

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1369

CITY OF TSHWANE

AKASIA-SOSHANGUVE AMENDMENT SCHEME 0328A

It is hereby notified in terms of the provisions of section 125(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the City of Tshwane has approved an amendment scheme with regard to the land in the township of Karenpark Extension 37, being an amendment of the Akasia/Soshanguve Town-planning Scheme, 1996.

Map 3 and the scheme clauses of this amendment scheme are filed with the Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Akasia-Soshanguve Amendment Scheme 0328A.

(13/2/Karenpark x37 (0328A))
____ June 2008

Executive Director: Legal Services
(Notice No 599/2008)

PLAASLIKE BESTUURSKENNISGEWING 1369

STAD TSHWANE

AKASIA-SOSHANGUVE WYSIGINGSKEMA 0328A

Hierby word ingevolge die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Stad Tshwane 'n wysigingskema met betrekking tot die grond in die dorp Karenpark Uitbreiding 37, synde 'n wysiging van die Akasia/Soshanguve dorpsbeplanningskema, 1996, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Uitvoerende Direkteur: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Akasia-Soshanguve-wysigingskema 0328A.

(13/2/Karenpark x37 (0328A))
____ Junie 2008

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 599/2008)

CITY OF TSHWANE

DECLARATION OF KARENPARK EXTENSION 37 AS APPROVED TOWNSHIP

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), the City of Tshwane hereby declares the township of Karenpark Extension 37 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Karenpark x37 (0328A))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY FRANS KRUGER BELEGGING EN ONTWIKKELING (PROPRIETARY) LIMITED UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 234 (A PORTION OF PORTION 125) OF THE FARM HARTEBEESTHOEK NO 303JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Karenpark Extension 37.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 1174/2007.

1.3 ENDOWMENT

The township owner shall, in terms of the provisions of Section 81 of the Town-planning and Townships Ordinance, 1986 pay a lump sum endowment of **R415 000,00**, to the local authority for the provision of land for a park (public open space).

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

1.4.1 the following servitude which do not affect the township area:

"The Remaining Extent of Portion "E" of the farm HARTEBEESTHOEK No 524, measuring as such 239,0209 (TWO HUNDRED AND THIRTY-NINE comma NOUGHT, TWO, NOUGHT, NINE) hectares, of which the property hereby transferred forms a portion, is entitled to a servitude of Right of Way 9,45 metres wide along portion of the Western Boundary of Portion 1 of the said Portion "E" of the farm HARTEBEESTHOEK No 524, measuring 85,6532 (EIGHT FIVE comma SIX, FIVE, THREE, TWO) hectares transferred to Lily Mary Flora White (born Cassell) by Deed of Transfer No 5029/1923 dated 2nd of June, 1923, and which Right of Way is more fully indicated on the Diagram SG No A508/1923 of said Portion 1 of Portion E annexed to Deed of Transfer No 5029/1923."

1.5 ACCESS

No ingress from Provincial Road P106-1 (K14) to the township and no egress to Provincial Road P106-1 (K14) from the township shall be allowed.

1.6 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of Provincial Road P106-1 (K14) and for all stormwater running off or being diverted from the road to be received and disposal of.

1.7 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Deputy Director-General, Roads Branch, as and when required by him to do so and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as this responsibility is taken over by the local authority: Provided that the responsibility of the township owner for the maintenance thereof shall cease when the municipality takes over the responsibility for the maintenance of the streets in the township."

1.8 REMOVAL OR REPLACEMENT OF MUNICIPAL OR TELKOM SERVICES

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

1.9 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at it's own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.

1.10 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the municipality may determine, fulfil it's obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefor, as previously agreed upon between the township owner and the municipality.

2. CONDITIONS OF TITLE

THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986):

2.1 ALL ERVEN

2.1.1 The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.

2.1.2 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.

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

2.2 ERF 1380

The erf shall be subject to a right of way servitude in favour of Erf 1381 as indicated on the General Plan.

STAD TSHWANE

VERKLARING VAN KARENPARK UITBREIDING 37 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane hierby die dorp Karenpark Uitbreiding 37 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Karenpark x37 (0328A))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR FRANS KRUGER BELEGGING EN ONTWIKKELING (PROPRIETARY) LIMITED INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 234 ('N GEDEELTE VAN GEDEELTE 125) VAN DIE PLAAS HARTEBEESTHOEK 303JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Karenpark Uitbreiding 37.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 1174/2007.

1.3 BEGIFTIGING

Die dorpseienaar moet kragtens die bepalings van Artikel 81 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), as begiftiging, 'n totale bedrag van **R415 000,00** betaal, welke bedrag deur die Stad Tshwane aangewend moet word vir die verkryging van grond vir park- en/of openbare-oopruimte doeleindes.

1.4 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd –

1.4.1 die volgende serwituut wat nie die dorp raak nie:

"The Remaining Extent of Portion "E" of the farm HARTEBEESTHOEK No 524, measuring as such 239,0209 (TWO HUNDRED AND THIRTY-NINE comma NOUGHT, TWO, NOUGHT, NINE) hectares, of which the property hereby transferred forms a portion, is entitled to a servitude of Right of Way 9,45 metres wide along portion of the Western Boundary of Portion 1 of the said Portion "E" of the farm HARTEBEESTHOEK No 524, measuring 85,6532 (EIGHT FIVE comma SIX, FIVE, THREE, TWO) hectares transferred to Lily Mary Flora White (born Cassell) by Deed of Transfer No 5029/1923 dated 2nd of June, 1923, and which Right of Way is more fully indicated on the Diagram SG No A508/1923 of said Portion 1 of Portion E annexed to Deed of Transfer No 5029/1923."

1.5 TOEGANG

Geen ingang van Provinsiale Pad P106-1 (K14) tot die dorp en geen uitgang tot Provinsiale Pad P106-1 (K14) uit die dorp word toegelaat nie.

1.6 ONTVANGS VAN EN WEGDOEN MET STORMWATER

Die dorpseienaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van Provinsiale Pad P106-1 (K14) en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

1.7 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING

Die dorpseienaar moet op eie koste 'n heining of ander fisiese versperring oprig tot tevredeheid van die Adjunk Direkteur-Generaal, Tak Paaie, soos en wanneer deur hom verlang om dit te doen, en die dorpseienaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl hierdie verantwoordelikheid deur die plaaslike owerheid oorgeneem word: Met dien verstande dat die dorpseienaar se verantwoordelikheid vir die instandhouding daarvan verval sodra die munisipaliteit die verantwoordelikheid vir die instandhouding van die strate in die dorp oorneem.

1.8 VERSKUIWING OF VERWYDERING VAN MUNISIPALE OF TELKOM DIENSTE

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

1.9 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes en kantruimtes of oor gemeenskaplike grense gelê is, of bouvallige strukture laat sloop tot tevredeheid van die Stad Tshwane wanneer die Stad Tshwane dit vereis.

1.10 VEPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE

Die dorpseienaar moet binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water, elektrisiteit en sanitêre dienste en die installering van stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die munisipaliteit nakom.

2. TITELVOORWAARDES

DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELE DEUR DIE STAD TSHWANE INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1 ALLE ERWE

- 2.1.1 Die erf is onderworpe aan 'n serwituut, 2 meter breed, vir riolerings- en ander munisipale dienste, langs enige 2 twee sygrense, 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 plaaslike bestuur. Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- 2.1.2 Geen gebou of ander struktuur mag binne die voornoemde serwituut opgerig word nie en geen groot wortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
- 2.1.3 Die plaaslike bestuur 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 rede noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings wat sodanige rioolhoofpyleidings en ander werke veroorsaak.

2.2 ERF 1380

Die erf is onderworpe aan 'n reg-van-weg serwituut ten gunste van Erf 1381, soos aangedui op die Algemene Plan.