

***THE PROVINCE OF
GAUTENG***



***DIE PROVINSIE VAN
GAUTENG***

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS**GENERAL NOTICE 821 OF 2022****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 5123T****DECLARATION OF AN APPROVED TOWNSHIP AND NOTICE OF ADOPTION OF AN AMENDMENT SCHEME IN TERMS OF SECTION 16(9) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016 FOR AN APPROVED TOWNSHIP****ELDORAIGNE EXTENSION 86**

It is hereby notified in terms of the provisions of Section 16(9) of the City of Tshwane Land Use Management By-Law, 2016 that the City of Tshwane has approved and hereby adopted the land development application for the amendment scheme with regard to the property(ies) in the township of Eldoraigne Extension 86, being an amendment of the Tshwane Town-planning Scheme, 2008 (Revised 2014).

The Tshwane Town-planning Scheme, 2008 (Revised 2014), and the adopted scheme map and the adopted annexures of this amendment scheme are filed with the Municipality, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme **5123T** and shall come into operation on the date of publication of the notice.

(CPD 9/2/4/2-5123T (Item 29925))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

JUNE 2022
(Notice 117 of 2022)

CITY OF TSHWANE**DECLARATION OF ELDORAIGNE EXTENSION 86 AS APPROVED TOWNSHIP**

It is hereby declared that in terms of the provisions of Section 16(9) of the City of Tshwane Land Use Management By-Law, 2016, that Eldoraigne Extension 86 is an approved township, subject to the conditions as set out in the schedules hereto.

(CPD 9/2/4/2-5123T (Item 29925))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (PTY) LTD (REGISTRATION NUMBER 2000/020447/07), IN TERMS OF SECTION 16(4)(f)(i) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016 FOR THE ESTABLISHMENT OF A TOWNSHIP ON THE REMAINDER OF PORTION 174 (A PORTION OF PORTION 17) OF THE FARM ZWARTKOP 356JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Eldoraigne Extension 86.

1.2 DESIGN

The township consists of erven as indicated on General Plan SG No 3484/2019.

1.3 PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The Township Owner shall at his cost provide the township with such engineering services, social infrastructure and open spaces as the Municipality may deem necessary for the proper development of the township and comply with the engineering services agreement entered into between the township owner and the Municipality as required in terms of Section 21(3) of the By-law and in accordance with Section 49 of the Spatial Planning and Land Use Management Act, 16 of 2013.

1.4 CONDITIONS IMPOSED BY THE COUNCIL FOR GEOSCIENCE

The township owner and its successors in title including the owner of any erven within the township shall comply with the conditions imposed by the Council for Geoscience and shall comply with the geotechnical or dolomite stability or similar report aimed at managing the development in so far as it is located on dolomite.

1.5 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the adjacent road and all stormwater running off or being diverted from the road and higher lying areas shall be received and disposed of, to the satisfaction of the Municipality.

1.6 CONDITIONS IMPOSED BY THE GAUTENG PROVINCIAL GOVERNMENT: DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT (GDARD)

The township owner shall at his own costs comply with and strictly adhere to all the conditions and/or requirements imposed by the Department of Agriculture and Rural Development including those by which exemption has been granted from compliance with the Environmental Impact Assessment Regulations, 2014, promulgated on 4 December 2014 in terms of section 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Act, 1998 (Act 107 of 1998) as amended and the Regulations thereto, as the case may be for the development of this township.

1.7 ACCESS CONDITIONS

Access to or egress from the township shall be provided to the satisfaction of the Municipality.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE WHICH SHALL BE READ WITH THE CONDITIONS OF ESTABLISHMENT INDICATED IN 1 ABOVE IN TERMS OF SECTION 16(10) OF THE BY-LAW AND SECTION 53 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 16 OF 2013

2.1 REFUSE REMOVAL

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane, when required to do so by the City of Tshwane.

The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the Municipality for the removal of all refuse.

2.2 REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner. For purposes of removal or replacement the township owner shall, at its own costs, protect the services by means of the registration of servitudes in favour of the City of Tshwane, should it be deemed necessary.

2.3 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs cause all existing buildings/structures situated within the building line reserves, side spaces, or over common boundaries to be demolished to the satisfaction of the Municipality, when requested thereto by the Municipality or where buildings/structures are dilapidated.

2.4 RESTRICTION ON REGISTRATION AND TRANSFER OF ERVEN FROM THE TOWNSHIP

In terms of section 16(10) of the By-law read with section 53 of Spatial Planning and Land Use Management Act, (Act 16 of 2013) no property(ies) or land and/or erf/erven and/or sections and/or units, sectional title schemes/registers or other registration transaction/s, in a land development area, which registration transactions results from a land development application(s), may be submitted by the applicant and/or owner, to the Registrar of Deed for registration, including transfer and the registration of a Certificate of Consolidated Title and/or Certificate of Registered in the name of the owner; prior to the Municipality certifying to the Registrar of Deeds that:

- 2.4.1 all engineering services have been designed and constructed to the satisfaction of the Municipality, including the provision of guarantees, and maintenance guarantees, for services having been provided to the satisfaction of the Municipality as may be required;
- 2.4.2 all engineering services contributions and open spaces and parks contributions and/or development charges and/or other monies have been paid;
- 2.4.3 all engineering services have been or will be protected to the satisfaction of the Municipality by means of servitudes;
- 2.4.4 all conditions of the approval of the land development application have been complied with or that arrangements for compliance to the satisfaction of the Municipality have been made, which arrangements shall form part of an agreement read with Chapter 7 of the By-law, to the satisfaction of the Municipality;
- 2.4.5 it is in a position to consider a final building plan; and
- 2.4.6 all the properties have either been transferred in terms of subsection 16(11) hereof or shall be transferred simultaneously with the first transfer or registration of a newly created property or sectional title scheme.

2.5 RESTRICTION ON THE TRANSFER OF ERVEN

Erven 4818 to 4836 shall not be transferred into the name of any purchaser, without the written consent of the Municipality first having been obtained, which consent shall not be granted unless:

- 2.5.1 A geological footprint investigation has been conducted and the erf is deemed suitable for development and accepted by the Municipality and the Council for Geoscience.
- 2.5.2 A detailed Construction Report must be submitted, which must include the mapping details of the trenches and the revised stability map, confirming the conditions on site and the positioning of structures and wet services. A table indicating the stand sizes, risk classification and D designation for each stand within the township must be included. Certification on the method of backfilling of the boreholes must also be included.
- 2.5.3 A detailed Dolomite Risk Management Plan must be submitted, specific to the development. The legal transfer of the responsibility for the management of the Risk Management Plan to a representative Body Corporate or similar as applicable must be included.
- 2.5.4 The township owner is responsible to facilitate the procedure to transfer the responsibility for the management for the Dolomite Risk Management plan legally to a representative Body Corporate or similar entity, as applicable.

2.6 RESTRICTION ON THE TRANSFER OF AN ERF/ERVEN CONTEMPLATED IN SECTION 16(11) READ WITH SECTION 34 AND SCHEDULE 19 OF THE BY-LAW TO A NON-PROFIT COMPANY

Erven 4837, 4838, 4840 and 4841 shall, prior to or simultaneously with registration of the first transfer of an erf/unit in the township and at the costs of the township owner, be transferred only to Eldo Ridge non-profit Company registration number 2004/032892/08 which organization shall have full responsibility for the functioning and proper maintenance of the said Erven 4837, 4838, 4840 and 4841 and the engineering services within the said erven.

A servitude for access and municipal services shall be registered over Erven 4840 and 4841 in favour of the Municipality as well as all the erven in the township.

The erf may not be transferred thereafter by the non-profit Company before the consent of the City of Tshwane first been obtained.

2.7 ERF 4839 FOR MUNICIPAL PURPOSES READ WITH SECTION 16(11) OF THE BY-LAW

Erf 4839 shall, prior to or simultaneously with registration of transfer of the first erf in the township and at the cost of the township owner, be transferred to the City of Tshwane for municipal purposes (Public Open Space).

The township owner shall, at its own costs and to the satisfaction of the Municipality, remove all refuse, building rubble and/or other materials from Erf 4839 prior to the transfer of the erf in the name of the City of Tshwane.

2.8 PROVISION OF OPEN SPACES AND PARKS IN TERMS OF SECTION 47 OF THE BY-LAW

The township owner shall secure private open space on Erf 4838 in favour of the residents of Eldoraigine Extension 67 and Eldoraigine Extension 86 in the township for purposes of the protection of open spaces in lieu of the provision of open spaces and parks contemplated in Section 47 of the By-law.

This provision of open space is calculated at
Eldoraigine Extension 67: 284 units x 24m², plus
Eldoraigine Extension 86: 19 units x 24m², in TOTAL 7 272m²

Erf 4838 (Private open space) is 3,1436ha in extent, which exceeds the 7 272m² required and therefore no endowment is required for Eldoraigine Extension 67 and Eldoraigine Extension 86 in terms of Section 47(3) of the By-Law.

2.9 ESTABLISHMENT OF A NON-PROFIT COMPANY IN TERMS OF SECTION 34 WITH SCHEDULE 19 OF THE BY-LAW

The township owner shall at his/her own cost incorporate Eldoraigine Extension 86 into the existing Non Profit Company ("NPC"), Eldo Ridge Home Owners Association NPC, Registration Number 2004/032892/08 in terms of schedule 1 of the Companies Act, 2008 (Act 71 of 2008) as amended and as contemplated in section 34 read with schedule 19 of the By-law, with the main object of the Company being to retain and maintain the private engineering services in the township. The township owner shall further submit proof that such a Company has been duly registered, before a section 16(10) Certificate shall be issued in terms of the By-law.

Servitudes in favour of all the erven within the township shall be registered over any and all property owned or transferred to a NPC for purposes of access and engineering services.

All buildings and structures to be erected shall be made subject to the provisions of the Development and Architectural Guidelines of Eldo Ridge Country Estate Architectural Design Guidelines and any and all amendments to the said document as may be effected and approved by the Eldo Ridge Home Owner's Association. Building Plans shall only be submitted to the Municipality for final approval once the said plan has been evaluated and approved by the Trustees of the Home Owner's Association.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE IN TERMS OF SECTION 16(4)(g)

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

3.1 Excluding the following servitudes in Deed of Transfer T107698/2004 which do not affect the township due to location:

- A (d) SUBJECT to a servitude of Water Furrow across the Eastern corner thereof in favour of the aforementioned Portion 121 of Portion B of the Middle Portion.

The corner referred to would be the area of the triangle produced by extending the Western boundary of the former Remaining Extent of the Western portion of the said farm, measuring as such 364,8041 (THREE HUNDRED AND SIXTY FOUR comma EIGHT NOUGHT FOUR ONE) hectares to make contact with the Southern boundary of the former Remaining Extent of Portion "d" of Portion of the said farm, measuring as such 115,0537 (ONE HUNDRED AND FIFTEEN comma NOUGHT FIVE THREE SEVEN) hectares.

- B. The property hereby transferred is SPECIFICALLY SUBJECT to the condition that Holding No 9 SUNDERLAND RIDGE AGRICULTURAL HOLDINGS, district Pretoria, held under Deed of Transfer no 10240/1950 dated 7th June, 1950, is entitled to a supply of potable water for domestic purposes of not less than 200 gallons per diem from the borehole situate on the former Remaining Extent of the Western Portion of the said farm ZWARTKOP No 356, Registration Division J.R., district Pretoria, Measuring as such 298,5750 (TWO HUNDRED AND NINETY EIGHT comma FIVE SEVEN FIVE NOUGHT) hectares held under deed of transfer no 18505/1939, dated the 20th October, 1939, conveyed by means of water piping across Portion 173 (a Portion of the Western Portion) of the said farm ZWARTKOP transferred under paragraph 1 hereof, to the reservoir situate on the property hereby transferred and thence to the aforesaid Holding No 9, SUNDERLAND RIDGE AGRICULTURAL HOLDINGS, as will more fully appear from Notarial Deed no. 436/1950-S dated the 11th day of May, 1950, and registered on the 7th day of June, 1950.
- C. The property hereby transferred is SPECIFICALLY SUBJECT to the condition that Holding No 11, SUNDERLAND RIDGE AGRICULTURAL HOLDINGS, district Pretoria, held under Deed of Transfer no 2008/1951 dated 17th August, 1951, is entitled to a supply of potable water for domestic purposes of not less than 200 gallons per diem from the borehole situate on the former Remaining Extent of the Western Portion of the said farm ZWARTKOP No 356, Registration Division JR, District Pretoria, measuring as such 298,5750 (TWO HUNDRED AND NINETY EIGHT comma FIVE SEVEN FIVE NOUGHT), held under Deed of Transfer no 18505/1939, dated the 20th October, 1939, conveyed by means of water piping across the property hereby transferred to the reservoir situate on the property hereby transferred and thence to the aforesaid Holding No 11, SUNDERLAND RIDGE AGRICULTURAL HOLDINGS, as will more fully appear from Notarial Deed No 663/1951-S dated the 17th day of July, 1951, and registered on the 16th day of August, 1951.
- SPECIFICALLY SUBJECT to the condition that Holding No 11, SUNDERLAND RIDGE AGRICULTURAL HOLDINGS, district Pretoria, held under Deed of Transfer no 2008/1951 dated 17th August, 1951, is entitled to a supply of potable water for domestic purposes of not less than 200 gallons per diem from the borehole situate on the former Remaining Extent of the Western Portion of the said farm ZWARTKOP No 356, Registration Division JR, District Pretoria, measuring as such 298,5750 (TWO HUNDRED AND NINETY EIGHT comma FIVE SEVEN FIVE NOUGHT), held under Deed of Transfer no 18505/1939, dated the 20th October, 1939, conveyed by means of water piping across the property hereby transferred to the reservoir situate on the property hereby transferred and thence to the aforesaid Holding No 11, SUNDERLAND RIDGE AGRICULTURAL HOLDINGS, as will more fully appear from Notarial Deed No 663/1951-S dated the 17th day of July, 1951, and registered on the 16th day of August, 1951.
- D. Die hierin vermelde eiendom is kragtens Notariële Akte No 85/1984 onderhewig aan 'n waterpypleiding Serwituut 15 meter breed 1,1894 hektaar groot ewewydig met en langs die hele lengte van grens CA op Kaart SG No 7604/46 met bykomende regte.
- E. Die hierin vermelde eiendom is kragtens Notariële Akte No 3678/1993 onderhewig aan 'n ewigdurende reg tot 'n waterpyplynserwituut ten gunste van Standaard van Verwoerdburg, 3 meter wyd. Die Noord en Noord-oostelike grense van die serwituut word aangedui deur lyn ABCD op kaart LG A69/1993 daarby aangeheg.
- F. the property hereby transferred is subject to Notarial Deed No K3289/2004S a servitude in perpetuity in respect of pipelines already laid and which may hereafter be laid along a strip of ground 35 (thirty five) square metres in extent, as depicted by the figure ABC on Servitude Diagram SG 1456/1998 together with the right in perpetuity to lay or carry through, under, over or across the property along the strip.

3.2 Excluding the following entitlement in Deed of Transfer T54854/2017 which shall not be transferred to erven in the township –

A. The former Remaining Extent of Portion “d” of a Portion of the said farm ZWARTKOP no. 356, Registration Division JR, district Pretoria, measuring 145,0537 Hectares (whereof the property hereby transferred forms a part) is SUBJECT and ENTITLED to the following terms and conditions:-

3.2.1 The use and enjoyment of the water from the Hennops River to which–

3.2.1.1 The Remaining Extent of Portion “d” of a portion of the farm ZWARTKOP No 356, Registration Division JR, district Pretoria, measuring as such 115,0537 hectares;

3.2.1.2 The Remaining Extent of the Western Portion of the said farm, measuring as such 364,8041 hectares;

3.2.1.3 The Remaining Extent of the Middle Portion of the said farm, measuring as such 167,2707 hectares;

3.2.1.4 Portion B of the Middle Portion of the said farm, measuring 577,7308 hectares;

Are entitled, is divided as follows:-

I. The owner of the following three properties, namely:-

(a) Certain Portion 121 of Portion B of the Middle Portion of the said farm ZWARTKOP No 356, Registration Division JR, district Pretoria, measuring 306,2476 hectares;

(b) Certain Portion 122 of the Western Portion of the said farm ZWARTKOP, measuring 9 250 hectares;

(c) Certain Portion 123 of the Western Portion of the said farm ZWARTKOP, measuring 13,6049 hectares,

all as transferred by Deed of Partition Transfer no 18504/1939 on the 20th October, 1939, shall be entitled to:-

i. The right to pump water from the Hennops River above the drift known as “Kalk Drift” and East of the Eastern boundary of the said portion 121 for 4,2827 (FOUR comma TWO EIGHT TWO SEVEN) hectares of land, the quantity for such 4,2827 (FOUR comma TWO EIGHT TWO SEVEN) hectares to be determined by reference to the order of the Water Court dated the 24th day of OCTOBER, 1927.

ii. The right to pump water from the Hennops River at the Swimming Bath upon the said Portion 121 for forty eight (48) continuous hours per week for the purpose of filling the said oath and irrigation 1,7131 (ONE comma SEVEN ONE THREE ONE) hectares of land West of the Bath, the quantity of water for such ONE comma SEVEN ONE THREE ONE hectares to be determined by reference to the aforesaid Order of the Water Court, with the alternative right to irrigate the said land for twenty four (24) continuous hours per week by gravitation from the weir in the Hennops River.

II. The owners of the remainder of the said four properties, namely:-

(a) The said remaining Extent of Portion “d” of Portion of the said farm ZWARTKOP No 356, Registration Division JR, District Pretoria, measuring as such 115,0537 (ONE HUNDRED AND FIFTEEN comma NOUGHT FIVE THREE SEVEN) hectares;

- (b) The remaining Extent of the Western Portion of the said farm ZWARTKOP, measuring as such 350,2741 (THREE HUNDRED AND FIFTY comma TWO SEVEN FOUR ONE) hectares;
 - (c) The Remaining Extent of the middle portion of the said farm ZWARTKOP, measuring as such 167,2707 (ONE HUNDRED AND SIXTY SEVEN comma TWO SEVEN NOUGHT SEVEN) hectares;
 - (d) The Remaining Extent of Portion B of the middle portion of the said farm ZWARTKOP, measuring as such 271,4831 (TWO HUNDRED AND SEVENTY ONE comma FOUR EIGHT THREE ONE) hectares; all as transferred by Deed of Partition Transfer no 18505/1939 shall be entitled to the balance of the said water.
- (b) ENTITLED to a right-of-way twelve comma five nine (12,59) metres wide over:-
- Portion 121 of Portion B of the middle portion of the said farm ZWARTKOP No 356, Registration Division JR, district Pretoria, measuring 306,2476 (THREE HUNDRED AND SIX comma TWO FOUR SEVEN SIX) hectares, as transferred by Deed of Partition Transfer no 18504/1939 on the 20th October, 1939, so as to give access to the main road between Pretoria and Johannesburg via the existing road (or right of way) over:-
- Portion A of the middle portion of the said farm ZWARTKOP No 356, Registration Division JR, District Pretoria.
- (c) ENTITLED to a servitude of the right to lay a pipeline over
- Portion 123 of the Western portion of the said farm ZWARTKOP No 356, Registration Division JR, district Pretoria, measuring 13,6049 (THIRTEEN comma SIX NOUGHT FOUR NINE) hectares as transferred by Deed of Partition Transfer no 18504/1939 aforesaid,
- and over
- Portion 121 of Portion B of the middle portion of the said farm ZWARTKOP no 356 Registration Division JR, district Pretoria, measuring 306,2476 (THREE HUNDRED AND SIX comma TWO FOUR SEVEN SIX) as transferred under the said Deed of Partition Transfer No 18504/1939 along the Western Boundary of the said of the said Portion 121 to the Remaining Extent of Portion B of the Middle Portion of the said farm ZWARTKOP Measuring as such 271,4831 (TWO HUNDRED AND SEVENTY ONE comma FOUR EIGHT THREE ONE) hectares;

4. CONDITIONS OF TITLE

- 4.1 Conditions of Title imposed in favour of the Municipality in terms of the section 16(4)(g) of the By-law
- 4.1.1 ALL ERVEN
- 4.1.1.1 Each erf is subject to a servitude, 2m wide, in favour of the Municipality, for sewerage and other municipal purposes, along any boundary 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 Municipality: Provided that the Municipality may dispense with any such servitude.
- 4.1.1.2 No building or other structure or any part of its foundation 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.

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

4.1.1.4 The erven lie in an area with soil conditions that can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of buildings and structures must be designed by a competent professional engineer and erected under his supervision. Building plans submitted to the Municipality for consideration shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. The owner of the erf shall comply with these measures in accordance with the recommendations contained in the Geo-technical report for the township and conditions imposed by the Council for Geoscience, unless it is proven to the Municipality and the Council for Geoscience, that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

4.1.2 ERVEN 4840 AND 4841

The whole of the erf is subject to a servitude for Municipal Services and Right of Way in favour of the Local Authority as indicated on the General Plan.

4.1.3 ERVEN 4838 AND 4840

The erf is subject to a Right of Way and Stormwater servitude in favour of the Local Authority as indicated on the General Plan.

4.1.4 ERF 4837

The erf is subject to a 3 metre Sewer servitude in favour of the Local Authority as indicated on the General Plan.

4.1.5 ERVEN 4819 TO 4823 AND 4838

The erf is subject to a 2,5m wide Stormwater servitude in favour of the Local Authority as indicated on the General Plan.

4.1.6 ERVEN 4819, 4822 AND 4838

The erf is subject to a 2,5m wide Sewer servitude in favour of the Local Authority as indicated on the General Plan.

4.1.7 ERF 4838

The erf is subject to a 2,5 metre Stormwater servitude in favour of the Local Authority as indicated on the General Plan.

4.1.8 ERF 4838

The erf is subject to a 2,5 metre Sewer servitude in favour of the Local Authority as indicated on the General Plan.

4.1.9 ERF 4824 and 4828

The erf is subject to a 2,5 metre Sewer servitude in favour of the Local Authority as indicated on the General Plan.

4.1.10 ERF 4840 AND 4841

The erf shall not be transferred into the name of any purchaser other than Eldo Ridge Home Owners Association NPC, Registration Number 2004/032892/08 without the written consent of the Local Authority first having been obtained.

4.1.11 ERF 4837 AND 4838

The erf shall not be transferred into the name of any purchaser other than Eldo Ridge Home Owners Association NPC, Registration Number 2004/032892/08 without the written consent of the Local Authority first having been obtained.

4.2 Conditions of Title imposed in favour of third parties to be registered/created on the first registration of the erven concerned.

No erf in the township shall be transferred nor shall a Certificate of Registered Title be registered, unless the following conditions and/or servitudes have been registered:

4.2.1 ERVEN 4818 TO 4836

SUBJECT further to the following conditions imposed by the Transferor in favour of ELDO RIDGE HOME OWNERS ASSOCIATION NPC, Registration Number 2004/032892/08:

4.2.1.1 The transferee, his heirs, executors and successors in title are compelled to be a member of the ELDO RIDGE HOME OWNERS ASSOCIATION NPC from the date of registration of the property into his name.

4.2.1.2 The Transferee, his heirs, executors and successors in title shall not be entitled to transfer the property in any manner, without obtaining the prior written permission of the ELDO RIDGE HOME OWNERS ASSOCIATION NPC and then only subject to the condition that the Purchaser will become a member of the said ELDO RIDGE HOME OWNERS ASSOCIATION NPC on the date of registration of the property into his name.

4.2.2 ERF 4840 AND 4841

The whole of the erf is subject to a Right of Way servitude in favour of all the erven in the township Eldoraighne extension 86 and all the erven in the township Eldoraighne extension 67, as indicated on the General Plan.

4.2.3 ERVEN 4818 TO 4839

The erf is entitled to a Right of Way servitude over Erf 4840 and 4841 in the township.

4.2.4 ERVEN 4837 AND 4838

The whole of the erf shall be subject to a servitude in favour of the owners from time to time of all erven in the township of Eldoraighne Extension 67 and Eldoraighne Extension 86 for the Protection of Private Open Spaces and Right of Way and Engineering Services as indicated on the General Plan.

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