject to all such duties and Regulations as either are already, or shall in future be, established respecting Lands granted on similar tenure."

- C. SUBJECT FURTHER to the terms of the endorsement dated 3rd September 1985 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

"REMAINDER

By Deed of Transfer T32436/85 the remainder of the within property, held hereunder is subject to the following conditions imposed by the Administrator in terms of Section 9 of Ordinance No. 33 of 1934 when approving the subdivision of Erf 3 Milnerton:

1. The owner of this erf shall without compensation, be obliged to allow gas mains, electricity-, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, and surface installations, meter kiosks and service pillars to be installed thereon if deemed necessary by the Local Authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
  2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."
- D. NOT SUBJECT to the terms of the servitude endorsement dated 15 June 1936 and the servitude endorsement dated 9 October 1924 on Deed of Grant Cape Quitrents Volume 38 Folio 17 dated 3 September 1898 by reason of situation.

8. ERF 22988, PORTION OF ERF 3 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 1 479 (One Thousand Four Hundred and Seventy Nine) Square Metres

AS WILL APPEAR from Diagram SG No. 8421/93

HELD BY Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17)

- A. SUBJECT to the conditions referred to in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17)
- B. SUBJECT FURTHER to the condition contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"The Land thus granted being further subject to all such duties and Regulations as either are already, or shall in future be, established respecting Lands granted on similar tenure."

- C. SUBJECT FURTHER to the terms of the endorsement dated 3rd September 1985 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

"REMAINDER

By Deed of Transfer T32436/ε5 the remainder of the within property, held hereunder is subject to the following conditions imposed by the Administrator in terms of Section 9 of Ordinance No. 33 of 1934 when approving the subdivision of Erf 3 Milnerton:

1. The owner of this erf shall without compensation, be obliged to allow gas mains, electricity-, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, and surface installations, meter kiosks and service pillars to be installed thereon if deemed necessary by the Local Authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."

- D. NOT SUBJECT to the terms of the servitude endorsement dated 15 June 1936 and the servitude endorsement dated 9 October 1924 on Deed of Grant Cape Quitrents Volume 38 Folio 17 dated 3 September 1898 by reason of situation.

9.

ERF 22989, PORTION OF ERF 3 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 1 148 (One Thousand One Hundred and Forty Eight) Square Metres

AS WILL APPEAR from Diagram SG No. 8422/93

HELD BY Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17)

A. SUBJECT to the conditions referred to in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17)

B. SUBJECT FURTHER to the condition contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"The Land thus granted being further subject to all such duties and Regulations as either are already, or shall in future be, established respecting Lands granted on similar tenure."

C. SUBJECT FURTHER to the terms of the endorsement dated 3rd September 1985 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

"REMAINDER

By Deed of Transfer T32436/85 the remainder of the within property, held hereunder is subject to the following conditions imposed by the Administrator in terms of Section 9 of Ordinance No. 33 of 1934 when approving the subdivision of Erf 3 Milnerton:

1. The owner of this erf shall without compensation, be obliged to allow gas mains, electricity-, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or even to be conveyed across this erf, and surface installations, meter kiosks and service pillars to be installed thereon if deemed necessary by the Local Authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."

- D. NOT SUBJECT to the terms of the servitude endorsement dated 15 June 1936 and the servitude endorsement dated 9 October 1924 on Deed of Grant Cape Quitrents Volume 38 Folio 17 dated 3 September 1898 by reason of situation.

10.

ERF 22990, PORTION OF ERF 3 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 18,6245 (Eighteen Comma Six Two Four Five) Hectares

AS WILL APPEAR from Diagram SG No. 1905/94

HELD BY Deed of Grant dated 3rd September 1898 (Cape Quitrents Volume 38, No. 17)

A. SUBJECT to the conditions referred to in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17)

B. SUBJECT FURTHER to the condition contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"The Land thus granted being further subject to all such duties and Regulations as either are already, or shall in future be, established respecting Lands granted on similar tenure."

C. SUBJECT FURTHER to the endorsement dated 21st April 1961 contained in Deed of Grant dated 3 September 1898 (Cape Quitrents Volume 38, No. 17), which reads as follows:-

"By Notarial Deed No. 227/61 dated 1/7/58 the remainder of a piece of land called Jan Biesjes Kraal held hereunder is subject to a servitude of pipeline to be exercised within the servitude area 15 feet wide marked ABCDEFGHJYZ A1B1C1D1E1F1G1 on servitude diagram no 5074/57 annexed to the said Notarial Deed in favour of the Municipality of Milnerton, together with certain ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed."

(the figure CbBcd on said Diagram SG No. 1905/94 represents the servitude area for a pipeline referred to above)

D. SUBJECT FURTHER to the terms of the endorsement dated 28th April 1971 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

By Notarial Deed No. 160/1971 dated 2 December 1970 the remainder of Erf 3 Milnerton held hereunder is subject to a servitude of pipeline within a Servitude area 4,72 metres wide, the South Eastern and South Western boundaries of which are represented by the lines ABC and CDEFGHJKLMN on servitude diagram 8349/68 annexed thereto in favour of

- (a) Erf 6139 Milnerton, meas 2,1414 ha
- (b) Erf 6138 Milnerton, meas 17,2845 ha,
- (c) Erf 6142 Milnerton, meas 12,8740 ha. and

held under T2987 1965.

With ancillary rights and subject to conditions as will more fully appear from said Notarial Deed.

(the line HJ on said Diagram SG No. 1905/94 represents the south western boundary of a pipeline servitude 4,72 metres wide)

E. SUBJECT FURTHER to the terms of the endorsement dated 3rd September 1985 on said Deed of Grant dated 3rd September 1898 (Cape Quitrents Vol. 38, No. 17) reading as follows:-

"REMAINDER

By Deed of Transfer T32436/85 the remainder of the within property, held hereunder is subject to the following conditions imposed by the Administrator in terms of Section 9 of Ordinance No. 33 of 1934 when approving the subdivision of Erf 3 Milnerton:

1. The owner of this erf shall without compensation, be obliged to allow gas mains, electricity-, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, and surface installations, meter kiosks and service pillars to be installed thereon if deemed necessary by the Local Authority in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.

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2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the Local Authority."

F. NOT SUBJECT to the terms of the servitude endorsement dated 15 June 1936 and the servitude endorsement dated 9 October 1924 on Deed of Grant Cape Quitrents Volume 38 Folio 17 dated 3 September 1898 by reason of situation.

11. ERF 22991, PORTION OF ERF 2273 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 17,0160 (Seventeen Comma Nought One Six Nought) Hectares

AS WILL APPEAR from Diagram SG No. 1906/94

HELD BY Deeds of Transfer No's T8316/1972 and T39849/1973.

I. INsofar as concerns the figure E edge of vlei z a edge of vlei D on said Diagram SG No. 1906/94

A. SUBJECT to the conditions contained in Deed of Grant issued under Act No. 15 of 1887 and Act No. 40 of 1895 on the 4th June 1920 (Cape Freeholds Volume 30 No. 23) Nos. V, VI, and VIII of which read as follows:-

"V. That all right to minerals, mineral products, mineral oils and precious stones, precious or base metals on or under the land hereby granted are expressly reserved to the State together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorised in that behalf. The land is subject to such further rights as the public or the Government now may or may hereafter have or be entitled to obtain under or by virtue of any law relating to the prospecting, digging, mining or exploitation of minerals, mineral products, mineral oils, precious stones, precious or base metals, on or under the land hereby granted, which rights shall not be impaired or in any affected by the Title Deed

VI. That, with a view to the prevention of and the arresting of existing drift sands the grantee or future registered owners shall plant on the land hereby granted such trees, grasses or other sand binding vegetation as may be stipulated by the Department of Forests. The trees, grasses or other sand-binding vegetation shall be planted within such period as may be fixed by the aforesaid Department.

VII. That the land hereby granted shall be subject to all such servitude or claims which now exist or may hereafter be established against the land, and that the grantee and all future registered owners shall hold the Government harmless against all claims arising as a result of the sale of the land."

C. SUBJECT FURTHER To the terms of a servitude endorsement dated 28th April 1971 on Certificate of Consolidated Title No. T17121 dated 23rd August 1966 reading as follows:-

"By Not. Deed No. 160/1971 dat. 2-12-1970 Erf 2273 Milnerton, meas 417,8078 ha, held hereunder is subject to a servitude of pipeline within a servitude area 4,72m wide, the South-Eastern boundary of which is represented by the lines b.c. on Serv. diagram 8349/68 annexed thereto in favour of:

- (a) Erf 6139 Milnerton, meas. 2,1414 ha;
- (b) Erf 6138 Milnerton, meas. 17,2845 ha;
- (c) Erf 6142 Milnerton, meas. 12,8740 ha; and
- (d) Rem of Erf 6135 Milnerton, meas. 11,2507 ha, held under T2987/1965.

With ancillary rights and subject to conditions as will more fully appear from said Not. Deed".

(the line xy on Diagram SG No. 1906/94 represents the South-Eastern boundary of a pipeline servitude 4,72 metres wide)

- II. INSOFAR as concerns the figure ABz edge of vlei EF on said Diagram SG No. 1906/94  
SUBJECT to the conditions referred to in Deed of Transfer No. T372 dated 24th April 1890.

12.

ERF 22992, PORTION OF ERF 2273 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 217,1764 (Two Hundred and Seventeen Comma One Seven Six Four) Hectares

AS WILL APPEAR from Diagram SG No. 1907/94

HELD BY Deeds of Transfer No's T8316/1972 and T39849/1973

- I. INSOFAR as concerns the figure A edge of vlei aJKLMN edge of vlei bz edge of vlei y E1

- A. SUBJECT to the conditions contained in Deed of Grant issued under Act No. 15 of 1887 and Act No. 40 of 1895 on the 4th June 1920 (Cape Freeholds Volume 30 No. 23) Nos. V, VI, and VIII of which read as follows:-

"V. That all right to minerals, mineral products, mineral oils and precious stones, precious or base metals on or under the land hereby granted are expressly reserved to the State together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorised in that behalf. The land is subject to such further rights as the public or the Government now may or may hereafter have or be entitled to obtain under or by virtue of any law relating to the prospecting, digging, mining or exploitation of minerals, mineral products, mineral oils, precious stones, precious or base metals, on or under the land hereby granted, which rights shall not be impaired or in any affected by the Title Deed

VI. That, with a view to the prevention of and the arresting of existing drift sands the grantee or future registered owners shall plant on the land hereby granted such trees, grasses or other sand binding vegetation as may be stipulated by the Department of Forests. The trees, grasses or other sand-binding vegetation shall be planted within such period as may be fixed by the aforesaid Department.

VII. That the land hereby granted shall be subject to all such servitude or claims which now exist or may hereafter be established against the land, and that the grantee and all future registered owners shall hold the Government harmless against all claims arising as a result of the sale of the land."

- II. INSOFAR as concerns the figure y edge of vlei zQRSTUWXYZA1B1C1D1y on said Diagram SG No. 1907/94

SUBJECT to the conditions referred to in Deed of Transfer No. T372 dated 24th April 1890.

f

13.

ERF 22993, PORTION OF ERF 9368 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 11,3974 (Eleven Comma Three Nine Seven Four) Hectares

AS WILL APPEAR from Diagram SG No. 1908/94

HELD BY Deed of Transfer No. T885/1973

- A. SUBJECT to such conditions as are referred to in Deed of Transfer No. T11382/1960.
- B. SUBJECT FURTHER to the Rights referred to in the endorsement dated 23rd November 1964 on the said Deed of Transfer No. T11382/1960, which reads as follows:-

"By Notarial Deed No. 580/64 dated 27/10/1964, the Remainder of Rietvallei A held hereunder meas. 272,9015 Hectares is subject to, in favour of the Municipality of Milnerton, a Servitude area meas. 1,9783 Hectares which Servitude area is represented by the figure ABCDEFGHIJKLMNOPQRSTU 36,58 metres above High Water Mark A on Servitude Diagram No. 10491/56 annexed to said Notarial Deed together with ancillary rights.

As will more fully appear from the said Not. Deed."

(the figure abcdefgh on Diagram SG No.1908/94 represents the above servitude area)

14.

ERF 22994, PORTION OF ERF 9368 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 21,9289 (Twenty One Comma Nine Two Eight Nine) Hectares

AS WILL APPEAR from Diagram SG No. 1909/94

HELD BY Deed of Transfer No. T885/1973

SUBJECT to such conditions as are referred to in Deed of Transfer No. T11382/1960.

15.

ERF 22274, PORTION OF ERF 9367 MILNERTON, situate in the Blaauwberg Municipality, CAPE DIVISION, WESTERN CAPE PROVINCE;

IN EXTENT : 3,0969 (Three Comma Nought Nine Six Nine) Hectares

AS WILL APPEAR from Diagram SG No. 5230/1996

HELD BY Deed of Transfer No. T885/73

- A. SUBJECT to such conditions as are referred to in Deed of Transfer No. T11382/1960.
- B. SUBJECT FURTHER to the Rights referred to in the endorsement dated 23rd November 1964 on the said Deed of Transfer No. T11382/1960, which reads as follows:-

"By Notarial Deed No. 580/64 dated 27/10/1964, the Remainder of Rietvallei A held hereunder meas. 272,9015 Hectares is subject to, in favour of the Municipality of Milnerton, a Servitude area meas. 1,9783 Hectares which Servitude area is represented by the figure ABCDEFGHIJKLMNOPQRSTU 36,58 metres above High Water Mark A on Servitude Diagram No. 10491/56 annexed to said Notarial Deed together with ancillary rights.

As will more fully appear from the said Not. Deed."

(the figure wxyz on Diagram SG No.5230/1996 represents the above servitude area)

C. SUBJECT FURTHER to the Rights referred to in the endorsement dated 2nd May 1967 on the said Deed of Transfer No. T11382/60 which reads as follows:-

REMAINDER:

"By Notarial Deed No. 183/67 dated 16/3/1967, the remaining extent of the farm "Rietvallei A" meas. 272,9015 Hectares, held hereunder is subject to a Servitude area in favour of the Potsdam Railway Reserve (meas 181,0468 Hectares) held under Deed of Grant No. 31 dated 10/3/1964 by Caltex Oil (S.A.) Ltd., meas. 240 square metres and marked ABCDE on Servitude Diagram No. 1592/66 annexed to said Not. Deed, with ancillary rights and subject to conditions.

As will more fully appear from the said Not. Deed."

(the figure stuvK on Diagram SG No.5230/1996 represents the above servitude area)

WHEREFORE the said **Milnerton Estates Limited** are hereby entirely dispossessed of and disentitled to the said land and that by virtue of the same presents the said Blaauwberg Municipality or its assigns now is and henceforth shall be entitled thereto conformably to local custom, the State however reserving its rights.

IN WITNESS WHEREOF I, the said Registrar, have subscribed to these presents and have caused the Seal of Office to be affixed thereto. *y*

*December* **THUS DONE** and executed at the Office of the Registrar of Deeds at Cape Town on the *17<sup>th</sup>* day of Nineteen Ninety Nine (1999).

  
Registrar of Deeds



W000003644 / 2015

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101317  
1103171 (1999)

Certified a true copy of the duplicate original filed of record in this Registry, issued to serve in place of the original thereof under the provisions of Deeds Regulation No. 68 (1)

Deeds Registry  
Cape Town

② *[Signature]*  
13 MAY 2015 Asst. Registrar of Deeds

Proc Notice 106

ARTIKEL 16 VAN WET 47 VAN 1937 GETRANSPORTEER AAN DIE REPUBLIEK VAN SUID-AFRIKA <i>City of Cape Town</i>	SECTION 16 OF ACT 47 OF 1937 TRANSFERRED TO THE REPUBLIC OF SOUTH AFRICA <i>Bloubaanburg Municipality</i>
T 000024184 / 2015 13 MAY 2015	<i>[Signature]</i> REGISTRATEUR/REGISTRAR

Para 1 - 9 and 11

SERTIFIKAT VAN VERVOLGDE TITEL  
CERTIFICATE OF CONSOLIDATED TITLE ISSUED

NOU EREKENS AS  
NOW KNOWN AS  
= 8519208

REF 301 20315 Milnerton  
Ha

000020330 / 2018  
08 MAY 2018

*[Signature]*  
REGISTRATEUR/REGISTRAR

VIR ENDOSEMENTE SIE BLANSY  
FOR ENDORSEMENTS SEE PAGE 17

Para 3 Conditions C

GEWYSIG KRAGTENS ART. 4 (1) VAN WET 47 VAN 1937 OM TE LEES:  
(9) Or ACT 47 OF 1937 TO READ:

omitting words "measuring morgen"

BC000017539 / 2018  
08 MAY 2018

*[Signature]*  
REGISTRATEUR/REGISTRAR