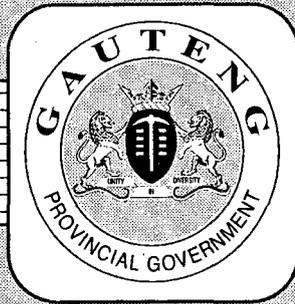


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

**Provincial Gazette Extraordinary  
Buitengewone Provinsiale Koerant**

Selling price • Verkoopprys: **R2,50**  
Other countries • Buitelands: **R3,25**

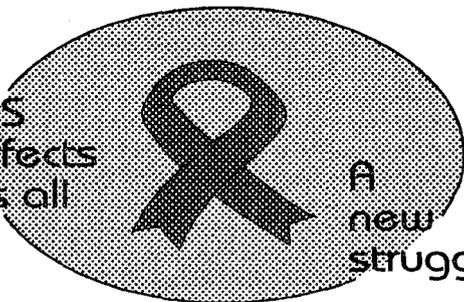
**Vol. 10**

**PRETORIA, 19 OCTOBER  
OKTOBER 2004**

**No. 440**

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH



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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 2244

#### CITY OF JOHANNESBURG AMENDMENT SCHEME 11/2810

The Council hereby in terms of provisions of Section 125 of the Town-planning and Townships Ordinance, 1986, declares that it has approved the amendment scheme, being an amendment of the Modderfontein Town-planning Scheme 1994, comprising the same land, as included in the Township of **GREENSTONE HILL EXTENSION 8**

Map 3, Annexure and scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning, Transportation and Environment: City of Johannesburg and are open for inspection at all reasonable times.

The amendment scheme is known as Modderfontein Amendment Scheme 11/2810

**Executive Director: Development Planning  
Transportation and Environment**  
Notice No. 980

### PLAASLIKE BESTUURSKENNISGEWING 2244

#### STAD VAN JOHANNESBURG WYSIGINGSKEMA 11/2810

Die Stadraad verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema synde 'n wysiging van Modderfontein - dorpsbeplanningskema, 1994, wat uit dieselfde grond as die dorp **GREENSTONE HILL UITBREIDING 8** bestaan, goedgekeur het.

Kaart 3, Bylae en die skemaklousules van die wysigingskema word in bewaring gehou deur Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing, Stad van Johannesburg en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Modderfontein-wysigingskema 11/2810

**Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing**  
Notice No. 981

### LOCAL AUTHORITY NOTICE 2245

#### CITY OF JOHANNESBURG DECLARATION AS APPROVED TOWNSHIP

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) the CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY declares **GREENSTONE HILL EXTENSION 8** to be an approved township subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY SABLE HOMES (PROPRIETARY) LIMITED (HEREIN AFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE NO 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 103 OF THE FARM MODDERFONTEIN 35 IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.**

#### 1. CONDITIONS OF ESTABLISHMENT

1. **Name**  
The name of the township shall be **GREENSTONE HILL EXTENSION 8**

**2. Design**

The township shall consist of erven as indicated on **General Plan S.G. Diagram No. 1709/2004**

**3. Disposal of existing Conditions of Title**

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

(1) excluding the following conditions, which do not affect the township:

“(1) The former Remaining Extent of Portion 4 of the farm Modderfontein 35, Registration Division I.R., Province of Gauteng, indicated by the figure a1D'E'F'G' on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title T141630/1998 is subject to the following conditions:-

- (a) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for Railway Line over:-
- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
  - (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/ 1906 and 4441/1898; and
  - (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No. 1768/1890;

as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered on the 15<sup>th</sup> day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

- (b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G. No. A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-

- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.

- (ii) Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

- (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-

1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159, 9274 (One Hundred and fifty nine comma two seven four) Hectares;
2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;

As will more fully appear from reference to the said Notarial Deed.

- (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17, 7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-

- 1 Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 dated 19 December 1972; and

- 2 Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976;
- as will more fully appear from reference to the said Notarial Deed.

(vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., Measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G. No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

(2) The former Remaining Extent of the Farm Modderfontein 35, Registration Division I.R., Province of Guateng, indicated by the figure ABCDEFGHa2B'C'D'a1H'J' on diagram S.G.No.10830/1993 annexed to Certificate of Consolidated Title No.T141630/98 is subject to the following conditions:-

(a) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for a Railway Line over:-

- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
- (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/1906 and 4441/1898; and
- (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1768/1890;

as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

(b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G.No.A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-

- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
- (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
- (ii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
  1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
  2. Portion 1 of Portion C of the Farm Zuurfontein N. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;

as will more fully appear from reference to the said Notarial Deed.

- (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 to 222 of the Farm Zuurfontein No.33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
  2. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
- (C) (i) By Notarial Deed K1082/1977S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (ii) By Notarial Deed K1014/1982S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (iii) By Notarial Deed No.K872/85 the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.
- (iv) By virtue of Notarial Deed No. K970/91S servitude K1014/82S in favour of Eskom is cancelled only as it affects Remaining Extent of Portion 1 of the farm Klipfontein 12, I.R., Transvaal:-
1. The servitude is now registered over Remaining Extent of the farm Modderfontein No.35 and Remaining Extent of Portion 10 (a portion of portion 1) Klipfontein No. 12 I.R., Transvaal, as appears from the abovementioned Notarial Deed K970/91S.
  2. Routes have been determined over the above two properties as will more fully appear from the aforesaid Notarial Deed.
- (v) By Notarial Deed No. 343/40S a right has been granted to Victoria Falls and Transvaal Power Company Limited to convey electricity over the property together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed and diagram.
- (3.) The former Remaining Extent of Portion 2 of the Farm Modderfontein 35, Registration Division I.R. Province of Gauteng, indicated by the figure JKLMNPQRSTUVWXYZA'a2 on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title No.T141630/1998 is subject to the following conditions:-

- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
  - (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
    2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
  - (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portion 219 to 222 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portion 223 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
  - (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto:-
    1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
    2. Erf 1151 Esterpark Extension 1 Township, held under Certificate of Consolidated Title No.T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
  - (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purpose and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed." and
- (2) excluding the servitude in favour of the Rand Water Board vide SG Diagram No. 7048/1996 which affects Erf 115 only.

### 3. Endowment

The applicant shall make the necessary arrangements with the Council for the payment of an endowment in respect of the provision of land for the shortfall in providing suitable open space for parks in terms of the Town Planning and Townships Ordinance, 15 of 1986.

### 4. Formation and Duties of Section 21 Company or Similar Legal Entities

- (i) The applicant shall properly and legally constitute a Section 21 Company (the "Company") under Section 21 of the Companies Act 61 of 1973 to the satisfaction of the Council before the sale of the first erf (which Company shall not be de-registered without the consent of the Council).

- (ii) Erf 116 (access) and Erven 114 and 115 (private open space) shall be registered in the name of the Company and said access/park portions may not be sold or in any way disposed of without prior written consent of the Council.
- (iii) Each and every owner of Erven 18 to 113 and or portions thereof shall become a member of the Company upon transfer of the erf.
- (iv) The construction and maintenance of the road over Erf 116 and the development and maintenance of the private open spaces on Erven 114 and 115 shall be the responsibility of the applicant until that responsibility can be taken over by the Company.
- (v) The Council shall be indemnified from any responsibility for the cost of repairs to the access roadway in the event of it having to gain access or provide underground services in the future.
- (vi) The Company shall have full legal power to levy each and every member of the Company, the cost incurred in fulfilling its functions and shall have legal recourse to recover such fees in the event of a default in payments by any member.
- (vii) The Council shall not be liable for the malfunction of the surfacing of the access way and/or stormwater drainage system and/or essential services with the exception of the sewerage system.
- (viii) Access from Erven 18 to 113 to a public road, shall be via Erf 116.
- (ix) The Council shall have unrestricted access to Erf 166 at all times.

**5. Engineering Services**

The applicant shall, when it intends providing the required engineering services:

- (i) By agreement with the Council, classify every engineering services as internal and external engineering services in accordance with Chapter V of the Town Planning and Townships Ordinance, 1986.
- (ii) Install or provide water, electricity and sanitation as well as the construction of roads and stormwater drainage in the township to the satisfaction of the Council and, for this purpose, lodge reports, diagrams and specifications to the Council as required.

**6. Obligations with regard to services and restriction regarding the alienation or erven**

The Township owner shall within such period as the Council may determine, fulfill his 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 therefore, as previously agreed upon between the township owner and the Council. Erven may not be alienated or be transferred into the name of a purchaser prior to the Council 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 Council.

**7. Electricity**

The applicant shall make satisfactory arrangements with the City Power Johannesburg for the installation of electrical services in and for the township.

**8. Acceptance and Disposal of Stormwater**

The township owner shall make necessary arrangements with the Council for the preparation and submission for approval of a stormwater management plan, for acceptance and disposal thereof.

**9. Demolition of Buildings and Structures**

The township owner shall at its own expense cause all existing buildings and structures situated within the building reserves, or over common boundaries to be demolished to the satisfaction of the Council, when required by the Council to do so.

**10. Removal or Replacement of Services**

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing Municipal/Telkom/services, the cost thereof shall be borne by the township owner.

**11. Access**

No access to or egress from the township shall be permitted along the boundary thereof abutting on Provincial Road R25 (P91/1).

**2. CONDITIONS OF TITLE**

The erven mentioned hereunder shall be subject to the conditions imposed by the City of Johannesburg in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

- (1) **Erven 18 to 113**
- (a) Every owner of an Erf or any subdivision or consolidation thereof or any interest therein shall become and shall remain a member of the Section 21 Company, incorporated under Section 21 of Act 61 of 1973 (the "Company") and be subject to its memorandum and articles of association until he ceases to be an owner as aforesaid. The Erf shall not be transferred to any person who has not become a member of the Company.
  - (b) The owner of the Erf shall not be entitled to transfer the Erf without a clearance certificate from the Company that all amounts owing by such owner to the Company have been paid.
  - (c) All erven shall be subject to a servitude, 2m wide, in favour of the Council 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 Council : Provided that the Council may dispense with any such servitude.
  - (d) 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.
  - (e) The Council shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Council.
  - (f) Except with the written consent of the Council and subject to any conditions as it may impose, neither the owner nor any person shall sink any wells or boreholes on the Erf, or abstract any subterranean water there from.
- (2) **Erf 115**  
The Company shall be responsible for the development and maintenance of the erf and the maintenance of the security fence abutting on Provincial Road R25 (P91/1).
- (3) **Erf 116**  
The erf is completely subject to a servitude for municipal purposes and right of way in favour of the Council as indicated on the General Plan.
- (4) **Erf 116**  
The erf is subject to 2 sub-station servitudes for municipal purposes in favour of the Council as indicated on the General Plan.
- (5) **Erf 114**  
The Company shall be responsible for the development and maintenance of the Erf.
- (6) **Erven 70, 96, 107 and 112**  
The erven are subject to servitudes for municipal purposes 2 metres wide in favour of the Council, as indicated on the General Plan.
- (7) **Erven 51 and 52**  
The erven are subject to servitude for municipal purposes in favour of the Council as indicated on the General Plan.
- (8) **Erf 116**  
The erf is completely subject to servitude of right of way in favour of the Council as indicated on the General Plan.

**Executive Director: Development Planning  
Transportation and Environment**  
Notice No. 980.

**PLAASLIKE BESTUURSKENNISGEWING 2245****STAD VAN JOHANNESBURG  
VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) verklaar die STAD VAN JOHANNESBURG hierby die dorp **GREENSTONE HILL UITBREIDING 8** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

**VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR SABLE HOMES (PROPRIETARY) (LIMITED) (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 103 VAN DIE PLAAS MODDERFONTEIN 35 IR, PROVINSIE GAUTENG, TOEGESTAAN IS.**

**1. STIGTINGSVOORWAARDES****1. NAAM**

Die naam van die dorp is **GREENSTONE HILL UITBREIDING 8**

**2. ONTWERP**

Die dorp bestaan uit erwe soos aangedui op **Algemene Plan SG No. 1709/2004**

**3. BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

Alle erwe moet onderhewig gemaak word aan bestaande titelvoorwaardes en servitute, indien enige, maar

(1) uitgesluit die volgende voorwaardes, wat nie die dorp raak nie:

“(1) The former Remaining Extent of Portion 4 of the farm Modderfontein 35, Registration Division I.R., Province of Gauteng, indicated by the figure a1D'E'F'G' on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title T141630/1998 is subject to the following conditions:-

(a) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for Railway Line over:-

- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
- (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/ 1906 and 4441/1898; and
- (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No. 1768/1890;

as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered on the 15<sup>th</sup> day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

(b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G. No. A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-

- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
- (ii) Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
- (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
  - 1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159, 9274 (One Hundred and fifty nine comma two seven four) Hectares;

2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;  
As will more fully appear from reference to the said Notarial Deed.
- (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17, 7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
- 1 Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 dated 19 December 1972; and
  - 2 Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976;  
as will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., Measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G. No. A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
- (2) The former Remaining Extent of the Farm Modderfontein 35, Registration Division I.R., Province of Guateng, indicated by the figure ABCDEFGHa2B'C'D''a1H'J' on diagram S.G.No.10830/1993 annexed to Certificate of Consolidated Title No.T141630/98 is subject to the following conditions:-
- (b) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for a Railway Line over:-
- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
  - (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/1906 and 4441/1898; and
  - (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1768/1890;
- as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.
- (b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G.No.A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.

- (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
- (ii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
  2. Portion 1 of Portion C of the Farm Zuurfontein N. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
- as will more fully appear from reference to the said Notarial Deed.
- (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 to 222 of the Farm Zuurfontein No.33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
  2. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976;
- as will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
- (C) (i) By Notarial Deed K1082/1977S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (ii) By Notarial Deed K1014/1982S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (iii) By Notarial Deed No.K872/85 the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.
- (iv) By virtue of Notarial Deed No. K970/91S servitude K1014/82S in favour of Eskom is cancelled only as it affects Remaining Extent of Portion 1 of the farm Klipfontein12, I.R., Transvaal:-

1. The servitude is now registered over Remaining Extent of the farm Modderfontein No.35 and Remaining Extent of Portion 10 (a portion of portion 1) Klipfontein No. 12 I.R., Transvaal, as appears from the abovementioned Notarial Deed K970/91S.
  2. Routes have been determined over the above two properties as will more fully appear from the aforesaid Notarial Deed.
- (v) By Notarial Deed No. 343/40S a right has been granted to Victoria Falls and Transvaal Power Company Limited to convey electricity over the property together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed and diagram.
- (3.) The former Remaining Extent of Portion 2 of the Farm Modderfontein 35, Registration Division I.R. Province of Gauteng, indicated by the figure JKLMNPQRSTUVWXYZA'a2 on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title No.T141630/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
  - (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
    2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
  - (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portion 219 to 222 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portion 223 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
  - (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
    1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
    2. Erf 1151 Esterpark Extension 1 Township, held under Certificate of Consolidated Title No.T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
  - (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purpose and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed." and

- (2) uitgesluit die serwituut ten gunste van Rand Water Raad volgens SG Diagram No. 7048/1996 wat slegs Erf 115 raak.

**4. BEGIFTIGING**

Die dorpseienaar moet die nodige reelings met die Raad tref vir die betaling van begiftiging ten opsigte van die voorsiening van grond in die korting op die voorsiening van oopruimte vir parke in terme van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986.

**5. STIGTING EN VERPLIGTING VAN ARTIKEL 21 MAATSKAPPY OF SOORTGELYKE REGS ENTITEITE**

- (a) Die aansoekers moet wetlik en volgens voorskrif die Inwoners-vereniging tot goedkeuring van die Stadsraad saamstel, voor met die verkoop van die eerste erf in die dorp, (waarvan vereniging nie mag de-registreer sonder die toestemming van die Raad).
- (b) Erf 116 (Toegangs erf) en Erwe 114 en 115 (Privaat Oop Ruimte) sal in die naam van die Inwoners-Vereniging geregistreer word, waarvan die genoemde pad gedeelte/privaat oop ruimte nie mag verkoop of vervreem word, sonder vooraf geskrewe toestemming van die Raad.
- (c) Iedere en elke eienaar van Erwe 18 tot 113 sal 'n lid van die Inwoners-vereniging word met oordrag van die erf.
- (d) Die konstruksie en instandhouding van die pad oor Erf 116 en die ontwikkeling en instandhouding van die privaat oopruimte op Erwe 114 en 115 sal die verantwoordelikheid van die dorpseienaar wees tot die verantwoordelikheid oorgeneem kan word deur die Inwoners-vereniging.
- (e) Die Stadsraad sal vry gesprek word van enige verantwoordelikheid rakende die kostes vir die herstel van die toegangspad in die geval waar toegang of ondergrondse dienste in die toekoms voorsien moet word.
- (f) Die Inwoners-vereniging sal die wettige reg hê om die kostes aangegaan ter vervulling van sy doel van ieder en elke lid te hef en sal toegang he tot regshulp ter verhaling van sodanige fooi in die geval van die wanbetaling deur enige lid.
- (g) Die Stadsraad sal nie aanspreeklik wees vir die gebrekkigheid van die oppervlak van die toegangsweg en of die vloedwater dreineringsstelsel en of enige noodsaaklike dienste, met die uitsondering van die rioleringsstelsel.
- (h) Toegang van Erwe 18 tot 113 tot 'n openbare pad, sal oor die toegangserf 116 wees.
- (i) Die Raad sal onbeperkte toegang tot Erf 116 te alle tye, verkry.

**6. VOORSIENING EN INSTALLERING VAN DIENSTE**

Die dorpseienaar moet die nodige reelings met die Raad tref vir die voorsiening en instalering van water en sanitere dienste asook die konstruksie van strate en stormwaterdreinerings in die dorp, tot bevrediging van die Raad.

**7. VERPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE ASOOK DIE BEPERKING TEN OPSIGTE VAN VREEMING OF OORDRAGTE**

Die dorpseienaars sal, in terme van 'n vooraf gereelde ooreenkoms met die Raad, sy verpligtinge rakende tot die voorsiening van ingenieursdienste in en vir die dorp, in terme van Hoofstuk 5 van die Ordonnansie.

'n Bydrae tot die voorsiening van ingenieursdienste en begiftiging ten opsigte van parkegrond sal betaalbaar wees.

Geen erwe mag vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur bevestig het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die Stadsraad gelewer is nie.

**8. ELEKRISITEIT**

Die dorpseienaar moet die nodige reelings met City Power Johannesburg tref vir die instalering van elektriese dienste in en vir die dorp.

**9. ONTVANGS EN VERSORGING VAN STORMWATER**

Die dorpseienaar sal die nodige reelings tref vir die voorbereiding en indiening vir goedkeuring van 'n stormwater bestuursplan deur die Stadsraad, vir die ontvangs en versorging daarvan.

**10. SLOPING VAN GEBOUE EN STRUKTURE**

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

**11. VERSKUIWING OF DIE VERVANGING VAN MUNISIPALE DIENSTE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale/telkom dienste te verskuif of te vervang moet die koste daarvan deur die dorpseienaar gedra word.

**12. TOEGANG**

Geen ingang tot of uitgang uit die dorp word toegelaat langs die grens aangrensend aan Provinsiale Pad R25 (P91/1) nie.

**2. TITELVOORWAARDES**

Die erwe hieronder genoem sal onderworpe wees aan die voorwaardes soos aangedui, opgele deur die Raad ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

**(1) ERWE 18 TOT 113**

- (a) Elke eienaar van 'n Erf of enige onderverdeling of konsolidasie daarvan of enige belang daarby sal 'n lid word en lid bly van die Artikel 21 Maatskappy, geinkorporeer onder Artikel 21 van Wet 61 van 1973 (die "Inwoners-vereniging") en onderworpe wees aan die memorandum en artikels van die assosiasie totdat hy nie meer 'n eienaar is nie. Die erf sal nie oorgedra word aan 'n persoon wat nie 'n lid van die Inwoners-vereniging is nie.
- (b) Die eienaar van die Erf sal nie gemagtig wees om die erf oor te dra nie alvorens 'n klaring sertifikaat ontvang is vanaf die Inwoners-vereniging wat bevestig dat alle uitstaande gelde betaal is.
- (c) Die erf is geregtig op 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Raad : Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
- (d) Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
- (e) Die Raad 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 goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke veroorsaak word.
- (f) Behalwe met die skriftelike toestemming van die plaaslike bestuur, en onderworpe aan sodanige voorwaardes as wat hy mag ople, moet nog die eienaar, nog enigiemand anders putte of boorgate daarop sink of enige ondergrondse water daaruit put.

**(2) Erf 115**

Die Inwoners-vereniging sal verantwoordelik wees vir die ontwikkeling en instandhouding van die erf asook die instandhouding van die sekuriteits omheining aangrensend aan Provinsiale Pad R25 (P91/1).

**(3) Erf 116**

Die erf is ten volle onderworpe aan 'n serwituut vir munisipale doeleindes asook 'n reg van weg serwituut ten gunste van die Stadsraad soos aangedui op die Algemene Plan.

**(4) Erf 116**

Die erf is onderworpe aan 2 sub-stasie serwitute vir munisipale doeleindes, ten gunste van die Stadsraad soos aangedui op die Algemene Plan.

**(5) Erf 114**

Die Inwoners-vereniging sal verantwoordelik wees vir die ontwikkeling en instandhouding van die erf.

**(6) Erwe 70, 96, 107 en 112**

Die erwe is onderworpe aan 'n serwituut 2 meter wyd vir munisipale doeleindes ten gunste van die Stadsraad, soos aangedui op die Algemene Plan.

**(7) Erwe 51 en 52**

Die erwe is onderworpe aan 'n serwituut vir munisipale doeleindes ten gunste van die Stadsraad, soos aangedui op die Algemene Plan.

**(8) Erf 116**

Die erf is ten volle onderworpe aan 'n serwituut van reg van weg ten gunste van die Stadsraad, soos aangedui op die Algemene Plan.

**LOCAL AUTHORITY NOTICE 2246  
CITY OF JOHANNESBURG  
AMENDMENT SCHEME 11/2811**

The Council hereby in terms of provisions of Section 125 of the Town-planning and Townships Ordinance, 1986, declares that it has approved the amendment scheme, being an amendment of the Modderfontein Town-planning Scheme 1994, comprising the same land, as included in the Township of **GREENSTONE HILL EXTENSION 9**

Map 3, Annexure and scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning, Transportation and Environment: City of Johannesburg and are open for inspection at all reasonable times.

The amendment scheme is known as Modderfontein Amendment Scheme 11/2811

**Executive Director: Development Planning  
Transportation and Environment**  
Notice No. 982

**PLAASLIKE BESTUURSKENNISGEWING 2246  
STAD VAN JOHANNESBURG  
WYSIGINGSKEMA 11/2811**

Die Stadraad verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema synde 'n wysiging van Modderfontein - dorpsbeplanningskema, 1994, wat uit dieselfde grond as die dorp **GREENSTONE HILL UITBREIDING 9** bestaan, goedgekeur het.

Kaart 3, Bylae en die skemaklousules van die wysigingskema word in bewaring gehou deur Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing, Stad van Johannesburg en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Modderfontein-wysigingskema 11/2811

**Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing**  
Notice No. 983

**LOCAL AUTHORITY NOTICE 2247  
CITY OF JOHANNESBURG  
DECLARATION AS APPROVED TOWNSHIP**

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) the CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY declares **GREENSTONE HILL EXTENSION 9** to be an approved township subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY SABLE HOMES (PROPRIETARY) LIMITED (HEREIN AFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE NO 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 104 OF THE FARM MODDERFONTEIN 35 IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.**

**1. CONDITIONS OF ESTABLISHMENT**

- 1. Name**  
The name of the township shall be **GREENSTONE HILL EXTENSION 9**
- 2. Design**

The township shall consist of erven as indicated on **General Plan S.G. Diagram No. 1710/2004**

**3. Disposal of existing Conditions of Title**

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

(1) excluding the following conditions, which do not affect the township:

“(1) The former Remaining Extent of Portion 4 of the farm Modderfontein 35, Registration Division I.R., Province of Gauteng, indicated by the figure a1D'E'F'G' on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title T141630/1998 is subject to the following conditions:-

- (a) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for Railway Line over:-
- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
  - (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/ 1906 and 4441/1898; and
  - (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No. 1768/1890;
- as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered on the 15<sup>th</sup> day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.
- (b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G. No. A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
  - (ii) Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    - 1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159, 9274 (One Hundred and fifty nine comma two seven four) Hectares;
    - 2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
 as will more fully appear from reference to the said Notarial Deed.
  - (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17, 7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
  - (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
    - 1 Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Titl No. 38772/72 dated 19 December 1972; and

2 Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.

- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., Measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G. No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.

- (2) The former Remaining Extent of the Farm Modderfontein 35, Registration Division I.R., Province of Guateng, indicated by the figure ABCDEFGHa2B'C'D'a1H'J' on diagram S.G.No.10830/1993 annexed to Certificate of Consolidated Title No.T141630/98 is subject to the following conditions:-

- (a) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for a Railway Line over:-

- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
- (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/1906 and 4441/1898; and
- (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1768/1890;

as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

- (b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G.No.A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-

- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
- (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
- (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
  1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
  2. Portion 1 of Portion C of the Farm Zuurfontein N. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
 as will more fully appear from reference to the said Notarial Deed.

- (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 to 222 of the Farm Zuurfontein No.33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein

No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
    1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
    2. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
  - (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
  - (C) (i) By Notarial Deed K1082/1977S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancilliary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
  - (ii) By Notarial Deed K1014/1982S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancilliary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
  - (iii) By Notarial Deed No.K872/85 the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancilliary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.
  - (iv) By virtue of Notarial Deed No. K970/91S servitude K1014/82S in favour of Eskom is cancelled only as it affects Remaining Extent of Portion 1 of the farm Klipfontein12, I.R., Transvaal:-
    1. The servitude is now registered over Remaining Extent of the farm Modderfontein No.35 and Remaining Extent of Portion 10 (a portion of portion 1) Klipfontein No. 12 I.R., Transvaal, as appears from the abovementioned Notarial Deed K970/91S.
    2. Routes have been determined over the above two properties as will more fully appear from the aforesaid Notarial Deed.
  - (v) By Notarial Deed No. 343/40S a right has been granted to Victoria Falls and Transvaal Power Company Limited to convey electricity over the property together with ancilliary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed and diagram.
- (3.) The former Remaining Extent of Portion 2 of the Farm Modderfontein 35, Registration Division I.R. Province of Gauteng, indicated by the figure JKLMNPQRSTUVWXYZA'a2 on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title No.T141630/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and

- maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
- (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
- (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
  2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
- (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portion 219 to 222 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portion 223 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
  2. Erf 1151 Esterpark Extension 1 Township, held under Certificate of Consolidated Title No.T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purpose and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed." and
- (2) excluding the servitude in favour of the Rand Water Board vide SG Diagram No. 7048/1996 which affects Erf 115 only.

**3. Endowment**

The applicant shall make the necessary arrangements with the Council for the payment of an endowment in respect of the provision of land for the shortfall in providing suitable open space for parks in terms of the Town Planning and Townships Ordinance, 15 of 1986.

**4. Formation and Duries of Section 21 Company or Similar Legal Entities**

- (i) The applicant shall properly and legally constitute a Section 21 Company (the "Company") under Section 21 of the Companies Act 61 of 1973 to the satisfaction of the Council before the sale of the first erf (which Company shall not be de-registered without the consent of the Council).
- (ii) Erf 224 (access) and Erven 222 and 223 (private open space) shall be registered in the name of the Company and said access/park portions may not be sold or in any way disposed of without prior written consent of the Council.
- (iii) Each and every owner of Erven 117 to 221 and or portions thereof shall become a member of the Company upon transfer of the erf.

- (iv) The construction and maintenance of the road over Erf 224 shall be the responsibility of the applicant until that responsibility can be taken over by the Company.
- (v) The Council shall be indemnified from any responsibility for the cost of repairs to the access roadway in the event of it having to gain access or provide underground services in the future.
- (vi) The Company shall have full legal power to levy each and every member of the Company, the cost incurred in fulfilling its functions and shall have legal recourse to recover such fees in the event of a default in payments by any member.
- (vii) The Council shall not be liable for the malfunction of the surfacing of the access way and/or stormwater drainage system and/or essential services with the exception of the sewerage system.
- (viii) Access from Erven 117 to 221 to a public road, shall be via Erf 224.
- (ix) The Council shall have unrestricted access to Erf 224 at all times.

**5. Engineering Services**

The applicant shall, when it intends providing the required engineering services:

- (i) By agreement with the Council, classify every engineering services as internal and external engineering services in accordance with Chapter V of the Town Planning and Townships Ordinance, 1986.
- (ii) Install or provide water, electricity and sanitation as well as the construction of roads and stormwater drainage in the township to the satisfaction of the Council and, for this purpose, lodge reports, diagrams and specifications to the Council as required.

**6. Obligations with regard to services and restriction regarding the alienation or erven**

The Township owner shall within such period as the Council may determine, fulfill his 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 therefore, as previously agreed upon between the township owner and the Council. Erven may not be alienated or be transferred into the name of a purchaser prior to the Council 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 Council.

**7. Electricity**

The applicant shall make satisfactory arrangements with the City Power Johannesburg for the installation of electrical services in and for the township.

**8. Acceptance and Disposal of Stormwater**

The township owner shall make necessary arrangements with the Council for the preparation and submission for approval of a stormwater management plan, for acceptance and disposal thereof.

**9. Demolition of Buildings and Structures**

The township owner shall at its own expense cause all existing buildings and structures situated within the building reserves, or over common boundaries to be demolished to the satisfaction of the Council, when required by the Council to do so.

**10. Removal or Replacement of Services**

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing Municipal/Telkom/services, the cost thereof shall be borne by the township owner.

**2. CONDITIONS OF TITLE**

The erven mentioned hereunder shall be subject to the conditions imposed by the City of Johannesburg in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

**(1) Erven 117 to 221**

- (a) Every owner of an Erf or any subdivision or consolidation thereof or any interest therein shall become and shall remain a member of the Section 21 Company, incorporated under Section 21 of Act 61 of 1973 (the "Company") and be subject to its memorandum and articles of association until he ceases to be an owner as aforesaid. The Erf shall not be transferred to any person who has not become a member of the Company.

- (b) The owner of the Erf shall not be entitled to transfer the Erf without a clearance certificate from the Company that all amounts owing by such owner to the Company have been paid.
  - (c) All erven shall be subject to a servitude, 2m wide, in favour of the Council 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 Council : Provided that the Council may dispense with any such servitude.
  - (d) 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.
  - (e) The Council shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Council.
  - (f) Except with the written consent of the Council and subject to any conditions as it may impose, neither the owner nor any person shall sink any wells or boreholes on the Erf, or abstract any subterranean water there from.
- (2) **Erf 224**  
The erf is completely subject to a servitude for municipal purposes and right of way in favour of the Council as indicated on the General Plan.
- (3) **Erven 222 and 223**  
The Company shall be responsible for the development and maintenance of the Erven.
- (4) **Erf 222**  
The erf is subject to a servitude for sewer purposes in favour of the Council as indicated on the General Plan.
- (5) **Erf 197**  
The erf is subject to a servitude for municipal purposes 2 metres wide in favour of the Council as indicated on the General Plan.
- (6) **Erf 224**
- (i) The erf is totally subject to servitude of right of way in favour of the Council as indicated on the General Plan.
  - (ii) The erf is subject to 2 sub station servitudes for municipal purposes as indicated on the General Plan.

**Executive Director: Development Planning  
Transportation and Environment  
Notice No. 982**

## PLAASLIKE BESTUURSKENNISGEWING 2247

### STAD VAN JOHANNESBURG VERKLARING TOT GOEDGEKEURDE DORP

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) verklaar die STAD VAN JOHANNESBURG hierby die dorp **GREENSTONE HILL UITBREIDING 9** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

#### BYLAE

**VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR SABLE HOMES (PROPRIETARY) (LIMITED) (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 104 VAN DIE PLAAS MODDERFONTEIN 35 IR, PROVINSIE GAUTENG, TOEGESTAAN IS.**

#### 1. STIGTINGSVOORWAARDES

##### 1. NAAM

Die naam van die dorp is **GREENSTONE HILL UITBREIDING 9**

**2. ONTWERP**

Die dorp bestaan uit erwe soos aangedui op **Algemene Plan SG No. 1710/2004**

**3. BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

Alle erwe moet onderhewig gemaak word aan bestaande titelvoorwaardes en serwitute, indien enige, maar

(1) uitgesluit die volgende voorwaardes, wat nie die dorp raak nie:

**“(1) The former Remaining Extent of Portion 4 of the farm Modderfontein 35, Registration Division I.R., Province of Gauteng, indicated by the figure a1D'E'F'G' on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title T141630/1998 is subject to the following conditions:-**

(a) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for Railway Line over:-

- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
- (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/ 1906 and 4441/1898; and
- (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No. 1768/1890;

as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered on the 15<sup>th</sup> day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

(b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G. No. A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-

- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
- (ii) Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
- (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
  - 1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159, 9274 (One Hundred and fifty nine comma two seven four) Hectares;
  - 2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
 As will more fully appear from reference to the said Notarial Deed.

(iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17, 7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
- 1 Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 dated 19 December 1972; and
  - 2 Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., Measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G. No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
- (2) The former Remaining Extent of the Farm Modderfontein 35, Registration Division I.R., Province of Guateng, indicated by the figure ABCDEFGHa2B'C'D'a1H'J' on diagram S.G.No.10830/1993 annexed to Certificate of Consolidated Title No.T141630/98 is subject to the following conditions:-
- (b) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for a Railway Line over:-
- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
  - (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/1906 and 4441/1898; and
  - (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1768/1890;
- as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.
- (b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G.No.A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
  - (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (ii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
    2. Portion 1 of Portion C of the Farm Zuurfontein N. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
 as will more fully appear from reference to the said Notarial Deed.

- (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 to 222 of the Farm Zuurfontein No.33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
  1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
  2. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
- (C) (i) By Notarial Deed K1082/1977S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (ii) By Notarial Deed K1014/1982S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (iii) By Notarial Deed No.K872/85 the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.
- (iv) By virtue of Notarial Deed No. K970/91S servitude K1014/82S in favour of Eskom is cancelled only as it affects Remaining Extent of Portion 1 of the farm Klipfontein12, I.R., Transvaal:-
  1. The servitude is now registered over Remaining Extent of the farm Modderfontein No.35 and Remaining Extent of Portion 10 (a portion of portion 1) Klipfontein No. 12 I.R., Transvaal, as appears from the abovementioned Notarial Deed K970/91S.
  2. Routes have been determined over the above two properties as will more fully appear from the aforesaid Notarial Deed.
- (v) By Notarial Deed No. 343/40S a right has been granted to Victoria Falls and Transvaal Power Company Limited to convey electricity over the property together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed and diagram.

- (3.) The former Remaining Extent of Portion 2 of the Farm Modderfontein 35, Registration Division I.R. Province of Gauteng, indicated by the figure JKLMNPQRSTUVWXYZA'a2 on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title No.T141630/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
  - (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
    2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
  - (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portion 219 to 222 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portion 223 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
  - (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
    1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
    2. Erf 1151 Esterpark Extension 1 Township, held under Certificate of Consolidated Title No.T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
  - (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purpose and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed." and
- (2) uitgesluit die serwitut ten gunste van Rand Water Raad volgens SG Diagram No. 7048/1996 wat slegs Erf 115 raak.

4. **BEGIFTIGING**

Die dorpsieenaar moet die nodige reelings met die Raad tref vir die betaling van begiftiging ten opsigte van die voorsiening van grond in die korting op die voorsiening van oopruimte vir parke in terme van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986.

5. **STIGTING EN VERPLIGTING VAN ARTIKEL 21 MAATSKAPPY OF SOORTGELYKE REGS ENTITEITE**

- (a) Die aansoekers moet wetlik en volgens voorskrif die Inwoners-vereniging tot goedkeuring van die Stadraad saamstel, voor met die verkoop van die eerste erf in die dorp, (waarvan vereniging nie mag de-registreer sonder die toestemming van die Raad).

- (b) Erf 224 (Toegangs erf) en Erwe 222 en 223 (Privaat Oop Ruimte) sal in die naam van die Inwoners-Vereniging geregistreer word, waarvan die genoemde pad gedeelte/privaat oop ruimte nie mag verkoop of vervreem word, sonder vooraf geskrewe toestemming van die Raad.
- (c) Iedere en elke eienaar van Erwe 117 tot 221 sal 'n lid van die Inwoners-vereniging word met oordrag van die erf.
- (d) Die konstruksie en instandhouding van die pad oor Erf 224 sal die ver-antwoordelikheid van die dorpseienaar wees tot die verantwoordelikheid oorgeneem kan word deur die Inwoners-vereniging.
- (e) Die Stadsraad sal vry gesprek word van enige verantwoordelikheid rakende die kostes vir die herstel van die toegangspad in die geval waar toegang of ondergrondse dienste in die toekoms voorsien moet word.
- (f) Die Inwoners-vereniging sal die wettige reg hê om die kostes aangegaan ter vervulling van sy doel van ieder en elke lid te hef en sal toegang he tot regshulp ter verhaling van sodanige fooi in die geval van die wanbetaling deur enige lid.
- (g) Die Stadsraad sal nie aanspreeklik wees vir die gebrekkigheid van die oppervlak van die toegangsweg en of die vloedwater dreineringsstelsel en of enige noodsaaklike dienste, met die uitsondering van die rioleringstelsel.
- (h) Toegang van Erwe 117 tot 221 tot 'n openbare pad, sal oor die toegangserf 224 wees.
- (i) Die Raad sal onbeperkte toegang tot Erf 224 te alle tye, verkry.

**6. VOORSIENING EN INSTALLERING VAN DIENSTE**

Die dorpseienaar moet die nodige reëlings met die Raad tref vir die voorsiening en instalering van water en sanitere dienste asook die konstruksie van strate en stormwaterdreinerings in die dorp, tot bevrediging van die Raad.

**7. VERPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE ASOOK DIE BEPERKING TEN OPSIGTE VAN VERVREMING OF OORDRAGTE**

Die dorpseienaars sal, in terme van 'n vooraf gereelde ooreenkoms met die Raad, sy verpligtinge rakende tot die voorsiening van ingenieursdienste in en vir die dorp, in terme van Hoofstuk 5 van die Ordonnansie.

'n Bydrae tot die voorsiening van ingenieursdienste en begiftiging ten opsigte van parkegrond sal betaalbaar wees.

Geen erwe mag vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur bevestig het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die Stadsraad gelewer is nie.

**8. ELEKRISITEIT**

Die dorpseienaar moet die nodige reëlings met City Power Johannesburg tref vir die instalering van elektriese dienste in en vir die dorp.

**9. ONTVANGING EN VERSORGING VAN STORMWATER**

Die dorpseienaar sal die nodige reëlings tref vir die voorbereiding en indiening vir goedkeuring van 'n stormwater bestuursplan deur die Stadsraad, vir die ontvangs en versorging daarvan.

**10. SLOPING VAN GEBOUE EN STRUKTURE**

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

**11. VERSKUIWING OF DIE VERVANGING VAN MUNISIPALE DIENSTE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale/telkom dienste te verskuif of te vervang moet die koste daarvan deur die dorpseienaar gedra word.

**2. TITELVOORWAARDES**

Die erwe hieronder genoem sal onderworpe wees aan die voorwaardes soos aangedui, opgele deur die Raad ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

**(1) ERWE 117 TOT 221**

- (a) Elke eienaar van 'n Erf of enige onderverdeling of konsolidasie daarvan of enige belang daarby sal 'n lid word en lid bly van die Artikel 21 Maatskappy, geïnkorporeer onder Artikel 21 van Wet 61 van 1973 (die "Inwoners-vereniging") en onderworpe wees aan die memorandum en artikels van die assosiasie totdat hy nie meer 'n eienaar is nie. Die erf sal nie oorgedra word aan 'n persoon wat nie 'n lid van die Inwoners-vereniging is nie.

- (b) Die eienaar van die Erf sal nie gemagtig wees om die erf oor te dra nie alvorens 'n klaring sertifikaat ontvang is vanaf die Inwoners-vereniging wat bevestig dat alle uitstaande gelde betaal is.
  - (c) Die erf is geregtig op 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Raad : Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
  - (d) Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
  - (e) Die Raad is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke wat hy volgens goeie dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke veroorsaak word.
  - (f) Behalwe met die skriftelike toestemming van die plaaslike bestuur, en onderworpe aan sodanige voorwaardes as wat hy mag ople, moet nog die eienaar, nog enigiemand anders putte of boorgate daarop sink of enige ondergrondse water daaruit put.
- (2) **Erf 224**  
Die erf is ten volle onderworpe aan 'n serwituut vir munisipale doeleindes asook 'n reg van weg serwituut ten gunste van die Stadsraad soos aangedui op die Algemene Plan.
- (3) **Erwe 222 en 223**  
Die Inwoners-vereniging sal verantwoordelik wees vir die ontwikkeling en instandhouding van die erwe.
- (4) **Erf 222**  
Die erf is onderworpe aan 'n serwituut vir riool doeleindes ten gunste van die Stadsraad soos aangedui op die Algemene Plan.
- (5) **Erf 197**  
Die erf is onderworpe aan 'n serwituut vir munisipale doeleindes 2 meter wyd ten gunste van die Stadsraad soos aangedui op die Algemene Plan.
- (6) **Erf 224**
  - (i) Die erf is ten volle onderworpe aan 'n serwituut van reg van weg ten gunste van die Stadsraad, soos aangedui op die Algemene Plan.
  - (ii) Die erf is onderworpe aan 2 sub stasie serwitute vir munisipale doeleindes soos aangedui op die Algemene Plan.

**LOCAL AUTHORITY NOTICE 2248**

**CITY OF JOHANNESBURG  
AMENDMENT SCHEME 11/2812**

The Council hereby in terms of provisions of Section 125 of the Town-planning and Townships Ordinance, 1986, declares that it has approved the amendment scheme, being an amendment of the Modderfontein Town-planning Scheme 1994, comprising the same land, as included in the Township of **GREENSTONE HILL EXTENSION 10**

Map 3, Annexure and scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning, Transportation and Environment: City of Johannesburg and are open for inspection at all reasonable times.

The amendment scheme is known as Modderfontein Amendment Scheme 11/2812

**Executive Director: Development Planning  
Transportation and Environment**  
Notice No. 984

**PLAASLIKE BESTUURSKENNISGEWING 2248**

**STAD VAN JOHANNESBURG  
WYSIGINGSKEMA 11/2812**

Die Stadraad verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema synde 'n wysiging van Modderfontein - dorpsbeplanningskema, 1994, wat uit dieselfde grond as die dorp **GREENSTONE HILL UITBREIDING 10** bestaan, goedgekeur het.

Kaart 3, Bylae en die skemaklousules van die wysigskema word in bewaring gehou deur Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing, Stad van Johannesburg en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Modderfontein-wysigingskema 11/2812

**Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing**  
Notice No. 985

**LOCAL AUTHORITY NOTICE 2249**

**CITY OF JOHANNESBURG  
DECLARATION AS APPROVED TOWNSHIP**

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) the CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY declares **GREENSTONE HILL EXTENSION 10** to be an approved township subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY SABLE HOMES (PROPRIETARY) LIMITED (HEREIN AFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE NO 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 105 OF THE FARM MODDERFONTEIN 35 IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.**

**1. CONDITIONS OF ESTABLISHMENT**

**1. Name**

The name of the township shall be **GREENSTONE HILL EXTENSION 10**

**2. Design**

The township shall consist of erven as indicated on **General Plan S.G. Diagram No. 1711/2004**

**3. Disposal of existing Conditions of Title**

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

(1) excluding the following conditions, which do not affect the township:

**"(1) The former Remaining Extent of Portion 4 of the farm Modderfontein 35, Registration Division I.R., Province of Gauteng, indicated by the figure a1D'E'F'G' on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title T141630/1998 is subject to the following conditions:-**

(a) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for Railway Line over:-

- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
- (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/ 1906 and 4441/1898; and
- (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No. 1768/1890;

as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered on the 15<sup>th</sup> day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.

(b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G. No. A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-

(i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.

(ii) Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.

(iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-

- 1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159, 9274 (One Hundred and fifty nine comma two seven four) Hectares;
- 2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;

As will more fully appear from reference to the said Notarial Deed.

(iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17, 7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

(v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-

- 1 Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 dated 19 December 1972; and

2 Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976;

as will more fully appear from reference to the said Notarial Deed.

- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., Measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G. No. A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
- (2) The former Remaining Extent of the Farm Modderfontein 35, Registration Division I.R., Province of Guateng, indicated by the figure ABCDEFGHa2B'C'D'a1H'J' on diagram S.G.No.10830/1993 annexed to Certificate of Consolidated Title No.T141630/98 is subject to the following conditions:-
- (a) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for a Railway Line over:-
- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
  - (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/1906 and 4441/1898; and
  - (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1768/1890;
- as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.
- (b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G.No.A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
  - (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
    2. Portion 1 of Portion C of the Farm Zuurfontein N. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;

as will more fully appear from reference to the said Notarial Deed.
  - (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 to 222 of the Farm Zuurfontein No.33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein

- No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
  2. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
- (C) (i) By Notarial Deed K1082/1977S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancilliary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (ii) By Notarial Deed K1014/1982S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancilliary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (iii) By Notarial Deed No.K872/85 the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancilliary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.
- (iv) By virtue of Notarial Deed No. K970/91S servitude K1014/82S in favour of Eskom is cancelled only as it affects Remaining Extent of Portion 1 of the farm Klipfontein12, I.R., Transvaal:-
1. The servitude is now registered over Remaining Extent of the farm Modderfontein No.35 and Remaining Extent of Portion 10 (a portion of portion 1) Klipfontein No. 12 I.R., Transvaal, as appears from the abovementioned Notarial Deed K970/91S.
  2. Routes have been determined over the above two properties as will more fully appear from the aforesaid Notarial Deed.
- (v) By Notarial Deed No. 343/40S a right has been granted to Victoria Falls and Transvaal Power Company Limited to convey electricity over the property together with ancilliary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed and diagram.
- (3.) The former Remaining Extent of Portion 2 of the Farm Modderfontein 35, Registration Division I.R. Province of Gauteng, indicated by the figure JKLMNPQRSTUWXYZA'a2 on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title No.T141630/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and

maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.

- (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    - 1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
    - 2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
  - (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portion 219 to 222 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portion 223 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
  - (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
    - 1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
    - 2. Erf 1151 Esterpark Extension 1 Township, held under Certificate of Consolidated Title No.T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
  - (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purpose and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed." and
- (2) excluding the servitude in favour of the Rand Water Board vide SG Diagram No. 7048/1996.

**3. Endowment**

The applicant shall make the necessary arrangements with the Council for the payment of an endowment in respect of the provision of land for the shortfall in providing suitable open space for parks in terms of the Town Planning and Townships Ordinance, 15 of 1986.

**4. Formation and Duties of Section 21 Company or Similar Legal Entities**

- (i) The applicant shall properly and legally constitute a Section 21 Company (the "Company") under Section 21 of the Companies Act 61 of 1973 to the satisfaction of the Council before the sale of the first erf (which Company shall not be de-registered without the consent of the Council).
- (ii) Erf 308 (access) and Erven 305, 306 and 307 (private open space) shall be registered in the name of the Company and said access/park portions may not be sold or in any way disposed of without prior written consent of the Council.
- (iii) Each and every owner of Erven 225 to 304 and or portions thereof shall become a member of the Company upon transfer of the erf.

- (iv) The construction and maintenance of the road over Erf 308 shall be the responsibility of the applicant until that responsibility can be taken over by the Company.
- (v) The Council shall be indemnified from any responsibility for the cost of repairs to the access roadway in the event of it having to gain access or provide underground services in the future.
- (vi) The Company shall have full legal power to levy each and every member of the Company, the cost incurred in fulfilling its functions and shall have legal recourse to recover such fees in the event of a default in payments by any member.
- (vii) The Council shall not be liable for the malfunction of the surfacing of the access way and/or stormwater drainage system and/or essential services with the exception of the sewerage system.
- (viii) Access from Erven 225 to 304 to a public road, shall be via Erf 308.
- (ix) The Council shall have unrestricted access to Erf 308 at all times.

**5. Engineering Services**

The applicant shall, when it intends providing the required engineering services:

- (i) By agreement with the Council, classify every engineering services as internal and external engineering services in accordance with Chapter V of the Town Planning and Townships Ordinance, 1986.
- (ii) Install or provide water, electricity and sanitation as well as the construction of roads and stormwater drainage in the township to the satisfaction of the Council and, for this purpose, lodge reports, diagrams and specifications to the Council as required.

**6. Obligations with regard to services and restriction regarding the alienation or erven**

The Township owner shall within such period as the Council may determine, fulfill his 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 therefore, as previously agreed upon between the township owner and the Council. Erven may not be alienated or be transferred into the name of a purchaser prior to the Council 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 Council.

**7. Electricity**

The applicant shall make satisfactory arrangements with the City Power Johannesburg for the installation of electrical services in and for the township.

**8. Acceptance and Disposal of Stormwater**

The township owner shall make necessary arrangements with the Council for the preparation and submission for approval of a stormwater management plan, for acceptance and disposal thereof.

**9. Demolition of Buildings and Structures**

The township owner shall at its own expense cause all existing buildings and structures situated within the building reserves, or over common boundaries to be demolished to the satisfaction of the Council, when required by the Council to do so.

**10. Removal or Replacement of Services**

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing Municipal/Telkom/services, the cost thereof shall be borne by the township owner.

**2. CONDITIONS OF TITLE**

The erven mentioned hereunder shall be subject to the conditions imposed by the City of Johannesburg in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

**(1) Erven 225 to 304**

- (a) Every owner of an Erf or any subdivision or consolidation thereof or any interest therein shall become and shall remain a member of the Section 21 Company, incorporated under Section 21 of Act 61 of 1973 (the "Company") and be subject to its memorandum

- and articles of association until he ceases to be an owner as aforesaid. The Erf shall not be transferred to any person who has not become a member of the Company.
- (b) The owner of the Erf shall not be entitled to transfer the Erf without a clearance certificate from the Company that all amounts owing by such owner to the Company have been paid.
  - (c) All erven shall be subject to a servitude, 2m wide, in favour of the Council 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 Council. Provided that the Council may dispense with any such servitude.
  - (d) 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.
  - (e) The Council shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Council.
  - (f) Except with the written consent of the Council and subject to any conditions as it may impose, neither the owner nor any person shall sink any wells or boreholes on the Erf, or abstract any subterranean water there from.
- (2) **Erf 308**  
The erf is completely subject to a servitude for municipal purposes and right of way in favour of the Council as indicated on the General Plan.
  - (3) **Erven 305, 306 and 307**  
The Company shall be responsible for the development and maintenance of the erven.
  - (4) **Erven 306, 307 and 308**  
The erven are subject to a servitude for sewer purposes in favour of the Council as indicated on the General Plan.
  - (5) **Erf 277**  
The erf is subject to servitudes for municipal purposes 2 metres wide in favour of the Council, as indicated on the General Plan.
  - (6) **Erf 308**  
The erf is subject to sub-station servitude for municipal purposes in favour of the Council as indicated on the General Plan.
  - (7) **Erf 308**  
The whole erf is subject to servitude of right of way in favour of the Council as indicated on the General Plan.

**Executive Director: Development Planning  
Transportation and Environment  
Notice No.984**

## PLAASLIKE BESTUURSKENNISGEWING 2249

### STAD VAN JOHANNESBURG VERKLARING TOT GOEDGEKEURDE DORP

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) verklaar die STAD VAN JOHANNESBURG hierby die dorp **GREENSTONE HILL UITBREIDING 10** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

#### BYLAE

**VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR SABLE HOMES (PROPRIETARY) (LIMITED) (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 105 VAN DIE PLAAS MODDERFONTEIN 35 IR, PROVINSIE GAUTENG, TOEGESTAAN IS.**

**1. STIGTINGSVOORWAARDES****1. NAAM**

Die naam van die dorp is **GREENSTONE HILL UITBREIDING 10**

**2. ONTWERP**

Die dorp bestaan uit erwe soos aangedui op **Algemene Plan SG No. 1711/2004**

**3. BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

Alle erwe moet onderhewig gemaak word aan bestaande titelvoorwaardes en serwitute, indien enige, maar

(1) uitgesluit die volgende voorwaardes, wat nie die dorp raak nie:

“(1) The former Remaining Extent of Portion 4 of the farm Modderfontein 35, Registration Division I.R., Province of Gauteng, indicated by the figure a1D'E'F'G' on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title T141630/1998 is subject to the following conditions:-

- (a) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for Railway Line over:-
- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
  - (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/ 1906 and 4441/1898; and
  - (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No. 1768/1890;
- as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered on the 15<sup>th</sup> day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.
- (b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G. No. A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
  - (ii) Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No. A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    - 1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159, 9274 (One Hundred and fifty nine comma two seven four) Hectares;
    - 2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
 As will more fully appear from reference to the said Notarial Deed.
  - (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 – 222 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17, 7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.

- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
- 1 Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 dated 19 December 1972; and
  - 2 Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., Measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G. No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
- (2) The former Remaining Extent of the Farm Modderfontein 35, Registration Division I.R., Province of Guateng, indicated by the figure ABCDEFGHa2B'C'D''a1H'J' on diagram S.G.No.10830/1993 annexed to Certificate of Consolidated Title No.T141630/98 is subject to the following conditions:-
- (b) Entitled together with the owner of the remaining extent of the said farm to a servitude of right of way for a Railway Line over:-
- (i) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1767/1890;
  - (ii) the remaining extent and portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer Nos.8232/1906 and 4441/1898; and
  - (iii) portion of Zuurfontein No. 369, Pretoria, held under Deed of Transfer No.1768/1890;
- as will appear from Notarial Deeds Nos. 315 – 317/ 1911S registered the 15th day of December, 1911 and further subject to such conditions as are mentioned or referred to in the aforesaid Deeds of Transfer.
- (b) The former Portion 41 (a portion of portion 40) of the Farm Klipfontein No. 12 indicated by the figure aceb on diagram S.G.No.A10835/1993 annexed to Certificate of Consolidated Title No. T141628/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
  - (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (ii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
    2. Portion 1 of Portion C of the Farm Zuurfontein N. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
 as will more fully appear from reference to the said Notarial Deed.

- (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portions 219 to 222 of the Farm Zuurfontein No.33 I.R., held under Certificate of Registered Title Nos.38777/72 – 38776/72 and amended and added to in respect of Portions 223 of the Farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
- (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
  2. Erf 1151 Estherpark Extension 1 Township, held under Certificate of Consolidated Title No. T23100/1976 dated 16 June 1976;
- as will more fully appear from reference to the said Notarial Deed.
- (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed.
- (C) (i) By Notarial Deed K1082/1977S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (ii) By Notarial Deed K1014/1982S the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed.
- (iii) By Notarial Deed No.K872/85 the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions as will more fully appear on reference to the said Notarial Deed.
- (iv) By virtue of Notarial Deed No. K970/91S servitude K1014/82S in favour of Eskom is cancelled only as it affects Remaining Extent of Portion 1 of the farm Klipfontein 12, I.R., Transvaal:-
1. The servitude is now registered over Remaining Extent of the farm Modderfontein No.35 and Remaining Extent of Portion 10 (a portion of portion 1) Klipfontein No. 12 I.R., Transvaal, as appears from the abovementioned Notarial Deed K970/91S.
  2. Routes have been determined over the above two properties as will more fully appear from the aforesaid Notarial Deed.

- (v) By Notarial Deed No. 343/40S a right has been granted to Victoria Falls and Transvaal Power Company Limited to convey electricity over the property together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed and diagram.
- (3.) The former Remaining Extent of Portion 2 of the Farm Modderfontein 35, Registration Division I.R. Province of Gauteng, indicated by the figure JKLMNPQRSTUVWXYZA'a2 on diagram S.G.No.A10830/1993 annexed to Certificate of Consolidated Title No.T141630/1998 is subject to the following conditions:-
- (i) By Notarial Deed No. K1177/60S dated 7 February 1959, the withinmentioned property is entitled to a servitude of right of way for constructing, operating and maintaining a railway line over the property held under Deed of Transfer T7879/1950, as will more fully appear from reference to the said Notarial Deed and diagram annexed thereto.
  - (ii) By Notarial Deed No. 1181/60S dated 27 August 1959, the withinmentioned property is entitled to a servitude of railway line over the property held under Deed of Transfer T28762/51 with diagram S.G.No.A2174/53 annexed thereto, as will more fully appear from reference to the said Notarial Deed.
  - (iii) By virtue of Notarial Deed No. 242/1963S dated 19 February 1960 the withinmentioned property is entitled to a right of way over:-
    1. Portion M of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 159,9274 (One hundred and fifty nine comma two seven four) Hectares;
    2. Portion 1 of Portion C of the Farm Zuurfontein No. 33 I.R., Kempton Park, measuring 12,0786 (Twelve comma nought seven eight six) Hectares;
  - (iv) By virtue of Notarial Deed No. K871/74S dated 4 December 1973, Notarial Deed of Servitude No. 1177/60S has been cancelled in toto in respect of Portion 219 to 222 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title Nos. 38777/72 – 38776/72 and amended and added to in respect of Portion 223 of the farm Zuurfontein No. 33 I.R., held under Certificate of Registered Title No. 38777/72 and the Remainder of Portion 218 of the same farm measuring 17,7968 hectares, held under Certificate of Consolidated Title No. 38772/72 as will more fully appear from the said Notarial Deed and diagrams annexed thereto.
  - (v) By virtue of Notarial Deed of Servitude No. K1702/1976S dated 21 January 1976 the property is entitled to a perpetual servitude of unrestricted rights of use for railway purposes and purposes incidental thereto over:-
    1. Remaining Extent of Portion 218 of the Farm Zuurfontein 33 I.R., measuring 17,7968 hectares, held under Certificate of Consolidated Title No.38772/72 dated 19 December 1972; and
    2. Erf 1151 Esterpark Extension 1 Township, held under Certificate of Consolidated Title No.T23100/1976 dated 16 June 1976; as will more fully appear from reference to the said Notarial Deed.
  - (vi) By Notarial Deed No. K580/1981S dated 2 October 1980 the withinmentioned property is entitled to a perpetual servitude of unrestricted rights of use for railway purpose and purposes incidental thereto over Portion 243 of the Farm Zuurfontein No. 33 I.R., measuring 47,6634 hectares, held under T7064/75 indicated by the figures ABCDEFGHJK curve LM and NP curve QURSTUVWXYZ on Diagram S.G.No.A4111/76 as will more fully appear from reference to the said Notarial Deed with diagram annexed." and
- (2) uitgesluit die serwituut ten gunste van Rand Water Raad volgens SG Diagram No. 7048/1996.

#### 4. BEGIFTIGING

Die dorpsieenaar moet die nodige reelings met die Raad tref vir die betaling van begiftiging ten opsigte van die voorsiening van grond in die korting op die voorsiening van oopruimte vir parke in terme van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986.

**5. STIGTING EN VERPLIGTING VAN ARTIKEL 21 MAATSKAPPY OF SOORTGELYKE REGS ENTITEITE**

- (a) Die aansoekers moet wetiglik en volgens voorskrif die Inwoners-vereniging tot goedkeuring van die Stadsraad saamstel, voor met die verkoop van die eerste erf in die dorp, (waarvan vereniging nie mag de-registreer sonder die toestemming van die Raad).
- (b) Erf 308 (Toegangs erf) en Erwe 305, 306 en 307 (Privaat Oop Ruimte) sal in die naam van die Inwoners-Vereniging geregistreer word, waarvan die genoemde pad gedeelte/privaat oop ruimte nie mag verkoop of vervreem word, sonder vooraf geskrewe toestemming van die Raad.
- (c) Iedere en elke eienaar van Erwe 225 tot 304 sal 'n lid van die Inwoners-vereniging word met oordrag van die erf.
- (d) Die konstruksie en instandhouding van die pad oor Erf 308 sal die ver-antwoordelikheid van die dorpseienaar wees tot die verantwoordelikheid oorgeneem kan word deur die Inwoners-vereniging.
- (e) Die Stadsraad sal vry gespreek word van enige verantwoordelikheid rakende die kostes vir die herstel van die toegangspad in die geval waar toegang of ondergrondse dienste in die toekoms voorsien moet word.
- (f) Die Inwoners-vereniging sal die wettige reg hê om die kostes aangegaan ter vervulling van sy doel van ieder en elke lid te hef en sal toegang he tot regshulp ter verhaling van sodanige fooi in die geval van die wanbetaling deur enige lid.
- (g) Die Stadsraad sal nie aanspreeklik wees vir die gebrekkigheid van die oppervlak van die toegangsweg en of die vloedwater dreineringsstelsel en of enige noodsaaklike dienste, met die uitsondering van die rioleringsstelsel.
- (h) Toegang van Erwe 225 tot 304 tot 'n openbare pad, sal oor die toegangserf 308 wees.
- (i) Die Raad sal onbeperkte toegang tot Erf 308 te alle tye, verkry.

**6. VOORSIENING EN INSTALLERING VAN DIENSTE**

Die dorpseienaar moet die nodige reëlins met die Raad tref vir die voorsiening en instalering van water en sanitere dienste asook die konstruksie van strate en stormwaterdreinerings in die dorp, tot bevrediging van die Raad.

**7. VERPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE ASOOK DIE BEPERKING TEN OPSIGTE VAN VERVREMING OF OORDRAGTE**

Die dorpseienaars sal, in terme van n vooraf gereelde ooreenkoms met die Raad, sy verpligtinge rakende tot die voorsiening van ingenieursdienste in en vir die dorp, in terme van Hoofstuk 5 van die Ordonnansie.

n Bydrae tot die voorsiening van ingenieursdienste en begiftiging ten opsigte van parkegrond sal betaalbaar wees.

Geen erwe mag vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur bevestig het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die Stadsraad gelewer is nie.

**8. ELEKRISITEIT**

Die dorpseienaar moet die nodige reëlins met City Power Johanneburg tref vir die installering van elektriese dienste in en vir die dorp.

**9. ONTVANGS EN VERSORING VAN STORMWATER**

Die dorpseienaar sal die nodige reëlins tref vir die voorbereiding en indiening vir goedkeuring van 'n stormwater bestuursplan deur die Stadsraad, vir die ontvangs en versorging daarvan.

**10. SLOPING VAN GEBOUE EN STRUKTURE**

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

**11. VERSKUIWING OF DIE VERVANGING VAN MUNISIPALE DIENSTE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale/telkom dienste te verskuif of te vervang moet die koste daarvan deur die dorpseienaar gedra word.

**2. TITELVOORWAARDES**

Die erwe hieronder genoem sal onderworpe wees aan die voorwaardes soos aangedui, opgele deur die Raad ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

- (1) **ERWE 225 TOT 304**
- (a) Elke eienaar van 'n Erf of enige onderverdeling of konsolidasie daarvan of enige belang daarby sal 'n lid word en lid bly van die Artikel 21 Maatskappy, geïnkorporeer onder Artikel 21 van Wet 61 van 1973 (die "Inwoners-vereniging") en onderworpe wees aan die memorandum en artikels van die assosiasie totdat hy nie meer 'n eienaar is nie. Die erf sal nie oorgedra word aan 'n persoon wat nie 'n lid van die Inwoners-vereniging is nie.
  - (b) Die eienaar van die Erf sal nie gemagtig wees om die erf oor te dra nie alvorens 'n klaring sertifikaat ontvang is vanaf die Inwoners-vereniging wat bevestig dat alle uitstaande gelde betaal is.
  - (c) Die erf is geregtig op 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Raad: Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
  - (d) Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
  - (e) Die Raad 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 goeie rede noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke veroorsaak word.
  - (f) Behalwe met die skriftelike toestemming van die plaaslike bestuur, en onderworpe aan sodanige voorwaardes as wat hy mag opleë, moet nog die eienaar, nog enigiemand anders putte of boorgate daarop sink of enige ondergrondse water daaruit put.
- (2) **Erf 308**  
Die erf is ten volle onderworpe aan 'n serwituut vir munisipale doeleindes asook 'n reg van weg serwituut ten gunste van die Stadsraad soos aangedui op die Algemene Plan.
- (3) **Erven 305, 306 en 307**  
Die Inwoners-vereniging sal verantwoordelik wees vir die ontwikkeling en instandhouding van die erwe.
- (4) **Erwe 306, 307 en 308**  
Die erwe is onderworpe aan 'n serwituut vir riool doeleindes ten gunste van die Stadsraad soos aangedui op die Algemene Plan.
- (5) **Erf 227**  
Die erf is onderworpe aan 'n serwituut 2 meter wyd vir munisipale doeleindes ten gunste van die Stadsraad, soos aangedui op die Algemene Plan.
- (6) **Erf 308**  
Die erf is onderworpe aan 'n sub-stasie serwituut vir munisipale doeleindes ten gunste van die Stadsraad, soos aangedui op die Algemene Plan.
- (7) **Erf 308**  
Die erf is ten volle onderworpe aan 'n serwituut van reg van weg ten gunste van die Stadsraad, soos aangedui op die Algemene Plan.

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